

(National Emblem)

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## **Presidential Election Regulation 2023**

## **Presidential Election Regulation 2023**

**Introduction and title** 1. (a) This regulation is formulated and implemented by the Elections Commission under Section 23 (c) of the Presidential Election Act [Law No: 12/2008] to outline the rules pertaining to the conducting of the Presidential Election in accordance with Article 110 of the Constitution of the Republic of Maldives.

(b) This Regulation shall be cited as the “Presidential Election Regulation 2023”.

**Conducting and monitoring the Presidential Election** 2. (a) All matters relating to the Presidential Election shall be organized, monitored and conducted by the Elections Commission.

(b) In accordance with Section 4 of the Elections (General) Act [Law No. 11/2008], all State entities shall provide assistance to the Elections Commission in the conducting and organization of the following matters.

- (1) Verification of the electoral roll;
- (2) Procurement of venues and facilities for the Elections;
- (3) Conducting of public awareness regarding Elections;
- (4) Provision and organization of venues to place ballot boxes;
- (5) Placement and training of officials to be posted at voting stations;

- (6) Establishment of an electoral complaints mechanism;
- (7) Procurement of supplies required for the Elections;
- (8) Appointment of focal points to oversee electoral matters;
- (9) Allocation of voting area.

(c) The State entity responsible for the maintenance of information of national registration shall facilitate the data required by the Elections Commission for the verification of the electoral roll as provided under (b) (1) of this Section.

(d) All State entities shall provide assistance and coordinate with the Elections Commission for matters in addition to that provided under (b) as required by the Elections Commission.

**National  
Advisory  
Committee on  
Elections**

3. (a) The Elections Commission shall establish a National Advisory Committee on Elections to advise and provide consultation to the Elections Commission on matters relating to the Presidential Election.

(b) The National Advisory Committee on Elections shall constitute parties appointed by the Elections Commission.

(c) The National Advisory Committee on Elections shall adhere to the rules and codes formulated by the Elections Commission.

(d) The Elections Commission shall organize and conduct the meetings of the National Advisory Committee on Elections.

**Focal Points** 4. The Elections Commission shall appoint focal points to organize electoral matters in accordance with standards set by the Elections Commission for ballot boxes placed at islands, wards, atolls, cities and abroad.

**Duties and responsibilities of focal points and assistants to focal points** 5. (a) Focal points and assistants to focal points appointed to conduct electoral work shall perform their duties and responsibilities in accordance with the standards set by the Elections Commission.

(b) Upon conclusion of their duties, focal points appointed to conduct electoral work shall submit a report based on the format provided by the Elections Commission within 21 [Twenty-One] days from the election day.

(c) The Elections Commission may take action against parties who fail to submit the report provided under (b) of this section within the stipulated time.

**Duration for focal points** 6. Unless otherwise specified under this regulation, the focal points and atoll focal points and ward focal points and city focal points appointed under this regulation shall remain in the position from the date of appointment until the Elections Commission deems their work as concluded.

**Electoral Roll** 7. (a) In accordance with the Elections (General) Act [Law No. 11/2008], the Elections Commission shall maintain an accurate electoral roll, based on the citizen information as available on the national database maintained by the State entity responsible for the maintenance of national registration. And such registry of the electoral roll shall be published on the Government Gazette and the website of the Elections Commission on a designated date by the Elections Commission.

(b) The Elections Commission shall publicly display the electoral roll at all inhabited islands on the same day of the publication of the electoral roll on the Government Gazette. The Elections Commission shall facilitate the registry of the electoral roll to viewed for any and all individuals who wishes to do so from all inhabited islands.

**Issuing copies of the registry to political parties and opening up for complaints**

8. (a) In addition to the publicizing the electoral roll in accordance with Section 9 of the Elections (General) Act, the Elections Commission shall share the electoral roll with details of eligible voters with all political parties as provided under Section 8 of the said Act.

(b) Political parties may submit complaints to the Elections Commission with respect to the registry shared under (a) above within 10 (Ten) days from the date of receipt of the said registry. Complaints may be lodged with focal points stationed at islands, wards, atolls and cities within this duration.

(c) In accordance with Section 10 (d) of the Elections (General) Act, complaints regarding information included or excluded from the electoral roll or regarding any amendments to be brought to the electoral roll, or regarding any misinformation on the electoral roll may be submitted to the elections focal points or to the Elections Commission within 10 (Ten) days from the date of announcement for complaints submission. Complaints shall be submitted via the “*Vote dhinumuge haqqu libigenvaa meehun ge registry aa beheh shakuvaa hushahalhaa form*” [Complaints form regarding electoral roll]. The Elections Commission shall facilitate the

availability of this form from the official website of the Elections Commission, secretariats of local councils and elections focal points.

