



ZAMBIA LAW
DEVELOPMENT COMMISSION



MWAKUZATILA NYIDIMU YAKUSAKULA YINASONNEKUWU MWASWAYI (KUHIMPA NAKUBOMBELAKU) NSHIMBI 12, YA 2026

*A Lunda Version of the Simplified
Electoral Process (Amendment) Act
No. 12 of 2026*



ABOUT THE ZAMBIA LAW DEVELOPMENT COMMISSION

The Zambia Law Development Commission, referred to as ‘the ZLDC’ or the ‘Commission’, is a semi-autonomous statutory body established under the Zambia Law Development Commission Act, Chapter 32 of the Laws of Zambia. The primary mandate of the Commission is law reform.

The functions of the Commission are to:

- Recommend the revision and reform of the law in Zambia;
- recommend the codification of unwritten laws in Zambia;
- review and consider proposals for law reform referred to the Commission by the Minister or the members of the public;
- holds seminars and conferences on legal issues;
- translate any piece of legislation into local languages; and
- research and make recommendations on
 - the socio-political values of the Zambian people that should be incorporated into legislation;
 - the anomalies that should be eliminated from the statute book;
 - new and more effective methods of administration of the law and the dispensation of justice that should be adopted and legislated;
 - the removal of archaic pieces of legislation from the statute book;
 - new areas of the law that should be developed, which are responsive to the changing needs of the Zambian society.
- encourage international co-operation in the performance of its functions under this Act, and
- do all such things incidental or conducive to the attainment of the functions of the Commission.

COMPOSITION OF THE COMMISSION

The ZLDC is headed by a 13-member Commission composed of part-time members appointed by the Minister of Justice. The following are the members of the Commission:

i. Madam Justice Ruth Chibbabbuka	-	Chairperson
ii. Dr Chipso Mushota Nkhata	-	Vice Chairperson
iii. Dr O'Brien Kaaba	-	Committee Chairperson
iv. Mr Emmanuel Sibongo	-	Committee Chairperson
v. Ms. Bubala Chibbonta	-	Member
vi. Mrs. Kawama Goma Simumba	-	Member
vii. Mr Munukayumbwa Munyima	-	Member
viii. Ms. Mwaka Chizinga	-	Member
ix. Dr Herrick Mpuku	-	Member
x. Dr. Dominic Kangongo	-	Member
xi. Dr Bibian Kalinde	-	Member
xii. Mrs Eva Jhala	-	Member
xiii. Mrs Yvonne Wilombe Nakacinda	-	Member

The day-to-day running of the Commission is undertaken by its Secretariat, which is headed by a Director who is also the Commission Secretary. Mrs Hope M. Ndhlovu-Chanda currently serves as Director and Commission Secretary.

KUDI KIÑA

Iwu mukanda anawuloñeshi nakuwusoneka kudi aka Zambia Law Development Commission kulonda kutañisha nikukwasha antu kwiluka. Wunakulumbulula munzhila yaswayi mwakuzatila nyidimu yakusakula yinasonekuwu mwaswayi (kuhimpa nakubombelaku) nshimbi 12, ya 2026, kulonda kukwashaku antu amwituña kwilukisha yuma yalema yinahimpiwu nakubombelaku muniyi nshimbi.

Iwu mukanda wudi hohu wakutañisha nachi hohu nawa wunekali wanyi nawu diwu hohu hela wudi namazu ezhima anshimbi. Hiwatela kwikala wakushindamena wanyi munsaanu yakulumbulula mwakuzatila nyidimu yakusakula yinasonekuwu mwaswayi (kuhimpa nakubombelaku) nshimbi 12, ya 2026 hela nshimbi zhi kwawu zhekalaku.

Neyi kudi kwambuka mukachi kaniwu mukanda wunasokekuwu mumazu aswayi nachatenawu munshimbi, Konsititusheni Yetuña da Zambia, kweseka nachinayihimpiwu nakubombelaku, diyu yakabadikahu.

Akakutaña akukeñeka kuyilumbulwila mwaya nshimbi hela anakukeña wukwashi anayikoleshi kuya nakwihula akanyidimu atala hanzhinshimbi hela kuya kudi amahaku zhanyiloña.

**MWAKUZATILA NYIDIMU YAKUSAKULA YINASONKUNU MWASWAYI
(KUHIMPA NAKUBOMBELAKU) NSHIMBI 12, YA 2026.**

**PART I – PRELIMINARY PROVISIONS- CHIKUNKU NSHIMBI
ZHAKUTACHIKILAHU**

1. Short Title - Mutu Wansaŋu Muwihi

Legal Text

This Act may be cited as the Electoral Process (Amendment) Act, 2026, and shall be read as one with the Electoral Process Act, in this Act referred to as the principal Act.

Mazu Anshimbi Aswayi

Iyi nshimbi akayitena nawu mwakuzatila nyidimu yakusakula(Kuhimpa nakubombelaku) ya 2026. Yatela nawa kuyitaŋila hamu nanshimbi yiduku dehi yamwakuzatila nyidimu yakusakula (Electoral Process).

Indi ichi Chinakulumbulukadi?

Iyi nshimbi yinahiŋi wanyi nshimbi zhezima zhamwakuzatila nyidimu yakusakula. Ilaŋa yinabombeluku hela kuhimpaku yibalu yimu yanshimbi yezhima.

2. Amendment of Section 2 - Kuhimpa Nakubombelaku Kuchiketu 2

Legal Text

Section 2 of the principal Act is amended by the—

(a) deletion of the definitions of “campaign period”, “candidate”, “Code” and “presiding officer” and the substitution therefor of the following:

“campaign period” means the period commencing after the close of nominations and ending on the day preceding an election, as the Commission determines, in accordance with section 28;

“candidate” has the meaning assigned to the word in the Constitution and includes a person on a party list for a seat under the proportional representation electoral system in the National Assembly or a council;

“Code” means the Electoral Code of Conduct set out in the First Schedule;

“presiding officer” means a person appointed as presiding officer by the Commission under section 37B; and

(b) insertion of the following new definitions in the appropriate places in alphabetical order:

“adoption certificate” means a certificate signed by the president and secretary-general of a political party, or in the absence of the secretary-general, the president and deputy secretary-general of a political party, as prescribed, specifying a candidate who is sponsored by that political party for an election to the office of President, Member of Parliament, mayor, council chairperson or councillor;

‘deputy secretary-general’ means an office-bearer designated as deputy secretary-general, or an equivalent office-bearer, of a political party in accordance with the Societies Act;

“nomination petition” means a nomination petition filed in accordance with section 95A;

“party list” means a list prepared by a political party for the purposes of the proportional representation electoral system and submitted to the Returning Officer or a district electoral officer by a political party in accordance with section 36C;

“person with disability” has the meaning assigned to the words in the Constitution;

“president” means an office-bearer designated as president of a political party in accordance with the Societies Act;

“secretary-general” means an office-bearer designated as secretary-general, or an equivalent office-bearer, of a political party in accordance with the Societies Act; and

“youth” has the meaning assigned to the word in the Constitution.

Mazu Anshimbi Aswayi

- **Mpinji yakampeni** yinakulumbulula mpinji yatachikaña kufuma hakumanisha kwitezheza kwimana kunamani nakuma neyi kunashali ifuku dimu dakusalula kwesekezha nakutoñola kudi Mutayi watalaña zhakusaku(Electoral Commission) nakulondela nshimbi zhidi muchiketu 28.
- **Wunakwimana(Kandideti)** nakulumbulula ona muntu wunakwimana mukusakula kwa Kazhiñampata, Añimeni amwitala danshimbi, Kansela wunakukeña nindi amuvoteli hamu nimuntu ona wudi hachipapilu chamazhina achipompelu chamatuña nachiyulu chayitwamu yakahanawu mwitala danshimbi hela mukansu nakulondela kuvula kwamavoti.

- **Kodi(code)** yinakulumbulula zhinshimbi zhatela kulondezha mpinji zhakusakula yidi musikeju yatachi (First Schedule)
- **Presiding Officer** (muntu walombolaña nyidimu yakuvota heluña hanakuvotelawu antu) muntu atondawu kudi mutayi watalaña hansaño yakusakula(**Commission**) kwesekezha Nachiketu 37B kulonda atweshi kulombola nyidimu heluña dakuvotela.
- **Chipapilu hela Satifiketi yakwitezha(Adoption Certificate)** yinakulumbulula satifiketi yinasayinuwu kudi Pulwezidenti(President) na Nsoneki Wamuneni(Secretary General) wachipompelu chansañu yamatuña nachiyulu hachipapili chetezhawu nakumwekesha neyi Chipompelu chansañu yamatuña nachiyulu dichi chinamwitezhi/chikumukwasha kwimana nakumusakula kwikala Kazhiñampata, Ñimeni, meya, mukwetanda wakansu hela kansela.
- **Chinlonda wansoneki wamukulumpi wachipompelu**(Deputy Secretary-General) nakulumbulula muntu atondawu kwikala chinlonda hela muntu wudi nachifulu chinesakani muchipompelu chansañu yamatuña nachiyulu kwesekezha nanshimbi ya Societies Act.
- **Kwamba hansaño yakwitezha kwimana** chinakulumbulula kwamba kunaletuwu kweseka nachiketu 95A.
- **Chipapili chakutanjika mazhina** chinalumbulula kutanjika kunatanjiki chipompelu chamatuña nachiyulu chakuzatisha mukutonda kunakundami kukuvula kwamavoti nakuhana kudi ona Wunakutala hansaño yakusakula (Returning Officer) hela Wunakutala zhakusakula muboma(District Electoral Officer) kwesekezha nachiketu 36C.
- **Muntu wukweti wufwayi** kulumbulula kwachu chidi mu Konsititusheni
- **Pulwezident(President)** nakulumbulula muntu elukawu kunfulumendi nawu diyi nlomboli wachipompelu chamatuña nachiyulu kweseka na Societies Act.
- **Nsoneki wamuneni**(Secretary-General) nakulumbulula muntu ona elukawu nawu nsoneki wamuneni wachipompelu, hela wudi nachifulu chinesakani muchipompelu chansañu yamatuña nachiyulu kweseka na Societies Act.
- **Mukwenzi** kulumbulula kwachu kudi mu Konsititusheni

Amendment of Section 12 - Kuhimpa Nakubombelaku Kuchiketu 12

Legal Text

Section 12(2) of the principal Act is amended by the insertion of the word “new” immediately after the words “registration of”.

Mazu Anshimbi Aswayi

Iyi nshimbi anayihimpi nakushaku izu da “amaha” kufuma hamazu
“kusonekesha kwawa.”

Indi ichi Chinakulumbulukadi?

Hatachi, iyi nshimbi yetezheli aka mutayi watalańa nsańu yakusakula kuleka kusonekesha akakuvota mpinji yezhima hikwekala kusakula kudi mukamwihi nakwikalaku kulonda kudilońesha nakutweshi kulombola kusakula. Muniyi nshimbi yayiha, neyi ifuku dakuvota kwakuhinisha anakwishimuni dehi, kusonekesha kwawakakuvota munondu iluńa akukwilekesha sampu kusakula kwakufuntilahu kunamani. Ichi chinakutena nawu antu munondu iluńa akutweshi wanyi kudisonekesha neyi akakuvota amaha mpinji yakuvota kwakufuntilahu, hela neyi anashikilumu dehi mukuvota hela kanda adisonekeshi. Hela chochu, akakuvota asonekeluwu dehi anazhimbeshi makadi awu, akayitezha kuhinisha makadi awu akuvotela mpinji yakusakula kwakuhinishamu.

Amendment of Section 13 - Kuhimpa Nakubombelaku Kuchiketu 13

Legal Text

Section 13 of the principal Act is amended by the insertion of the following new subsections immediately after subsection (2):

(3) The Commission may determine the period within which the Provisional Register of Voters may be inspected.

(4) A registered voter may inspect, electronically, the Provisional Register of Voters during the period determined by the Commission under subsection (3).

Mazu Anshimbi Aswayi

Chiketu 13 anachihimpi nakubombelaku tuyikunku twachiketu(sub-sections) twatuha. Iyi nshimbi yayiha yinashimuni neyi akamutayi watalańa zhakusakula(Electoral Commission) anatweshi kutonda mpinji yakutala Mumukanda Wamazhina awakakuvota kulonda antu amoni neyi yuma yawu ayisoneka chiwahi. Kutwalekahu nawa, ana adisonekesha kuvota anayitezhi kutalila hamakompiyuta mpinji yinahanuwu kudi mutayi watalańa zhakusakula.

Indi ichi Chinakulumbulukadi?

Iku kuhimpa nakubombelaku kunawahishi nzhila yakutalilamu akakuvota kuhitila mukwitezha antu kutala nsańu yinayikundami nakuzatisha kompiyuta kubadika kuya hohu kumaofesi kwakutalila neyi chichidi munshimbi yayikulu. Yinetezhi nawa aka Mutayi watala zhakusakula kutońola mafuku akushaku kukutala asonekeshili kuvota.

Amendment of Section 17(1) - Kuhimpa Nakubombelaku Kuchiketu 17(1)

Legal Text

Section 17(1) of the principal Act is amended by the deletion of the word “ninety” and the substitution therefor of the word “fourteen”.

Mazu Anshimbi Aswayi

Ichi nshimbi yinakutena nawu, neyi muntu wukweti izhina dindi Mumukanda Wamazhina awa kakuvota wuchidi kanda awitezhi amona kuluwañesha hansaño zhindi, watela kulezha akamutayi watalaño zhakusakula(Electoral Comission) chakubula kulaba mukachi kamafuku akushika kwikumi namafuku awaana (14) bayi mumafuku makumi atanu nawanaku.

Indi ichi Chinakulumbulukadi?

Iku kuhimpa kunakulumbulula nawu akakuvota ichi anakali namafuku antesha akushimuna kuluwa kudi kwezhima hela kwamba hayuma yinawanuwu Mumukanda Wawakakuvota kudi mutayi watalaño zhakusakula(Commission). Hatezi kwikala namafuku akushika kumakumi atanu nawana, akakuvota anakali hohu namafuku ikumi namafuku awana akwambilamu hela kuloñesha kuluwa kunawanuwu. Muloña wachenichi, akakuvota atela kutala hayuma yinasonekuwu yoyenoyi mpinji yikwidishawu wena mukanda wamazhina nakushimuna lufuchi neyi anawanumu kuluwa. Mudimu waniku kuhimpa wudi wakufwila kunyakesha mudimu wakusonekesha akakuvota nakuhitulukamu kulonda mutayi watalaño zhakusakula(Electoral Commission) atweshi kumanisha kusoneka akakuvota chachiwahi nakashinshi henohu kusakula kanda kushiki.

