

Press Release No. : PRE/2024/51

2024.08.27

Presidential Election – 2024

Legal Provisions Regarding Electors with Disability to be Accompanied by A Person to Assist in Marking the Ballot Paper at The Polling Station

Provisions in Section 38(2) of the Presidential Elections Act No. 15 of 1981 as amended by Elections (Special Provisions) Act, No. 28 of 2011 for a person who is totally or partially visually handicapped or physically disabled to be accompanied by another person assist in marking the ballot paper at the upcoming elections.

02. The person who accompanies the disabled person should be more than 18 years of age and not a candidate contesting for that election. Similarly, he should not be act as an authorized agent, divisional agent or an election agent of a candidate. In addition, you should not be a person subject to any disability.

03. In order to be accompanied by a person to assist as stated above, a certificate of eligibility prescribed in the Fifth Schedule to the Presidential Elections Act should be handed over to the officers at the polling station.

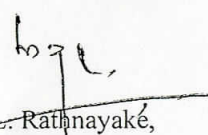
04. The form to be used to obtain the certificate of eligibility can be collected from District Election Office, Divisional Secretariat, Grama Niladhari Office or www.elections.gov.lk website. Individuals with visual impairments or other physical disabilities should obtain and complete the application form as described above and submit it to the Grama Niladhari to receive a certificate. Once the certificate is obtained, it should be presented to a Government Medical Practitioner. The Medical Practitioner will then examine the elector and record their findings, certifying the elector's eligibility on the form.

05. The disabled elector should proceed to the polling station with his official poll card, National Identity Card or any other identity document acceptable at the polling station and this certificate of eligibility accompanied by the assistant. After the polling station staff verify the elector's identity, a ballot paper will be issued following the standard procedures. The elector, accompanied by his/her assistant, will then be directed to the Senior Presiding Officer to mark the ballot paper. It is crucial that the assistant carries their National Identity Card or any other identification accepted at the polling station.

06. At the polling station, the Senior Presiding Officer obtains the eligibility certificate of the elector and the declaration related to Part III of the certificate of eligibility will be recorded from the accompanying person. The elector and assistant will then be escorted to the voting cubicle along with a member of the polling station staff and will be made to mark the ballot paper and place it in the ballot box before the Senior Presiding Officer and staff member.

07. It is emphasized that an assistant cannot accompany an elector to the polling station without the above certificate of eligibility. After voting, the Senior Presiding Officer will retain the relevant certificate of eligibility.

08. Additionally, if an elector with disability is unable to bring an assistant, he/she may have his/her ballot paper marked by the Senior Presiding Officer in the presence of another officer, as was the practice in previous elections.


R.M.A.L. Rathnayaké,
Chairman, Election Commission
(For the Election Commission)

CERTIFICATE OF ELIGIBILITY TO VOTE ISSUED TO A PERSON SUBJECT TO A DISABILITY IN TERMS OF THE PRESIDENTIAL ELECTIONS ACT, NO. 15 OF 1981, (SECTION 38 (2) (C))

Part I

DECLARATION BY THE APPLICANT/ VOTER

Full Name :
Address :
Occupation :
Date of Birth :
NIC/Driving License/Passport No :

I, ofbeing a voter registered in the District, being subject to a disability, declare that the above particulars are true and accurate and do hereby apply for the issue of a Certificate of Eligibility entitling me to vote at the forthcoming (Name of Election) as a person subject to a disability, as provided for by law.

Date : Name of Voter :
Signature of Voter :

CERTIFICATE OF GRAMA NILADHARI

I, certify that the information given above is correct and that the following information relating to the application of(Name of the Applicant/ Voter) is correct according to the records maintained by me.

Name :
No. on the voters' list :
Province :
District :
Electoral Division :
Other relevant information :

Date :
Signature of Grama Niladhari :

Name of Grama Niladhari :

Division :

Seal :



Part II

CERTIFICATE OF THE GOVERNMENT MEDICAL OFFICER

I have personally examined ofwho has applied to be entitled to vote as a person subject to a disability, at the forthcoming(Name of Election) and do hereby certify that (Name of Voter/ Applicant) is entitled/ not entitled to vote as a person subject to a disability, as provided for by law.

Date :

Name of the Government Medical Officer :

Signature of Government Medical Officer :

Seal :

.....
(A) Part III

(Application No.....)

FOR OFFICE USE

THE SENIOR PRESIDING OFFICER SHOULD GET THIS PART COMPLETED

Name of the person accompanying the Voter :.....

No.of his National Identity Card :.....

Residential Address :.....

I certify that I have come to cast the vote on behalf of the disabled person whose name is given in part I and that I am not a candidate/authorized agent/polling agent/ member of the staff of the polling station at this Presidential Election and that I am not subject to any disability.

.....
Signature of the accompanying person

Signature of the Accompanying Person :

Name Of the Accompanying Person:.....

Signature of the Senior Presiding Officer :

Name Of the Senior Presiding Officer :

Name of the Polling Station :

(A copy of this should be handed over to the Senior Presiding Officer on the day previous to the day of poll)