- (d) The Elections Commission shall review and resolve the complaints submitted under (b) and (c) of this section within 5 (five) days from the date of expiration of the notice for complaints submission. The Elections Commission shall notify the complainant of the decision of the Commission and reasons for it within this duration.
- (e) Where a complaint is dissatisfied by the decision of the Elections Commission under (d), the complaint may appeal the matter at the High Court of Maldives within 5 (five) days from the notification of the decision of the Commission.
- (f) The High Court of Maldives shall decide the matter submitted to it under (e) above, within 15 (fifteen) days from the date of its submission.

**Directing  
complaints on the  
electoral roll to  
the Elections  
Commission**

9. Complaints regarding the electoral roll received by the elections focal points shall be directed to the Elections Commission on the same day as the receipt of it

**Amendments to  
the electoral roll  
publicized on the  
Government  
Gazette**

10. (a) No amendments shall be made to the electoral roll published on the Government Gazette as specified under Section 7 of this regulation except those amendments brought in relation to the complaints submitted to the Elections Commission in writing and complaints

submitted by candidates and political parties within 10 (Ten) days from its publication on the Government Gazette. Any amendments to the registry shall be made in accordance with the following manner.

- (1) A person may be added to the registry following a complaint made in relation to a name being omitted from the list, if the complaint includes an original document or attested copy of an original document indicating that they are a Maldivian citizen, 18 (eighteen) years of age, after its verification from concerned entities. This document shall provide information on the full name, permanent address, date of birth, sex and national identity card number of the person who wishes to be added to the registry.
  - (2) A person shall be omitted from the list where the complaint to omit a person included in the registry, if the complaint includes an original document or attested copy of an original document proving that they ought to be removed from the registry.
  - (3) The registry may be amended in response to a complaint requesting the amendment of information on the registry, upon the submission of the original of an official document or an attested copy of an original document verifying the information sought to be amended.
- (b) For the purposes of omission of a deceased person from the electoral roll, the death form, residents registry or any other official document issued by the State authority evidencing that the person requested to be omitted from

the electoral roll is a deceased person, shall be considered a valid document.

- (c) 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.
- (d) If the Elections Commission find that an amendment requires to be brought to the electoral roll pursuant to Section 11 of the Elections (General) Act, the Elections Commission shall bring forth any such amendment and it shall be publicized on the government gazette and shared with the candidates and political parties.
- (e) The amendments stipulated in (d) of this Section shall be brought to the electoral roll displayed under Section 9 of the Elections (General) Act.
- (f) Only individuals whose names are included in the final list publicized by the Elections Commission shall be eligible to cast their vote in the presidential elections.
- (g) The Elections Commission and the candidates or representatives of the candidates shall affix their signature and thumbprint on the final version of the electoral roll, published in accordance with this provision, acknowledging its validity. Under the circumstances where a candidate or a representative of a candidate fails to affix their signature on the final version of the electoral roll within the given time frame, it would be regarded that they had renounced this right to affirm the validity of the final electoral roll.



**Publication and use of the electoral roll**

11. (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) Personal information of the voters on the electoral roll shared with candidates and political parties shall be utilized responsibly, only for verification purposes. Publication of personal information of the voters shall be limited to the extent specified under Section 9 (a) (b) of the Elections (General) Act. Utilization of the information on the electoral roll for other purposes is prohibited. It shall be prohibited for any person to use this information for any business purposes or for any financial gain.

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

12. (a) A person eligible for voting in accordance with Section 12 of Law No 11/2008 (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 the Presidential Election while, residing in another inhabited Island of the Maldives or Resort or industrial Islands or in any other Country designated for voting, , such person(s) shall reregister the place the person will be residing in on the day of voting in accordance with subsection (c) of this Section.
- (b) Persons residing in Islands or places other than their resident addresses, desiring 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 by 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 to receive forms, forms submitted through those channels shall not be accepted.

- (c) 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.
- (d) Notwithstanding what is stated in (c) of this section, persons who registered to vote in Male’ for the Local Council Elections 2020 will be already registered to Male’ at the time of making the announcement for re-registration. Hence re-registration should only be done for those persons, out of those who have been registered to Male’

for Local Council Elections 2020, who wishes to vote in a place other than Male’.

[\(1<sup>st</sup> Amendment to Presidential Election Regulation 2023\)](#)

- (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) Details of persons re-registered in accordance with this Section, containing their name, sex, permanent address and the place of re-registration shall be published on the Government Gazette by the Elections Commission as well as on the website of the Elections Commission.
- (g) For the purposes of this section, it is the responsibility of the institution responsible for the persons under detention to handle the re registration of persons detained therein.

**Obtaining information for the purposes of re-registration**

13. Where the Elections Commission needs verification of the information of persons who have submitted for re-registration, and it seeks the information of mother’s name and national identity card number from the State entity responsible for national registration matters, it shall be provided to the Elections Commission.

**Registration for the second round of Presidential Elections**

14. (a) Persons who will vote during the second round of the Presidential Elections to a ballot box that is different from the ballot box to which the person voted during the first round of elections and those who are voting for the first time on turning 18 (Eighteen) years of age and will be voting at a place other than the place of registered

residence shall register for voting in the second round of the Presidential Election.