Amendment of Section 27 - Kuhimpa Nakubombelaku Kuchiketu 27

Legal Text

Section 27(1) of the principal Act is amended by the deletion of the word “section 20” and the substitution therefor of the word “section 24”.

Mazu Anshimbi Aswayi

Iku kuwahisha kunekaluku kulonda Nshimbi yinahimpi chikunku chayuma yakutalilaku kufuma kuchiketu 20 nakuyitwala kuchiketu 24

Indi ichi Chinakulumbulukadi?

Iku kolola kudi chenichi kulonda nshimbi yitweshi kwinyika kuchiketu chaloña

Amendment of Section 28 - Kuhimpa Nakubombelaku Kuchiketu 28

Legal Text

Section 28 of the principal Act is amended by the insertion of the following new subsection immediately after subsection (3):

(4) The publication and amendment of the election timetable under this section shall, in addition to the Gazette, be made in a newspaper of general circulation in the Republic or any electronic media that the Commission may determine.

Mazu Anshimbi Aswayi

Kutanjika mpinji namafuku analoñeshiwu nakuhimpa kunatweshi kumwekana, kwatela kubidikewa bayi hohu muchipapilu chanfulumendi (Government Gazette) hohuku, ilaña chiña nimuyipapilu yansaño hela hayisanzhi yinatonduwu kudi mutayi watala nsaño zhakusakula(Electoral Commission)

Indi ichi Chinakulumbulukadi?

Iyi nshimbi yinakushimuna neyi nawu akamutayi watalaña zhakusakula atela kutanjika mpinji namafuku (timetable) nakumwekesha chakenda kusakula henohu kuvota kanda. Iku kutanjika kunakumwekesha niyuma yalema yakundama kukusakula yidi neyi ifuku dakukumisha kusonekesha akakuvota, kutala mumukanda wamazhina awakakuvota, mafuku akuhana yipapilu yakwitezha kwimana, mafuku akuhitañana nakudilumbulula kudi akakuvota nefuku dakusakula nimpinji yakuvota. Iku kutanjika kwayuma kwatela kuyisonekewa muchipapilu chanfulumendi (Governmet Gazette).

Iyi nshimbi nawa yinetezhi mutayi watalaña nsaño yakusakula kuhimpa yuma yinatanjikiwu neyi kudi chuma chikuletsha kulonda kutweshi kwikala nakusakula munakasunuki muntu wudi wezhima hela neyi ifuku dakuvota anadihimpi.

Iku kuhimpa kwakuha ichi kunakukeña mutayi watalaña nsaño yakusakula kulezha antu ezhima hela kuhimpa kutanjika kwayuma yinakundami kukusakula bayi hohu muchipampilu chanfulumendi(Government Gazette), ilaña nimuyipapilu yansaño yina yashikaña kumaluña ezhima amwituña. Hela hayisanzhi yinatonduwu kudi mutayi watala nsaño zhakusakula(Electoral Commission)

Ichi chinakulumbulula nawu, nsaño yezhima yinakundami kukusakula akuyibidika munzhila yayivulu, kulonda chikali chaswayi kudi antu kutambula nsaño yamafuku akusakula nayikwawu mumpinji yashikila.

Amendment of Section 30 - Kuhimpa Nakubombelaku Kuchiketu 30

Legal Text

Section 30 of the principal Act is amended—

(a) in subsection (1), by the—

(i) insertion of the following new paragraph immediately after paragraph (a):

(b) an adoption certificate, in the case of a candidate sponsored by a political party; and

(ii) renumbering of paragraphs (b), (c) and (d) as paragraphs (c), (d) and (e), respectively;

(b) by the insertion of the following new subsection immediately after subsection (1):

(2) The Commission shall publish the particulars of validly nominated candidates in the Gazette, and a newspaper of general circulation in the Republic or any electronic media that the Commission may determine.; and

(c) by the renumbering of subsections (2) and (3) as subsections (3) and (4), respectively.

Mazu Anshimbi Aswayi

Iyi nshimbi anayihimpi nakuletamu yuma yayiha yetela kwikala nanana anakwimana anakutemeshawu kudi chipompelu chansañu yamatuña nachiyulu. Awa antu atela ichi kuhana satifiketi yakumwitezha kufuma kuchipompelu kwikala hakachi kayipapilu yatela kuhanawu. Muloña wanichi, yikunku yamazuni muniyi nshimbi anayihimpashani.

Iku kuhimpa nawa kunalezhi akamutayi watalaña zhakusakula(Electoral Commission) kulezha antu ezhima wunsahu wezhima wanana anetezhiwu kwimana muchipapilu chanfulumendi(Government Gazette), nimuyipapilu yansañu yawanikaña kumaluña ezhima amwituña da Zambia hela kuhitila mumawayilesi anatonduwu akamutayi watalaña zhakusakula(Commission). Kubombelaku, muloña waniyi nshimbi yayiha yinekumu, manambala nawa akunshimbi yayikulu anayihimpi, nakwila azhina nshimbi zhazhikulu (2) na (3) ichi anakali (3) na (4).

Indi ichi Chinakulumbulukadi?

Hakutachika, muntu wunakufwila kwimana nakwikala Kazhiñampata (President), hela Chinlonda Chakazhiñampata (Vice- President) wateleleli hohu kuhana yipapili yakwimana, kufweta mali akwimena, kufumishaku Chinlonda Chakazhiñampata (Vice President), kushimuna maheta akwetiyi hamu ninyikudi, chipapilu chakumwekesha neyi owu muntu nashikilumu kumusakula, nawantu anakumukwasha akushika kunkulakazhi ana adisonekesha kuvota anakufuma kukabeta hikabeta. Iku kuhimpa kunakukeña mukakwimana anatemeshuwu kudi chipompelu chansañu yamatuña nachiyulu kuhana satifiketi(chipapilu chakumwitezha kwimana) nakumwekesha wunsahu

nawu chipompelu dichu chinamwitezhi ona muntu kwikala wakuyimenaku. Iyi nshimbi nawa yinakukeña akamutayi watalaña zhakusakula(Electoral Commission) kulezha antu ezhima mazhina nayuma yikwawu yinakundami kudi anakwimana nakumweksha antu anetezhuwu kwimana muchipapilu chanfulumendi(Government Gazette), yipapilu yansaño, hela hamawayilesi. Iku kuhimpa kunaleteshi nzhila zhakusakwilamu kwikala hatooka yakulombola chiwahi muloña satifiketi yakwitezha kwimana yikukwashaku kubula kwikala nazhintadi mukachi kayipompelu hadi owu anetezhiwu, kulezha antu ezhima kukuletesha antu kukuhwelela nzhila zhakusakwililamu.

Amendment of Section 31 - Kuhimpa nakubombelaku kuchiketu 31

Legal Text

Section 31 of the principal Act is amended by the—

(a) insertion of the following new subsections immediately after subsection (1):

(2) A nomination paper and an affidavit referred to in subsection (1) shall be accompanied by an adoption certificate, except that this requirement shall not apply to an independent candidate.

(3) The Commission shall publish the particulars of validly nominated candidates at the nomination centres.; and

(b) renumbering of subsection (2) as subsection (4).

Mazu Anshimbi Aswayi

Iyi nshimbi anayihimpi hakubombelaku nshimbi yayiha yinakutena nawu, chipapilu chakwitezha kwimana(nomination paper) nachipapili chakumwekesha walala(affidavit) hamu nasatifiketi (chipapili chakukwitezha kwimana) kudi ana anakwimana muchipompelu chamatuña nachiyulu, hela neyi ana anakudimena abula kukundama kuchipompelu chidi chezhima atela wanyi kuhana satifiketi yakumwitezha kwimana. Iku kuhimpa kunalezhi akamutayi watalaña hakesakula (Electoral Commission) kulezha antu ezhima nsaño yinakudami kudi ezhima anakwimana anetezhiwu hamaluña hakudisonekeshela(nomination Centre).

Indi ichi Chinakulumbulukadi?

Hatachi, iyi nshimbi yakeñeli hohu muntu wunakufwila kwimana mukusakula kuhana chipapilu chakumutonda (nominaion paper)nachipapilu chakumwekesha wunsahu walala(affidavit) kudi nkoñi ona wunakutambula yipapilu yakwimana mukusakula hanondi iluña, ilaña iku kufumisha nakubombelaku kunashiluku yuma yikwawu kudi ana anakwimana kuhitila muchipompelu chansañu yamatuña nachiyulu kuhana nawa satifiketi yakumwitezha kwimana nakumwekesha walala nawu chipompelu dichu chinamutondi nakumwitezha kwimana, iku ana anakudiimena anabuli

kukundami kuchipompelu chidi chezhima akukeñeka wanyi kwikala nanichi chipapilu muloña anakwimenaku wanyi chipompelu chidi chezhima ilaña anakudimena nkawawu, nawa iyi nshimbi cheñi yinakukeña akamutayi watalaña zhakusakula(Electoral Commission) kumwekesha hatooka nsañu yezhima yinakundami kudi anakwimana ezhima anetezhiwu hamaluña hakusonekeshela(nominationa centres) kulonda kukolesha nakuleta yuma hatooka nakwitezha antu ezhima kwiluka owu anetezhiwu kwimana mukusakula.

Replacement of Section 33 - Kuhiñisha kwachiketu 33

Legal Text

The principal Act is amended by the repeal of section 33 and the substitution therefor of the following:

33. (1) Subject to subsection (2), a candidate for election in a district or ward of a council shall lodge with the returning officer for that district or ward of a council that candidate's nomination paper and an affidavit in the prescribed manner and form.

(2) A nomination paper and an affidavit referred to under subsection (1) shall be accompanied by an adoption certificate, except that this requirement shall not apply to an independent candidate.

(3) The nomination paper referred to under subsection (1) shall be subscribed, in the presence of the returning officer for that district by at least fifteen persons registered as voters in the district in which a candidate is contesting an election.

(4) The nomination paper referred to under subsection (1) shall be subscribed, in the presence of the returning officer for that ward of a council, by at least nine persons registered as voters in the ward in which a candidate is contesting an election.

(5) A person appearing before a returning officer for the purpose of subscribing a nomination paper in accordance with subsection (3) or (4) shall produce a voter's card and a national registration card to the returning officer for inspection as proof of identity.

(6) A person qualifies to be a mayor or council chairperson if, in addition to the requirements set out under Article 154(2) of the Constitution, that person has a certificate of clearance showing the payment of council taxes, where applicable.

(7) The Commission shall publish the particulars of validly nominated candidates at the nomination centres.

Mazu Anshimbi Aswayi

Iyi nshimbi yinahiñi chiketu 33 nakutena neyi muntu wunakwimana hawukansela, meya hela muketanda damukansu watela kuhana chipapili chakumutonda kwimana (nomination paper) nachipapilu chakumwekesha wunsahu walala (affidavit) kudi nkoñi wunakutambula yipapilu(returning officer) munzhila yatelela. Neyi muntu anakumukwasha kudi chipompelu chansañu yamatuña nachiyulu, kutonda kwindi kwatela kwikala nasatifiketi yakumwitezha kwimana kufuma kunochu chipompelu, ilañi ona wunakudimena halwindi watela wanyi kwikala nayeniyi satifiketi.

Kukusakula kwaha boma(disitilikiti), yipapilu yakukutonda kwimana yatela kwikala hamu nawantu akushika kwikumi nawantu atanu adisonekesha kuvota anafumi munoyu boma kumensu akoñi wunakutambula yipapilu (returning officer). Kusakula kwaha wadi, yipapilu yakukutonda kwimana, yatela kwikala hamu nawantu akushika atanu nawana adisonekesha kuvota anafumi munoyu wadi. Awa antu atela kumwekesha kadi yawu yakuvotela hamu namutu(National Registration Card) kulonda kumwekesha walala neyi diwu chikupu.

Nshimbi yinateni neyi nawu muntu wunakwimana wumeya hela muketanda wakansu, watela kwikala nachipapilu chakufuma kukansu chakumwekesha neyi wafwetaña nyisonku (tax clearance) neyi chinatwesheki. Kubombelaku, akamutayi watala zhakusakula (Electoral Commission) atela kumwekesha kudi antu ezhima nsañu yinakundami kudi ezhima anatezhiwu kwimana hamaluña hakutambwila yipapilu yakwitezha kwimana(nomination centres).

Indi ichi Chinakulumbulukadi?

Kwesekezha nanshimbi yayikulu, yipapilu yakwitezha kusakula kwamuwadi, yakeñeli hohu muntu wunamwitezhi (proposer), namuntu wunakoleshumu(seconder) nawantu akushika atanu nayedi adisonekesha kuvota kufuma munoyu wadi. Nshimbi yayiha yinavulishiku antu atela kumwimenaku. Kusakula kwaha boma(disitilikiti), yipapilu yakwitezha kusakula yatela kwikala nawakakwimenaku kumesu ankoñi wunakutambula yipapilu (returning officer) akushika ikumi nawantu atanu adisonekesha kuvota anafumi munoyu boma(disitilikiti), iku kusakula kwaha wadi, atela kwikala nawantu akushika atanu nawana adisonekesha kuvota anafumi munoyu wadi. Awa akakukwashana atela kumwekesha kadi yawu yakuvota nachu namutu(national registration card) nakumwekesha wunsahu neyi diwu chikupu. Akakwimana anakukwashawu kudi chipompelu chansañu yamatuña nachiyulu atela nawa kuhana satifiketi yakumwitezha(adoption certificate) kufuma kunochu chipompelu, iku ana anakudimena halwawu akukeñeka wanyi kwikala naniyi satifiketi muloña adi adimena nawa adi wanyi nachipompelu chinakuyikwashaku.

Nshimbi yayikulu yakeneleña muntu wanukufwila kwimana hawu meya hela muketanda wakansu kwikala nachipapilu chakumwekesha kufweta musonku

kukansu(council tax clearance certificate) neyi chinatwesheki, iyi nshimbi anayihembi yidi momu munshimbi yayiha. Ilaña, nshimbi yayiha yinabombeluku yikwawu yakutena nawu akamutayi watalaña zhakusakula(Electoral Commission) atela kumwekesha kudi antu ezhima hamaluña hakutambwila yipapilu mazhina awezhima anetezhiwu kwimana.

Ichi chinakulumbulula nawu nzhila yakutondelamu antu, yinekali nayuma yayivulu yakulondela nawa nakwitezha antu ezhima kwikala eluka yuma, chinatweshi kukwashana yuma kwikala hatooka nakwiluka owu anakwimana nikushikilamu kwanowu anakumukwasha.

Insertion of Part IVA- Kushamu Chikunku IVA

Legal Text

The principal Act is amended by the insertion of the following new Part IVA immediately after Part IV called Proportional Representation system.

