

REACH KRAM (LAW)

ChS/R-Krm/0301/04

WE

Preah Bat Samdech Preah Norodom Sihanouk,

King of the Kingdom of Cambodia.

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Reach Kram n° NS/R-Krm0399/01, dated 08 March 1999, which officially promulgated the Constitutional Law on Amendment of the articles 11,12, 13, 18, 22, 24, 26, 28,30,34,51, 90,91,93 and the articles of the Chapter 8 to 14 of the Constitution of the Kingdom of Cambodia;
- Having seen the Reach Kret (Royal-Decree) n° NS/R-Krt/1198/72, dated 30 November 1998, on Appointment of the Royal Government of Cambodia;
- Having seen the Reach Kram n° 02 NS/94, dated 20 July 1994, which promulgated the Law on Organization and functioning of the Council of Ministers;
- Having seen the Reach Kram(Law) n° NS/R-Krm/0196/08, dated 24 January 1996, which promulgated the Law on Establishment of the Ministry of Interior;
- Following the request from Samdech the Prime Minister, and from the Co-Minister of Interior.

Hereby Promulgates:

The Law on Elections of the Commune Councils, which was adopted by the National Assembly, on 18 January 2001, during the 5th Plenary Session, 2nd Legislature; and by the Senate adopted to approve fully on the form and legal concept, on 14 February 2001, during the 4th Session, 1st Legislature, and subsequently was declared by the Constitutional Council as consistent with the Constitution through its Decision n° 042/004/2001 Ccil.L, dated 07 March 2001, and which has its whole substance as hereunder:

Law
on
ELECTIONS OF THE COMMUNE
COUNCILS

Chapter I:
General Provisions

Article 1:

The purpose of this law is to determine the organization, administration and functioning of the elections of the Commune Councils (Krom Preuksa Khum-Sangkats).

This law shall be applicable for all the Communes (Khum-Sangkat) of the Kingdom of Cambodia.

Article 2:

Each Commune shall respectively have a Council (Krom Preuksa) which is elected by the citizens of its own Commune (Khum-Sangkat), though a general, universal, free, fair and just, equal, direct and secret ballot vote election, in accordance with the procedures as provided for in this law.

Article 3:

The elections of all the Communes Councils shall be organized once every five (5) years.

The elections of all the Commune Councils shall be held on the same day.

The date of the elections shall be determined by the Prime Minister, following the proposal of the Minister of Interior.

The Commune Council elections shall be held on Sunday and for one (1) day only.

Article 4:

Commune Councils shall hold their offices until the newly elected Commune Councils take office and replace them.

Article 5:

A Commune Council shall be elected according to a proportional system, by voters who:

- have been registered in the list of voters in that Commune (Khum -Sangkat);
- are entitled to cast only one vote, through a secret ballot vote.

Each voter may be eligible to vote for one Commune Council (Krom Preuksa Khum-Sangkat) only.

Article 6:

The number of members of each Commune Council (Krom Preuksa Khum-Sangkat) as stated in the article 12 of the Law on Administration of Communes (Khum-Sangkat) shall be determined by a Sub-décreé (Anuket), within at least nine (9) months prior to the election date.

Chapter II

Administration of Commune Council Elections

Article 7:

The management, organization and administration of the lists of voters and of the Commune elections shall be the competence of the National Election Committee (N.E.C), which was established in accordance with the Law on Elections of Members of the National Assembly.

The National Election Committee (N.E.C) shall appoint Provincial-Municipal Election Commissions (P.E.C), and Commune (Khum-Sangkat) Election Commissions (C.E.C).

A Commune Election Commission (C.E.C) shall consist of voter registration office(s)/station(s), and polling office(s)/stations(s).

The compositions of the voter registration office/station and of the polling office/station shall be appointed by the National Election Committee (N.E.C.)

Article 8:

All members and officers of the N.E.C, P.E.C, C.E.C, the voter registration offices/stations and the polling offices/stations shall at all time maintain independent, impartial and faithful stances in the exercise of their powers, functions and duties.

Article 9:

The National Election Committee (N.E.C) shall issue regulations and procedures for the management and organization of the lists of voters and of the elections, according to the conditions as stated in this law.

Article 10:

The National Election Committee (N.E.C) shall have the following power, functions and duties:

- to manage works for the registration of voters, updating the lists of voters, preparation of the lists of voters and the elections of the Commune Councils;
- to take necessary actions to ensure that the registration of voters, updating of lists of voters, preparation of the lists of voters, and the elections are proceeded freely, fairly and with justice;
- to determine and establish the voter registration offices/stations;
- to organize and validate voter lists;
- to review and re-organize the lists of voters every year;
- to provide safety and maintain the lists of voters;
- to decide on the registration of candidates in the lists;
- to follow up and monitor the electoral campaigns;
- to administer the election procedures in the polling offices/stations;
- to administer the ballot counting procedures and manage the ballot counting;
- to proclaim the election results;
- to provide safety during the processes of examination of the lists of voters, of the registration of voters, of the election, of the counting of ballots, and of the election materials, equipment and furniture for the whole election process;
- to provide training to the electoral officers and give

instructions to the candidates, agents of the political parties and electoral observers, of the procedures for updating the lists of voters, registration of voters, the casting of vote, ballot counting, and of the provisions of this law;

