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MONDAY 4TH MAY, 2020

MADE UNDER
THE CONSTITUTION OF GUYANA AND
THE ELECTION LAWS (AMENDMENT) ACT
(NO.15 OF 2000)

THIS ORDER IS MADE BY THE ELECTIONS COMMISSION PURSUANT TO ITS POWERS UNDER ARTICLE 162 OF THE CONSTITUTION OF GUYANA AND SECTION 22 OF THE ELECTIONS LAWS (AMENDMENT) ACT, NO. 15 OF 2000.

WHEREAS General and Regional Elections were held in Guyana on the 2nd day of March 2020;

AND WHEREAS the declarations of results pursuant to Section 84 (1) of the Representation of the People Act, Chapter 1:03, have been made, but requests for recounts in a number of electoral districts have been rejected, aborted, or held in abeyance and the report pursuant to Section 96(2) of the Representation of the People Act, Cap 1:03 had been delivered to the Chairman of the Commission and held in abeyance, and aspects of the election process have been subjected to legal proceedings;

AND WHEREAS the President and the Leader of the Opposition and all contesting parties agreed to a CARICOM proposal for a total recount of all electoral districts as a means of assuaging the contesting parties and determining a final credible count;

AND WHEREAS, in furtherance thereof, on the 3rd day of April 2020, the Guyana Elections Commission made a decision to recount all of the ballots cast in all the Electoral Districts;

AND WHEREAS, in consequence thereof, the Guyana Elections Commission must determine the terms of reference of and modalities for the recount process;

AND WHEREAS, this recount process shall be undertaken, executed and supervised by the Guyana Elections Commission and will be scrutinized by a CARICOM Team appointed by the Chairman of CARICOM and Prime Minister of Barbados. Hereinafter, referred to as the CARICOM Scrutinising Team;

AND WHEREAS the recount process shall be conducted in the presence of representatives of political parties that contested the said elections and observed by International and Local Observers accredited by the Guyana Elections Commission and advisors to the Guyana Elections Commission.

AND WHEREAS the Guyana Elections Commission, in exercise of the authority vested in it under Article 162 of the Constitution and pursuant to Section 22 of the Elections Laws (Amendment) Act, No. 15 of 2000, seeks to remove difficulties connected with the application of the Representation of the People Act, Chapter 1:03, in implementing its decisions relating to the conduct of the aforementioned recount of all ballots cast at the said elections, including the reconciliation of the ballots issued with the ballots cast, destroyed, spoiled, stamped, and as deemed necessary, their counterfoils/stubs; authenticity of the ballots and the number of

voters listed and crossed out as having voted; the number of votes cast without ID cards; the number of proxies issued and the number utilized; statistical anomalies; occurrences recorded in the Poll Book.

NOW THIS ORDER DECLARES AS FOLLOWS:

1. The role of the Commission shall include but not limited: -
 - a. To provide overall supervision and guidance to the Secretariat for the conduct of the national recount;
 - b. To serve as the final arbiter of issues not resolved at lower levels in the established procedure;
 - c. To provide an order on the national recount that will be gazetted;
 - d. To provide information to the public before, during and at the conclusion of the process;
 - e. To approve and finalise arrangements for observers.
 - f. To determine and declare the final results of the General and Regional Elections 2020.

2. The recount shall commence on Wednesday, 6 May 2020 and shall proceed continuously each day, including weekends and holidays, from 08:00 to 19:00hrs, at the Arthur Chung Conference Centre, for a period of 25 days, which period will be subject to a review by the Commission during the course of the first week of the recount.

3. The recount shall be conducted by employees of the Guyana Elections Commission, under the direct supervision of the

Chief Election Officer. The following persons are entitled to be present: representatives of political parties that contested the said elections, the CARICOM Scrutinising Team, International and Local Observers accredited by the Guyana Elections Commission, and advisors to the Guyana Elections Commission and members of the Commission.

4. The recount shall commence with the allocation of ten (10) workstations as follows: District 1 – two workstations; District 2 – two workstations; District 3 – three workstations and District 4 – three workstations. The recount for District 4 shall continue at the three (3) workstations assigned to it. The recounts for Districts 5 through 10 shall be conducted based on the completion of, and at the workstations assigned to, Districts 1, 2 and 3.
5. (i) There shall be installed in each workstation a facility which shall capture and broadcast, only, the following:
 - (a) A picture of the ballot box depicting the state in which it is delivered to the workstation;
 - (b) An audio feed of the recount process;
- (ii) There shall be installed an audio-visual facility in the Tabulation Center which shall broadcast live the entire tabulation process.

