



Republic of Liberia
NATIONAL ELECTIONS COMMISSION
TUBMAN BOULEVARD, 9th & 10th STREETS, SINKOR – P.O. BOX 2044
MONROVIA, LIBERIA
Email: info@necliberia.org



Candidate Nomination Procedures
For
Bong And Montserrado Counties’
Senatorial By-Elections

MARCH 12, 2018

TABLE OF CONTENT

	<u>Page</u>
1. General Provision, Purpose and Citations.....	1
2. Timeline for Nomination.....	1
3. Definition.....	2
4. Section I(Candidate Nomination/Application).....	3
5. Section II (Requirements for Candidate Nomination)...	3-4
6. Section III(Eligibility Criteria).....	4
7. Section IV(Nomination Fees).....	4
8. Section V(Proof of Bank Deposit).....	4
9. Section VI(Application Requirements).....	5
10. Section VII(Composition of Nomination Team).....	6
11. Section VIII(Issuing Nomination Applications).....	6-7
12. Section IX(Candidate Nomination Process).....	7
13. Section X(Processing Applications).....	7-9
14. Section XI(In case of Deficiencies/Missing Forms and Documents).....	9
15. Section XII(Data Entry Process).....	9-10
16. Section XIII(Scrutiny of Candidate Nomination Applicants).....	10-11
17. Section XIV(Publication of Provisional/Preliminary List of Candidates).....	11
18. Section XV(Correction of Provisional/Preliminary List).....	11
19. Section XVI(Challenges).....	12
20. Section XVII(Withdrawal of Nomination/ Applicant/Candidature).....	12-13
21. Section XVIII(Persons permitted to Observe).....	13
22. Section XIX(Candidate Debate).....	13
23. Section XX(Amendments and Revision).....	14

General Provision, Purpose and Citations:

These Regulations establish the rules governing the process of Candidate Nomination in the election of Senators for the senatorial By-Elections for Montserrado and Bong Counties.

Timeline for Nomination of Candidates for the 2018

Senatorial By-Elections:

March 15, 2018	Launch of Candidate Nomination Process (Distribution of Candidate Nomination Packages)
March 15-27, 2018	Candidate Nomination Period (Period for the official processing of the applications and interaction with assigned personnel)
March 28, 2018	Provisional /Preliminary List of Candidates Published
March 15-- April 13, 2018	Period to Correct/ Object/ Challenge and/the Determination of Names appearing on the Provisional and/ or Final Candidate List
April 4, 2018	Deadline for Candidates to Submit their Withdrawal Forms
April 10, 2018	Publication of the Final List of Candidates

Definitions

In this Candidate Nomination Procedure for the 2018 Senatorial By-Elections, unless the context otherwise indicates, the following definitions shall apply:

- a) “By-Election” means any election other than a general or special election as provided for under the provision of Article 37 of the 1986 Constitution and to otherwise include election called for the purpose of filling vacancies created as a result of unexpired term in an election position other than the Presidency and the Vice Presidency;
- b) Alliance or Coalition – refers to two (2) or more registered political parties accredited by the Commission working together for a particular political purpose pursuant to section 8.5 of the New Elections Law of 1986;
- c) Aspirant – means aspirant candidate and/or any person nominated or endorsed by a political party, coalition or alliance, and anyone applying to the Commission to stand as an independent candidate for the purpose of canvassing for an elective public office;
- d) Campaign – means to canvass for votes;
- e) Candidate Nomination Application – means a request, by a political party, coalition, or alliance, and any aspirant, to the Commission to stand for nomination in the 2018 Senatorial By-Elections;
- f) Commission - means the National Elections Commission (NEC);
- g) Candidate- means a person seeking electoral post or office;
- h) Candidate Debate-means a forum where persons seeking electoral office discuss their views;
- i) Domicile – means the residence in the constituency or county of an aspirant or candidate who seeks elective public office in which he/she lives, pays taxes and, where the candidate/aspirant has his/her true habitation, and to which, whenever he/she is absent, he/she has the intention of returning;
- j) Good Standing-means when an association, independent candidate or alliance/coalition is in compliance with all the laws of the Republic of Liberia to include: The 1986 Liberian Constitution, the New Elections Law of 1986 and all Guidelines and Regulations of the National Elections Commission;
- k) Political Party – means an association with a membership of not less than five hundred qualified voters in each of at least six counties whose activities include canvassing for votes on any public issue or in support of a candidate for elective public office;
- l) Independent Candidate-means a person seeking electoral post or office with or without his own organization, acting independently of a political party;
- m) Qualified Voter – means any Liberian citizen who is registered to vote and whose name appears on the registration roll;
- n) Residence – means the place where a voter lives.

