

Press Release



GECOM's Operations Will Be Guided Only By Constitutional and Legal Provisions

26th August 2022, GEORGETOWN – The Guyana Elections Commission (GECOM) has taken note of concerns and opinions in the public domain in relation to the existing Preliminary List of Electors (PLE) which was extracted from the National Register of Registrants Database (NRRDB). Whereas the various positions have been duly noted, and extensively ventilated at the meetings of the Commission, it was determined that GECOM cannot act contrary to the legal provisions enacted in the National Registration Act (NRA), Chapter 19:08.

The NRA dictates the procedures for the registration of eligible persons and likewise the removal of any such persons from the NRRDB. In this regard, it is not that the concerns of stakeholders in relation to the PLE are being ignored, but GECOM must act within the framework of the Laws of Guyana.

In view of the foregoing, it is hereby reminded that the eligibility requirement for registration is that one must be a Guyanese citizen by birth, descent, or naturalization; or a citizen of a Commonwealth country living in Guyana for one year or more. Once persons have met those requirements and have been registered, their registration is and remains legal. It follows that any removal of their names from the NRRDB, without a legal basis, would be unlawful and unconstitutional.

Existing legislation provides that the removal of names from the NRRDB can only be done through the legal methodology which includes the receipt of monthly reports from the General Registers Office (GRO) or through an Objections process; which allows for any elector, or suitably accredited Scrutineers of Political Parties, to object to the inclusion of names in the PLE whom they suspect may not be eligible. However, the burden of proof would be on the objector to present at the time of the relevant hearing(s) to substantiate the objection(s).

To further clarify the legal provisions enacted in the National Registration Act, Chapter 19:08, Chief Justice (ag), Roxanne George on 14th August, 2019 in her decision in the matter of Christopher Ram vs Guyana Elections Commission in relation to the House-to-House Registration exercise in 2019, page 32 ruled that, *“in order for the names of persons already registered to be removed from the list of electors, they would have to be deceased or otherwise become disqualified but failure of registered persons to be present or resident during the house-to-house exercise would not be such a disqualifier and such a person’s name can only be deleted if they no longer meet the qualifying criteria under Article 159(2) or become disqualified under Article 159 (3) and (4).”*

Justice George further ruled that *“GECOM would have no legal authority to remove or deregister such persons who are otherwise qualified unless such registration can be cancelled pursuant to Section 8, which provides for cancellation of registration, or in the Claims and Objections period pursuant to section 15 of the National Registration Act and the Regulations thereto.”* The Chief Justice concluded that if GECOM is to act outside of those legal provisions, ***“it would be unconstitutional and, therefore, illegal.”***

It is of crucial importance to mention that the decision of the Chief Justice was not appealed and, therefore, only by way of the enactment of legislation can persons’ names be removed from the NRRDB.

The Commission is currently conducting a Claims and Objections exercise, which commenced on 22nd August, 2022. This exercise allows for all eligible persons to make a claim to be included in the OLE and provides the opportunity for all those persons who are already registered to check the accuracy of their registration records in the PLE that is posted countrywide in every Registration Division/ Sub-Division. Accordingly, any such person can apply for changes/corrections to his/her registration particulars on or before 11th September, 2022, should this be required.

Additionally, the Commission is strongly urging persons to scrutinize the PLE, and object to the inclusion of the names of persons, who they suspect may not be eligible for such inclusion, on or before 15th September, 2022. Original documentary evidence must be provided to support the objection; in accordance with the law.

GECOM remains resolute in its vision, “to maintain and further develop the capacity to conduct credible registration; General, Regional and Local Elections which, enjoys the confidence of all Guyanese and meets international standards for elections”.

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