



Republic of Namibia  
Annotated Statutes

**REGULATIONS**

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REGULATIONS MADE IN TERMS OF

**Local Authorities Act 23 of 1992**  
section 95(5)

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**Regulations in Respect of Nomination  
Meetings for Village Management Boards**

Government Notice 97 of 1964

(OG 2566)

came into force on date of publication: 17 June 1964

The Regulations in Respect of Nomination Meetings for Village Management Boards were originally made in terms of section 8 of the Village Management Boards Ordinance 14 of 1963, which was repealed by the Local Authorities Act 23 of 1992. Pursuant to section 95(5) of the Local Authorities Act 23 of 1992, the Regulations in Respect of Nomination Meetings for Village Management Boards are deemed to have been made under that Act

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**Regulations in Respect of Nomination Meetings for Village Management Boards**

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**Definitions**

1. For the purposes of these regulations -

“board” means a village management board constituted in terms of section *three* of the Ordinance or any other law;

“nomination meeting” means any meeting of voters for the nomination of persons for submission to and consideration by the Administrator for appointment as members of a board;

“Ordinance” means the Village Management Boards Ordinance, 1963 (Ordinance 14 of 1963);

“polling officer” means any person appointed under regulation 3;

“quorum” means ten voters, and where more than three members of a board are to be appointed by the Administrator, fifteen voters, present at any nomination meeting;

“returning officer” means any person appointed under regulation 2;

“voter” means any person as defined in paragraph (b) of subsection (5) of section *eight* of the Ordinance;

**Returning officer**

2. The returning officer at a nomination meeting shall be the magistrate of the district concerned or any son appointed as such by him: Provided that no person appointed as such shall have any material interest in the result of the election or be a candidate or a proposer of any candidate.

**Polling officer**

3. The returning officer shall appoint such persons as he may deem necessary as polling officers to assist him in the holding of a nomination meeting and every person so appointed shall be subject to the *proviso* to regulation 2.

**Election material**

4. For the holding of a nomination meeting the returning officer shall ensure that he has the following material at hand at any such meeting -

- (a) the Ordinance;
- (b) these regulations;
- (c) an adequate amount of clean paper for use as ballot papers;
- (d) an adequate number of containers for the deposit of ballot papers;

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- (e) any other material which he deems necessary or desirable.

**Voting power of voter**

5. A voter at a nomination meeting may vote for as many persons as he thinks fit, provided he does not vote for a greater number than the number required to be appointed on the Board: Provided that if any voter votes for such greater number, the returning officer shall delete from such ballot paper, from the foot thereof upwards, as many names as may be necessary, to bring the remaining number of voters down to the number required to be recorded.

**Notice of holding nomination meeting**

6. The returning officer shall give notice of a nomination meeting of voters by affixing a written notice in Afrikaans and English in the form set out in the annexure in a prominent place at the village management board office concerned and at the police station, post office and any other suitable and prominent place, as well as in any other practical manner as the board may approve.

**Commencement of nomination meeting**

7. (a) The returning officer shall preside at the nomination meeting and shall ascertain which of the persons present are voters. He shall keep order at the meeting and may order any person to leave the meeting if such person is, in his opinion, causing any disturbance at such meeting, and if such person does not forthwith comply with such order such person may by instruction of the returning officer, be removed from the meeting.

(b) If at the time convened for the holding of any nomination meeting a quorum is present, the returning officer shall forthwith commence with the meeting by informing it of the purpose thereof and by asking for nominations.

(c) If, after the expiry of a period of fifteen minutes after the time convened for the nomination meeting, no quorum is present the returning officer shall cancel the meeting unless he has reason to believe that a quorum may be obtained after the expiry of a reasonable period of time, in which case he may postpone the cancellation of the meeting accordingly, and if a quorum is obtained within such extended period the returning officer shall forthwith commence with such meeting as provided in subregulation (b).

(d) After the meeting has commenced no further voters shall be allowed to participate in such meeting or in the voting.

(e) If the nomination meeting is cancelled the returning officer shall record the names of any voters present at the time of such cancellation.

**Nomination of candidates**

8. (a) No single voter may nominate a greater number of persons than the number of members to be appointed on the board.