Sec. 1: Candidate Nomination/Application Period

The official Candidate Nomination Period will begin on **Thursday, March 15, 2018 and end on Tuesday, March 27, 2018**. During the Candidate Nomination Period, the center will be open daily between the hours of **9:00 AM to 5:00 PM** for candidates to submit their candidate nomination applications to the Nomination Center (No application will be received after 5:00 P.M. or before 9:A.M. daily.) The launching of the Candidate Nomination Process will take place on **March 15, 2018**. The launching of the Candidate Nomination Period provides the aspirants for public offices, all interested political parties, coalitions, alliance and independent candidates, an opportunity to collect nomination applications at the Nomination Center located in the James M. Fromayan Conference Hall on 9th Street, Sinkor, Monrovia, Liberia.

The nomination process will be **centralized** and all applicants wishing to be nominated for the 2018 Senatorial By-Elections must comply with the NEC's Candidate Nomination Procedures and appear in person when submitting his/her application at the Nomination Center (James M. Fromayan Conference Hall on 9th Street, Sinkor, Monrovia) during the Candidate Nomination Period.

Sec. II: Requirements for Candidate Nominations

- a) All **registered** political parties, coalitions, alliances and independent candidates who have headquarters in the County where it/she/he seeks election to the office of a Senator, as required by Article 79(c)(ii) of the 1986 Liberian Constitution, and are in good standing with the NEC, shall be entitled to contest the elections.

- b) In order to contest the Senatorial By-Elections, political parties, coalitions, and/or alliances that have already registered with the NEC must nominate candidates for the election. In order to nominate a candidate or to be nominated, a political party, coalitions, or alliances must:
 - i. Meet the candidate eligibility criteria as provided for under Sec. 3 of this procedure;
 - ii. Fulfill the application requirements as provided for under Sec. 6 herein;

- iii. Appear in person for the nomination at the NEC Candidate Nomination Center and **only one (1) candidate per post may be nominated by a political party, coalition or alliance.**

Sec. III: Eligibility Criteria for Senatorial Candidates

In order for a person to be nominated as a candidate for the Senate, he/she must fulfill the following eligibility criteria:

Senatorial Candidate:

- a) Be a citizen of Liberia;
- b) Have attained the age of thirty (30) years;
- c) Be domiciled in the county to be represented not less than one (1) year prior to the time of the election;
- d) Be a taxpayer;
- e) Be a registered voter.

Sec. IV: Nomination Fees

Any person wishing to be nominated for the 2018 Senatorial By-Elections must pay a non-refundable fee to the NEC. Below is the fee requirement for the Senate:

1. Senatorial Candidates –Seven Hundred Fifty United States Dollars (US \$750.00) or its equivalent in Liberian Dollar;

Sec. V: Proof of Bank deposits for Candidate Nomination

All political parties, coalitions, alliances Independent Candidates shall maintain an updated bank account and provide proof to the NEC during Candidate Nomination with a bank receipt showing a balance not less than Ten Thousand United States Dollars or its Liberian Dollars equivalent (US\$10,000.00) for Senatorial Candidates.

Sec. VI: Application Requirement

In addition to the requirements above, in order to apply for a nomination, each candidate must satisfy the application requirements and submit all the necessary documents to the NEC.