Mazu Anshimbi Aswayi

Chikunku chachiha, IVA, anachibombeluku chinaleti nzhila yakutonda añimeni nakuzatisha kuvula kwamavoti akuwana chipompelu chansañu yamatuña nachiyulu(Proportionate Representation). Muniyi nzhila yakutala hakuvula kwamavoti(proportionate representation), yitwamu yinahembeluwu ambanda, anyikwenzi nantu akweti wufwayi akayanzañana kudi mutayi watalaña zhakusakula neyi kusakula mukachi kayipompelu yansañu yamatuña nachiyulu kunamani. Chipompelu chidi chezhima chakatambula iyi yitwamu kwesekezha namavoti anawanuwu mpinji yakusakula.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula nawu nshimbi yayikulu anayihimpa nakubombelaku chikunku chachiha IVA, chikwinza kunsu ya Chikunku IV. Ichi Chikunku chidi nashinshimbi zhinakundami kunzhila yakwimena kwesekezha nakuvula kwamavoti(Proportionate Representation), nzhila yimu yamwakusakwila yitwamu yakwanzañana mukachi kayipompelu yansañu yamatuña nachiyulu kwesekezha namavoti anawanuwu mukusakula.

Konsititusheni yinaletumu kobombashana kwawañimena mukusakula. Ichi chinakulumbulula nawu yitwamu yimu yamwitala danshimbi hamu nimumakansu yakatwalekahu kuyiswana kuhitila munzhila yanowu wunawani mavoti amavulu diyu wunahiti, iku yitwamu yakubombelaku yinahembeluwu ambanda, anyikwenzi nantu akweti wufwayi yakekala yakuzatisha kuvula kwamavoti.

Kwesekezha nanzhila yawatachi kuhita diyu wunahiti, muntu wunemani diyi wukuhita neyi nawani mavoti amavulu kupandakana akwawu amakwawu munoyu konsitituwensi hela wadi. Iyi nzhila yikutwalekahu yoyimu hayitwamu

yinakundami kukonsitituwensi yawañimeni amwitala danshimbi, meya, muketanda wakansu, nimakansela amumawadi.

Nzhila yayiha yakwanzañana yitwamu kwesekezha nakuvula kwamavoti yinambuki muloña antu akayivotela wanyi hakwila nawu ekali munochi chitwamu. Ilaña yipompeli yansañu yamatuña nachiyulu akahana mazhina awantu awambanda, anyikwenzi nantu akweti wufwayi. Neyi kusakula kunakumi dehi, akamutayi watalaña zhakusakula wakanzañana iyi yitwamu yahembawu mukachi kayipompelu kwesekezha nakuvula kwamavoti kudi wemana kwikala Kazhiñampata mukusakula kwakazhiñampata. Ichi chinakulumbulula nawu yipompelu yatambula mavoti amavulu mukusakula akutambula yitwamu yayivulu yahembawu. Iku kuhimpa kunakufwila kuvulisha añimeni anakwimenaku ambanda, anyikwenzi nawantu akweti wufwayi mwitala danshimbi namumakansu.

PART IVA PROPORTIONAL REPRESENTATION ELECTORAL SYSTEM - CHIKUNKU IVA KUSAKULA KWAKUZATISHA KUVULA KWAMAVOTI

Section 36A – Eligibility for participation in proportional representation electoral system

Chiketu 36A- Atelela kwikalamu mukusakula kwakuzatisha kuvula kwamavoti

Legal Text

A political party that intends to contest for a seat under the proportional representation electoral system specified under Article 47(2)(b) and (3)(c) of the Constitution and in accordance with this Part shall have a candidate contesting for election as President.

Mazu Anshimbi Aswayi

Iyi nshimbi yinakutena nawu chipompelu chansañu yamatuña nachiyulu chinakukeña kutambulahu yitwamu kuhitila mukuzatisha kuvula kwamavoti chatela kwikala namuntu wanakwimana kwikala Kazhiñampata.

Indi ichi Chinakulumbulukadi?

Iyi hinshimbi yayiha yinezumu muloña wakuhimpa nakubombelaku kunamwekani. Yinakukeña chipompelu chansañu yamatuña nachiyulu chinakukeña yitwamu yakuhana kwesekaseka nakuvula kwamavoti kwikala Kazhiñampata kwikala namuntu wunakwimana hachitwamu chakazhiñampata. Ichi chinakulumbulula nawu chiña hohu yipompelu yidi mukusakula kwakazhiñampata diwu anashikili kutambula iyi yitwamu yakuzatisha kuvula kwamavoti.

Section 36B – Formula and distribution of seats under proportional representation electoral system

Chiketu 36B- Nzhila nimwakwanzañena yitwamu muniku kusakula kwakuzatisha kuvula kwamavoti.

Legal Text

(1) The formula to be used by the Commission in the distribution of seats under the proportional representation electoral system is specified in the Second Schedule.

(2) The Commission shall, within seven days of the swearing in of the President-elect, distribute the seats under the proportional representation electoral system in the National Assembly and council, in proportion to the total number of valid votes received by a presidential candidate in the initial ballot.

(3) The Commission shall, where a political party refuses to take up a seat that has been distributed to that political party, re-distribute the vacant seat to a political party that qualified for a seat in line with the formula for distribution of seats referred to under subsection (1).

(4) The votes obtained by a presidential candidate of a political party that refuses to take up a seat under subsection (3), shall not be considered in the distribution of seats in accordance with this section.

Mazu Anshimbi Aswayi

Iyi nshimbi yinateni neyi nawu mutayi watalaña nsañu zhakusakula(Electoral Commission) atela kuzatisha nzhila yinahanuwu musikeju yamuchiyedi(Second Schedule) mwakwanzañena yitwamu yamwitala danshimbi namukansu yakulondela kuvula kwamavoti mukachi kayipompelu yansañu yamatuña nachiyulu kwesekezha namavoti etezhewa atambulawu kudi owu wemana hawu Kazhiñampata mukuvotela kwatachi.

Mutayi watalaña zhakusakula watela kumanisha iwu mudimu chakubula kulaba mumafuku akushika kumafuku atanu nayedi kufuma hakuwanika Kazhiñampata wamuha muofesi. Neyi chipompelu chinakani kutambula chitwamu chinayinkuwu, akamutayi watalaña zhakusakula(Electoral Commission) atela kwinka chipompelu chacheñi chatelela kutambula nakuzatisha nzhila yoyimu, neyi kukwikala chipompelu chikukana kutambula chitwamu, mavoti atambwiliyi wemeni hawukazhiñampata akayichinda wanyi hakufuntila kwanzañana yitwamu yinashaluku.

Indi ichi Chinakulumbulukadi?

Iyi nshimbi niyena yayiha yinakulumbulula nawu kunsu yakusakula, mutayi watalaŋa zhakusakula(Electoral Commission) watela chakubula kulaba(mumafuku akushika mafuku atanu nayedi kufuma hakuwanika Kazhiŋampata) kwanzaŋana yitwamu yamwitala danshimbi nakuzatisha kuvula kwamavoti etezhawu atambwili wezhima wemeni hawu kazhiŋampata hakuvota kwatachi. Yipompeli yidi namavoti amavulu akutambula yitwamu yayivulu.

Neyi chipompelu anachinki chitwamu dichi chinakani, achina chitwamu akachinka chipompelu chikwawu chinashikilumu nakulondela nshimbi yoyimu, nawa neyi chipompelu chinakani kutambula chitwamu, mavoti aweneniyi owu wemeni kwikala kazhiŋampata akayizatisha wanyi hakwanzaŋana cheŋi yitwamu yinashaluku. Mumazu amakwawu, hikumwekesha neyi yitwamu anayanzaŋani kwesekezha namavoti, nawa adi nawantu chakubula kulaba, nikubula kuyikisa neyi chipompeli chinakani kuyitambula.

Section 36C – Submission of party list - Chiketu 36C- Kuhana chipapili chinatanjiki mazhina

Legal Text

(1) A political party shall, within seven days after the distribution of the seats in accordance with section 36B, submit a party list to the Commission in a prescribed manner and form on payment of a prescribed fee.

(2) A party list submitted under subsection (1) shall be signed by the president or secretary-general of a political party.

(3) A party list shall be submitted, in the case of a seat in —

(a) the National Assembly, to the Returning Officer; and (b) a council, to a district electoral officer.

(4) A political party shall not include, on a party list, a candidate who contested a seat under the first-past-the-post electoral system.

(5) A party list submitted under subsection (1) shall be accompanied by a consent form for each candidate, as prescribed, signed by the candidate appearing on the party list.

(6) The Commission shall, where a candidate on a party list submitted to the Commission dies, resigns from the political party that sponsored the candidate or is expelled from the political party before the publication of the names of Members of Parliament and councillors under the proportional representation electoral system, request the political party to submit an additional party list within a period determined by the Commission.

(7) The Commission shall publish the party list in accordance with section 36G as follows:

(a) in the case of a Member of Parliament, where a candidate on a party list submitted under subsection (1) meets the requirements specified under Article 70 of the Constitution; and

(b) in the case of a councillor, where a candidate on a party list submitted under subsection (1) meets the requirements specified under Article 153(4) of the Constitution.

(8) The Commission shall notify the political party to take remedial measures to rectify the party list within a period that the Commission may determine where —

(a) in the case of a Member of Parliament, a candidate on a party list submitted under subsection (1) does not meet the requirements specified under Article 70 of the Constitution; and

(b) in the case of a councillor, where a candidate on a party list submitted under subsection (1) does not meet the requirements specified under Article 153(4) of the Constitution.

(9) The Commission shall, where a political party does not submit a party list within a period specified under this section, re-distribute the vacant seat to a political party that qualified for a seat in line with the formula for distribution of seats under section 36B.

(10) The votes obtained by a presidential candidate of a political party that does not submit a party list under subsection (9), shall not be considered in the distribution of seats.

Mazu Anshimbi Aswayi

Iyi nshimbi yayiha nawa yinakutena nawu chipompeli chansañu yamatuña nachiyulu chatela kuhana chipapilu hanatanjikuwu mazhina kudi mutayi watalañã hazhakusakula(Electoral Commission) mumafuku akushika kumafuku atanu nayedí kufuma hakwanzaña yitwamu. Kutanjika kwamazhina kwatela kusonekewa hachipapili chatelela, nawa chipompeli chatela kufweta mali ashikila.

Ichi chipapili hanatanjikuwu mazhina atela kuchisayina kudi nlomboli(pulwezidenti)wachipompelu hela kudi nsoneki muneni (secretary-general) wachipompelu. Iku hikumwekesha nawu chipapilu hadi mazhina dimu chalala anachitezhi kudi anlomboli zhachipompelu.

Hayitwamu yamwitala danshimbi, ichi chipapili chakutanjika mazhina chatela kuhanewa kudi nkoñi(Returning Officer). Hayitwamu yamukansu, chatela

kuhanewa kudi nkoñi waha boma watalaña zhakusakula(District Electoral Officer).

Chipompelu chansañu yamatuña nachiyulu chatela wanyi hachipapili chamazhina kushahu izhina damuntu wemana mukusakula kwakuzatisha watachi diyu wunahitiku. Ichi chinakutena nawu muntu hanatweshi kwimana mukusakula kwezhima kuyedi hampinji yoyimuku.

Wezhima wunakwimana wudi hachipapili chamazhina watela kusayina chipapili chakwitezha. Ichi chinakutena nawu muntu yenowu netezhi kwikala hachipapili chamazhina.

Neyi muntu wudi hachipapili chamazhina anatanjikuwu nafwi, nafumimu muchipompelu hela anamuhañimu henohu mazhina kanda ayimwekeshi kudi antu ezhima, mutayi watalaña zhakusakula(Commission) anatweshi kulezha chipompelu kuhana chipapili chamazhina chikwawu mumafuku akutenawu.

Mutayi watalaña zhakusakula wakamwekesha chipapili chamazhina kudi antu ezhima chiña hohu neyi ezhima anakwimana anashikilumu kwesekezha nayakeñekaña hakwikala nachifulu chamwitala danshimbi hela mukansu.

Neyi muntu watela kwimana nawanishi wanyi yuma yinakukeñeka, mutayi watalaña nsañu yakusakula(Commission) wakalezha chipompelu kulonda atweshi kuwahisha chipapili chawu chinatanjikuwu mazhina mumpinji yinatenuwu nawa neyi anakañanyi kuhana chipapili chawu mumpinji, achina chitwamu akachinka chipompelu chikwawu chinashikilumu kweseka namwakwanzañena yitwamu. Nawa cheñi, neyi chipompelu chansañu yamatuña nachiyulu chinakañanyi kuhana chipapili chamazhina, mavoti aweneniyi muntu wawu wemeni hawu kazhiñampata akayichindaku wanyi hakwanzañana yitwamu.

Indi ichi Chinakulumbulukadi?

Iyi nshimbi yayiha yinezumu muloña wakuhipa nakubombelaku kulonda kukolesha nzhila yakwanzañenamu yitwamu yakuzatisha kuvula kwamavoti. Nshimbi yayikulu yadiña wanyi nanzhila yakuzatishila chipapili hakutanjika mazhina muloña kwadiñileña wanyi nzhila yakwanzañenamu yitwamu nakuzatisha kuvula kwamavoti.

Chipapili hakutanjika mazhina chalumbuluka kutanjika kwamazhina kudi chipompelu chansañu yamatuña nachiyulu chakuzatisha mukusakula kwakuzatisha kuvula kwamavoti chakahanawu kudi nkoñi watambulaña yipapili(Returning Officer) hela nkoñi watalaña zhakusakula wahaboma(District electoral officer).

Iyi nshimbi yayiha yinakumwekesha nzhila yatela yipompeli yansañu yamatuña nachiyulu kulondela hakuhana chipapili chinatanjikuwu mazhina akuzatisha

mukusakula kwakuzatisha kuvula kwamavoti. Yinakulumbulula owu watela kusayina chipapili chakufuma kuchipompelu, kwakuchitwala, mpinji muyatela kuchisonekela nayuma yinakukeñeka yatela owu anakwimana kwikala nayu. Yinalumbululi cheñi yuma yinatweshi kumwekana neyi watela kwimana nafwi, nafumi munochi chipompelu hela neyi chipompelu chinakañanyi kutwala chipapilu mumpinji yatelela.

Ichi chinakulumbulula nawu, iyi nshimbi yinahani chiwahi mwakuzatila mudimu wakusakula kwakuzatisha kuvula kwamavoti, mwakwanzañena nakushamu antu, iku chinakukwashaku kumona neyi yuma yinakuzatika chiwahi nakulondezha nawa nshimbi.