(b) Every nomination of a candidate shall be in writing and shall be handed over to the returning officer after he has asked for nominations in terms of subregulation (b) of regulation 7 and such written nomination shall be called the nomination paper.

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(c) Every nomination paper shall be signed by one voter and shall also bear a written acceptance by the candidate of the nomination: Provided that any candidate may, before the closing of nominations orally withdraw his acceptance of nomination.

(d) The returning officer shall not accept any nomination if the candidate has not been duly nominated in terms of these regulations or is disqualified in terms of subsection (2) of section *eight* of the Ordinance.

(e) After the returning officer has satisfied himself that no further nominations are to be made, he shall declare the closing of nomination and thereafter the returning officer shall accept no further nominations or any withdrawal by any candidate.

**Procedure after nomination**

**9.** (a) If the number of candidates is equal to or smaller than the number of persons to be appointed, the returning officer shall forthwith declare such persons to be duly nominated.

(b) If the number of candidates is larger than the number of persons to be appointed, the returning officer shall request the voters present, there and then, to elect such required number of persons from the candidates by means of informal ballot papers.

**Voting procedure**

**10.** The voting at every nomination meeting shall be conducted in substance and as nearly as in material as follows -

- (a) The returning officer, assisted by any polling officer, shall provide every voter with a sheet of clean paper to be used as a ballot paper on which such voter shall, in his own handwriting, write down the names of the candidates for whom he votes.
- (b) If any voter is unable to write down the names of the candidates for whom he is voting, he shall request the returning officer to write down such names on his behalf.
- (c) When the returning officer has satisfied himself that all the voters have completed their ballot papers, he shall declare the voting closed.
- (d) When the voting has been declared closed the returning officer shall set out as many containers as he deems necessary for the receipt of ballot papers and every such container shall be under the supervision of the returning officer or a polling officer and thereupon every voter shall forthwith place his ballot paper in one of such containers.
- (e) After the returning officer has satisfied himself, that all the ballot papers have been placed in the containers, he shall announce the counting of the votes and thereupon no more ballot papers shall be placed in any container.
- (f) The returning officer, assisted by any polling officers, shall then count the votes recorded for every candidate and if two or more candidates have received an equal number of votes the returning officer may, if he deems it necessary, request all the voters present, there and then to indicate their choice in respect of the candidates concerned by means of a further poll in the manner prescribed by these regulations.

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**Procedure after voting**

- 11.** As soon as the votes have been counted, the returning officer shall -
- (a) announce to the meeting the result of the voting in sequence according to the number of votes recorded in favour of each candidate, and thereupon, the nomination meeting shall close;
  - (b) enclose the nomination papers and voting papers in a packet and seal it and deliver the sealed packet to the magistrate of the district or such other government officer as may be appointed by the Administrator;
  - (c) draw up a full statement of the nominations and the number of votes recorded in favour of each candidate and deliver it forthwith to the magistrate of the district.

**Safekeeping of ballot papers**

**12.** (a) The magistrate of the district or such other government officer as may have been appointed by the Administrator under regulation 11, shall safely keep such sealed packet as referred to in regulation 11 until thirty days after the Administrator has appointed the members of the board whereupon it shall be destroyed unless the Administrator directs otherwise.

(b) No such sealed packet shall be opened unless by order of the Administrator, and if any person contrary to the provisions hereof wilfully breaks the seal of or opens any such packet he shall upon conviction be liable to a penalty not exceeding thirty rand and in default of payment to imprisonment for a period not exceeding thirty days.

**Date of nomination of meeting**

**13.** The first nomination meeting of village management boards shall take place on Monday, the 22nd June, 1964, and thereafter between the last Wednesday in May and the first Wednesday in June of every year in which nomination meetings are to be held on a day determined by the returning officer or on such other date as may be determined by the Administrator.

**ANNEXURE**

VILLAGE MANAGEMENT BOARD OF (+) .....  
NOMINATION MEETING.

I hereby give notice that as the Administrator must appoint ..... persons as members of the Village Management Board of (+) ..... a meeting of voters will be held at/in (x) ..... at ..... a.m./p.m. on the ..... day of ..... 19 ..... to nominate persons for submission to and consideration by the Administrator in respect of such appointment.

RETURNING OFFICER.

Date .....

Place .....

(+) Name of Village Management Board.

(x) Address of meeting.