Documents that must be submitted to the NEC are listed in the table below:

Political Party, Coalition, Alliance	Independent Candidate
<ol style="list-style-type: none"> 1. Letter of Intent 2. Sworn Declaration or Affidavit attesting to Citizenship 3. Sworn Declaration or Affidavit attesting to Domicile/ Residency 4. Tax Clearance 5. Candidate’s Financial Disclosure Form 6. Voter registration card, passport, national or international driver’s license 7. Candidate Questionnaire on Residency and Domicile 8. Endorsement Form (Individual) 9. Receipt showing payment of registration fees of US\$750.00 or its equivalent in LD to the NEC’s Candidate Nomination Account for Senate 10. Declaration by candidate to abide by the political party code of conduct 11. Bank Statement showing Deposit of US\$10,000.00 or its equivalent in LD 12. Information on established office in the Capital of the County; 13. Proof of indemnity/insurance bond of US\$100,000.00 	<ol style="list-style-type: none"> 1. Letter of Intent 2. Sworn Declaration or Affidavit attesting to Citizenship 3. Sworn Declaration or Affidavit attesting to Domicile/Residency 4. Tax Clearance 5. Candidate’s Financial Disclosure Form 6. Voter registration card, passport, national or international driver’s license 7. Candidate Questionnaire on Residency and Domicile 8. Receipt showing payment of registration fee of US\$ 750.00 or its equivalent in LD to the Candidate Nomination Account 9. Bank Deposit of US\$7,500.00 or its equivalent in LD 10. Information on established office within the headquarters in the County 11. Objective Statement of Candidate 12. Notarized Petition List of 500 Signatures of qualified voters from the County 13. Prove of publication of Petition listing in two(2) reputable Liberian Newspapers concomitantly 14. A Non Refundable processing fee of US\$700.00 or its equivalent in LD 15. Logo of the Independent Candidate on a CD 16. Proof of Indemnity Insurance policy with a reputable insurance company not less than US\$10,000.00 or its equivalent in LD;

Sec. VII: Composition of the Nomination Teams

In order to ensure a smooth Nomination process, the NEC has decided to assign three (3) teams to operate during the Nomination period:

The Senatorial Nominations Team – Three (3) Teams. Each team will consist of two (2) members:

1. A Candidate Desk Officer
2. A Data Entry Officer

The Candidate Desk Officer will be responsible for receiving nomination forms from Aspirants. The Data Entry Officer will enter the data from the application form into the database, take a photo of the Applicant, and issue the applicant a copy of the printed form. For more details regarding this process please refer to the Data Entry Process on pages 9-10.

Sec. VIII: Issuing Nomination Applications

Beginning **March 15, 2018**, political parties, coalition, alliance and independent candidate can collect nomination packages in the Nomination Center from the Candidate Desk Officers. Each political party, coalition, alliance and independent candidates must designate a person to collect the Nomination Packages, which will consist of the following forms:

- a) Letter of Intent (**CN01-BE/2018**),
- b) Questionnaire Domicile/Residency Form (**CN02-BE/2018**),
- c) Candidate Financial Disclosure Form (**CN03-BE/2018**),
- d) Political Party Endorsement Form (Individual) (**CN04-BE/2018**),
- e) Declaration to Abide by Political Parties' Code of Conduct (**CN05-BE/2018**),
- f) Nomination Application Checklist (for Affiliated Candidates) (**CN06-BE/2018**),
- g) Nomination Application Checklist (for Independent Candidates) (**CN07-BE/2018**),
- h) Established Office Form for: Political Party (**CNOE-A-BE/2018**); for Independent Candidate (**CNOE-B-BE/2018**).

In order to collect the packages, the person designated by a political party, coalition, or alliance has to present to the Nomination Team the Liaison Officer's Letter (**CN-13**), issued by the Chairman of the affiliated group. The letter will state that the liaison officer will collect the Nomination Package(s) for the party, coalition, or alliance.

Independent Aspirants or their liaison officers (who must also show the Liaison Officer Letter **CN-14**), will be able to collect nomination packages. The names of the independent Aspirants collecting the package will be crosschecked against the NEC's list of registered candidates. The names will be checked in order to ensure that the person appearing at the Nomination Center is a registered candidate, or represents a registered candidate, with the NEC.