Section 36D – Requirements of party list for seat in National Assembly

Chiketu 36D- Yuma yinakukeñeka hachipapili hakutanjika mazhina achitwamu chamwitala Danshimbi

Legal Text

(1) A political party that submits a party list in accordance with section 36C for a seat in the National Assembly shall submit a party list for each category as follows:

(a) the number of women seats obtained by a political party;

(b) the number of youth seats obtained by a political party; and

(c) the number of persons with disabilities seats obtained by a political party.

(2) A party list submitted under subsection (1)(b) shall contain candidates that are youths for the entire duration of the term of Parliament.

(3) A party list submitted under subsection (1)(c) shall —

(a) contain alternates of the classes of disabilities; and

(b) have candidates in possession of a certificate of registration issued in accordance with the Persons with Disabilities Act.

Mazu Anshimbi Aswayi

Nshimbi yayiha yinakutena nawu neyi chipompelu chansañu yamatuña nachiyulu chinatambuli yitwamu yambukamu yamwitala danshimbi kuhitila mukusakula kwakuzatisha kuvula kwamavoti, chatela kuhana chipapili hanatanjikuwu mazhina nakwambula, yawambanda, anyikwenzi nantu akweti wufwayi. Hadi anyikwenzi hatela kwikala anyikwenzi akatwalekahu kwikala anyikwenzi nakushika nikukumana kwamafuku anyidimu(term) yetala danshimbi. Hachipapili hadi mazhina ana akweti wufwayi hatela kwikala antu akweti wufwayi wamboka nawa awa antu atela kwikala nayipapili yakudisonekesha kwesekezha nanshimbi ya Disability Act. Iyi yipapili

yakutanjika mazhina yatela kuhanewa kudi mutayi watalaña hansañu yakusakula(Electoral Commission), nakuyizatisha hakutonda atela kushakama muyitwanu yahembawu mwitala danshimbi.

Indi ichi Chinakulumbulukadi?

Hakutachika, nshimbi yadiña naniyi nshimbi wanyi. Iyi nshimbi yayiha yinakulumbulula nawu yipompelu yansaño yamatuña nachiyulu hiyanatweshi kutonda antu akushakama muyitwamu yahembawu chakubula kulondela nshimbuku. Hela chochu, atela kuloñesha chipapilu hanatanjikuwu mazhina kweseka nanawa mazanvu, ambanda, akwenzi nantu akweti wufwayi. Aka mutayi watalaña zhakusakula(Electoral Commission) akatwesha kuzatisha chipapili chenichi hakwanzañana yitwamu.

Nshimbi nawa yinakukeña akwenzi akwikala hachipapili chamazhina kwikala nayaaka yawukwenzi mumpinji yakwikala itala danshimbi dinakuzata(term). Kubombelaku, antu adi nawufwayi adi hachipapili chamazhina, atela kwikala adisonekesha nawa atela kwimenaku nyichidi yezhima yawufwayi.

Ichi chinakufwila kumona neyi mazanvu ezhima ana abula kwikala nawa ñimeni mukuyula, adi neyi ambanda, akwenzi nantu akwetu wufwayi adi nawañimeni niwena mwitala danshimbi.

Ichi chinakushimuna nawu, nzhila yakushilamu antu muyitwamu yahembawu yidi yayiwahi yakulombola nawa chiwahi, nanshimbi zhinakufwila kumona neyi ezhima adi nawañimeni chakubula kwambula.

Section 36E – Number of councillors under proportional representation electoral system –

Chiketu 36E- Kuvula kwamakansela anakundami kukutonda kwakuzatisha kuvula kwamavoti.

Legal Text

(1) The number of councillors under the proportional representation electoral system in a council shall be calculated based on the eighteen percent of the proportional representation seats against constituency based seats in the National Assembly.

(2) The number of seats under the proportional representation electoral system in a council shall be distributed among women, youth and persons with disabilities using the ratio four to three to one, respectively, except that each category of women, youth and persons with disabilities shall have at least one seat.

(3) Despite subsections (1) and (2), a council shall, where the proportional representation seats in a council is less than three in accordance with the calculation referred to under subsection (1), consist of three proportional

representation seats comprising of one seat for women, youth and persons with disabilities, respectively.

(4) The Commission shall publish the number of proportional representation seats in each council in accordance with this section, as prescribed

Mazu Anshimbi Aswayi

Iyi nshimbi yinakulumbulula mwakwanzañena yitwamu yakansela wamukansu yenkawu mazanvu amboka. Kuvula kwawenawa makansela akayiwana tachi hakuwana 18% yayitwamu yakumdama kumakonsitituwensi yidi mwitala danshimbi. Neyi anayiluki dehi kuvula kwayu, kufumahu hikuyananzañana hakachi kanawa mazanvu asatu, neyi chochichi ambanda 4, anyikwenzi 3 antu akweti wufwayi 1, iku anakumona neyi izanvu hizanvu dinatambuluhu chitwamu chimu hela tuhu yinavuli wanyi. Munzhila yakwila nawu kuvula kwayitwamu yakuzatisha kuvula kwamavoti yinashikili wanyi yisatu, nshimbi yinateni nawu kwatela kwikala yitwamu yinashiki yisatu, nakwanzañana chitwamu chimu hezanvu hizanvu. Mutayi watalaña zhakusakula(Elecctoral Commission) diwu watela kushimuna nakulezha ezhima yitwamu yakuhana kuhitila mukuvula kwayitwamu yamukonsitituwensi yinekuwu kansu hikansu neyi mwaya nshimbi.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula nawu, iyi nshimbi yayiha yinakoleshi nsañu yakubombelaku añimeni amukansu amumaluña nakumona nawu ambanda, anyikwenzi nantu akweti wufwayi niwena adi nawañimeni, hela tuhu yitwamu yiduku yantesha, kulonda kubuli kwikala izanvu dikushalahu. Nshimbi yinakoleshi kuyula chidimu nawantu ezhima kuhitila mukumona neyi awa mazanvu niwena anakuhoshahu hampinji yakutonda kwila yuma, kulonda kunyamuna kuzata kwawantu amavulu, chakubula kudimbeka nakwikala nawañimeni mwiluña mwashakamawu.

Section 36F – Requirements of party list for seat in council

Chiketu 36F- Yuma yinakukeñeka hachipapili chachipompelu chinatanjikuwu mazhina ayitwamu yamukansu

Legal Text

(1) Subject to section 36E, a political party that submits a party list in accordance with section 36C for a seat in a council shall submit a party list for each category as follows:

- (a) the number of women seats obtained by a political party;*
- (b) the number of youth seats obtained by a political party; and*
- (c) the number of persons with disabilities seats obtained by a political party.*

(2) A party list submitted under subsection (1), in relation to youths, shall have candidates that are youths for the entire duration of the term of a council.

(3) A party list submitted under subsection (1) in relation to persons with disabilities shall—

(a) contain alternates of the classes of disabilities; and

(b) have candidates in possession of a certificate of registration issued in accordance with the Persons with Disabilities Act.

Mazu Anshimbi Aswayi

Iyi nshimbi yinalumbululula nawu neyi chipompelu chansañu yamatuña nachiyulu chinakuhana mazhina awa kwikala hayitwamu, hiyatela hohu kuhana mazhina hohuku. Atela nawa kuloñesha chipapili chikwawu chidi namazhina kwesekezha namazanvu ayitwamu yinawanuwu, yitwamu yawambanda, yitwamu yawakwenzi nayitwamu yawantu akweti wufwayi. Awa mazu “kwesekezha nachiketu 36F” alumbuluka nawu iyi nshimbi atela kuyitaña hamu nachiketu 36E nawa neyi ichi chiketu chahana nshimbi zhiqwawu hela kukehesha, oyi nshimbi yikwawu niyena yikuzatishewa. Mukulumbulula munzhila yikwawu, chipompelu chatela kutanjika mazhina hachipapili kweseka nakuvula kwayitwamu yatentekelawu yinatambuluwu yamumazanvu ezhima.

Mwizanvu dawakwenzi, nshimbi yinakutena nawu bayi kusha hohu mukwenzi hachipapili chakutanjika mazhina hampinji yakutondaku. Yinakuhosha nawu owu akwenzi anatonduwu atela ana akutwalekahu kwikala akwenzi mumpinji yakuzata kansu(Term ya Kansu). Ichi chinakulumbulula nawu muntu akutondawu watela kutwalekahu kwikala mukwenzi kwesekezha nachinamulumbululuwu mukwenzi nakushika kukumana kwampinji yakansu(term ya Council). Ichi chidichi kulonda kumona neyi hachitwamu hanatwalekuhu kushakamahu kudi muntu wunakundami chalala kwizanvu dawakwenzi, bayi muntu washikililumu mpinji yakumutonda ilaña nashikilumu wanyi mukuhita kwampinji.

Kudi antu akweti wufwayi, nshimbi niyena yakoleshahu chikupu. Hachipapili chakutanjika mazhina, chipompelu chatela kwambula nyichidi yawufwayi, kulumbulula neyi nawu hachipapili chakutanjika mazhina hihatela kwikala hohu muchidi wawufwayi wumuku. Chatela kumwekesha kwambuka kwawufwayi kulonda kwikali kwimenaku ezhima chakubula chambu. Kubombelaku kuniyi, owu anatonduwu atela kwikala nasatifiketi yakudisonekesha kwesekezha nanshimbi ya Disabilities Act. Munzhila yikwawu, ichi chinakutena nawu, muntu hanatweshi kuditena hohu nindi wukweti wufwayi nakumusha hachipapili chamazhinaku; kwatela kwikala wunsahu wakumwekesha nawu eña chalala wukweti wufwayi nawa wadisonekesha kwesekezha nanshimbi. Chuma cheneni chaniyi nshimbi, hikufwila kumona neyi ezhima adi nawañimeni chakubula chambu, kwilukisha nakumona

chikupu nawu chalala ambanda, akwenzi nantu akweti wufwayi adi niwena mukansu.

Indi ichi Chinakulumbulukadi?

Iyi nshimbi yinakunyamuna kukeña neyi mukansu añimeni anakwimenaku ezhima nakumona neyi ambanda, akwenzi nawantu akweti wufwayi anayinki yitwamu yayihembelawu munfulumendi yamwashakamawu(local government). Ichi dinu yipompelu yansaño yamatuña nachiyulu atela kuzatisha awa mazanvu niwena muwunlomboli namukudintezha zhakwila, kulonda kukwasha kubula chambu mukachi kamazanvu avula nankashi kubula kwikala nawañimeni zhawu. Yipompelu yansaño yamatuña nachiyulu atela kulondezha nankashi nzhila zhinahanuwu hakusoneka nakutanjika mazhina hachipapili. Atela kuhana yipapili hanatanjikuwu mazhina ambuka kwesekezha namazanvu nakumona nawu akwenzi anakwimana akutwalekahu kwikala akwenzi nakwesekezhi mpinji(term) yakansu, iku akweti wufwayi atela kwikala namasatifiketi akudisonekesha abula kumana. Ichi chinakutohesha kuleta kashinshi, kukehesha kuluwanesha nyidimu nakumona neyi yitwamu yahembelawu mazanvu hadi antu atelela nawa ashikilamu.

Iyi nshimbi nawa yinakukolesha kwikala nawañimeni anakwimena ezhima chakubula kushiyahu amu, nankashi antu akweti wufwayi nakutena muchidi wezhima wawufwayi kuwushinshika. Hela chochu, chinatweshi kuleta kukala kumu kuyipompelu yansaño yamatuña nachiyulu, nankashi yina yipompelu yanyaya muloña atela kutalishisha chiwahi nakumona, kwilukisha nakuhemba antu anashikilumu kwesekezha namazanvu anahembeluwu yitwamu.

Section 36G – Publication of party list - Chiketu 36G-Kuleta hatooka chipapili chamachina cachipompelu.

Legal Text

The Commission shall, within seven days of the receipt of a party list in accordance with section 36C, process and publish the names of Members of Parliament and councillors that obtained a seat under the proportional representation electoral system in the Gazette, and a newspaper of general circulation in the Republic or any electronic media that the Commission may determine.

Mazu Anshimbi Aswayi

Mutayi watalaña zhakusakula(Commission) atela kuzata lufuchi mudi mafuku akushika kumafuku atanu nayeddi kufuma hakutambula chipapili chamazhina kufuma kuchipompelu kwesekezha nachiketu 36C. Chatela kuzatilahu hachipapili kufumahu hikushimuna mazhina awañimeni amwitala danshimbi nimakansela anenkuwu yitwamu kuhitila mukuzatisha kuvula kwamavoti. Mazhina atela kuyimwekesha hatooka muchipampili chanfulumendi(

Government Gazette), muyipapili yansaño yina yashikaña kumaluña amavulu mwituña hela hawayilesi kwesekezha nanomu mukutondawu.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula nawu akamutayi watalaña zhakusakula(Electoral Commission) atela kwesekezha nanshimbi kuzata chakubula kulabi mumafuku akushika kumafuku atanu nayedi kufuma hakutambula chipapilu chamazhina kufuma kuchipompelu. Iyi nshimbi yinakoleshi kulonda kwila yuma hatooka, kushaku maana nakuzata chiwahi munsano yakusakula nakumona neyi kudi kwila yuma mumpinji nakubidika yitwamu yinanzaniwu. Cheñi nawa yinakutena kubidika nakulezha antu mazhina anowu anatonduwu kwikala añimeni amwitala danshimbi nimakansela muchipapili chanfulumendi(Government Gazette), muyipapili yansaño yashikaña kumaluña amavulu mwituña hela hawayilesi kwesekezha nanomu munatonduwu, hakwila mwenimu nsano yinamwekani anayishimuna kwesekezha nanshimbi cheñi nawa antu amavulu anatweshi kuyitambula.

Section 36H – Vacancy in office of Member of Parliament under proportional representation electoral system

Chiketu 36H- Kubula muntu muofesi yañimeni(MP) wamwitala Danshimbi kulondela nshimbi yakusakula añimeni munzhila yakuzatisha kuvula kwamavoti.

Legal Text

(1) Article 72(1) and (2)(a), (b), (c), (d), (e), (f), (h) and (i) of the Constitution shall apply in relation to a vacancy of a Member of Parliament under the proportional representation electoral system.

(2) In addition to the grounds specified under subsection (1), a political party that sponsored a Member of Parliament holding a seat under the proportional representation electoral system may recall the Member of Parliament at any time during the term of Parliament.

(3) A person who causes a vacancy in the National Assembly due to the reasons specified under Article 72(2)(a), (b), (c), (d) and (h) of the Constitution shall not, during the term of that Parliament —

(a) be eligible to contest an election or qualify to be on a list under the proportional representation electoral system; or

(b) hold public office.

(4) The Speaker shall, where a vacancy occurs in the National Assembly for a seat under the proportional representation electoral system, inform the Commission of the vacancy, in writing, within seven days of the occurrence of the vacancy.