- to ensure the understanding of the general public, about the purposes of the elections;
- to ensure the right of participation of every person with safety and without fear or intimidation, in the process of updating the list of voters, registration of voters and of the elections;
- to establish procedures for the updating the lists of voters, the registration of voters, the elections, and the ballot counting with transparency and with participation from the electoral observers and agents of the political parties;
- to ensure regular contact between the National Election Committee (N.E.C) and the candidates, agents of the political parties, and electoral observers;
- to comply with the prescriptions and procedures relating to the control and management of the finance established by the Ministry of Economy and Finance;
- to decide on contested complaints related to the elections of the Commune Councils, except for those contested complaints relating to the competence of the Courts.
- to report to the National Assembly and the Senate about the administration, functioning and results of the elections within a period of ninety (90) days after the date of the election.

The power, functions, and duties as determined in the articles 7, 8, 9, and 10 of this law shall be assigned in addition to the power, functions, and duties as required or delegated to the National Election Committee (N.E.C), according to the Law on Elections of Members of the National Assembly.

Article 11:

The National Election Committee (N.E.C) shall appoint members of the Provincial-Municipal Election Commissions (P.E.C), Commune Election Commissions (C.E.C), and officers of voter registration offices/stations and polling offices/stations from among the citizens, government servants, or other officials in the provinces or municipalities, who are eligible to vote, except for:

- members of the Royal Cambodian Armed Forces, members of the National Police Forces, and court officials;

- monks or priests of any religion;
- delegates of the Royal Government, Governors or Deputy-Governors of the provinces- municipalities;
- Governors or Deputy Governors of the districts (Srok-Khan);
- Chiefs, Deputy Chiefs of the Communes (Khum-Sangkat) or , Chiefs or Deputy Chiefs or members of the villages;
- members of the Commune Councils;
- candidates running in the election of the Commune Councils;
- persons who are holding positions in the political parties or who have resigned from positions in any political party for a period of less than six (6) months to the date of appointment.

Article 12:

The composition of the PEC shall consist of a chairman, a vice-chairman, and three (3) to five (5) members.

The composition of the CEC shall consist of a chairman, a vice-chairman, and three (3) members.

The compositions of a voter registration office/station shall consist of a chairman, a vice-chairman, a secretary and two (2) to four (4) members as determined by the NEC for each respective voter registration office/station.

The composition of a polling office/station shall consist of a chairman, a vice-chairman, a secretary and two (2) to four (4) members as determined by the NEC for each respective polling office/station.

All members of the Election Commissions of all levels and all officers of the voter registration offices/stations and those of the polling offices/stations are electoral officers.

The NEC may create and appoint a secretariat to assist the PEC and CEC.

Article 13:

The titles, privileges and remuneration of the chairman, vice-chairman, and secretary general of the NEC and Election Commissions of all levels and their staff, shall be determined in accordance with the provisions as set forth in the Articles 30 and 31 of the Law on Elections of Members of the National Assembly.

Article 14:

The composition of the voter registration office/station shall continue to hold the office until determined by the NEC.

The composition of the polling office/station shall continue to hold the office until the date of proclamation of preliminary (temporary) results of the elections of the Commune Councils in its polling office/station, and after the reception-delivery of the Minutes of elections and electoral materials and equipment, to the CEC have been definitively completed.

The CEC shall continue to hold its office until the date of official proclamation of the final results of the Commune Council elections in its Commune (Khum-Sangkat).

The PEC shall continue to hold its office until the date of official proclamation of the final results of the Commune Council elections in its province-municipality.

Article 15:

The National Election Committee (NEC) may have right to delegate any of its powers, functions, and duties to any PEC, CEC, voter registration office/station, polling office/station, or to any electoral officer to whom these authorities have been appointed.

Any reference in this law to the NEC, shall also refer to any member of the Commissions or any electoral officer to whom the power, functions and duties have been appointed by the NEC.

Article 16:

The PEC, CEC, the voter registration offices/stations and the polling offices/stations shall fulfill the functions, duties and other powers as assigned to them by this law or by the NEC.

Article 17:

The authorities of all levels which are responsible for matters of security, public order, and other works, shall extend cooperation with the NEC, Election Commissions of all levels, voter registration offices/stations and polling offices/stations, in order to maintain safety, security, and public order during and after the election sessions.

Article 18:

The NEC may have rights to appoint the PEC or CEC or compositions

of the voter registration offices/stations or polling office /station within a specified period, at any time after the elections, for the purposed to organize and manage a by-election or a re-election or to update the lists of voters and register the voters.

Chapter III Right to Register and Right to Vote

Article 19:

In order to be eligible to vote, citizens of either sex shall have their names registered in the lists of voters for the Commune Council elections, and shall respectively have a voter registration card or a substitute certificate to registration card.

In order to have right to register in the list of voters, citizens of either sex shall meet the following requirements:

- shall have Khmer nationality ;
- shall be at least 18 years old to the date of the election;
- shall have residence in the Commune (Khum-Sangkat) where the concerned persons are requesting to register;
- shall not be under any situation as stated in articles 20 of this law;

A residence of any person in any Commune (Khum-Sangkat) is the place where the person uses to live habitually, and where he/she uses to return to after an absence for temporary for some periods.