In addition to issuing the nomination application forms, it is the responsibility of the Candidate Desk Officer to provide detailed information to the political party, coalition, alliance, and independent candidate (aspirant) on how to complete the forms and what documents and procedures are required in order to nominate a candidate for public office.

Sec. IX: Candidate Nomination Process

The Candidate Nomination Process commences when the Documentation Verification Officer confirms that the aspirant's name appears on the General Candidate Endorsement Form (**CN10B-BE/2018**) for the political party, alliance, or coalition. In the event that the aspirant's name does not appear on the General Endorsement Form (**CN10B-BE/2018**), the aspirant must submit an Individual Endorsement Form (**CN04-BE/2018**), accurately completed and signed by the Chairman of the party, coalition, or alliance. For Independent Candidates (Aspirants), the Documentation Verification Officer must confirm the independent aspirant's identity.

Once the aspirant's identity has been confirmed, the applicant will be asked to enter the waiting area and wait for their turn to be processed by the Candidate Desk Officer. In the case where the applicant does not have the proper identifying document(s), the applicant will be asked by the Documentation Verification Officer to return to the Nomination Center with all the necessary forms and/or documents in order to continue the candidate nomination application process.

Once the Documentation Verification Officer has confirmed the aspirant's identity, the aspirant can proceed to the Candidate Desk Officers.

Sec. X: Processing Applications

The Candidate Desk Officer, for the transparency and accuracy of the nomination process, will attend to one (1) candidate at a time.

The Candidate Desk Officer, when receiving forms from candidates, will follow the steps as outlined below:

Open a file for the potential candidate and label the top of the file in the following manner:

- a. Name of political party, alliance, or coalition or write “independent candidate” if the aspirant is not politically affiliated
 - b. Aspirant’s last name
 - c. Aspirant’s first name
2. Receive the duly completed Letter of Intent (**CN01-BE/2018**) and ensure that it is completed accurately;
 3. Review the forms and documents and confirms the aspirant’s identity by receiving any one(1) of the following documents :
 - a) Voter Registration Card
 - b) Passport
 - c) National or International Driver’s License
 4. The aspirant/candidate will give the Candidate Desk Officer the receipt for the nomination fee that was deposited into the bank account opened for nominations. The Candidate Desk Officer will transfer the Letter of Intent along with other documents to the Data Entry Clerk for processing.
 5. If the potential candidate is endorsed by the political party, coalition or alliance, he/she shall use the symbol of the party, coalition, or alliance. These symbols will be available with the NEC and will be attached to the application form of the candidate by the Data Entry Officer;
 6. In the case of independent candidates (aspirants), he/she has a choice of selecting a symbol from a list of symbols provided by the NEC or he/she may provide the Candidate Desk Officer with a CD with his/her symbol. If the Independent aspirant does not provide the NEC with his/her own symbol, the aspirant will have the option of selecting from three (3) symbols drawn from the Symbols Box provided by NEC. The number corresponding to the symbol will be recorded on the electronic form (printout). Details of the requirements for an aspirant who provides his/her own symbol are provided below.

7. The Candidate Desk Officer, while receiving applications for nomination from potential candidates, will use the Nomination Application Checklist (**CN06-BE/2018**) for Political Party Candidates or (**CN07-BE/2018**) for Independent Candidates) to verify and certify that all of the forms and documents that have been submitted are correct and complete. The Candidate Desk Officer, upon receipt of the Candidate Nomination Application, will sign the Notice of Receipt of Nomination Application Form (**CN12-BE/2018**) and give a copy of the form to the potential candidate.
8. The Candidate Desk Officer will then give the file to the Data Entry Officer. Details of the data entry process are given on pages 9-10.

Sec. XI: In Case of Deficiencies and/or Missing Forms and Documentation

The Candidate Desk Officer who receives the Candidate Nomination forms and documents will check and confirm that all the forms and documents are present and properly completed. The Candidate Desk Officer will inform the aspirant of any mistakes on the forms or if the documents are incomplete. The Candidate Desk Officer will request that the person submitting the documents to correct the identified deficiency (ies). The Candidate Desk Officer will only receive the Candidate Nomination Applications after the deficiencies have been remedied.