(5) The Commission shall, within ninety days of the vacancy in accordance with subsection (1) or (3), fill the vacancy with the next available candidate on a party list of a political party that holds the seat.

(6) The Commission shall, where a party list of a political party has no remaining candidate during the term of Parliament, request the political party to submit an additional party list within thirty days of the request.

(7) Sections 36C and 36D shall apply to an additional party list referred to under subsection (6).

(8) The Commission shall, where a political party fails to submit an additional party list within the period specified under subsection (6), re-allocate the vacant seat to a political party that qualified for a seat in accordance with the formula for distribution under section 36B.

(9) The votes obtained by a presidential candidate of a political party that fails to submit an additional party list under subsection (8) shall not be considered in the distribution of seats.

(10) A Member of Parliament holding a seat for a political party under the proportional representation electoral system shall, where a political party is dissolved, cease to be a Member of Parliament and the seat shall be re-allocated to a political party that qualifies for a seat in line with the formula for distribution of seats under section 36B.

(11) A vacancy occurring in accordance with this section within one hundred and eighty days preceding a general election shall not be filled.

Mazu Anshimbi Aswayi

Iyi nshimbi yidi hachinatweshi kumwekana neyi chitwamu chamwitala danshimbi chakundama kukusakula kunakundami kukuvula kwamavoti chikala chakubula muntu, nichatela kuhiñishamu. Mumazu aswayi, yinakuhosha nawu Añimeni Amwitala Danshimbi atondeluwu kuhitila munzhila yakuzatisha kuvula kwamavoti niwena atela kulondezha mwaya konsititusheni neyi kunamwekani kufuma hachitwamu, ilaña kudi nshimbi zhikwawu zhinakundami kuchipapili chamazhina, kubabesha kwamuchipompelu, kuhiñishamu nakwikala mwakubula muntu.

Tachi, chikunku chachiketu(1) chinakulumbulula nawu yoyi nzhila yekala mukonsititusheni yachitwamu chama MPs kwikala chakubula muntu diyu

yakazatishawu nihaniyi yitwamu yakusakula kwakuzatisha kuvula kwamavoti. Yuma yekalaku yinabombi kufuma hela kuleka, kubula kushikilamu, kuluwañesha, kufumahu hela kukuhaña muchipompelu chakwitezheleli kwimana, hela kukutambula ñovu yakwikala mwini Zambia, kukuwana wabula kushikilamu kudi chota chatalaña hansaño yakonsititusheni(Consitution Court), nikufwa. Chinakumwekana ichi, muloña ñimeni wamwitala danshimbi atondeluwu hakuzatisha kuvula kwamavoti hayadi akiñewa nankashi muloña wena ayitondeli kwiñila Mwitala Danshimbi kuhitila mukuyisoneka hachipapili chafumini kuchipompelu.

Chamuchiyedi, chikunku chachiketu (2) chinabombeluku nshimbi yikwawu yinakundami hohu kuyitwamu yakutonda kuhitila mukuzatisha kuvula kwamavoti: Chipompelu chansaño yamatuña yatemesheli owu ñimeni(MP)chinatweshi kumufuntishamu owu MP hampinji yidi yezhima kweseka nampinji yakuzata (term)itala danshimbi. Mumazu aswayi, chipompelu chinatweshi kufumisha muntu wawu atondeluwu nakuzatisha kuvula kwamavoti kufuma mwitala danshimbi hela tuhu kwosi yuma yineliyi kwesekezha nayuma yasonekawu mukonsititusheni yinatweshi kuletsha muntu kufuma mwitala danshimbi. Ichi chinakwinka chipompelu ñovu yakulombola iyi yitwamu kupandakana hayitwamu yakundama kumakonsitituwensi.

Chamuchisatu, chikunku chachiketu (3) chinakuhosha nawu, neyi muntu naleteshi chitwamu kwikala chakubula muntu muloña wayuma yinatenuwu, owu muntu akamubabesha hampinji yichidi nakuzata itala danshimbi kuhitila mukulekesha kwimana mukusakula hela kumwinka hachipapili chakutonda kwakuzatisha kuvula kwamavoti nakumukanisha kuzata mudimu wanfulumendi. Komana nshimbi aha yinakufwila kulekesha antu kubula kufuma hachitwamu, kutuntuka nakuya kuchipompelu chikwawu, kwila yuma yinabuli kukundama kunshimbi, hela tuhu kuletsha kubula muntu hachitwamu nakufwila kufunta cheñi kunsañu yamatuña nachiyulu.

Chamuchiwana, chikunku chachiketu(4)chinateni neyi Nlomboli wamwitala danshimbi(Speaker) watela kulezha akamutayi watalaña zhakusakula nakuyisonekela mumafuku akushika atanu nayedi kufuma hakwikala chitwamu chatondeluwu nakuzatisha kuvula kwamavoti chakubula muntu. Iyi hinchila yakushimuna kulonda kutachika kuwana nzhila yakuhiniñishilamu.

Chamuchitanu, chikunku chachiketu (5) chinakuhosha nawu, mutayi watalaña zhakusakula, watela kuhiñishamu muntu mumafuku akubula kupandakana mufuku makumi atanu nawana nakuzatisha muntu wunahiñimu hachipapili chamazhina afumini kuchipompelu chansañu yamatuña nachiyulu. Munzhila yikwawu, muntu wanalondeluhu hachipapili wukuswina kumbidi nakutambula chitwamu. Imudimu mwaya nshimbi yakuhiniñishilamu yitwamu yakundama kukusakula kwakuzatisha kuvula kwamavoti(PR).

Chamuchitanu nachimu, chikunku chachiketu (6) chinakutala hayuma yakwila neyi chipapili chamazhina chachipompelu chidi wanyi namazhina amakwawu. Neyi kwosi wunashaluhu hachipapili, mutayi watala zhakusakula, wukulezha chipompelu kuhana chipapili chamazhina amakwawu mumafuku akushika makumi asatu. Chikunku chachiketu(7) chinateni nshimbi zhozhimu zhakulondezha kudi antu nayuma yatela kulondezhawu yidi yoyimu hanichi chipapili chachiha nichena.

Chamuchitanu nachiyedi, chikunku chachiketu (8) chinakuhosha nawu neyi chipompelu chikuhana wanyi chipapili chamazhina amakwawu mumpinji, achina chitwamu chikutwalekahu wanyi kwikala chakubula muntu. Dichi mutayi watalaŋa zhakusakula(Commission) wukuhana china chitwamu kudi chipompelu chikwawu chinashikilumu kwasekezha nanshimbi yakwanzaŋana. Chikunku chachiketu(9) chinabombeluku nawu mavoti awanini wemeni muwukazhiŋampata wachipompelu chinakaŋanyi kulondezhamu, akayizatisha wanyi mukwanzaŋana yitwamu. Iku hikufwila kukaŋesha chipompelu kukolekelamu iku anakukana kulondezha nshimbi.

Chamuchitanu nachisatu, chikunku chachiketu (10) chinakuhosha nawu neyi chipompelu chansañu yamatuŋa nachiyulu chinadambuli nakudimwaŋa, ñimeni wamuchitwamu chamwitala danshimbi atondeluwu kuhitila mukusakula kwakuzatisha kuvula kwamavoti niyena hohenuhu wukuleka kwikala ñimeni mwatala danshimbi nawa chitwamu akuchinka kudi chipompelu chikwawu chinashikilumu kwasekezha nanzhila yakwanzaŋenamu. Ichi chinakulumbuluka nawu chitwamu chambala chachipompelu, bayi ñimenuku.

Kukumishaku, chikunku chachiketu (11) chinakuhosha nawu, neyi kudi chitwamu chinabuli muntu mumafuku akushika kumafuku nkulakazhi namafuku makumi atanu nasatu nakushika kukusakula kukwawwu, chikwikala chakubula muntu. Chidi chochichi kulonda kukaŋesha kuhiŋishamu muntu hadi kapinji kantesha kanashaluku kukushinka Ntala Danshimbi.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula nawu aŋimeni(MPs) atondawu nakuzatisha kuvula kwamavoti adi akundama kuchipompelu chawu chansañu yamatuŋa nachiyulu. Anatweshi kuluza chitwamu chakubula nikulaba kupandakana aŋimeni (MPs)amuma konsitituwensi, nawa chipompelu chikweti ñovu yakuyifuntisha, nakuyihiŋisha, hela kuyifumisha hachitwamu neyi akukaŋanya kulondezha nshimbi. Iku hikukolesha kubabesha

kwamuchipompelu nakuhemba nzhila yakwimana yakuzatisha kuvula kwamavoti yinakutalisha hakuzata kwachipompelu nichipapili chamazhima kupandakana muntu atondawu kwimana. Hampinji yoyimu, yakeheshaña añimeni(MPs) atondawu munzhila yakuzatisha kuvula kwamavoti kwikala neyi adimena nikutwalekahu kushakama mwitala danshimbi kunemeni hachipompelu chawu.

Chamuchiyedi, Itala danshimbi anadikwashi kubula kwikala nayitwamu yakubula antu hampinji yayilehi nakwikala kusakula kwakufuntilahu muyitwamu yawañimeni atondeluwu kuhitila munzhila yakuzatisha kuvula kwamavoti, muloña kuhiñisha muchitwamu kwafumaña kuchipompelu hatezi kwikala nakusakula kwakuha. Ichi chinakwashi nyidimu kwenda lufuchi nakuzatika chiwahi, hela tuhu chinakulumbulula nawu akakuvota anakuyimena kudi antu adi hayipapili yamazhina achipompelu bayi kuhitila mukuyitonda wanyi. Kulekesha kwakuhiñisha muntu kukamwihi nakushinka kwetala danshimbi, kunakumwekesha kufwila kubula kukisa mpinji namali neyi chitwamu chinabuli muntu iku mafuku akuzata(term) etala danshimbi hiyakuya nakumana.

Ichi chinakulumbulula nawu yitwamu yenkawu yipompelu yamatuña nachiyulu nakulondela nzhila yakuzatisha kuvula kwamavoti yekala yambala yachipompelu bayi owu muntu wekala ñimeni mwitala danshimbuku.

Neyi ñimeni Wamwitala Danshimbi nafumi hachitwamu, nafwi, nadilekeli, hela anamulekeshi hela anamufumishuhu kudi chipompelu chansañu yamatuña nachiyulu, achina chitwamu chakashimbula wanyi kwikala chakubula muntu. Aka Mutayi watalaña zhakusakula (Electoral Commission) atela kuhiñishamu namuntu wunalondeluhu hachipapili chamazhina kulonda chipompelu chansañu yamatuña nachiyulu chitwalekuhu kwikala nachitwamu chatambwiluwu mpinji yakusakula.

Iyi nshimbi yinakukolesha nawa yipompelu yansañu yamatuña nachiyulu mpinji yezhima kwikala nawantu anadiloñeshi kuhiñamu. Neyi chipompeli chikukañanya kuhana mazhina mumpinji yikukeñawu, chinatweshi kuluza chitwamu kudi chipompeli chansañu yamatuña nachiyulu chikwawu.

Kubombelaku, añimeni (MP) Amwitala Danshimbi akuluza yitwamu yawu muloña wakuluwañesha kwesekezha namwaya konsititusheni, akutweshi wanyi kufunta cheñi Mwitala danshimbi, hela kwikala nachifulu chamunfulumendi mumpinji (term) yichidi Itala Danshimbi kuzata.

Iyi nshimbi nawa yinakuhosha nawu, neyi chipompelu chansañu yamatuña nachiyulu chinadambuli nakudimwaña, ayina yitwamu yawu yakuzatisha kuvula kwamavoti akayitambula nakuyananzañana mukachi kayipompeli yinashikilumu. Ilaña neyi chinamwekani kukamwihi nakusakula kwamwituña dezhiba, chitwamu chakashakama chakubula muntu sampu kunekali kuvota cheñi mwituña.

Section 36I – Vacancy for councillors in proportional representation electoral system

Chiketu 36F- Kubula muntu hachifulu chakansela munzhila yakusakula kwakuhitila mukuvula kwamavoti

Legal Text

(1) Article 157 (1) and (2)(b), (c), (e), (f) and (g) of the Constitution shall apply in relation to a vacancy of a councillor under the proportional representation electoral system.

(2) In addition to the grounds specified under subsection (1), a political party that sponsored a councillor holding a seat under the proportional representation electoral system may recall the councillor at any time during the term of a council.

(3) Where a vacancy occurs in the office of a councillor, the —

(a) Town Clerk or Council Secretary of the local authority shall, within seven days of the occurrence of the vacancy, inform the Commission, in writing, of the vacancy; and

(b) Commission shall, within ninety days of the vacancy, fill a vacancy with the next available candidate on a party list of a political party that holds the seat.

(4) The Commission shall, where a party list of a political party has no remaining candidates during the term of a council, request the political party to submit an additional party list within thirty days of the request.

(5) Sections 36C and 36F shall apply to an additional party list referred to under subsection (4).

(6) The Commission shall, where a political party fails to submit an additional party list within the period specified under subsection (4), re-allocate the vacant seat to a political party that qualified for a seat in accordance with the formula for distribution under section 36B.

7) The votes obtained by a presidential candidate of a political party that fails to submit an additional party list under subsection (6) shall not be considered in the distribution of seats.

(8) A councillor holding a seat for a political party under the proportional representation electoral system shall, where a political party is dissolved, cease to be a councillor and the seat shall be re-allocated to a political party that qualifies for a seat in line with the formula for distribution of seats under section 36B.

(9) A vacancy occurring in accordance with this section within one hundred and eighty days preceding a general election shall not be filled.

Mazu Anshimbi Aswayi

Iyi nshimbi yinakulumbulula chinatweshi kumwekana neyi kansela atondeluwu kuhitila munzhila yakuzatisha mavoti amavulu nafumi hachitwamu hela anamufumishi.

Kansela asakwiluwu kuhitila muchipapili chatanjikiliwu mazhina natweshi kuluza chitwamu muloña wayuma yinatenuwu mukonsititusheni, yidi neyi kuleka nakufuma, kubula kushikilamu hela yuma yikwawu kwesekezha nanshimbi. Kubombelaku, chipompelu chansañu yamatuña nachiyulu chamusakwili owu kansela chikweti ñovu yakumufuntisha hela kufumisha hampinji yidi yezhima mumpinji (term)yakansu.

Neyi chitwamu chakansela munabuli muntu, Mukulumpi wakansu(Town Clerk hela Council Secretary) watela kulezha akamutayi watalaña zhakusakula(Eletoral Commission) nakusoneka mukanda mumafuku akushika atanu nayedi. Kufuma hakutambula nsañu, akamutayi watalaña zhakusakula(Electoral Commission) atela kuhiñishamu wacheñi mumafuku akushika makumi atanu nawana kuhitila mukusakula muntu mukwawu kufuma hachipapili chachipompelu. Ichi chikukwasha kumona neyi chipompelu chansañu yamatuña nachiyulu chinahembi chitwamu chawu chatambwiluwu hakutachika.