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

**Announcement  
for applying to  
Presidential  
Candidacy**

15. (a) The Elections Commission shall make a public announcement in accordance with Section 5 (a) of Law No: 12/2008 (Presidential Election Act) declaring that they have opened up the process for accepting applications of presidential candidacies.

- (b) The public announcement made by the Elections Commission under sub-section (a) of this Section shall include the information and materials prescribed under Law No: 12/2008 (Presidential Elections Act) and Law No: 11/2008 (Elections (General) Act).

**Applying for the  
Presidential  
Election**

16. (a) The public announcement made under Section 14 (a) of this Regulation shall provide a minimum period of 14 (Fourteen) days for interested candidates to apply to the Elections Commission for the Presidential Election.

[\(1<sup>st</sup> Amendment to Presidential Election Regulation 2023\)](#)

- (b) The public announcement declaring the opening up of the application process for presidential candidacies shall include the application form and the materials required for submission with the application form as stated in Section 9 of the Presidential Election Act. In approving the logo or symbol included with the submission for use in

campaigning for obtaining support in the election, priority shall be given to the first person making the application where more than one person has submitted the same logo. Candidates contesting on behalf of a party may use the party logo with the authorization from the party. No one other than the political party shall use the symbol or logo of that political party or anything similar.

**Announcing the names of Presidential Candidates**      17. The full names and addresses of Presidential Candidates and their Vice-Presidential candidates shall be publicly announced and published on the website of the Elections Commission in accordance with Section 10 of Law No: 12/2008 (Presidential Election Act).

**Withdrawal of candidacy**      18. A person who has submitted application of presidential candidacy desiring to withdraw the name shall have the discretion to withdraw the name prior to the drawing, ordering and announcement of the names of the candidates.

**Administrative fee**      19. An administration fee of MVR 100,000/- (Maldivian Rufiyaa One Hundred Thousand) required to be paid by the candidates applying for the elections pursuant to Section 9 (b) of Law No: 12/2008 (Presidential Elections Act) shall be paid through the mechanism established to make payment to the State.

**Ordering the names of Presidential Candidates**      20. (a) The Elections Commission shall make an announcement and inform the candidates, the place, date and time for the drawing of names to arrange the order of the candidate numbers, amongst the qualifying candidates.

(b) The draw prescribed under sub-section (a) of this Section shall be held in the presence of candidates who have

applied for the elections or in the presence of the representatives of the candidates.

- (c) A candidate appointing a representative in accordance with sub-section (b) of this Section shall send that person to the place at which the draw is taking place, along with a letter of appointment and an unexpired Maldivian Identity Card of the representative. The letter shall have the full name, address and Maldivian national identity card number of the representative.
- (d) Where the candidate or a representative appointed by the candidate does not attend the draw taking place to order the candidate numbers of the candidates, the Elections Commission shall appoint a person to represent that candidate in the draw.

**Safety and Security of Candidates** 21. The Elections Commission shall ensure and facilitate the provision of safety and security services at the expense of the State on an equivalent basis to all the Presidential Candidates and Vice-Presidential candidates in accordance with Section 11 of Law No: 12/2008 (Presidential Elections Act).

**Campaign period for the Presidential Candidates** 22. In accordance with Section 10 of Law No: 12/200 (The Presidential Election Act), a minimum of 30 (Thirty) days shall be given for campaigning to candidates, between the date of announcement of names of qualifying candidates from the persons applying for candidacy and the voting date.

**Right to campaign for support** 23. (a) Candidates contesting in the Presidential Election shall have the right to campaign for gaining support in accordance with Section 28 of Law No: 11/2008 (Elections (General) Act).

(b) In campaigning to gain support for candidates in accordance with sub-section (a) of this Section the following acts may be undertaken.

- (1) Meeting and speaking with people to gain support.
- (2) Hold peaceful gatherings.
- (3) Make use of registered news and media outlets in the Maldives
- (4) Writing letters to people for the purpose of gaining support, distributing and displaying in public places, photos, stickers, write-ups and the like.
- (5) Using and displaying symbols and items portraying symbols.
- (6) Advertising
- (7) To do anything that does not contradict with the relevant laws and regulations including the Presidential Elections Act and the Elections (General) Act.

**Code of conduct for candidates and supporters of the candidates** 24. (a) All persons working to gain support in the Presidential Election 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 elections.
- (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 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) 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
- (11) An act likely to diminish the character of any person shall not be done in efforts made to gain support for a candidate.
- (12) No person shall force or threaten any person in any way by asking to vote or not to vote in a specific.
- (13) 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.

- (14) Speech contradicting a tenet of Islam and acts causing disrespect to Islam shall not be done in efforts to gain support for a candidate. And allegations not possible of being proved, of the nature that any candidate or the party to which a candidate belongs to is a non-religious party or a traitor shall not be perpetrated.
  - (15) No person shall litter any place in efforts to gain support for candidate mentioned as stipulated in Regulation number 2013/R-58 (Waste Management Regulation).
  - (16) Person(s) placing advertisements, billboards and banners and the like for gaining support in elections, shall remove and clean the place.
  - (17) Sustainable materials should be used in making posters, banners in efforts made to gain support for a candidate.
  - (18) 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.

