

**THE REPUBLIC OF SOUTH SUDAN
NATIONAL LEGISLATURE
TNL-JUBA.**

**Report of the Committee of Legislation and Legal Affairs of the
Transitional National Legislature on the National Elections Act, (as
amended) Amendment Act, 2026.**

(Second Reading)

Monday 21st September, 2026

**Rt. Hon. Speaker,
Hon. Members**

Introduction

Allow me to present the National Elections Act, (as amended) Amendment Act, 2026 to this August House. In its Ordinary Sitting No. 04 of the First Session dated 16th, 2026, the Hon. Dr. Wek Mamer Kuol, Minister of Justice and Constitutional Affairs tabled the above mentioned Bill to the National Legislature.

In accordance with Regulation 115(1) of the National Legislature Conduct of Business Regulations 2013(as Amended), the Rt. Hon. Joseph Ngere Paciko, Speaker of the Transitional National Legislature committed the above mentioned Bill, to the Transitional National Legislature Committee of Legislation and Legal Affairs for scrutiny and report to the House within 14 days.

The Committee, in accordance with Regulations 115 (2) of the Transitional National Legislature Conduct of Business Regulations 2013(as amended), met, and scrutinized the Bill and hereby makes the following observations and recommendations to the House:

Comments and observations:

1. This Bill is consistent with the Transitional Constitution of the Republic of South Sudan, 2011 (as amended)
2. The Committee, studied and scrutinized the text of the Bill, met with the Hon. Justice Dr. Wek Mamer Kuol, Minister of Justice and Constitutional Affairs over issues connected with the Bill. The Committee also met with Hon. Representatives of the Election Commission represented by Hon. Mach Maicah and Hon. Hon Malou
3. The Bill has been considered urgent, as deadline for Elections is running down fast.
4. Typographical and grammatical errors are corrected without appearing on the record.

**Rt. Hon. Speaker,
Hon. Members**

Below are the amendments:

1. Amendment of the Act
The Act is amended by deleting section (1) and replacing it to read-
 1. This Bill shall be cited as the National Elections Act, (as amended) Amendment Bill, 2026.
2. Amendment of the Act
The Act is amended by deleting and replacing section 2-
 2. The purpose of this Bill is to amend provisions of the National Elections Act (as amended) in order to harmonize the inconsistencies and ensure its conformity with the TCRSS, 2011(as amended) and any other relevant provisions.
3. Amendment of the Act
The Act is amended by deleting and removing any definition that points to a permanent Constitution in the Act.

4. Amendment of Section 7

Section 7 is amended by inserting new definitions as below-

“ Commission” means the reconstituted National Elections Commission.

“ Delink” means to separate the requirement of finishing a permanent constitution, census from the schedule of holding national elections throughout the Bill

“ President” means President Elect throughout the Bill

5. Amendment of Section 9

Section 9 is amended by-

i) deleting and substituting its subsection (1)-

(1) The reconstituted National Elections Commission shall organise elections for the President, the National Assembly, State Governors, State Assemblies, Chief Administrators, Administrative Areas Legislative Councils and Local Government sixty (60) days prior to the end of the Transitional Period in accordance with the provisions of TCRSS, 2011, (as Amended) and shall ensure that the outcome is broadly reflective of the will of the electorate;

6. Inserting a new sub-section 9(1A) –

9(1A) The Reconstituted National Elections Commission shall organize elections for local Government separately from above elections in accordance with section 86(1) of the Act.

7. Amendment of section 16

Section 16 is amended by inserting two new sub-sections immediately after sub-section (4) to read-

(5) Upon announcement of the date of elections by the Commission, the President shall, within three months to elections date, dissolve the National Legislature, State Legislative Assemblies and States Governments.

(6) Without prejudice to sub-provision (5) upon announcement of the date of elections by the Commission, the Incumbent President, shall within three months to election date, partially dissolve the national government and appoint caretaker Governors.

7. Amendment of section 16(4)

Section 16 is amended by deleting and substituting its subsection 4 with new subsections as below-

- (4a) The incumbent President shall remain in the office as the President of the Republic of South Sudan during the elections period until taking over of the elected President;
- (4b) Without prejudice to sub-section (4a) upon announcement of the date of elections by the Commission, the incumbent President, shall within 3 months to election date remove the First Vice President and vice Presidents as per provisions of Article 104(2) of the TCRSS, 2011 (as Amended).