Neyi ochi chipompelu chansañu yamatuña nachiyulu chidi wanyi namazhina amakwawu, akamutayi watalaña zhakusakula akulezha ochi chipompelu kuhana chipapili chamazhina amakwawu mumafuku akushika kumakumi asatu. Ochi chipapili chachiha chatela kulondezha nshimbi yoyimu yalondeleluwu hakutachika.

Ilaña neyi, ochi chipompelu chansañu yamatuña nachiyulu chinakañanyi kuhana chipapili chamazhina mumpinji yinakukeñeka, china chitwamu akuchinka kudi chipompelu chansañu yamatuña nachiyulu chinashikilumu kwesekezha nanzhila yakwanzañenamu yitwamu. Chidi chochichi, mavoti awaniniyi wemena wukazhiñampata wachipompelu chansañu yamatuña nachiyulu chakañanya kuhana mazhina akuyichindilaku wanyi hakwanzaña yitwamu.

Iyi nshimbi yinateni nawa nawu, neyi chipompelu chansañu yamatuña nachiyulu chinadambuli nakudimwaña, kansela wudi hachitwamu mwizhina danochi chipompelu wukufuma hanochi chitwamu, nichitwamu akuchihana kudi chipompelu chansañu yamatuña nachiyulu chinashikilumu.

Neyi kubula muntu muchitwamu kunamwekani iku kunashali dehi mafuku akushika kunkulakazhi namafuku akushika kumakumi atanu nasaku

nakwikala nakusakula kwamwituña dezhiba, akashumu wanyi muntu muchitwamu muloña ituña dinakuya nakusakula kwakuha.

Indi ichi Chinakulumbulukadi?

Iyi nshimbi yinakulumbulula nawu neyi kansela asakulawu kuhitila munzhila yakuzatisha kuvula kwamavoti nafumi hachitwamu hela anamufumishuhu, mutayi watalaña zhakusakula(Electoral Commission) atela kuyilezha chakubula kuhitishamu mafuku akushika mafuku atanu nayedi nawa china chitwamu chatela kwikala namuntu mumafuku akushika kumakumi atanu nawana nakuzatisha chipapili chamazhina chahenuwu kudi ochi chipompelu chansañu yamatuña nachiyulu kulonda chitwamu chitwalekuhu kwikala chanochi chipompelu.

Ichi chikukwashaku akakansu kutwalekahu nakuzata chakubula kulaba, nakumona nawa neyi yipompelu yansañu yamatuña nachiyulu yikali namudimu wakuhemba yipapili yawu yamazhina, nakumona nawa neyi yitwamu yidi nanochi chipompelu chatambwili mavoti, kulonda kukañesha kuluza hela kukumina dakuhemesha iyi yitwamu.

PART VI – RETURNING OFFICERS AND PRESIDING OFFICERS - CHIKUNKU VI- ANKOÑI AKULOMBOLA NYIDIMU YAKUSAKULA (RETURNING OFFICER NA PRESIDING OFFICER)

Repeal and Replacement of Section 37/Appointment of returning officer

Kufumisha nakuhiñishamu chiketu 37/ Kwiñizha nkoñi wakutala zhakusakula(returning officer)

Legal Text

The principal Act is amended by the repeal of section 37 and the substitution therefor of the following:

37. The Commission shall appoint a returning officer, in respect of each constituency, district or ward, by notice in the Gazette.

Mazu Anshimbi Aswayi

Nshimbi yayikulu yashimwini neyi nawu kufuma hakubidi ifuku dakusakula, akamutayi watalaña zhakuvota(Electoral Commission) akatonda nakusakula nkoñi wakutala zhakusakula(presiding officer) hamaluña ezhima hakuvotela(polling station).

Nshimbi yayiha yinafumishi yinanzatili nakulezha akamutayi watalaña zhakusakula(Electoral Commission) kwiñizha nkoñi (returning officer)wakutala nyidimu yakusakula mumakonsitituwensi ezhima, haboma hela muwadi kuhitila mukubidika kunasonekuwu muchipapili chanfulumendi(Government

Gazette). Nyidimu yawu yinabombeluku kulombola nyidimu yinakundami kukusakula, kulombola mudimu wakutonda anakwimana, nakulombola nawa ankoñi ezhima anakutala zhakusakula, kutambula nakubomba mavoti anawanuwu emana nakutala nyidimu yezhima yakusakula mwiluña.

Mumazu aswayi, nshimbi yinakuhimpa kufuma kukumina kotalishisha heluña dakuvotela, nakutalishisha hamudimu wezhima wakusakula mukonstituweni, boma nahawadi. Iyi nshimbi yayiha yinatezhi nawa mutayi watalaña zhakusakula(Electoral Commission) kwiñizha ankoñi chakubula kuhimbela kubidika ifuku dakusakula, ichi chikukwasha mudimu wakuloñesha nakulombola kusakula.

Chuma chikwawu chalema muniku kuhimpa hikwiñizha nyidimu chiña ayibidika nakuyisoneka muchipapili chanfulumendi(Government Gazette). Ichi chikuletsha nzhila yakwikala hatooka muloña antu hamu nayipompelu yansaño yamatuña nachiyulu kwiluka antu aneñizhiwu nyidimu yakulombola kusakula mumaluña.

Indi ichi Chinakulumbulukadi?

Iyi nshimbi yikukwasha kuwahisha nyidimu nakulombola kwakusakula muloña ankoñi akutala zhakusakula(returning officers) adi namudimu weneni kupandakana ankoñi anakulombola kusakula heluña dakuvotela(presiding officer). Kunatweshi nawa kukwasha yuma kwikala hatooka nakuleta walala mukuzata chineli nyidimu yawu ayibidikili muchipapili chanfulumendi(Government Gazette).

Iku kuhimpa nakubombelaku kunatwalekuhu kwinka mutayi watalaña zhakusakula mpinji muyatelawu kudiloñeshelawu mudimu wakusakula kuhitila mukwiñizha akanyidimu henohu kanda abidiki ifuku dakusakula. Hela chochu, muloña ankoñi akutala zhakusakula mwiluña(returning officers) akwikala nañovu yeneni hansaño yakusakula mumaluña awu,kunatweshi nawa kwikala kudakamena hansaño yakubula kwila yuma chachiwahi hela kuzatisha ñovu zhawu neyi kukwikala wanyi kulombola kwashikilamu.

Insertion of Sections 37A and 37B - Kushamu Chiketu 37A na 37B

Legal Text

Powers and duties of returning officer - Ñovu nanyidimu yawankoñi akulombola nyidimuyakusakula(returning officer)

37A. (1) A returning officer shall be in charge of electoral activities at a constituency, district or ward.

(2) Despite the generality of subsection (1) a returning officer shall —

(a) conduct the nomination process at constituency, district or ward level;

(b) collate results in a constituency, district or ward;

(c) declare National Assembly and local government election results;

(d) announce presidential results in a constituency; and

(e) perform any other election related duties as determined by the Commission and under this Act.

Mazu Anshimbi Aswayi

Nkoñi (returning officer) himuntu anekuwu mudimu wakulombola mudimu wakusakula mukonsitituwensi, boma hela Muwadi. Mudimu windi wudi wakulombola nakumona neyi nyidimu yinakundami kukusakula mwiluña dawu, kutala nawa nyidimu yakutonda nakwitezha owu akakwimana anatezhiwu kwimana, kutambula hamu nakusoneka kuvula kwamavoti kufuma kumamaluña akuvotela. Adi nawa namudimu wakubidika anahiti nakuya kwitala danshimbi nimukansu mwiluña dawu, nakubidika kuvula kwamavoti anawanuwu emeni hawukazhiñampata mwiluña dawu. Kubombelaku, anatweshi kuzata nyidimu yikwawu yinakundami kukusakula yikuyinkawu kudi mutayi watalaña zhakusakula(Electoral Commission) Muwihi, iwu nkoni(returning officer) wamonaña kusakula mwiluña dindi kunakwenda chiwahi nawa nikuvula kwamavoti anakwiloñeshi chachiwahi hama nikuyibidika.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbuluka nawu nshimbi yinaletumu zhakwiñizha akanyidimu (returning officer)akwikala namudimu wakulombola nyidimu yakusakula mukonsitituwensi, boma, namuwadi. Chinakulumbuluka nawa nawu nzhila yaku tondelamu akakwimana, kuchinda mavoti, nakubidika mavoti anawani ezhima emana akuyilombola kudi muntu wumu enkawu ñovi mwiluña hiluña.

Iyi nshimbi yinakwashi kumona chikupu neyi mudimu wakusakula wunakwenda chiwahi, mwashikila nawa kwesekezha nanochi chetezhawu, kulonda kukehesha kuluwankana, kulabisha nakuhelokela mukuluwa hakutala kuvula kwamavoti anawanuwu mukusakula. Nawa yinakukwasha kumona neyi kuvula kwamavoti anawanuwu antu emana anayisoneki munzhila yaloña, anahitulukumu nakuyibidika kudi ezhima munzhila yakubula kudidimbeka nawa yidi hatooka.

Cheñi nawa, iyi nshimbi yinakoleshi kwikala nakashinshi, yuma hatooka nakukolesha chikuhwelu chamudimu wakusakula muloña kudi muntu enkawu mudimu wakulombola nakutala chinakwenda mudimu wakusakula mwiluña hiluña. Muwalala chikupu, iyi nshimbi yinakutohesha kusakula kudi chachiwahi, kwabula madimbeka, akukuhwelela nawa yinakwenda chiwahi kuhita mukwikala namuntu wudi namudimu nikulombola kudi nkoni watalaña heluña dakuvotela.

Appointment of Presiding Officer - Kwiñizha nkoñi wakutala nyidimu yakusakula(Presiding Officer)

37B. The Commission shall, after prescribing a date for an election, appoint a presiding officer for each polling station at which the election is conducted.

Mazu Anshimbi Aswayi

Kufuma hakutena ifuku dakusakula kudi mutayi watala zhakusakula, atela kwiñizha muntu (presiding officer) wakulombola nyidimu yakusakula hamaluña akuvotela ezhima. Iwu nkoñi diyi muntu wakulombola nakumona nyidimu yakuvota hanodu iluña dakuvotela hefuku dakusakula.

Indi ichi Chinakulumbulukadi?

Chinakulumbulula nawu hamaluña ezhima hakuvotela hakekala nkoñi wakalumbolaña mudimu wakuvota, kulonda kumona neyi mudimu wakusakula wudi chachiwahi nawa anakuwulombola momwenomu mwiluña.

Iku hikumwekesha chikupu nawu kudi kudilombola mumaluña akuvotelamu muloña nkoñi (presiding officer) wudi namudimu wakumona nzhila zhakuvotelamu, kumona neyi yuma yezhima yinakwenda chiwahi, kukwasha akakuvota neyi anakukeña wukwashi, nakumona nawa neyi anavoti ezhima nakuyichinda kweseka nanshimbi. Ichi chikukwasha kukehesha kuluwankana, nihekwawu kuluwanesha hampinji yakusakula.

Nshimbi yinakukwasha nawa kwila yuma hatooka, mwashikila, nakukolesha chikuhweleu mukachi kawantu mukusakula muloña akakuvota anachimoni nawu kudi nkoñi wudi namudimu wakumona yuma nimudimu wakusakula wunakwenda chiwahi hamaluña akuvotela.

PART VII – VOTING, COUNTING, AND RESULTS

CHIKUNKU VII- KUVOTA, KUCHINDA NAMAVOTI ANAWANUWU

Amendment of Section 60 - Kuhimpa nakubombelaku Chiketu 60

Legal Text

Section 60 of the principal Act is amended by the deletion of subsection (6) and the substitution therefor of the following:

(6) A voter shall, once the voter has received a ballot paper referred to under subsection (5)

(a) enter an empty voting booth;

(b) mark the ballot paper in a way that indicates the candidate the voter intends to vote for;

(c) fold the ballot paper to conceal the voter's vote;

(d) cast the ballot paper in the ballot box; and

(e) without delay, leave the voting station

Mazu Anshimbi Aswayi

Nshimbi yayikulu nayayiha zhezhima zhinakulumbula chatela mukakuvota kwilayi neyi natambuli dehi chipapili hakuvotela heluña dakuvotela. Nzhila muzhinshimbi zhezhima zhidi tuhu zhozhimu, ilaña nshimbi yayiha yinahimpiku mazu amu nakulondezha nhosheli yakatataka nakwovwahisha mwakuvotela.

Kwesekezha nanshimbi yayikulu, kufuma hakutambula chipapili hakuvotela hanasonekuwu kudi nkoñi wunakutala zhakusakula, mukakuvota watela kwiñila mukapeka(Compartment) mwakuvotela munabuli muntu, nakufunda heluña hadi muntu anakuvotelayi, kuvuña chipapili kulonda kusweka voti, nakusha mumbokosi nakufuma heluña dakuvotela.

Nshimbi yayiha yinahembi nzhila yoyimu yakuvotelamu, ilaña anahipiku mazu amu nimunsonekeli. Hatezi kuhosha nawu “kapeka kakuvotela” anazatishi mazu nawu “busi yakuvotela”(voting booth). Mazu ezhima anakutena yowu iluña daswamana mwatelela muntu kuvotela mwakuswama. Nshimbi yayiha yinafumishi mazu “kufunda kweseka nachikunku chachiketu (5) (c) nakukumina dakutena nawu “chipapili chakuvotelahu chinatenuwu muchikunku chachiketu (5)”. Ichi chinatandumuni hamu nakwovwahisha nsonekeli yamazulu kulonda yikundami kuchipapili chakuvotelahu chenkañawu mukakuvota.

Kuhimpa kukwawu hinzatishili yamanzu hadi wunakwimana. Nshimbi yayikulu yatena nawu mukakuvota watela kufunda hachipapili chakuvotelahu nakumwekesha owu muntu “anakukeñayi kuvotela”, iku nshimbi yayiha yinakuhosha nawu mukakuvota watela kwinyika muntu “anafukuliya kuvotela.” Hela tuhu chinakulumbulula chuma chochimu, nsonekeli yayiha yinakutena chikupu nawa yakatataka.

Kuhimpa kwakukumishilaku kudi hohu mwakutanjikila yuma. Munshimbi yayikulu, mukuku wamazulu wakukumishilaku awusonekeli nawu “(f)” hela kwadiñileña wanyi chibalu chamazu “(e)”, iyi yadiñileña hohu kuluwa hakisoneka. Nshimbi yayiha yinololi kuhitila mukusoneka nakulondela chachiwahi nakusoneka chibalu chamazu neyi “(e)”.