**Representatives appointed to voting stations by the candidates**

- 25.** (a) Each candidate may appoint one (1) representative for every voting station to oversee voting process and ballot counting on the voting day.
- (b) The opportunity to appoint representatives referred to under subsection (a) shall be given to candidates who apply within the specified timeframe as announced by the Elections Commissions. The applications process will be carried out in accordance with the procedure prescribed by the Elections Commission.
- (c) The designated representatives appointed by the candidates, for the voting stations must possess the following qualifications.
- (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 have been subjected to disciplinary action or convicted of an election related offense within the last 5 (five) years.
- (8) Must have read and agreed to abide by the code of conduct prescribed by the Elections Commission for individuals involved in the electoral process.

(d) The designated representatives of the candidates shall sign the declaration provided by the Elections Commissions. Additionally, the representatives must adhere to the code of conduct applicable to the representatives.

**Observing of the Election by Maldivian parties**

26. (a) Maldivian parties seeking to observe the election process will be issued permits to the qualifying parties among those who apply for the permit in response to the announcement made by the Election Commission in accordance with Section 40 (a) of the Elections (General) Act. The applications must be submitted in accordance with the procedure established by the Elections Commission.
- (b) Maldivian parties seeking to observe the presidential election must possess the following qualifications.
- (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 the Presidential 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.
- (c) Observer passes issued to Political Parties and associations shall be used in the manner prescribed by the Elections Commission.
  - (d) 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.
  - (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 by International parties** 27. An international party can observe the presidential elections upon invitation by the Elections Commission or upon application to observe pursuant to the announcement, provided they meet the following qualifications and obtain accreditation from the Elections Commission.

- (a) An individual who has reached the age of 18 (eighteen).
- (b) Shall be a person accredited by the international organization the person is representing.
- (c) Shall not be a person campaigning to gain support for any Political Party or a candidate.

**Monitoring**

- 28.** (a) Individuals who meet the following qualifications and who has obtained accreditation from the Elections Commission can participate in monitoring the electoral process, by applying for it within the stipulated timeframe when announced by the Elections Commission.
- (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, or  
(b) Must be an individual verified by the Elections Commission, to work for a newspaper registered under Law No: 47/78 (Publications Act)
  - (4) Must not be a person undertaking work related to the Presidential Election on behalf of the Elections Commission.
  - (5) Must not have been subjected to disciplinary action or convicted of an election related offense within the last 5 (five) years.
  - (6) Must have read and agreed to abide by the code of conduct prescribed by the Elections Commission for individuals involved in the electoral process.

- (b) Persons involved in monitoring of the Election matters shall act in accordance with Section 41 of Elections (General) Act and this Regulation.
- (c) 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.

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

- 29.** (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.

**Adherence to regulation by**

- 30.** The Head Official of the voting station is authorized to revoke the permits of observers, monitors, and representatives of candidates

**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 the Elections (General) Act, 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.

**Preparations  
for  
voting**

31. (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, sex, atoll, island, address, date of birth, and Maldivian identity card number of all persons in that list shall be included.

**Determining the  
areas to place  
ballot boxes**

32. Elections Commission shall ascertain 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.

**Items prohibited  
into voting station**

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

**Voting Booth**

34. (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.

**Maintenance of ballot papers and other materials sent to voting stations**

- 35. It is the responsibility of the focal point appointed by Election Commission to specific places to securely maintain the ballot papers and other items sent to the voting station, before they are dispatched to the designated voting stations. The safety and security of these items shall be ensured by Maldives Police Service.

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

- 36. (a) Duties related to conducting the vote and counting of ballots shall be carried out as provided in the Handbook of Election Officials approved by Election Commission.
- (b) Election Officials shall sign a declaration prescribed by the Elections Commission prior to undertaking their assigned duties in respect of conducting the vote and counting of ballots.

**Duties and Responsibilities of the Official in Charge of voting station**

- 37. The Official in Charge of voting station shall diligently execute the duties assigned by the Election Commission, or a person designated by the Election Commission. Following are the duties and responsibilities of the Official in Charge of the voting station.

- (a) Receiving the ballot box, election related materials, and important documents related to voting to the voting stations of the Presidential Election and being responsible for these materials and maintaining them safely.
- (b) To make necessary arrangements and plans to carry out necessary preparations required at the voting station prior to voting.
- (c) Meet the individuals designated to work at the voting station before election day to explain the voting process and assign respective duties and responsibilities of each individual.
- (d) To open the security envelope containing the ballot paper 30 (Thirty) minutes prior to commencement of voting, counting the ballot paper, and confirming the number of ballots.
- (e) Open and ensure that the ballot box is empty, prior to commencement of voting in the presence of the first 2 (Two) electors, candidates' representatives, if present, authorized observers and monitors, and seal the lid of the ballot box properly and attach a pull-tight seal on 4 (four) side.
- (f) To facilitate entry to those who are permitted access to the voting station by Elections Commission and under relevant laws and Regulations.
- (g) In the event where Elections Commission needs to send a person to the voting station, facilitating entry for such a person to enter the voting station. (Such a person shall be allowed access to the voting station following verification

that they have been authorized by the Elections Commission.

