

General Conclusion

We concluded that the denial to the voters of adequate coverage of the personalities and policies of the Opposition prevented them from getting a balanced picture of all the issues raised in the election campaign. We, therefore, express the hope that in future campaigns Opposition parties would be allowed greater access to the media, especially television, which could accommodate party political broadcasts. Such a decision would undoubtedly strengthen the electoral process in Malaysia.

8. PREPARATIONS FOR CONDUCT OF THE POLL

The general election of 1990 was the eighth held in the states of Peninsular Malaysia since independence. For Sabah and Sarawak it was the sixth occasion on which a Federal general election was held since the two states became part of Malaysia. Polling in the states of the Peninsular was completed in one day, whereas two days were required to complete the poll in Sabah and Sarawak. The people and the terrain were important determinants of the kind of arrangements made for the conduct of the poll.

Polling Centres

A total of 14,645 polling centres were established for the 1990 elections. This was more than twice the number (of 6,613) used in the 1986 elections. This was a very substantial enlargement of the provisions previously made and was designed to cater for a voter population which had increased by approximately 14 per cent since 1986.

As is its practice, the Election Commission took early steps to determine the suitability of existing polling centres and a revised list was gazetted for the information of the public on 27 September 1990. In order to ensure that the voting public was not unnecessarily inconvenienced, the Commission normally allows changes to be made to polling centres even a few days before polling. Most of the buildings used as polling centres were centrally located or reasonably accessible public buildings, usually schools, community centres and halls. We were told that in the absence of suitable buildings in some rural areas it was necessary to construct temporary sheds in some polling districts. Similarly, in efforts to reach outlying voters in Sarawak, polling stations were placed in villages only accessible by boat.

The presiding officer at each polling centre is required to affix a notice in a conspicuous place outside the centre stating the name of the constituency, the time and date of polling, the places of polling and the names and details of the candidates. Another notice in the national language or understandable script is also exhibited outside the polling centre to give guidance to voters. It is the duty of the returning officer to provide at each polling station proper facilities for the electors to enable them to mark their votes, screened from observation and able to

vote in privacy.

Election Officers

The availability of experienced and trained election officers is vital to the proper conduct of elections. In each state there are state election offices normally headed by a senior employee of the Election Commission which administer and co-ordinate general election matters. In advance of the date of elections, state election officers are requested to prepare lists of suitable and responsible persons for appointment as returning or administering officers, assistants, and polling clerks. From this list the Election Commission approved the appointment of a total polling staff of 84,959 people including 180 returning officers, 694 assistant returning officers, 631 election assistants, 14,048 presiding officers, 51,959 polling clerks and others. This number may be compared with the total of 69,194 polling staff approved for the 1986 elections. The majority of the senior polling staff were District Officers or their assistants or school masters and senior public servants who, generally, had previous experience in conducting elections.

The Election Commission takes particular care to ensure that all election staff, especially the returning officers and assistant returning officers, are fully conversant with their duties and the applicable election laws. Meetings and training sessions are held on a regular basis and repeated as necessary. In addition, there are handbooks in the national language which provide guidelines for all levels of election staff in the performance of their duties and on the requirements of the law. State election officers also provide briefings and practical training in the form of mock elections, and show films on the conduct of elections.

At the constituency level returning officers also play an extremely important part in the preparations for the poll by conducting meetings with the candidates and their agents to obtain their co-operation in the observance of the electoral behaviour code and the regulations. Representatives of the Police and Information Departments are often invited to take part in these meetings. Additionally, the Election Commission has prepared a handbook written specifically to inform candidates about all the important regulations which a candidate, his agent, his workers and helpers would need to know to enable them to be totally familiar with the procedures before, during and after the election.

Ballot Papers and Boxes

Every elector voting at an election casts a vote by marking a ballot paper so as to indicate a choice which is then inserted into a sealed ballot box in such manner that the vote shall be secret. In those areas where both Federal and State elections are held separately voting papers of distinguishing colours are provided as well as separate ballot boxes. Special arrangements are prescribed by law for voting by a blind person or one unable to read. It is the duty of the returning officer to assist such

persons and to provide at each polling centre reasonable facilities for electors to mark and cast their votes in privacy. Every ballot paper is numbered in the form prescribed by law and consists of a list of candidates arranged in an order determined by lot by the returning officer, together with any party symbol assigned to each candidate.

The law requires that every ballot box be so constructed that the ballot paper can be put in but cannot be taken out other than by unlocking the box. Immediately before commencement of the poll the presiding officer at the polling centre shows each ballot box to the polling agents and other persons lawfully present so that they may see it is empty. The presiding officer then locks up the ballot box and affixes upon it his seal and those of the candidates or their agents wishing to affix their own seals, and the box shall not again be opened until after the close of the poll. The ballot box remains in the custody of the presiding officer until it is despatched and delivered to the returning officer.

Postal Ballots

These ballots for use by members of the armed forces, police, public servants and students abroad are issued from the office of the returning officer in each district. The ballot papers are issued in special envelopes to ensure security and privacy accompanied by declaration forms for execution by the electors as to their identity and to maintain secrecy in the voting process. They are issued in advance of polling day usually by special courier, with instructions that they are returned in time for the official count. The issuing of ballot papers and their opening on return are checked and witnessed by candidates and their agents. There is postal voting in almost every state. A total of 196,522 postal votes were issued in 1990 including 120,000 to military personnel and 72,000 to the police.

9. CONDUCT OF THE POLL

The conduct of the poll marks the climax of the election process. This single event, perhaps more than any other, usually attracts final judgment on whether the election was free and fair, and on the quality of the services delivered to the electors. It is also this occasion that provides an opportunity for public scrutiny of election officers by the voting public, which will have the chance to assess their competence and integrity. The proper training of election officers and candidates' agents usually serves to enhance the confidence of these officers and hence the quality of the service offered voters at the polling stations.

An observer of the conduct of the poll on election day would be interested in many aspects of the election process at each polling station, namely, the prompt opening of the polling station; the presence of agents of the political parties or independent candidates at the commencement of polling; the