Article 20:

A person shall be prohibited to register in a list of voters or to cast a vote during the election of the Commune Councils, if he/she:

- is a convict;
- is an insane or under a guardianship, of which he/she has a letter of certification from the competent institution.

Chapter IV The Electoral System and Allocation of Seats

Article 21:

The elections of Commune Councils shall be conducted according to the proportional system by allocating seats according the highest average as provided for in the articles 23 and 27 of this law.

Members of the Commune Councils (CC) shall be selected from the elected list(s) of candidates of political party(ies) in that Commune (Khum-Sangkat).

Article 22:

The number of seats of a Commune Council (Krom Preuksa Khum-Sangkat) shall be equal to the number of members of the Commune Council as determined by a Sub-decree (Anukret) according to the Law on Commune Administration.

Article 23:

The seats in a Commune Council (Krom Preuksa Khum Sangkat) shall be allocated based on the number of total seats and results of the election, following the successive steps as bellows:

Step one:

Is the calculation of the quota required for a candidate list of a political party to win one (1) seat. This is by dividing the total number of valid ballots to the total number of seats of the Commune Council, according to the formula as hereunder:

$Qs = \frac{Vab}{Scc}$	<p><u>Where</u> :</p> <ul style="list-style-type: none"> . <i>Qs</i> = represents the Quotient of a division with no remainder (no rest). . <i>Vab</i> = represents the total number of valid ballots cast for all candidate lists of political parties participating in the CC election. . <i>Scc</i> = represents the total number of seats in the CC.
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Step two:

Is the calculation of the number of preliminary seats won by the candidate list of political party . This is by dividing the total number of valid ballots received by each candidate list of political party to the quota, according to the formula as follows :

$Ns = \frac{Vpb}{Qs}$	<p><u>Where</u> :</p> <ul style="list-style-type: none"> . <i>Ns</i> = Represents the quotient of a division without including the remainder (the rest). It represents the number of seats
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Qs	<p>that the candidate list of each political party is entitled to receive, before proceeding any necessary calculation as in step 3.</p> <p>. Vpb = Represents the total number of valid ballots cast for the candidate list of any political party.</p> <p>. Qs = Represents the quota which was determined in step 1 above.</p>
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If no seat remains still to be allocated further, after the calculations have been made for all the candidate lists of the political parties in the step 2, the final number of seats shall then be determined right away.

However, if there is/are still remaining seat(s) to be allocated further, after the calculations have been made for all the candidate lists of political parties, this/these remaining seat(s) shall be awarded according to the process as set out in step 3.

Step 3:

The remaining seats shall be allocated by determining the highest average, in accordance with the following formula:

$Ha = \frac{Vv}{Ns + 1}$	<p>Where :</p> <p>. Ha = Represents the highest average;</p> <p>. Vv = Represent the total number of valid ballots cast for one candidate list of political party.</p> <p>. Ns = Represents the number of seats allocated to one candidate list.</p>
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If there is still one remaining seat to be allocated further, after the calculation according to the formula as in step 3 for all eligible candidate lists, that seat shall be awarded to any candidate list of political party which has the highest average.

If there are more than one remaining seats to be allocated further, the formula as in Step 3 shall then be applied, where one seat shall be allocated to any candidate list which has the highest average. After this, shall comply with this formula again, by

augmenting "1" (1 unit) to the value of the "Ns" = (Ns+1), for any candidate list of a political party which had won one (1) seat during the application of this formula in the first time.

Therefore, one (1) seat shall be allocated to any candidate list of a political party which has the highest average, during the second application of this formula. If there are still more remaining seats to be allocated, then the calculation shall be done by following the same method successively, until all the remaining seats have been allocated.

Article 24:

All elected candidates shall be taken out from the elected candidate lists of political parties, at equal number to the seats of the elected lists of candidates the political parties according to the calculations as in the article 23 of this law.

The names of the elected candidates shall be taken out according to a sequence of numerical order from the top and down to the bottom, with respect to the each elected candidate list of the political party.

Article 25:

Any Commune (Khum-Sangkat) that has only one sole candidate list which was allowed to register, shall also be required to proceed an election.

The names of candidates shall be taken out from that sole candidate list according to a sequence of numerical order from the top to the bottom, until all the seats in the Commune Council have been filled.

Article 26:

The name of any candidate that is taken out from an elected candidate list of a political party in the Commune (Khum-Sangkat) shall be appointed as member of the Commune Council then shall be deleted from the candidate list of the political party.