- (h) To ensure that voting process at the voting station is conducted in accordance with applicable laws and regulations.
- (i) To verify persons who claim to be physically challenged to mark their ballot paper and allow such persons to use assistance in voting.
- (j) Accept complaints relating to voting on election day, from electors, observers, and monitors, and take immediate action. Issues that cannot immediately be resolved shall be reported to the Election Complaints Bureau, the Island Focal Point or Focal Point or Ward Focal Point or Atoll Focal Point or City Focal Point.
- (k) In counting of votes, determine valid and invalid votes accordingly as provided in the guidelines of the Elections Commission.
- (l) To determine and announce the provisional results of the vote.
- (m) To complete the documents required to be completed by the voting station.
- (n) Upon completion of voting and counting of votes, to seal and handover the ballot papers and all election related documents to the person designated by the Commission.

- (o) To make the provisional result publicly available for viewing at the voting station and send the results to Elections Commission in the manner prescribed by the Commission.
- (p) Take all necessary steps to ensure voting is conducted peacefully and smoothly at the voting station.
- (q) Take necessary measures to maintain order at the voting station and voting area at the time of voting and counting of votes.
- (r) If any unlawful activities are taking place at the voting station, to seek assistance of the Police where necessary seek to stop such activities.
- (s) Prepare a report of the proceedings between the commencement and the conclusion of voting at each voting area. The report shall be signed by the head of that area (Official in-charge of Ballot Box), the individual who prepared it, the individual who checked it, and sent to the main Election Headquarters of Elections Commission based in Male'.
- (t) For the purposes of voting, counting of votes and declaring provisional results, and where necessary undertake any other duties in addition to the abovementioned, with the advice of Elections Commission or a person designated by the Elections Commission accordingly as stated in law and regulation.

**Assisting  
physically  
challenged**

- 38.** (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

**persons to mark  
the ballot**

box. Such a designated person assisting an elector can assist in voting 1 (one) time only and shall also be a person registered to vote at the same voting station. Officials at the voting station shall make note of the name, address, and National Identity card number of the person assisting.

- (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 the 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.

**Presenting  
Official Proof of  
Identity**

39. Electors shall present an official document of identification (National identity Card, Maldivian Passport, Passport Card, Passport or National Driving License). 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.

**Invalid and Valid  
votes**

40. (a) Ballots casted in the following manner shall be deemed invalid.

- (1) Vote casted on a ballot different from the official ballot prepared by the Election Commission for the

election in accordance with Section 36 of the Elections (General) Act.

- (2) A ballot that does not bear a check mark within the designated space provided next to the name of any candidate.
  - (3) A ballot that contains check marks across for more than one candidate.
  - (4) A ballot that is discernable as having casted in contravention of the law.
  - (5) A ballot cast in a manner that it is undeterminable which candidate the elector has voted.
  - (6) A ballot, which contains additional marks or drawings or writings in the ballot in addition to the check mark across the name of the desired candidate.
- (b) 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 one candidate.
  - (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) 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.
- (c) Where a dispute has arisen among election officials, in determining whether a vote is invalid, the decision on the

validity or invalidity of such a vote will be taken by the official in charge of the voting station.

**Report of the 41. (a) proceedings**

A report shall be prepared of the proceedings between commencement and completion of voting at each voting station, containing all of the following information. This report shall be signed by the official in charge of the voting station, person who compiled the report and the person who checked it and sent to the main Election Headquarters based in Male'.

- (1) Time at which voting commenced and concluded;
- (2) Names, address, identification card number, designations and signatures of individuals who were appointed to conduct and supervise the voting process.
- (3) The number of individuals who voted (gender disaggregated)
- (4) Number of individuals who voted in accordance with Section 45 (b) of Elections (General) Act, their condition, and number of individuals who assisted physically disabled persons in voting along with their details.
- (5) Number of ballots used and the number of unused ballots (and if for any reason a ballot had been damaged, the number of ballots that were damaged indicated).
- (6) Number of counter foils from the used ballots;
- (7) Name and full address of the place where the ballot box was located;
- (8) If any unusual incident occurred, details of any such incident;

- (9) Name, address, proof of an official identity of the first 2 (Two) electors to arrive to vote for that area or constituency;
  - (10) Information of observers, if present;
  - (11) Any additional information required by law or regulation to be included in the report.
- (b) At the time of preparing the report referred to in subsection (a) of this Section, Election Commission officials at each voting station shall facilitate and ensure the presence of designated representatives of candidates at the voting station. Pursuant to subsection (a) of this Section, representatives of the candidates shall also be given opportunity to sign the Report of the Proceedings in addition to the signature of Official in charge, individual who prepared it, and the individual who checked it.
- (c) If the representatives of the candidate present at the voting area does not sign the Report of the Proceedings on the opportunity given to them under (b) of this Section, if the opportunity was given to them, the report shall be deemed a report that has been compiled in accordance with the procedure set under (b) of this Section.