8. Amendment of section 26

Section 26 is amended by deleting and substituting its sub-sections (1) and (2) as follows-

- (1) The Commission shall form High Committees and appoint the heads and members of such High Committees at States Levels and Administrative Areas; and
- (2) Each High Committee shall be composed of five members including a state returning officer who shall be:

9. Amendment of section 35

Section 35 is amended in sub-section (3) and (8) to read-

- (3) A South Sudanese National residing outside South Sudan and in the possession of a South Sudan passport, who satisfies the condition set forth in this Section, shall have the right to apply for registration or for inclusion in the Electoral Register for Presidential Elections or Referendum in accordance with the provisions of this Act and the regulations.
- (8) A prisoner shall have the right to participate in an election or referendum in accordance with this Act.

10. Amendment of section 36

Sub-section (e) is amended to read-

- (e) the voter register shall be published not later than six (6) months prior to the holding of elections for registered voters to confirm accuracy of the entries.

11. Amendment of section 37

Section 37 is amended by-

- (1) Substituting it to read-

- (a) within sixty days from the date of the notice of a general election, open the register of voters for inspection for a period of at least fifteen (15) days.

- (2) Inserting a new sub-section 37.A immediately after section 37 to read-

37A. The Commission may, at least six months before a general election, conduct an audit of the Register of Voters using the register for the purpose of:

12. Amendment of section 60

Section 60 is amended in Sub-section (2)(a), (b) and (c) (4) and (5) to read-

60(2) the composition of the National Legislative Assembly and the Elections of members shall be 332 as per provisions of the Article 56(2) of the Transitional Constitution, 2011 (as amended) and they are apportioned as follows:

- (a) Fifty percent (50%) of Members National Legislative Assembly shall be elected to represent national geographical constituencies and congressional geographical constituencies in the Republic of South Sudan;
- (b) Thirty five percent (35%) of Women members shall be elected on the basis of proportional representation at national legislative assembly from the closed party list;
- (c) Fifteen percent (15%) members shall be elected on the basis of proportional representation at national legislative assembly from the closed party list;
- (d) Sixty six (66) members shall be appointed by the President elect to represent:
 - (i) veterans,
 - (ii) organized forces
 - (iii) Minorities and
 - (iv) Persons with special needs and

13. Amendment of section 61

Section 61 is amended in Sub-section to read-

61. The composition of the State Legislative Assembly and the Elections of members shall be five hundred eighty 580 of members for all ten states and allocated as follows:

- (a) Two hundred ninety (290) of members of State Legislative Assembly shall be elected to represent geographical constituencies in each state;
- (b) Two hundred ninety (290) of members of State Legislative Assembly shall be elected to represent proportional Representation in each state from closed lists;
- (c) Each state shall have fifty eight (58) members of State Legislative Assembly;
- (d) Fifty percent (50%) of members of State Legislative Assembly shall be elected to represent geographical constituencies;
- (e) Thirty five percent (35%) of Women members shall be elected on the basis of proportional representation at state legislative assembly from the closed party list;
- (f) Fifteen percent (15%) members shall be elected on the basis of proportional representation at state legislative assembly from the closed party list.

14. Amendment of section 61(2)

61(2) is deleted and replaced as-

61(2) The composition of the Administrative Area Legislative Councils and the Elections of its members shall be sixty (60) of members for all three Administrative Areas and is prescribed as below:

- (a) Each Administrative Area Legislative Council shall be twenty (20) councilors elected at Proportional Representation system closed list.

15. Amendment of section 65(2)

65(2) is amended to read-

(2) the seven days for submission of nomination applications shall start not more than ninety (90) days and not less than sixty (60) days before polling. The commission shall publish notice of the nomination days in the Official Gazette or two newspapers with nationwide circulation and announce on Commission website and in mass media. At least fifteen (15) days prior to the date of nomination.

16. Amendment of section 70

Section 70(2) is amended to read-

(4) the Commission shall design and disseminate the forms for the collection of signatures fifteen (15) days prior to nominations, which shall include:

17. Amendment of section 80(1)

Section 80(1) is amended to read-

(1) The Commission shall determine and announce the period during which election campaigns shall take place and publish that period in the Official Gazette or two newspapers with nationwide circulation and announce on the Commission website and in mass media; provided that the campaign period shall not exceed fourth-fifty (45) day and shall end one day prior to polling day.

**Rt. Hon. Speaker,
Hon. Members,**

Finally, I humbly, on behalf of the Committee, request the August House to deliberate on this bill, entitled **the National Elections Act, (as amended) Amendment Bill, 2026 and** take it through the rest of its stages in one day.

Attachments:

- 1 The Bill
2. Committee's proposed amendments



Hon. Dengtiel A. Kuur
Chairperson
Legislation and Legal Affairs Committee
NL-Juba.