Important: Receipt of the completed Candidate Nomination forms and relevant documents does not constitute an acceptance of the candidate's nomination as additional processes, scrutiny and display, must be completed. Corrections can be allowed only when time permits as mentioned in Sec. XIII below.

Sec. XII: Data Entry Process

The National Candidate Nomination Center, for the purposes of candidate nominations, will have three (3) Data Entry Officers operating in the Nomination Center. Each Data Entry Officer will be paired with one (1) Candidate Desk Officer. The role of the Data Entry Officers in the Candidate Nomination Center is to create an electronic file for and take a photograph of each candidate. The Data Entry Officer will adhere to the following process when entering the data into the computer system:

1. Requests the file of the potential candidate from the Candidate Desk Officer;
2. Enters the data into the computer system using the potential candidate's Letter of Intent in the presence of the potential candidate;

3. Takes a photo of the Aspirant using a digital camera connected to his/her computer and attaches it to the electronic form;
4. In case of political parties, coalitions or alliance candidates, the Data Entry Officer in his/her database finds the symbol of the party, coalition or alliance, confirms that the correct symbol has been used, and attaches it to the electronic form;
5. If the candidate has selected the symbol from the list provided by the NEC, the Data Entry Officer, checks the number of the symbol and generates the corresponding symbol in his/her database and attaches it to the electronic form;
6. Once all the details of the potential candidate are entered into the computer system, the Data Entry Officer will print out the form with the aspirant candidate's information and a unique software generated ID number for the candidate, and asks the aspirant candidate to check if the particulars recorded on the printout are correct;
7. Asks the Aspirant to sign the printout in order to confirm that all entered particulars including his/her photo and symbol are correct. If the information is incorrect, the Data Entry Officer will correct any mistakes on the electronic form before asking the Aspirant to confirm the information and sign the printout once more;
8. Puts the signed copy of the printout into the potential candidate's file;
9. Gives the completed file to the Documentation Officer (Photo copying officer).

Once the data entry process is completed, the Documentation Officer (Photo-Copying Officer) will photocopy the aspirant/ candidate's entire file. The Documentation officer will create one (1) copy of the file for the Scrutiny Team and file the original Candidate file to be safeguarded in the Archive section of the Nomination Centre. The Documentation Officer (Photo copying officer) will be responsible to transfer documents (both photo copy and original) to the Records and Archives Officers.

Sec. XIII: Scrutiny of the Candidate Nomination Applications

During the Candidate Nomination Period, the Commission may take all lawful steps that it deems necessary, including the holding of hearings, to verify that the information and documentation are accurate and that the candidate is qualified under the Constitution and the New Elections Law.

In the event that an application is defective, within three (3) days of receipt of the application the Commission will inform the candidate of the deficiency and the nature of the deficiency.

The Commission shall afford a candidate the opportunity to remedy any application deficiencies if a candidate submits all nomination papers to the Commission prior to the close of the nomination period.

Candidates who submit deficient nomination applications shall only have up to the end of the Nomination Period to correct any errors or deficiencies. Candidates who submit their applications on the last day of the nomination period will not have an opportunity to correct any application deficiencies after March 27, 2018 at 5:00 PM. The Commission shall notify all aspirants in writing of its decision to accept or reject their request to stand for office.

An aspirant whose application has been rejected may appeal the Commission's decision to the Supreme Court of Liberia within three (3) days of the Commission's determination.

Sec. XIV: Publication of the Provisional/Preliminary List of Candidates

Once the Candidate Nomination Period ends, the NEC shall publish the Provisional List of Candidates in at least two (2) newspapers and on the NEC website.

The Provisional List of candidates will include: the name of the candidate, the photograph of the candidate, the electoral symbol of each candidate, the office the candidate is contesting and the county where the candidate is contesting for office.

Sec. XV: Corrections to the Provisional/Preliminary List of Candidates

During the display of the Provisional List of Candidates, the candidates can review the list for any inaccuracies. Candidates whose information on the Provisional List is incorrect, may request in person that the Commission correct the information on the Provisional List within three (3) days of the publishing of the Provisional List.