**Disclosure of the Registry of voters in the Presidential Elections** 42. The registry of the voters who voted in the Presidential Elections shall not be disclosed, except as required under the authority of a court order.

**Announcement of preliminary results** 43. (a) After the results of the vote is announced at voting stations and the results are transmitted to the main headquarters of voting station in Male' designated by the Elections Commission, the Elections Commission shall announce



the preliminary results based on the results of the voting station.

- (b) The announcement of the results in accordance with subsection (a) of this Section shall be done after verifying the results received from the Voting Stations matches with the results announced at those Voting Stations.

**Announcement of official results** 44. The official results of the Presidential Elections shall be announced and published on the Government Gazette by the Elections Commission, no later than 7 (Seven) days from the date of the voting of the Presidential Election.

**Report of official elections auditor** 45. (a) The official elections auditor for candidates contesting in the Presidential Elections, as referred to in Section 9 (a) (2) of the Presidential Election Act, shall conduct an audit on the election related finances and financial transactions of each of those candidates in accordance with Section 16 of the Presidential Elections Act and submit the audit report to Elections Commission no later than 60 (Sixty days) from the date of election, via the official agent of the candidate. The Elections Commission shall publish the audits reports so submitted, on the website of the Elections Commissions and establish a mechanism to make the reports publicly accessible.

- (b) The auditor appointed by a presidential candidate shall be an auditor registered with the relevant State institution.

**Second round of Presidential Elections** 46. (a) In the event that none of the candidates participating in the Presidential Election obtains more than 50% (Fifty Percent) of the valid votes, the Elections Commission shall make all necessary preparations to conduct the second

round of the Presidential Election within a maximum of 21 (Twenty-one) days from the date of the first round of the election, as stipulated in Section 19 of the Presidential Elections Act.

- (b) When announcing the eligible voters for the second round of the elections, individuals who will reach the age of 18 (Eighteen) by the day of the second round must also be given the opportunity.

**Dealing with the remaining ballot papers post the voting**

- 47. Once the voting has been concluded and prior to sealing all the ballot papers in the security envelope, in order to determine the invalid ballot papers, such ballot papers has to be punched from its corner.

[\(1<sup>st</sup> Amendment to Presidential Election Regulation 2023\)](#)

**Opening of the Security Bags**

- 48. The Elections Commission may open and re-count the ballot papers of voters sealed in special security bags under the following circumstances.

- (a) Where the Commission identifies any problems in the preparation of the preliminary results sent from the voting stations.
- (b) For the purpose of investigating, where the Election Commission is of the opinion that a complaint submitted in relation to the result of a voting station is deemed to have sufficient evidence warranting an investigation.
- (c) A court order is issued against the Elections Commission to open the sealed special security bags containing the ballot papers.

- (d) Additional circumstances deemed by the Elections Commission to raise doubts about the validity of the votes.

**Procedure to be followed in opening the sealed security bags containing the ballot papers**

49. (a) The special sealed security bags containing the ballot papers of those who have voted, shall be opened by a person appointed by the Elections Commission, in the presence of the candidates contesting in the Presidential Election or in the presence of the representatives of the candidates. Persons appointed in this manner shall not commit any act that is detrimental to the electoral rights of any candidate and shall not disclose any information gained during the process of counting the ballots count to anyone other than the Elections Commission. Notwithstanding the above, disclosure to a court of law is exempted from this provision.
- (b) Where the security bags are to be opened in a circumstance specified under sub-section (a), the candidates contesting in the Presidential Election or their official election agents shall be informed 03 (Three) hours prior to the opening of the security bags through email, or SMS or by a written letter, the place and time designated for the opening of the security bags.
  - (c) Where the security bags are to be opened under circumstances prescribed under sub-section (a) of this Section, the presidential candidates or representatives of the candidates shall be granted authorization to be present.
  - (d) A report detailing the process of opening and re-counting the ballot papers sealed in the special sealed security bags containing the ballot papers of those who have voted, including all the information prescribed

below shall be compiled and signed by the most senior person in charge of the task, the person who compiled the report and the person who checked the report, shall submitted to the Elections Commission.

- (1) Number of the voting station.
  - (2) Date and time at which the security bag was opened.
  - (3) The time of commencement and conclusion of counting the ballot papers in the security bag.
  - (4) Time at which the security bag was re-sealed.
  - (5) Reasons for the re-count of the ballot by opening the security bag.
  - (6) Names, addresses and Maldivian identity card number of persons appointed to open the security bags.
  - (7) Name, address and identity card number of any candidates or representative of candidates present to observe the opening of the security bag, if any.
  - (8) Number of valid ballot papers in the security bag.
  - (9) Number of invalid ballot papers in the security bag.
  - (10) The number of votes for each candidate.
- (e) The Elections Commission shall issue a copy of the report prepared under subsection (c) of this Section, if requested by any candidate or political parties contesting on behalf of the party.
- (f) No person shall commit any act likely to interfere with the work being done by any person opening the security bag and recounting the ballot papers. And any person other than the persons in charge of the process shall not touch any documents or materials used in this process.

