
CHAPTER 2

Administrative Framework

The foregoing reform programme did not alter the substratum of the electoral process of Guyana which rests on a simple system of proportional representation, under which the whole country forms a single constituency. Parliamentary seats are allocated in proportion to the votes cast for each party. Votes are cast in favour of lists of candidates submitted by each party and every election is conducted by secret ballot. Notwithstanding that the electoral system is a proportional representative one, the procedures of the major electoral processes closely resemble those of many Commonwealth countries whose electoral systems are based on the first-past-the-post model.

Although the whole country forms a single constituency, it is divided into polling districts, each of which may contain a number of polling divisions. In turn, each polling division may contain several polling places designated by the Returning Officer. Each polling place is usually given a numerical designation approved by the Chief Election Officer. Polling places are required to be published in the Gazette not later than the twentieth day before an election.

The system of lists of candidates is governed by stipulated procedures which must be observed if the list of candidates submitted by a political party is to be accepted as valid. The Elections Commission is required to appoint a day, within a stipulated time before election day, for the submission of the lists of candidates. On this day, the date of which is published in the Gazette, the Chief Election Officer receives the lists of candidates. Each list is required to be supported by a stipulated number of persons (between 200 and 220) whose names appear on the preliminary list of voters. The list of candidates must also be presented in accordance with the form prescribed for the purpose. It must set out the names in alphabetical order by surname, one below the other, and must contain no fewer than 53 and no more than 65 persons who are qualified to be elected to the National Assembly and who have consented to the inclusion of their names in the list as candidates for election. Their addresses and occupations must also be stated. Each list of candidates must be accompanied by a statutory declaration in the prescribed form by each person who is named therein as a candidate. The declaration shall state the person's qualifications and consent and be made before a Justice of the Peace or any person authorised by law to administer such an oath in the place where the declaration was made.

Each list of candidates is required to bear a title selected by the persons by whom it was submitted. Where a list of candidates appears to the Elections Commission to be defective, corrections may be allowed to rectify the defect within a specified time.

To be valid, a list of candidates must be approved by the Commission not later than the twenty-eighth day before election day. The Commission is required to allocate a symbol, as it sees fit, to each approved list of candidates. If the Commission refuses to approve a list of candidates, the representative and deputy representative of the list, or any person named, may appeal to the High Court no later than the twenty-sixth day before election day against the refusal. The Commission is required to publish all the approved lists of candidates in the Gazette, stating their title and symbols.

In order to fully appreciate the nature of the organisation that was in place for the election and the chain of responsibility within that organisation, we looked at the management structure of the electoral system. In general terms, the structure of the Guyanese electoral management and administration is not dissimilar to that found in some other Commonwealth countries, save for a few details which are significantly different. The Elections Commission, for example, consists of six members and a Chairman, but we noted that one of the reform measures altered the Constitution to confer the powers to appoint the Chief Election Officer, the Commissioner of National Registration and other election staff on the Chairman of the Commission rather than the Elections Commission as a whole. The Commission's control over all matters relating to elections, and particularly its ability to direct the Chief Election Officer and the Commissioner of National Registration, has served to simplify the administration of the election activities. The administrative structure was completed by the provision for each region to have a Returning Officer and an election clerk; each polling place a Presiding Officer and a poll clerk; and, where required, deputy returning officers, assistant presiding officers and other staff. An illustrative diagram of the structure of election tasks is set out in *Annex VII*.