Article 27:

In case if any political party abandoned the seat(s) which it has received, the NEC shall allocate that abandoned seat(s) to the lists of candidates of other political party(ies) which has/have seat(s) in the Commune Council within fourteen (14) days, by calculating according the successive steps as hereunder:

Step one:

Calculate the number of quotas required for a candidate list of political party to receive one seat, by dividing the total number of valid ballots which have been cast for all political parties which received seats in the election of the Commune Council after subtracted the number of valid ballots received by the political party which abandoned the seats), to the number of abandoned (vacant) seats, according to the following formula:

$Q' = \frac{V'}{S'}$	<p>Where:</p> <p>Q' = represents the quotient of the division without remainder (with no rest).</p> <p>V' = represents the total number of valid ballots cast for all candidate lists of political parties which won seats in the Commune Council election after subtracted the number of valid ballots cast for candidate list of political party that abandoned the seat or seats.</p> <p>S' = represents the number of abandoned seats.</p>
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Step 2 :

Calculate the number of seats primarily received by each candidate list of political party, by dividing the total number of valid ballots received by each political party, to the number of quota calculated in step one, according to the formula as hereunder:

$N's = \frac{V'v}{Q'}$	<p>Where :</p> <p>$N's$ = represents the number of seats which each candidate list of political party has received before any necessary calculation in step 3.</p> <p>Vv = represents the total number of valid ballots cast for a candidate list of</p>
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	political party; Q' = represents the quota calculated in step 1.
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After the calculation in step 2 has been done for all candidate lists of political parties which have seats in the Commune council, except the candidate list of political party which abandoned the seat(s), if no seat is still remained to be allocated further, the number of seat(s) shall then be determined right away.

If after the calculation in step 2 has been done, but there are still more seats to be further allocated, these remaining seats shall then be allocated according to the formula as in Step 3.

Step 3:

The remaining seats shall be allocated by determining according to the highest average, by following the formula as hereunder:

$\frac{Vv}{N's + 1}$	<p>Where :</p> <p>Ha= represents the highest average.</p> <p>Vv= represents the total number of valid ballots cast for a candidate list.</p> <p>N's= represents the number of seats allocated to a candidate list.</p>
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The method as prescribed in the para. 7 and 8 of the article 23, shall be applied for the calculation in Step 3 and in subsequent calculations.

Article 28:

If the calculations as specified in Articles 23 and 27 of this law yield equal results between some candidate lists of political parties and which make it impossible to determine which candidate list must be allocated the seats, the PEC shall apply a method of drawing lots to determine which candidate list of political party will win.

The drawing lots shall be proceeded according to the procedures as prescribed by the regulations of NEC.

Chapter V
Voter Registration Offices/Stations,
Polling Offices/Stations, and
Ballot Counting Offices/Stations

Article 29:

The NEC shall establish one or more voter registration offices/stations for each Commune (Khum-Sangkat).

Every voter registration office/station shall serve a specified area.

The voter registration office/station and the area where it is to serve shall be inside the boundary of its Commune (Khum-/Sangkat).

Article 30:

The organization of the voter registration offices/stations shall comply with conditions as stated in this law, and in the para.2 of Article 46 of the Law on Elections of Members of the National Assembly.

Each voter registration office/station shall undertake to register for a maximum of six hundred (600) eligible voters, unless otherwise decided by the NEC. However, the NEC shall not register more than seven hundred (700) eligible voters.

The voter registration offices/stations shall be based on the voter registration offices/stations which were established earlier for the last election.

The NEC may have right to re-adjust the voter registration offices/stations and the area that they can serve, if there is any demographic and geographical changes.

The re-adjustment of the voter registration office/stations shall be done at least fifteen (15) days before the date of beginning of the examination of the lists of voters and registration of voters.

Article 31:

All voter registration offices/stations will become polling offices/stations during the election, and subsequently, will become ballot-counting offices/stations during the ballot counting.

The NEC shall disseminate publicly the names and location of each voter registration office/station at the voter registration office/station and at the CEC office, at least ten (10) days before the date of the beginning of examination of the lists of voters and registration of voters.

Article 32 :

Every person may have right to ask for a copy of the list of voters and locations of one or more official voter registration offices/stations in the Commune (Khum/Sangkat) by paying only the cost price of production.

Article 33 :

The NEC shall establish one or more polling offices/stations for each Commune (Khum/Sangkat), in accordance with the regulations and procedures.

Each polling office/station and the area it serves, shall be the same as of the voter registration office/station established in the Articles 30 and 31 of this law.

Article 34:

The NEC may decide to select one sole perimeter or building as polling office/station for two or more polling offices/stations, if it does not affect to the regularity of management and the functioning of the elections.

When many polling offices/stations are placed together in the same perimeter or building, shall organize them to be separated from each other.

Each of the polling offices/stations, which are located together in one sole perimeter or building, shall be managed separately and distinctly from the other polling offices/stations, according to the regulations and procedures of the NEC.

Article 35:

The NEC shall disseminate publicly the name and location of each polling office/station at the polling office/station and at the CEC office, from the date of registration of candidate until the closure of the polling office/station, on the polling day.

Article 36:

The ballot counting shall be proceeded in the polling

office/station.

A polling office/station is a ballot counting office/station.

A ballot counting office/station is a place where ballots are counted, and where the temporary (preliminary) results of election are proclaimed.

Article 37:

All voter registration offices/stations, polling offices/stations, and ballot counting offices/stations shall respectively have their inner perimeter as demarcated by the NEC.

The inner perimeter is the area around a voter registration office/station partitioned by a circumference of at least fifteen (15) meters radius.

The inner perimeter shall consist of an entrance and an exit.

Article 38:

All voter registration offices/stations, polling offices/stations and ballot counting offices/stations shall respectively have their outer perimeter as demarcated by the NEC.

The outer perimeter is the around those offices/stations partitioned by a circumference of a hundred (100) meters radius, or which has another form or shorter radius, according to practical situation of the outer perimeter of each of those offices/stations.