**Re-sealing the security bag** 50. On completion of the purpose of opening the special sealed security bag containing the ballot papers of the persons who had voted, the ballot papers should be re-sealed in the special security bags designated for the purpose.

**Code of conduct of persons conducting matters of the Presidential Election** 51. Permanent and temporary employees of the Elections Commission, members of the of the committees selected for elections related work and members of the Bureaus, Focal Points and assistants of the Focal points, Officials appointed by the Commission to work at the voting stations and any other persons assigned the works of the Presidential Election, shall comply with the Code of Conduct prescribed below, in undertaking the work assigned to them.

- (a) Fulfilling the work assigned to the person diligently in accordance with the Constitution of the Republic of Maldives, Elections (General) Act, the Presidential Elections Act and the Regulations enacted under those laws and the standards prescribed by the Elections Commission for the conduct of the Election.
- (b) Not doing any act likely to be detrimental to the rights granted under the laws to, voters, candidates, representatives of the candidate, observers monitors and political parties.
- (c) Fulfilling the work assigned for the Presidential Election by the Elections Commission, with sincerity and integrity.
- (d) Refraining from being subjected to any influence by anyone involved in the elections.

- (e) In conducting election related work, to refrain from favoring a particular candidate or a person (s) supporting or against a particular candidate.
- (f) The person (s) working in the matters relating to the Presidential Election shall be being neutral from the time that they undertake the work.
- (g) Work towards making the election free, fair and independent election.

**Establishing  
Elections  
Complaints  
Bureaus**

- 52.** (a) On announcement of the opening up for applications of presidential candidacies, a National Elections Complaints Bureau consisting of 05 (Five) members shall be established by the Commission. And Elections Complaints Bureau consisting of 03 (Three) members shall be established in every City and Atoll other than in Male, 10 (Ten) days prior to the Election Day. Upon the establishment of the complaint bureaus, the place of establishment of the bureaus, contact numbers, email addresses, and their opening hours shall be publicly announced.
- (b) A minimum of 03 (Three) members of the 05 (Five) members in the National Elections Complaint Bureau shall have an educational qualification in the field of Sharia'/ Law or shall be persons having worked and gained experience in the said field.
- (c) The 03 (Three) members in the Atoll/City Elections Complaint Bureau shall be appointed by the Elections Commission.

- (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 Presidential Election and taking appropriate measures.

**Receiving  
complaints to  
Island/ Ward  
Focal Points**

**53.** (a) Where a complaint relating to the Election is submitted to the Island/Ward Focal Point, necessary steps regarding the complaint shall be made on a day-to-day basis. Where the Island/Ward Focal Point 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) Election related complaints in Male' City shall be submitted directly to the National Elections Complaints Bureau. Complaints submitted prior to the establishment of the Elections Complaints Bureau, shall be submitted directly to the Elections Commission.

**Term  
Complaints  
Bureaus**

**54.** (a) The National Elections Complaint Bureau shall carry on from the date of its establishment, for a period of (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 period of 14 (Fourteen) days 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 the date of its establishment, for 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 and announcement of official results.
- (c) The Elections Commission may extend the term of the Bureau to complete an incomplete work relating to the complaints.

**Chief of the Ballot Box and Complaints Officer**

- 55.**
- (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 in 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’.

**Complaints Submission**

- 56.**
- (a) Complaints in relation to the Presidential Election shall be submitted to the Island/Ward Focal Points, Atoll/City Elections Complaints Bureau, National Elections



Complaints Bureau and the Elections Commission. In this respect, complaints relating to an Island shall generally be submitted to the Island/Ward Focal Points. Complaints from Resorts and Industrial Islands shall be submitted to the Atoll Complaints Bureau of that Island. Complaints from Male', Prisons, and from countries outside the Maldives in which ballot boxes have been placed shall be submitted to the National Complaints Bureau within the complaints mechanism by using the designated complaints form.

- (b) Complaints in relation to the Island/Ward Focal Point and Atoll/City Focal Point shall be submitted to the Elections Commission. The complaints should be submitted within the complaints mechanism by using the designated complaints form.
- (c) Where a complaint sought to be submitted to the Elections Commission concerns a breach of any provisions of the Elections (General) Act, the Presidential Election Act and Regulations enacted thereunder, details of the complaint, along with supporting evidence, shall be submitted within 05 (Five) days from the date at which the election was held. Complaints submitted to the Island/Ward Focal Points, Atoll/City Complaints Bureau, and National Complaints Bureau shall be regarded as complaints submitted to the Elections Commission. When submitting the complaint, the name, address and Maldivian national identity card number of the complainant should be included. Complaint shall be submitted using the "Complaint Form for Presidential Election". Where the complainant is a political party or association or an institution the seal and signature of

responsible person shall be included in the complaint form.

