

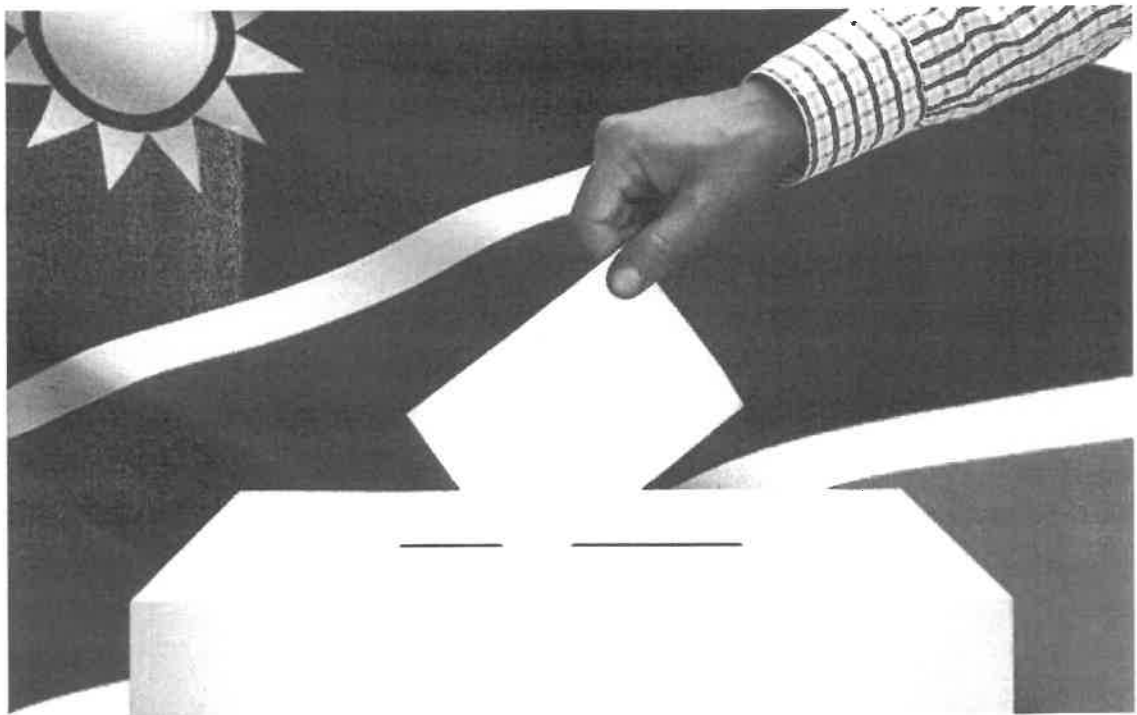


Republic of Namibia

Ministry of Urban and Rural Development

MOTION

AMENDMENT OF SECTION 25 OF THE ELECTORAL ACT, 2014 (ACT 5 OF 2014)



“COMMENCE WITH THE PREPARATIONS OF THE
GENERAL REGISTRATION OF VOTERS
(GRV)”

By: **Honourable Erastus A. Uutoni, MP**
Minister of Urban and Rural Development

Honourable Speaker
Honourable Members

Elections are important for **civic participation** as they provide a means for citizens to be heard and to influence the political agenda. If the decision-making process excludes the masses, one cannot talk of a democracy. Thus, for meaningful citizen participation in the politics of their country and, thus, the success of democracy, it is necessary that citizens know their roles and duties in a democracy.

In light of this, the Electoral Commission of Namibia (ECN) is currently in the process to amending the Electoral Act, Act 5 of 2014 and a bill. While, other amends are still expected to go through scrutiny and Cabinet approval, we have singled out Section 25 which is very crucial in achieving the set ECN timelines of hosting timely elections. As we all are aware, Section 25 of the Electoral Act, 2014 (Act 5 of 2014) provides that a general registration of voters (GRV) must take place at intervals of not more than 10 years during a period determined by H.E. the President.

For an update and information of this August House, the previous GRV was conducted in January to March 2014 following an amendment to section 15 of the Electoral Act, 1992 (Act 24 of 1992), in 2013. In that light, the 2013 amendment specified that the third GRV must take place during a period not later than 30 June 2014. This amendment was introduced because it had become impossible for the ECN to conduct the third GRV within a ten-year period after the second GRV.

Therefore, in terms of section 25 of the current Electoral Act, the next GRV is anticipated to take place in 2024. This explains the urgency of the matter on why I had to give notice yesterday and table this critical motion today.

Honourable Speaker
Honourable Members

The ECN for that matter, approached the office of the Attorney-General for an opinion on whether the law permits GRV to be conducted from April 2024 to July 2024 despite the fact that a ten-year period counted from the end of the last GRV, which took place from 15 January to 02 March 2014, would have lapsed by then.

In that regard, the Attorney-General then advised that *“an amendment to section 25 of the Electoral Act provides the most legally sound basis for carrying out a general registration of voters into July 2024. An amendment to the Electoral Act may also be the least controversial approach considering the sensitive nature of electoral processes and the possibility of opposition or even legal challenges to proceeding without such amendment.”*

Further, the Attorney-General also advised that *“the amendment could be crafted along the lines of the 2013 amendment of section 15 of the repealed Act, or it may be effected in any other appropriate manner.”*

It is for this reason and based on the opinion of the Attorney-General as I have alluded, that the amendment of section 25 was discussed by the Cabinet Committee on Legislation (CCL) during the meeting held on 16th August 2023. Section 5.47 of the CCL Minutes of the 16th of August 2023 indicates the following:

“The amendment to section 25 reads as follows: Section 25(1A): Notwithstanding subsection (1), the fourth general registration of voters shall take place during a period not later than 31 August 2024 as the President may determine under subsection (1).”

The proposed amendment to section 25 was subsequently approved by Cabinet on 10 October 2023.

**Honourable Speaker
Honourable Members**

Given the urgency of this matter, I am tabling this specific amendment to this August House in seeking the support of the Honourable Members of this house toward the amendment of section 25 of the Electoral Act, Act No. 5 of 2014 which is expected to pave the way for the ECN to commence with the preparations of the GRV to be held from April to July 2024.

I so submit.