Corrections shall be made for inaccuracies such as:

1. Incorrect recording or publication of candidate's name;
2. Incorrect or misplaced party/candidate symbol;
3. Incorrect or misplaced party/candidate photograph; and/or
4. Incorrect County.

Sec. XVI: Challenges

An independent candidate, political party, coalition, alliance or any qualified voter may challenge the eligibility of candidates included in the Provisional List after the list is published. The following list contains grounds for challenges in the event that the candidate:

1. Is not a Liberian citizen;
2. Has dual citizenship;
3. Has not reached the constitutionally required age to be nominated; or
4. Has not satisfied the domiciliary requirement mandated by the Liberian Constitution and the 1986 New Elections Law.
5. Is not a Registered Voter.

Challenges may be filed during the Nomination Process but no challenge will be entertained after the three days period provided for consistent with this Regulation;

All challenges should state the grounds for the challenge and be accompanied by all relevant documents used to support the facts alleged in the challenge. The Commission shall make the final decision on the issue after evaluating and reviewing the challenge for a candidate. If a challenger or the challenged is not satisfied with the decision of the NEC, they may appeal to the Supreme Court within three (3) days of the Commission's decision.

Sec. XVII: Withdrawal of Nomination/Application/Candidature

Where the Commission has approved the candidature of an independent candidate, political party, coalition, alliance, or candidate of such parties, such candidature may be withdrawn by submitting a Declaration of Withdrawal Form (**CN11-BE/2018**) to the Commission, only under the joint signatures of the head of the party, coalition, or alliance, and the candidate. Candidates must submit the forms to the Commission no later than seven (7) days after the last day for receiving nominations. In the case of an independent candidate, his/her signature shall be sufficient notice of such withdrawal. No independent candidate, political party, coalition, alliance or candidate of such parties may withdraw an approved candidature after the final list of candidates has been published.

All candidates shall pay a non-refundable fee as required by the New Elections Law of 1986 and the NEC's Candidate Nomination Procedure. No refund will be made to any candidate who withdraws at any stage of the Nomination Process. Where a candidate of a political party or a coalition or alliance withdraws his/her candidature within the Candidate Nomination Period, that political party, coalition or alliance, as the case may be, may endorse another candidate by submitting the prescribed forms containing the name of the candidate and all other required information. The new candidate must submit all the required forms and documents necessary to complete his/her application to the Commission within the prescribed time.

Sec. XVIII: Persons Permitted to Observe the Candidate Nomination Process

In order to ensure transparency of the process, the following persons accredited by the NEC, are permitted to observe, monitor and report from the Nomination Center:

1. Political Party Agents or Independent Candidate Liaison Officers;
2. Domestic Observers;
3. International Observers; and
4. Media.

Any of the above persons are authorized to observe, monitor, and report from the Candidate Nomination Center and must display their valid accreditation cards or candidate/party liaison letter issued by the NEC at all times. The Documentation Verification Officer is responsible for permitting access to the Candidate Nomination Center. The number of persons permitted in the Candidate Nomination Center at any one time is at the discretion of the Documentation Verification Officer.

Sec. XIX: Candidate Debate

1. In order to further strengthen the Liberian Democratic process and because the essence thereof is the free competition of ideas, the NEC will encourage candidate debate during campaign period. Candidates may choose to participate or not to participate.
2. Since one of the objectives of the debate is to promote Civic and Voter education, the NEC shall designate appropriate institutions to conduct the Debate.

Sec. XX: Amendments and Revision

These procedures may be amended or revised at any time and published by the Commission. All amendments and revisions shall become effective upon publication.

**DONE UNDER OUR HANDS AND SEAL OF THE NATIONAL ELECTIONS
COMMISSION (NEC) THIS 12TH DAY OF MARCH, A.D. 2018**

Hon. Boakai Amadu Dukuly, Esq.
COMMISSIONER

Hon. Davidetta Browne Lansanah
COMMISSIONER

Hon. Samuel Z. Joe
COMMISSIONER

Hon. Jonathan K. Weedor
COMMISSIONER

Cllr. Sarah M. Toe
CO-CHAIRMAN

Cllr. Jerome G. Korkoya
CHAIRMAN