Indi ichi Chinakulumbulukadi?

Kuhimpa nakubombelaku kunaleteshi nzhila zhakuvotelamu kwikala zhaswayi nawa zhazhovu kwiluka nakuzatisha mazu aswayi nakolola chiwahi mwakusonekela nshimbi. Yinawahishi kulumbulula chiwahi nshimbi nakukehesha kuluwakana hela zhintandi hamwakuvotela. Nshimbi nawa yinakoleshi zhinzhila zhachiyulu chawezhima zhidi neyi kuvota kwakusweka, kulombola chiwahi hakuvota nakulombola nzatila yahamaluña akuvotela kuhitila mukulezha akakuvota kufuma heluña hakuvotela neyi navoti dehi. Hayezhimiyi, kuhimpa kunawahishi ninzatishili yamazo nanochi chinasonekuwu nshimbi chakubula kuhimpa nzhila yakuvotelamu yayeni hela wuswa wawakakuvota.

Amendment of Section 68 - Kuhimpa nakubombelaku Chiketu 68

Legal Text

Section 68 of the principal Act is amended by the deletion of—

(a) the marginal note and the substitution therefor of the following:

Counting of votes and announcement of results; and

(b) subsection (3) and the substitution therefor of the following:

(3) A presiding officer shall mark “rejected” for a rejection on the back of each rejected ballot paper and file the rejected ballot paper separately.

Mazu Anshimbi Aswayi

Iyi nshimbi yinahimpi chiketu 68 kuhitila mukuwahisha chipapili chinakundamuku(side note) yachiketu nakulumbulula mwatela kuhembelawu yipapili yahakuvotela yinakanuwu mpinji yakuchinda mavoti.

Iyi nshimbi nawa yinateni nawu neyi chipapili hakuvotela akuchikana mpinji yakuchinda, nkoñi wunakutala zhakusakula watela kusonekahu nindi “rejected” hanyima yanochi chipapili chakuvotela nakuchihemba hacheñi nayipapili yinetezhiwu. Ichi chikukwasha kwiluka chiwahi mavoti anakanuwu nakumona nawa neyi kuchinda kunakwenda chiwahi nawa kunatweshi kwikala chaswayi kuhitulukamu nakwilukisha.

Iku kuhimpa nakubombelaku kunahimpi mutu wachipapili chakubombelaku(side note) kufuma ku “Kuchinda kwamavoti nakubidika kwamavoti kwakutachika” ku “Kuchinda mavoti nakubidika mavoti anawanuwu,” kufumishaku “kwakutachika”(Provisional) nakulumbulula chiwahi nawu ichi chiketu chinakutala kuchinda kwamavoti nakubidika mavoti anawanuwu mukusakula. Iku kuhimpa nawa kunahiñishi nsona yakumwekesha kukana kulonda hatezi kusoneka nsona “A” nakumwekesha

kukana, nkoñi wunakutala zhakusakula wukukumina dakusoneka “rejected” hanyima yachipapili chakuvotela nakuchitentaka hankawachi.

Nshimbi yayikulu muchiketu 68 yateneni neyi ona nkoña wunakutala zhakusakula, kufuma hakuvota, wateleli kwenzununa mabokosi, nakusha yipapili yakuvotela kwesekezha nakusakula kunadiña helaña dakuvotela, kutalisha yipapili yakuvotelahu nanoyi yahanawu, kuchinda mavoti akusakula kwezhima, nakubidika mavoti anawanuwu emana nakuyimwekesha mumambala nimumazu hohena heluña dakuvotela.

Yateneni nawa nawu yipapili yakuvotelahu anatweshi kuyikana neyi chikumwekana nawu mukakuvota anelukuwu, wadiña nayipapili yakuvotelahu yawakakwimana amavulu, asonekahu wanyi, asonekahu munzhila yakumwekesha neyi kutonda kwanowu muntu kunalumbuluki wanyi, washa wanyi nsona yetezhawu hela hiyipapili yakuvotelahu yatelelaku nawa neyi hakusoneka nsona”A” bayi kusoneka nawu “rejected” hanyima yachipapili chakuvotelahu.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula nawu mudimu wakuchinda mavoti heluña dakuvotela wukutwalekahu, kwakekala yipapili yakuvotelahu anayishi chiwahi, anayichindi nimavoti anawanuwu anayibidiki namavoti anabuli kwikala chiwahi anayikani neyi adi chachiwahi wanyi, akubula kumaka hela anakumwekesha neyi anatondi antu adi amavulu.

Cheñi nawa, nshimbi anayihimpi munzhila zhiyedi, izu da “kanda ayitezhi” (Provisional) anadifumishuhu kumutu wachipapili chinabombeluwu(side note)yamwekeshaña kubidika kwamavoti heluña dakuvotela kumwekana neyi dimu chalala. Nsona yakumwekesha kukana anayihimpi kufuma kunsona “A” “kukana” nakuzatisha ‘rejected’ kulonda chikali chaswayi kwiluka nakuzatisha. Iyi nshimbi yinakwashi nyidimu kwikala yaswayi, yayiwahi nawa yetezhewa, nakukehesha kuluwankana hakusoneka kuvula kwamavoti nayipapili yakuvotelahu yinakanuwu.

Amendment of Section 70 - Kuhimpa nakubombelaku Chiketu 70

Legal Text

Section 70 of the principal Act is amended by the deletion of the marginal note and the substitution therefor of the following:

Objections concerning counting of votes and announcement of results

Mazu Anshimbi Aswayi

Iyi nshimbi yayiha yinahimpiki hakufumisha nikuhiñishahu yasonekawu kumbadi(side note) yachiketu 70 kufuma “kukana kunakundami kukuchinda

kwamavoti nakubidika kwamavoti anawanuwu kudi emana chatachi nakusha “kukana kunakundami kukuchinda kwamavoti nakuyibidika”.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula kutanda kwayeniyi nshimbi. Hatachi, awa mazu asonekeluwu kumbadi anteniwu, amwekesheleña neyi nawu kukana kunatweshi kukundama kunoyu nzhila yakuchindilamu nakubidika kwamavoti anawanuwu chatachi. Kuhimpa kwayasonekawu hambadi ichi kunafumishi iku kutena nawu “kwatachi” nakubulumuna iyi nshimbi kukundama kukubidika kwamavoti anawanuwu kunahu. Ichi chinakumwekesha kufwila kwanshimbi kulonda kumona neyi kukana kunatweshi kubadika nikukutena kuvula kwamavoti akubula kumanisha nakukundama kukubidika kwakukumisha kwakusakula.

Amendment of Section 71 - Kuhimpa nakubombelaku Chiketu 71

Legal Text

Section 71 of the principal Act is amended by the deletion of the marginal note and the substitution therefor of the following:

Procedure concerning results and voting materials

Mazu Anshimbi Aswayi

Iyi nshimbi anayihimpi hakuzhima yasonekawu kumbadi(side note) yateneni nawu “Nzhila yinakundami kukubidika kwamavoti chatachi nayuma yezhima yakuvotela” anayihini na (Nzhila yinakundami kumavoti nayuma yakuzatisha kukuvota”.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula nawu kuhimpa kutena, nshimbi yasonekawu hambadi(side note) chinaleteshi kwikala chaswayi kwilukisha hakufumishaku “chatachi”. Hatachi yuma yasonekawu kumbadii(side note) kwakuminini kutala hakubidika mavoti akufuma kwiluña dakuvotela(polling station). Iku kuhimpa kunatandumuni kutoha kulonda nshimbi zhitweshi kukundama kukusakula kudi kwezhima, chakubula kwambula mukachi kakubula kumana nakumanisha kuchinda chikupu. Kutwalekahu, nshimbi zhakutala nakufumisha yuma yakuzatisha hakuvota, ichi yinakundami kumudimu wezhima wakutala hamavoti anawanuwu kupandakana akumatachikilu hohu.

Amendment of section 72 - Kuhimpa nakubombelaku Chiketu 72

Legal Text

Section 72 of the principal Act is amended by the deletion of subsection (1) and the substitution therefor of the following:

(1) A returning officer shall, on receipt of the items specified under section 71, tally the results received from a polling station in a constituency, district and ward and shall—

(a) announce the results of the votes for the presidential, Member of Parliament, mayoral, council chairperson or councillor elections; and

(b) declare the results of the votes for the Member of Parliament, mayoral, council chairperson or councillor election.

Mazu Anshimbi Aswayi

Iyi nshimbi yinahimpiki kufuma hakuzhima chiketu 72(1) nakusha nyidimu yankoñi wakutambula yipapili(returning officer) kufuma hakutambula yuma yakuzatisha mukusakula yidi mu chiketu 71. Mukushimuna munzhila yaswayi, neyi nkoñi(returning officer) natambuli dehi kuvula kwamavoti kufuma kwiluña dakuvotela, watela kuyichinda nakwesekezha kuvula kunawaniyi nanowu anakufuma kwiluña dakuvotela da konsitituwensi, boma hela wadi nakuzatahu munzhila yetezhawu kwesekezha nanshimbi. Chuma cheneni hikumona neyi nyidimu yakulombola kuvula kwamavoti kudi hatooka nakuzatisha mazu anashikilumu kwesekezha nakusakula neyi chinatenuwu munshimbi.

Kwesekezha nachiketu chinazhimuwu cha 72(1) munshimbi yayikulu, iyi nshimbi yayiha yidi yatanda nawa yakulumbulula chiwahi. Nshimbi yayikulu yakuminini dakutena nawu kubidika kwamavoti awa kazhiñampata nawa meya hela mukwetanda wakansu nawa yakuminini dakutena kubidika mavoti anawanuwu kudi amwitala danshimbi namuwadi. Nshimbi yayiha yinabombeluku, kazhiñampata, ñimeni wamwitala danshimbi, meya, muketanda wakansu nakansela mumpinji yakubidika. Yinateni nawa chikupu nawu mavoti añimeni wamwitala danshimbi, meya, muketanda wakansu hela kansela atela kuyitena nakuyishimuna.

Indi ichi Chinakulumbulukadi?

Nshimbi yinahipiwu yinakwashi kulumbulula chikupu nikuletesha kukuhwelela chikupu mudimu wakusakula. Ankoñi akutala zhakusakula(Returning officers) ichi anakali nakwilukisha mavoti amuyadihi atela kubidikewa ninana atela kushimuna nakuyitena, ichi chinatweshi kukehesha kuluwankana nakubula kwikala nayuma yakubula kuhimpashana hakonstituwensi, boma niha wadi. Chikukwashaku kumona neyi kuvula kwamavoti ezhima anakundami kukusakula kwamumaluña nakusakula kwamwituña dezhima chanayihembuwu nakulondela nshimbi yoyimu nawa yidi hatooka.

PART VIII – VOTER EDUCATION AND NOMINATION PETITION

CHIKUNKU VIII- KUTAÑISHA MWAKUVOTELA NAKUHANA KWAMBA HANSAÑU YAKUTONDA NAKWITEZHA MUNTU

Repeal and replacement of section 80 - Kufumisha nakuhiñishamu chiketu 80

Legal Text

The principal Act is amended by the repeal of section 80 and the substitution therefor of the following:

Voter education - Kutañisha mwakuvotela

80. *Despite section 79, the Commission shall provide voter education.*

Mazu Anshimbi Aswayi

Iyi nshimbi yinatoheshi nyidimu yamutayi watalaña zhakusakula(Electoral Commission) nakuyinka mudimu wakutañisha antu mwakuvotela mwezhima, bayi hohu mpinji yina yakuya nakusakulaku. Kubadika nshimbi yayikulu yaheni mpinji yakutañisha antu mwakuvotela nakukundamisha kukusakula kuduku, iyi nshimbi yayiha yinetezhi akamutayi watalaña zhakusakula(Commission) kutwalekahu kutañisha antu hayuma yinakundami kukuvota, wuswa wawakakuvota, kusonekesha, nakwitezha wezhima kukasanuka. Iku kuhimpa nakubombelaku kunahimpi mwakutañishila mwakuvotela kufuma kukutañisha hohu neyikudi kusakula nakwikala mudimu wamutayi watala zhakusakula kwatwalekahu kutañisha.

Indi ichi Chinakulumbulukadi?

Iyi nshimbi yayiha yikukwasha antu kwikala elukisha mwaya nyidimu yakusakula kuhitila mukutwalekahu kutañisha antu mwakuvotela mpinji yezhima. Ichi chinatweshi kuvulisha kwilukisha nsañu yakuvota, kuvota nakwilukisha nzhila zhakuvotelamu, iku kunakukehesha kuhitañesha nsañu yaluwa nakuluwañesha mpinji yakusakulu. Kutwalekahu, mutayi watalaña zhakusakula(Electoral Commission) wukwikala namudimu weneni nawa wukukeñeka mali amavulu, kudiloñesha nakwikala namudimu wakuyaña mumaluña nakutañisha mwakuvotela. Hela chochi, iku kutwalekahu kunatweshi kukolesha chiyulu chawantu ezhima kuhitila mukwikala nawakakuvota anelukishi nawa akakuvota ashaku maana.

Insertion of Part VIIIA- NOMINATION PETITIONS

Kushamu Chikunku VIIIA- KWAMBA KUNAKUNDAMI KUKWITEZHA KWIMANA

Legal Text

The principal Act is amended by the insertion of the following new Part immediately after Part VIII

Mazu Anshimbi Aswayi

Chikunku chachiha cha VIIIA chinabombeluwuku chinaleti kwamba hansañu yakutonda nakwitezheba kwimana kwamba kunashikizhiwu kuchota chanyiloña hela yibalu yikwawu yatalaña hazhinshibi nakumwekesha kukana kwitezha kwamuntu kwimana mukusakula.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula nawu nshimbi yayiha ya Chikunku VIIIA yinawahishi kuzata chiwahi chakubula kwambula nakuleta kusakula kunawanishi yuma yezhima yatelela kuhitila mukwitezha kutonda kwawunakwimana kukwitadikisha kuhitila munzhila yaloña yamuchota chanyiloña. Chikukwasha kumona chikupu nawu chiña hohu ana anshikili kwimana diwu atela kwimana mukusakula, nakuhana nzhila yaloña yakumanishilamu kukala hansañu yakutonda (nomination) muntu wakwimana nakukehesha zhintandi nakuya kuyota yanyiloña iku henohu kusakula kunamani dehi.

Legal Text

95A. A person, who challenges, before a court or tribunal, the nomination of a candidate in accordance with Article 52(4) of the Constitution, shall file a nomination petition in a prescribed manner and form.