Article 39:

It is prohibited to bring all weapons, explosives, or hazardous objects and substances inside the inner and outer perimeters, and inside of the voter registration offices/stations, the polling offices/stations, and the ballot counting offices/stations, except when there is any person causing disturb inside the inner and outer perimeters, and inside of the voter registration offices/stations, the polling offices/stations, and the ballot counting offices/stations, the Chairman of the NEC and of the election Commission of all levels shall have duties to request for intervention from the local authority, according to the conditions as stated in the article 17 of this law.

Article 40:

The following persons shall be allowed to enter a voter registration office/station and its inner perimeter:

- the registration officers who have been designated by the NEC;
- the electoral observers who have their cards issued by the NEC;
- the agents of political parties who have been registered properly in accordance with the Law on Political Parties, and who received authorization;
- the citizens who intent to register and who have not yet been registered;
- Any person who accompanies a handicapped applicant for voter registration under conditions as stated in the Article 59 of this law;
- Any person who accompanies an applicant for the purpose of being as witness for him/her, for the voter registration under the conditions as stated in the Articles 56 of this law;
- the security agents and first-aid workers when upon requested by the Chairman of the voter registration office/station in necessary cases;

It is prohibited all persons to enter any voter registration office/station without any written authorization from the NEC, before the time to begin works or after the office/station closes its door.

Article 41:

The following persons shall be allowed to enter the polling office/station and its inner perimeter:

- the electoral officers who have been designated by the NEC;
- the agents of political parties that have the candidate lists who have authorization, and the electoral observers with proper accredited card provided by the NEC;
- the citizens who are eligible to vote and who are to cast their votes at that polling office/station;
- Any person who accompanies a handicapped voter under the conditions as stated in the Article 178 of this law.
- the security agents and first-aid workers when upon requested by the Chairman of the voter registration office/station in necessary cases;

It is prohibited all persons to enter any polling office/station without any written authorization from the NEC, before the beginning or after closing of the election.

Article 42:

The following persons shall be allowed to enter the ballot counting office/station and its inner perimeter:

- the ballot counting officers who have been designated by the NEC;
- the agents of political parties that have candidate lists and who have authorization, and the electoral observers who have proper accredited card provided by the NEC;
- Any security agents and first-aid workers when upon requested by the Chairman of the voter registration office/station in necessary cases;

It is prohibited all persons to enter any ballot counting office/station without any written authorization from the NEC, before the beginning or after the counting of ballots.

Article 43:

The NEC and the Election Commissions of all levels, Chairmen of the voter registration offices/stations, Chairmen of the polling office/stations, Chairmen of the ballot counting office/stations, shall take necessary measures to protect the persons inside the voter registration offices/stations, polling offices/stations, and ballot counting offices/stations, and the persons inside the inner perimeter of each office/station from any injury, disturbance, threat or intimidation, and to safeguard all election materials and equipment in those offices/stations.

The NEC and the Election Commissions of all levels, Chairmen of the voter registration offices/stations, Chairmen of the polling offices/stations, and Chairmen of the ballot counting offices/stations may apply the conditions stated in the Articles 40, 41, and 42 of this law, for the whole or a part of the outer perimeter of those offices/stations, in case of necessary, to ensure that the voter registration, pooling, and ballot counting are conducted with safety.

Article 44:

The following activities shall be prohibited in a voter registration office/station, in the inner and outer perimeter of that office/station:

- Wearing, posting or saying anything that in any way associates with any political party or list of candidates of political party, or any candidate of any list;
- Showing a support for or opposition against any political party, any list of candidates of political party, or any

- candidate of any list;
- Disturbing or doing other activities that might influence any person in the registration.

Article 45:

The following activities shall be prohibited in a polling station, and within the inner and the outer perimeter of that station:

- Wearing or posting anything that in a way associates with a political party or a list of candidates of political party or a candidate of any list;
- Disseminating or saying anything that may influence a person to vote for any candidate list;
- Showing a support for or an opposition against any political party, or any list of candidates of political party or a candidate of any list.

Article 46:

The following activities shall be prohibited in a ballot counting station, and within the inner and the outer perimeter of that station:

- Wearing or posting anything that in a way associates a political party, or a list of candidates of political party or a candidate of any list;
- Disseminating or saying anything that may influence the ballot counting officers to count the marks on ballots in favor of or against any candidate list of political party or a candidate of any list;

Article 47:

Every person who is present at the voter registration station, the polling station and the ballot counting station, and in the inner perimeter of those stations shall be subject to the administrative authority and instructions of the NEC, pursuant to the conditions of this law.

Chapter VI

Lists of Voters for the Commune Council Election

Article 48:

Each Commune (Khum-Sangkat) shall have its own list(s) of voters for the Commune Council election, which was established by the NEC.

Article 49:

The list of voters for the CC election shall be established at

least ninety (90) days before the election day.

The Prime Minister shall fix the date for beginning the examination of the lists of voters and of the registration of voters, following the proposal of the Minister of Interior.

The duration for the examination of the lists of voters and of the registration of voters of each Commune (Khum-Sangkat) shall not be less than fifteen (15) days, including also Saturday and Sunday.