- (d) Arrangement shall be made to inform the complainant on how the complaint was dealt with, within 02 (Two) days from the date of submission of the complaints submitted in accordance with this Section.

**Investigating complaints and cases**

57. The complaints and cases submitted to the Island/Ward Focal Points, Complaints Officers at the voting stations, Chiefs of Ballot Boxes, Atoll/City Complaints Bureau and the National Complaints Bureau shall be investigated, and immediate measures shall be taken in relation to complaints requiring immediate resolutions.

**Recording the information relating to complaints**

58. (a) Information relating to the complaints submitted in relation to the Presidential Election to the Island/Ward Focal Points, Atoll/City Complaints Bureau, Complaints officers at the voting stations, Chiefs of Ballot Boxes and the National Complaints Bureaus shall be recorded and maintained on a daily basis. In recording the complaints in this manner, the following information shall be included.

1. Full name, permanent address, current address, and national identity card number of the complainant.
2. Information of the person at which the complaint is directed (Name, address, and if known the Maldivian identity card number).
3. Nature of complaint submitted (A summary of the complaint).
4. Actions taken or the decision on the complaint.

- (b) The requisite actions taken after reviewing the complaints submitted to the Island/Ward Focal Point, and Complaints Bureau shall be included in the complaint report compiled on a day-to-day basis and this report shall be submitted to the National Complaints Bureau as per the directions given.
- (c) A report prepared on the complaints submitted to the Complaints Bureaus, including the information prescribed under subsection (a) of this Section, shall be submitted by the National Complaints Bureau to the Elections Commission within 12 (Twelve) days from the date of announcement of the official results.

**Disposal of Ballot papers** 59. The Ballot papers and other materials used in the election should be destroyed after 14 (fourteen) days from the date of the announcement of official election results after making sure that there are no cases submitted to court under Section 64 of Elections (General) Act, by approval from the meeting to dispose off the Ballot papers and other materials used in the elections.

**Offenses and Penalties** 60. Election Commission shall take action under Section 74 of the Elections (General) Act, against any person who commits any act in violation of the Elections (General) Act, Presidential Election Act, and this Regulation.

**Preparation of election report** 61. A report on the Presidential Election shall be prepared and published by the Election Commission within 90 (ninety) days of election.

**Making arrangements for the availability of forms**

62. The forms referred to in this Regulation shall be published in the Government Gazette and on the website of the Commission upon announcement about those forms by the Elections Commission. Election Commission shall also make arrangements for these forms to be made available at such places designated by the Commission.

**Occurrence of an event not specified in the law and regulation**

63. In circumstances where an event occurs that has not been stipulated in the Elections (General) Act, any subsequent Regulations made under it, the Presidential Election Act, and this Regulation, consequent action to be taken shall be determined by the Election Commission.

**Definitions**

64. Words and expressions in this Regulation shall have the following meanings.

(a) "Election" shall mean the Presidential Election held under Section 2 of Law No. 12/2008 (Presidential Election Act).

(b) "Elections (General) Act" shall mean Law No. 11/2008 (Elections (General) Act).

(c) "Presidential Election Act" shall mean Law No. 12/2008 (Presidential Election Act).

(d) "National Advisory Committee on Elections" shall mean the committee established by the Election Commission in accordance with this Regulation to provide advice and counsel to Election Commission on the Presidential Election.

(e) "Re-Registry" means registration of a person to vote at a place other than the place specified as their permanent

address in the Register of Eligible Voters (Electoral Roll), on election day.

- (f) "Voting Centre / Station" 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 center.
- (g) "Voting booth" shall mean the booth designated for marking the ballot paper.
- (h) "Observers" shall mean persons authorized by the Election Commission to observe an election in accordance with Law No. 11/2008 (Elections (General) Act) and this Regulation.
- (i) "Monitors" shall mean media personnel authorized by Election Commission as prescribed in Law No. 11/2008 (Elections (General) Act) and this Regulation, to observe the voting process at voting stations on election day.
- (j) "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.
- (k) "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.
- (l) "Family member" shall mean mother, father, child, spouse, or sibling.

- (m) "Official document of identification" shall mean any unexpired, original photographic document such as National identity card, Passport card, Maldivian passport, or a valid Maldivian Driver's License.
- (n) "Personal Information" shall mean National Identity card number, date of birth, phone number and photograph.
- (o) "Complaints Officer" shall mean the Official in charge of the ballot box.
- (p) "Focal Point" shall mean the person designated to an island by Election Commission to undertake administrative matters relating to the election and other duties assigned by the Election Commission.
- (q) Government holidays shall be included in counting duration in election related matters referred to in this Regulation.
- (r) Unless otherwise stated in this Regulation, or the context requires otherwise, words denoting the singular shall include the plural and vice versa.

**Commencement**     65. This Regulation shall come into effect from the date of its publication in the Government Gazette.

**Repealed Regulation**     66. Once this Regulation comes into effect, Regulation number: 2018/R-71 (Presidential Elections Regulation) shall be repealed.