6. Upon arrival of the ballot box at the workstation, it shall be first examined to ascertain that the seals are intact. The contents shall then be emptied, and the election materials examined. Notes shall be taken, and records made in accordance with the requirements of the Ballot Box Checklist. Any observation not catered for in the checklist provided shall be recorded on the Observations Report Form. The Ballot Box Checklist shall be signed by the workstation supervisor. The observations report shall be signed by the supervisor of the workstation and representatives of each contesting party present. A copy of the completed Ballot Box Checklist and the Observations Report shall be given to party representatives.
7. The result of the general and regional recount of each ballot box shall be recorded as provided for on a Statement of Recount upon the completion of the recount of each box.
8. The Statement of Recount shall be signed by the person conducting the recount and by the representative of each contesting party present, in the presence of the CARICOM Scrutinising Team, representatives of political parties that contested the said elections, International and Local Observers accredited by the Guyana Elections Commission, and advisors to the Guyana Elections Commission. These documents shall be lodged with the Chief Election Officer and copies distributed to the signatories thereto, the CARICOM Scrutinising Team and the Chairman and Commissioners.

9. The tabulation of the Statements of Recount generated after the aforementioned action at paragraphs 6 and 7 will be done at a central tabulation centre in the presence of the CARICOM Scrutinising Team, representatives of political parties that contested the said elections, International and Local Observers and advisors to the Guyana Elections Commission as follows: The Statement of Recount shall be projected on a screen to be viewed by all persons present and the information shall be input into a matrix, which process could be viewed simultaneously by all persons present. Information from this tabulation shall be broadcast periodically.

10. Upon completion of the input of all Statements of Recount for an entire electoral district, the supervisor for tabulation shall ascertain and verify the entries therein and calculate totals for each column therein, in the presence of the CARICOM Scrutinising Team, representatives of political parties that contested the said elections, International and Local Observers accredited by the Guyana Elections Commission and advisors to the Guyana Elections Commission. This ascertained and verified copy of the matrix shall be signed by the District Coordinator for the District and by the designated representative of each contesting party present, in the presence of the CARICOM Scrutinising Team, representatives of political parties that contested the said elections, International and Local Observers accredited by

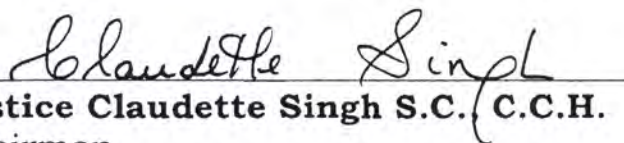
the Guyana Elections Commission and advisors to the Guyana Elections Commission.

11. The signed matrix produced in accordance with the aforementioned at paragraph 9 shall then be transmitted to the Chief Election Officer and copies given to the representatives of political parties that contested the elections, the CARICOM Scrutinising Team and the Chairman and Commissioners and available to the public.
12. The matrices for the recount of the ten (10) Electoral Districts shall then be tabulated by the Chief Election Officer and shall be submitted in a report, together with a summary of the observation reports for each District, to the Commission.
13. The CARICOM Scrutinising Team shall submit a report to the Commission which may include their observations, recommendations, and conclusions.
14. The Commission shall, after deliberating on the report at paragraph 11, determine whether it should request the Chief Elections Officer to use the data compiled in accordance with paragraph 11 as the basis for the submission of a report under section 96 of the Representation of the People Act Cap 1:03.

15. For the avoidance of any doubt, the Chief Election Officer and every person appointed or authorized to perform any act or functions by virtue of this Order, are and shall remain subject to the general supervisory power of the Commission.

16. The foregoing recitals shall form part of this Order.

This Order is made in the exercise of the authority vested under Article 162 of the Constitution and pursuant to Section 22 of the Elections Law (Amendment) Act, No. 15 of 2000, by the Guyana Elections Commission as the Commission considers same necessary and expedient for the removal of difficulties which have arisen in respect of the finalization and declaration of results for the General and Regional Elections held on the 2nd March 2020.


Justice Claudette Singh S.C. (C.C.H.)
Chairman
Guyana Elections Commission

CHAIRMAN
Guyana Elections Commission

Dated this 4th day of May 2020.