

(Published 21th February, 2023)

Act

No. 11 of 2023

I assent

DR. LAZARUS MCCARTHY CHAKWERA

PRESIDENT

18th February, 2023

ARRANGEMENT OF SECTIONS

SECTION

- 1. Short title and Commencement.
- 2. Amendment of the Long Title to Cap. 2:03.
- 3. Amendment of s. 1 of the principal Act.
- 4. Amendment of s. 2 of the principal Act.
- 5. Amendment of s. 4 of the principal Act.
- 6. Amendment of s. 8 of the principal Act.

An Act to amend the Electoral Commission Act

ENACTED by the Parliament of Malawi as follows —

- 1. This Act may be cited as the Electoral Commission (Amendment) Act, 2023, and shall come into force on such date as the Minister may appoint by notice published in the *Gazette*. Short title and commencement
- 2. The Electoral Commission Act (hereinafter referred to as the “principal Act) is amended, in the long title, by deleting the words “Electoral Commission” and substituting therefor the words “Malawi Electoral Commission”. Amendment of the Long Title to Cap. 2:03
- 3. Section 1 of the principal Act is amended by deleting the words “Electoral Commission” and substituting therefor the words “Malawi Electoral Commission”. Amendment of s. 1 of the principle Act
- 4. Section 2 of the principal Act is amended by deleting the words “Parliamentary and Presidential” and substituting therefor the words “Presidential, Parliamentary and Local Government”. Amendment of s.2 of the principle Act
- 5. Section 4 of the principal Act is amended— Amendment of s.4 of the principle Act
 - (a) by adding a new subsection (7) as follows—

“(7) A person shall not qualify for appointment as a member of the Commission under subsection (1) unless the person possesses a minimum educational qualification of a bachelor’s degree obtained from an institution recognized or accredited under the National Council for Higher Education Act.”.

Amendment
of s. 8 of the
principle Act

6. Section 8 of the principal Act is amended, in subsection (1)—

(a) by inserting, immediately after paragraph (h), the following new paragraph (i)—

“(i) to establish and devise, in consultations with political parties, other means of voting, voting materials and registration of voters’ materials, for purposes of improving efficiency of electoral processes, including registration of voters, voting, counting of votes and transmission of results”; and

(b) by renumbering paragraphs (i), (j), (k), (l) and (m), as paragraphs (j), (k), (l), (m) and (n), respectively.

Passed in Parliament this fifteenth day of December, two thousand and twenty two.

FIONA KALEMBA
Clerk of Parliament