The NEC shall determine the duration for the examination of the lists of voters and of the registration of voters of all Communes (Khum-Sangkat), and shall determine the time schedules for examining the lists of voters and registration of voters at the registration station in each Commune.

The NEC shall publicize the date and the time schedules for all Communes no later than three (3) days before starting to examine the list of voters and registration of voters.

Article 50:

The list of voters for the CC election shall be updated from the list of voters for the last election at the voter registration office/station in each Commune (Khum-Sangkat).

Article 51:

In organizing the lists of voters for the CC election, the NEC shall have the duties to:

- review the update of the lists of voters based on the lists of voters for the last election;
- register those who are eligible to vote in the CC election in the list of voters;
- delete from the list of voters the names of those who lose their right to vote in the CC election;
- organize the lists of eligible voters in the CC election at all voter registration stations in each Commune.

Article 52:

Cambodian citizens of either sex who intend to register for the CC election shall present themselves at the voter registration station in the Commune where they are living.

Each Cambodian citizen shall have only one name registered in a list of voters of one sole registration office/station only.

Article 53:

While appearing themselves at the voter registration office /station, Cambodian citizens of either sex shall:

- show their identity cards to the voter registration officers;
- have right to register in the list of voters in terms Article 19 of this law;
- Assert that they have not yet been registered at any other voter registration office/station.

Article 54:

In order to prove their identity, Cambodian citizens shall show any of the following documents or proofs:

- A passport of the Kingdom of Cambodia ;
- An identity card with a photo attached, issued by the Royal Government of Cambodia;
- A voter registration card or a substitute certificate;

An applicant for the voter registration may identify his or her identity through asserting as witnesses by two eligible voters in that Commune, which are made before the voter registration officers by asserting that the applicant for registration is really a person that they have asserted.

Article 55:

In order to prove to be a Cambodian citizen, the citizens of either sex shall show any the following documents:

- A passport of the Kingdom of Cambodia;
- An identity card of Cambodian citizenship issued pursuant to the Sub-decree (Anukret) No.36, dated 26 July 1996;
- An identity card of the civil servant or Royal Cambodian Armed Forces or National Police of the Kingdom of Cambodia;
- An evidence proving that the applicant's name was registered in the list of voters for the last election;
- A voter registration card or a substitute certificate;
- A birth registration Certificate proving of the Cambodian nationality;
- A letter issued by the Royal Government of Cambodia certifying that he or she is a Cambodian citizen;
- Other certified letter or document or court decision proving that applicant's mother or father is a Cambodian citizen, and a document showing that the applicant is really the son or daughter of that mother or father;
- An official document proving that the applicant was born in Cambodia and his or her mother or father was also born in

Cambodia, and an official letter showing that the applicant is really the son or daughter of that father or mother..

Article 56:

In order to prove that he/she is at least 18 years old on the polling day, a Cambodian citizen shall show any of the following documents or evidences:

- Any document as specified by Articles 54 and 55 of this law which indicates that the applicant's age or date of birth; or
- An asserting as witnesses by two eligible voters in the Commune (Khum-Samkat) made before the voter registration officers that the applicant for registering a voter is really 18 years old on the polling day of the CC election.

Article 57 :

In order to prove that he or she is really having a residence in any Commune (Khum-Sangkat), a Cambodian citizen shall show any of the following documents:

- Any document as specified by Articles 54, 55 and 56 of this law and which indicates that he or she is really having a residence in that Commune;
- A certification made by the Commune authority proving that the applicant is really having a residence in that Commune.

Article 58 :

Any Cambodian citizen who is having more than one residence in the Kingdom of Cambodia shall choose only one sole residence to register as voter.

Article 59:

Any Cambodian citizen who is a handicapped and who is not able to come to register by himself/herself, may choose an adult assistant to accompany him or her or may seek help from the Chairman of the voter registration office/station.

Article 60:

In order to update the last lists of voters for organizing the lists of voters for the CC election, Cambodian citizens who had their names registered for the last election shall present themselves at the voter registration offices/stations where they had registered their names lastly, by taking with them a voter registration card or a substitute certificate issued by the NEC and other documents or evidences as stated in Article 57 of this law.

Based on the last lists of voters provided by the NEC, the electoral officers shall:

- examine applicant's voter registration card or substitute certificate in order to prove that such voter registration card or substitute certificate really belongs to the concerned applicant for registration, which was provided by the NEC and which still retains its original form and is useable;
- examine the number of applicant's voter registration card or substitute certificate, his or her first name and last name and date of birth in the voter registration card or substitute certificate, and check them by comparing with the number of the voter registration card or substitute certificate, and with his/her first name and last name, and date of birth, in the last lists of voters of that voter registration office/station;
- examine applicant's identity as stated in the Article 57 of this law, to make sure that the applicant is really having a residence in the Commune(Khum-Sangkat)that he/she is registering.

Article 61:

If upon any applicant has met all the conditions as specified by Article 60 of this law, the voter registration officer shall:

- inform the applicant that his/her registration has been approved;
- register his/her name in the list of voters for the CC election according to the prescribed conditions;
- inform him/her that the voter registration card or the substitute certificate will be used for the CC election;
- issue a receipt to the applicant certifying of his/her registration.