Mazu Anshimbi Aswayi

Neyi muntu nakukeña kutandikisha kwitezha kwimana kwamuntu muchota chanyiloña hela kumensu ezanvu dawansopeshi(tribunal), atela kuhana kwamba hansañu yakwitezha nakuzatisha chipapili chetezhawu nakulondezha nzhila kwesekezha nanshimbi.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula nawu iyi nshimbi yayiha yinabombeleluku yikukwasha mudimu wakulombola nsañu yakuditandikisha yinakundmi kukusakula, kwikala chachiwahi nakulondela nshimbi muloña kukwikala wanyi kukumina dakwamba hohu. Antu atela kuzatisha yipapili yetezhawu nakulondela zhinzhila kwesekezha nanshimbi. Ichi nawa chikukwasha yota yanyiloña namazanvu awansopeshi(tribunal) kutala hanyambu yinakundami kukwitezha kwimana chachiwahi nawa nakashinshi, iku anakukañesha kuluwañesha, kutwamba nakuhemesha kulombola kwanshimbi.

Rules relating to nomination petition

Nshimbi zhinakundami kukwamba hansañu yakutonda nakwitezha kwimana

Legal text

95B. (1) *The Chief Justice may, by statutory instrument, make Rules relating to the—*

(a) practice and procedure before a court or tribunal with respect to the filing and trial of a nomination petition;

(b) time within which any requirement of the rules is to be complied with;

(c) costs of, and incidental to, the filing and trial of a nomination petition;

(d) fees payable in respect of proceedings before a court or tribunal; and

(e) any other matter relating to a nomination petition that the Chief Justice considers necessary.

(2) A person who files a nomination petition before a court or tribunal has the right to appear and be represented before that court or tribunal.

Mazu Anshimbi Aswayi

Iyi nshimbi yinenki mukulumpi wayota yanyiloña(Chief Justice) ñovu zhakutuña zhinshimbi zhamwakusonekela nyambu yinakundami kukwitezha kwimana nichatela kuyisompawu muchota,kubombelaku nimwakwilila, mpinji, mali akufweta nakufweta kukwawu. Yinenki nawa ona muntu wunakuleta mwambu windi kutweshwa kwimana muchota chanyiloña nawa nikumwimenaku kudi mukakuhakula nyiloña(lawyer) hela iñimena mukwawu.

Indi ichi Chinakulumbulukadi?

Iyi nshimbi, yinetezhi mukulumpi wayota yanyiloña(Chief Justice) kutuña zhinshimbi zhakulondezha kuhitila muchipapili chanshimbi(statutory instrument) yakulombola nyidimu yakusonekelamu nakutiya kwamba kunaletuwu muchota chanyiloña hela kudi izanvu dawansopeshi(tribunal). Izhi zhinshibi zhinatweshi kutala mpinji yakulondezha, yuma yakufweta, namali akufweta kuchota nayuma yikwawu yinamoniwu nawu yikukwasha kukuzata mudimu wakutala hansañu yakwaba kunakundami kukwitezha muntu kwimana nakuleta nzhila yakulombwelamu mwaya nshimbi kwamba kunakundami kukusakula. Iyi nshimbi yinakushimuna nawa nawu ona muntu wunaleti kwamba wukweti wuswa wakwimana muchota hela kumwimenaku; iku kunakunyama kuzata mwomumu, kuzata chiwahi, kubula kumwekesha chambu nakwitezha wezhima kwikala nawuselewa wakumutiya neyi kudi kuditandikisha kunakundami kukusakula.

Amendment of section 110 - Kuhimpa nakubombelaku chiketu 110

Legal Text

Section 110 of the principal Act is amended—

(a) in subsection (1), by the insertion of the word “First” immediately before the word “Schedule”; and

(b) in subsection (2), by the deletion of the word “disqualify” and the substitution therefor of the word “suspend”.

Mazu Anshimbi Aswayi

Ichi chiketu 110 anachiwahishi kulonda yuma yitweshi kwikala yatiyakana nakuhimpa yuma yatela mutayi watala zhakusakula(Commission) kwilawu. Ichi chinateni hatooka neyi nawu nsañu zhamwakudihembela(Code of Conduct) zhinakela dehi Sikeju yatachi(first schedule) kwanshimbi. Yinahimpi nawa wufwetu wakufweta neyi wunamotoki nzhila zhamwakudihembela kufuma kukufumishahu nakusha kukwimika mukapinji, kulumbulula neyi chipopelu chansañu yamatuña nachiyulu hela muntu wunakwimana anatweshi kumwimika hatezhi kachi anamufumishuhu chikupu, iku anakulondezha nshimbi.

Indi ichi Chinakulumbulukadi?

Iku kuhimpa nakubombelaku kunahimpi yuma yiyedi muchiketu 110 chanshimbi yayeni. Tachi, chinalumbululi chiwahi nawu chikunku chachiketu (1) chidi munsonekeli yasikeju yatachi(First Schedule) bayi munsikeju yezhimaku. Ichi chinakwashi akakusoneka nakukañesha kuluwankana kwakwila iku hekwawu Nshimbi yinatweshi kwikala namasikeju(schedule) amavulu. Chamuchiyedi, muchikunku chachiketu (2), izu da “kufumishahu” anadihiñi kudizu “kwimika”, ichi chinahimpa kwesekezha nachinatweshi kumwekana kwesekezha nanshimbi. Hatelawu kumufumishahu chikupu hela kumulekesha muntu kutwalekahu kwikala munochi chifulu hela kutwalekahu nanyidimu, iyi nsonekeli yayiha yinakumwekesha neyi akumwimika hakapinji kantesha ilañu anatweshi kumufuntishahu cheñi.

Amendment of section 125 - Kuhimpa nakubombelaku chiketu 125

Legal Text

Section 125(2) of the principal Act is amended by the deletion of paragraph (w) and the substitution therefor of the following:

(w) the delimitation of constituencies, wards and polling districts.

Mazu Anshimbi Aswayi

Iyi nshimbi yayiha yinalumbululi chiwahi chiketu 125(2)(w) nakukehesha ñovu yamutayi watalañu zhakusakula(Commission)hakuketula maluñu(delimitation).

Kwesekezha nanshimbi yayikulu, mutayi watalaŋa zhakusakula wunatweshi kutuŋa nshimbi zhakuketwilamu tubeta(Provinces), makonsitituwensi, mawadi nimaluŋa akuvotelaku(polling districts). Nsonekeli yanshimbi yayiha yinafumishuhu tubeta hakutanjika kwamaluŋa, nochu, ŋovu yamutayi watala zhakusakula(Commission)yinashali kukuketula hohu makonsitituwensi, mawadi nimaluŋa akuvotelaku.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula neyi nshimbi yayiha yinalumbululi chiwahi nawa yinakeheshi ŋovu yamutayi watala zhakusakula kulonda nyidimu yawu yakuketula(kutala maluŋa amwakuvotela hela kupula zhiŋiza zhamakonsitituwensi) yitali hohu hazhiŋiza zhinakundami kukuvota nikwimenena, kupandakana iluŋa dakabeta dezhima. Tubeta tunekali nawa maluŋa anatweshi mutayi watala zhakusakula nawu aketuluku kwesekezha nakulombola kudi munichi chikunku chamazu, chinakehesha kudakamena nakukaŋesha mutayi watala zhakusakula kuyimona neyi akweti ŋovu zhakuketula ŋinza zhamutubeta kwesekezha nakusakula. Kuhosha munzhila yikwawu, nshimbi ichi yinemeni hamaluŋa atelela akusakwila makonstituwensi, mawadi nimaluŋa akuvotela kupandakana kulombola kwakwambula tubeta neyi chichadiŋa munshimbi yayikulu.

General Amendment - Kuhimba nakubombelaku kunakundami kwezhima

Legal Text

The principal Act is amended by the deletion of the words “compartment” and “compartments” and the substitution therefor of the words “booth” and “booths”, respectively, wherever the words appear.

Mazu Anshimbi Aswayi

Iyi nshimbi yinahimpi mazu amu anazatishiwu munshimbi yezhima. Kwezhima kumukuwana nshimbi yinazatishi awa mazu “ kapeka” (Compartment)hela “tupeka”(Compartments), awa mazu anayihiniŋishi namazu “busi” (booth) hela “mabusi”(booths).

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula nawu iyi nshimbi yayiha yinaletumu mazu amaha nakovwahisha mazu akuzatisha munshimbi. Yinahiniŋishi izu “kapeka”(compartment) nezu da “busi”(booth) kulonda mazu ekali amovi kudi akakuvota, anakulombola kusakula(election officers) nantu ezhima atweshi kwiluka, muloŋa mubusi yakuvotela(voting booth) hizu davula nawa delukishiwu antu hampinji yakusakula.

Amendment of the Schedule - Kuhimpa nakubombelaku kwa Sikeju

Legal Text

The principal Act is amended in the Schedule by the deletion of the Heading and the substitution therefor of the following:

FIRST SCHEDULE

SIKEJU YATACHI

(Section 110)

(Chiketu 110)

Simplified Version of the Legal Text

The amendment only changes the heading by inserting the word “First” before the word “Schedule.” This change does not alter the actual content of the Schedule, but simply clarifies that the provision specifically refers to the First Schedule.

Mazu Anshimbi Aswayi

Iku kuhimpa nakubombelaku kunakumini dakuhimpa nyitu yansaño nakushaku izu da “Tachi” hanyima yezu “Sikeju”. Iku kuhimpa kunabalumuni wanyi yuma yidi mu Sikeju, ilaño yinakumini dakulumbulula chiwahi nawu iyi nshimbi yinakutena Sikeju Yatachi.

Indi ichi Chinakulumbulukadi?

Iku kuhimpa nakubombelaku, kunawahishi nakulumbulula chiwahi yuma yidi munshimbi(ACT) kuhitila mukuhimpa nyitu kufuma ku “Sikeju” ku “Sikeju Yatachi”, kulonda nshimbi yimwekeshi chiwahi oyi sikeju yinakutenawu. Iku kuhimpa kunekaluku muloña nshimbi yayeni hatachi yadiña Sikeju yimu hohu, ilaño iyi yayiha yinaletumu Sikeju Yamuchiyedi nakuletesha kufwila kwambula mukachi kama Sikeju nakukañesha kuluwankana hela kubulu kulumbulula chiwahi.

Insertion of Second Schedule - Kushamu Sikeju Yamuchiyedi

Legal Text

The principal Act is amended by the insertion of a new Second Schedule as set out in the Appendix.

Mazu Anshimbi Aswayi

Sikeju Yamuchiyedi yinakulumbulula mwakwanzañena yitwamu yahembelawu ambanda, anyikwenzi nantu akweti wufwayi nakuyananza mukachi kayipompelu yamatuña nanchiyulu kulondela nzhila yakuzatisha kuvula kwamavoti. Akamutayi watalaña zhakusakula(Electoral Commission) akuminaña dakuhana yitwamu chochinaku. Ilaña azatishaña nzhila yakuzatisha kwesekezha nakuvula kwamavoti anetezhiwu anatambuli owu wemana wukazhiñampata muchipompelu hichipompelu.

Iyi nzhila yatachikaña chatachi kubomba mavoti ezhima etezhawu akazhiñampata wanoyu yipompelu etezhawu kweseka nanshimbi. Mavoti anakanuwu ayishiyañahu muloña ayichindilañaku wanyi. Kufuma henaha, mavoti ezhima etezhawu akuyananzañana nayitwamu yahembelawu mazanvu asatu kulonda kuwana mavoti añahi akukeñeka hachitwamu chimu. Chidi neyi, ambanda adi nayitwamu 20, akwenzi yitwamu 15 antu akweti wufwayi akweti 5 dichi izanvu dezhima didi namwadu. Neyi oku kuvula anakwiluki dehi, voti yezhima yachipompelu akuyananzañana nalwesho(ratio) kulonda kumona yitwamu yiñahi yikutambulawu. Neyi chipompelu chikutambala nambala yashikila ilaña yinashaluku amakwawu, owu anashali anakali amukunkulwayi. Yitwamu yikushalaku akwinka yipompelu yikwikala nayinashaluku yayivulu. Neyi yipompelu yiyedi yidi nakuvula kwokumu ilaña kunashali chitwamu chimu, nshimbi yinateni nawu ochi chitwamu akachihana kuhitila mukubecha nakulondezha nshimbi.

Iyi Sikeju yinamwekeshi nawa chiwahi nawu chipompelu chansañu yamatuña nachiyulu chatela tachi kuwanisha oyi yinakukeñeka kweseka nezanvu hizanvu henohu kanda atweshi kuyichindilaku kuyitwamu yanodu izanvu. Neyi chinashikizhi wanyi, kunahu anafumimu. Kuyitwamu yamukansu, nzhila yoyimu diyu yakazatishawu hela neyi kuvula kwayitwamu yinayi nakwambuka. Yuma yinasonekuwu mu Sikeju yidi hohu nakumwekesha nzhila chiyatela kuzatika. Yikutwasha kukwashaku wudi wezhima wunakutaña kumona chinakubalumuka mavoti nakwikala yitwamu yawambanda, anyikwenzi nantu akweti wufwayi. Muwihi, iyi Sikeju diyi nzhila yakwanzañenamu yitwamu yinakubalumuna kukwasha kusakula nakwikala añimeni anahembelawu munzhila yayiwahi yakubula kudidimbeka.

Indi ichi Chinakulumbulukadi?

Ichi chinakulumbulula nawu sikeju yalumbululaña nzhila yakwanzañenamu yitwamu yawambanda, akwenzi nawantu akwetu wufwayi mukachi kayipompelu yamatuña nachiyulu. Munzhila yaswayi, aka mutayi watalaña zhakusakula(Electoral Commission) asendaña mavoti avotelawu kazhiñampata wachipompelu chamatuña nachiyulu etezheluwu nakuyizatisha kulonda kwiluka yitwamu yiñahi yikutambula chipompelu hichipompelu. Yipompelu yidi

namavoti amavulu yikutambula yitwamu yayivulu, iku ana adi namavoti antensha akutambula yitwamu yantesha nawa hela tuhu nichimu.

Yitwamu tachi ayiwanaña kuhitila mukuzatisha kuvula(iku kuvula himavoti atelela chitwamu chimu). Neyi chipompelu chidi namavoti “anashaluku” kufuma hakutambula yitwamu mwesekela, oyu yinashaluku akuyesekezha nayipompelu yikwawu, dichi yitwamu yinashaluku akayinka kuyipompelu yidi namavoti amavulu anashaluku. Neyi kunamwekani kwesekana mukuvula kwamavoti, akayihana nakuzatisha nzhila yakubecha.

Chuma cheneni yowu kumona nawu yitwamu yahembelawu ambanda, anyiwkenzi nantu akweti wufwayi anayanzañani munzhila yayiwahi nakulondela kwawantu avotela chipompelu chansañu yamatuña nachiyulu.