Article 62:

In case any applicant who had been registered in the last list of voters and actually has his/her name in the list of voters of the voter registration office/station where he/she is registering, but his/her registration card or substitute certificate is lost, damaged which cannot be used, then the voter registration officer shall:

- inform the applicant to fill up the formality on the loss or damage of voter registration card or substitute certificate, according to the regulations and procedure of the NEC;
- examine the applicant's identity as stated in Articles 54

and 57 of this law.

Based on the above identity, the voter registration officer shall examine and find out the serial number of the voter registration card or substitute certificate of the applicant, his/her first name and last name, and date of birth in the last lists of voters of that voter registration office/station, in order to fill up the formality as specified by Article 63 of this law.

Article 63 :

In case any applicant has properly fulfilled the conditions as required in the Article 62 of this law, the voter registration officer shall:

- inform the applicant that his/her registration has been approved;
- register his/her name in the list of voters for the CC election under the prescribed conditions;
- issue a substitute certificate to the voter registration card with a photo of the concerned applicant attached therewith, according to a sample as determined by the NEC for then inform the applicant that this substitute certificate is to be used for the CC election;
- issue a receipt to the applicant certifying of his/her registration.

Article 64:

Any citizen who had registered the last in the list of voters at any voter registration office/station in any Commune (Khum-Sangkat), and the concerned person still has the voter registration card or substitute certificate, but at present the concerned person no longer lives in that Commune (Khum-Sangkat), the voter registration officer shall then delete his/her name from the list of voters of the last voter registration office/station.

The above citizen shall present himself/herself to register with the voter registration officer/station of the Commune (Khum-Sangkat) which he/she is actually living.

The voter registration officer shall:

- examine applicant's for voter registration card or substitute certificate in order to make sure that the voter registration card or the substitute certificate really belongs to that the concern applicant for registration as voter and which has been issued by the NEC;

- examine the identity of the applicant for registration as voter as stated in the Article 57 of this law, in order to prove that the concerned applicant really a citizen ~~having~~ having a residence in that Commune (Khum-Sangkat).

Article 65:

In case any applicant has fulfilled properly the required conditions as specified in the Article 64 of this law, the voter registration officer shall:

- inform the applicant that his/her application for registration has been approved;
- revoke the voter registration card or substitute certificate from the concerned applicant for registration as voter;
- issue a voter registration card according to a sample as determined by the NEC, to the concerned applicant;
- Issue a receipt to the applicant certifying of his/her registration.

Article 66:

In order to be eligible to register to vote, any citizen who asserts that he/she had been registered in the list of voters of any Commune (Khum-Sangkat), but his/her voter registration card or substitute certificate is lost or damaged which cannot be use, and that actually the concerned person no longer lives in that Commune, and any citizen who is 18 years of age to the date of the election of the CC, and any citizen who has never been registered in any list of voters before, shall fulfil the conditions as prescribed in the Articles 52, 53, 54, 55, 56, 57, and 58 of this law.

In case upon any applicant for registration has fulfilled properly the conditions set forth in the Articles 52, 53, 54, 55, 56, 57, and 58 of this law, the voter registration officer shall:

- inform the applicant that his/her application for registration has been approved;
- register his/her name in the list of voters for the CC election under the prescribed conditions;
- issue a voter registration card according to a sample as determined by the NEC, to the concerned applicant;
- issue a receipt to the applicant certifying of his/her registration.

Article 67 :

Any person, who fails to fulfill the conditions as prescribed in the Articles 52, 53, 54, 55, 56, 57, 58 ,60, 62, 64, and 66 of this

law, shall not be allowed to register in the list of voters for the election of CC.

In such a case, the voter registration officer shall:

- fill up a rejection form by stating the reasons for such rejection, then puts a signature and date on that form, and gives a copy to the applicant for registration;
- inform the concerned applicant that he/he or his/her representative may file a written contested complaint against that rejection with the CEC, no later than five(5) days;
- provide a copy of a contested form to the applicant or his/her representative for filing a complaint;
- send a copy of the rejection form to the CEC for information and for keeping as files.

Article 68:

Any applicant for voter registration whose application has been rejected by the voter registration officer of any office/station or his/her representative, may file a written contested complaint with the CEC, according to a prescribed form, no later than five (5) days.

Article 69:

The CEC shall hold a public hearing no later than five (5) days, after reception of the contested complaint form.

The CEC shall post for publicly at its office, the announcement of venue, date and time of the hearing.

Article 70:

If upon the CEC has decided in favor of the contested complaint, it shall inscribe of the approval on the contested complaint form then shall give a copy to the applicant and a copy shall be keep for files.

The CEC shall:

- register applicant's name in the list of voters under the prescribed conditions;
- issue a voter registration card or a substitute certificate with a photo attached, to the applicant;
- issue a receipt to the applicant certifying of his/her registration;
- send a copy of documents relating to the approval for registration to the PEC, and shall keep a copy for files.

Article 71:

If the CEC rejects the contested complaint, it shall:

- fill up a rejection form by stating reasons for such rejection, then put a signature and date on that form, and give a copy of the rejection to the applicant, a copy to the PEC and shall keep a copy for files;
- provide a opposition complaint form to the applicant or his/her representative to appeal against the rejection within a specified period;
- the applicant or his/her representative may file an opposition complaint in writing against the rejection with the PEC, no later than five (5) days after the reception the rejection form.

Article 72:

The PEC shall hold a public hearing no later than five (5) days after reception of the opposition complaint form;

The PEC shall post publicly at its office, the announcement of the venue, date and time of the above hearing.

The decision of the PEC shall be final.

Article 73:

If the PEC takes decision in favor of the opposition complaint, it shall certify its approval on the opposition complaint form, and give a copy to the applicant, a copy to the CEC and shall keep a copy for files.

Article 74:

The CEC shall:

- certify of the approval and sign on the opposition complaint form and give a copy to the applicant;
- register applicant's name in the list of voters under the prescribed conditions;
- issue a voter registration card or a substitute certificate with a photo attached, to the applicant;
- issue a receipt to the applicant certifying of his/her registration;
- send a copy of documents relating to the approval for registration to the PEC and shall keep a copy for files.

Article 75 :

If the PEC rejects the opposition complaint, it shall:

- fill in a prescribed rejection form by stating clearly the reasons for such rejection, then put a signature and date on that form, and give a copy to the relevant CEC, a copy to the NEC and shall keep a copy for files;
- certify a rejection on the opposition complaint form and give a copy to the applicant;
- inform the applicant that the decision of the PEC shall be final.

Article 76:

Immediately after the termination of the period of registration voters and upon all the contested or opposition complaints have been definitely settled, the NEC shall determine the date and duration for posting publicly of the preliminary lists of voters at each voter registration office/station in the Commune, and at the CEC office.

Every person may have right to file a written contested or opposition complaint to the CEC against the preliminary lists of voters no later than five (5) days after these lists have been posted publicly.

Article 77:

A contested complaint may be made against a disappearance or existence of any person's name in the list of voters, but the registration was not written clearly, according to the cases as follows:

- that person has already applied for registration at any voter registration office/station, or has had already a voter registration card or a substitute certificate or any other formality or document provided during or after the voter registration period allowing him or her to register in the list of voters, but his/her name is not seen registered in the list of voters.
- that person has had already his/her name in the list of voters, but it was not written clearly.

The person who files a contested complaint shall provide the CEC with any evidence in the form of written documents.

Article 78:

An opposition complaint made against any person who is not eligible to register to vote can be done only if that person has registered and has had his/her name already in the list of voters at any voter registration office/station; or who is not eligible to register to

vote under the conditions a specified in the Article 20 of this law, but such person has had his/her name registered already in the list of voters at any voter registration station or had his/her name registered in two or more lists of voters.

The person who brought an opposition complaint shall provide additional information to the CEC following its request.

Article 79:

The CEC shall hold a public hearing no later than three (3) days after reception of the contested or opposition complaint.

The CEC shall post publicly at its office:

- the name and address of the person who brought the contested or opposition complaint and which of the person against whom the contested or oppositions is brought;
- the date, time and venue of the hearing.

Article 80:

If the CEC is in favor of the contested complaint, it shall certify the approval on the contested complaint form and shall keep a copy for files, then shall immediately register the applicants' name in the list of voters under the conditions laid down in Article 70 of this law.

Article 81 :

If the CEC rejects the contest complaint, it shall apply the formality and procedure as stated in the Article 73 of this law.

Article 82:

If the CEC rejects any opposition complaint, it shall:

- fill up a prescribed rejection form by stating the reasons for such rejection, then put a signature and date on that form, and give a copy to the person who brought the opposition complaint, a copy to the person against whom the opposition complaint was brought, and send copy to the PEC and shall keep a copy for files;
- provide a form to the person who brought the opposition or his/her representative;
- inform the person who brought the opposition complaint that he/she or his/her representative may have right bring an appeal in writing to the PEC no later than five (5) days after the reception a notification of the rejection.

Article 83:

If the CEC has decided to agree with any opposition complaint, it shall:

- certify the approve on the opposition complaint form and give a copy to the person who brought the opposition, a copy to the person against whom the opposition complaint was brought, and shall send a copy to the PEC and keep a copy for files;
- provide an contested complaint form to the person against whom an opposition complaint was brought;
- inform the person against whom an opposition was brought that he/she or his/her representative may have right to bring a contested complaint in writing to the PEC no later than five (5) days, after the reception of notification of the approval on the opposition complaint;

in case the person against whom an opposition complaint was brought failed to bring a contested complaint within the specified period, the CEC shall reject the registration of the person against whom the opposition complaint was brought, and shall delete his/her name from the list of voters, and shall revoke or reject his/her voter registration card or substitute certificate.

- the CEC shall send the document relating to the above deletion of the name from the voter list to the PEC.

Article 84:

Any contested or opposition complaint as stated in the Articles 81, 82 and 83 of this law, shall be made in writing according to a prescribed form and shall be submitted directly to the PEC no later than five (5) days, after reception of notification of the decision of the CEC.

The decision of the PEC shall be final.

Article 85:

The PEC shall hold a public hearing no later than five (5) days after reception of the formality for filing the complaint.

The PEC shall manage to post publicly at its office:

- the name and address of the person who brought the contested or opposition complaint and of the person against whom an opposition was brought;
- the date, time and venue of the hearing.

Article 86:

If the PEC is in favor of the contested complaint of any person, it shall certify the approve on the contested complaint form and give a copy to the person who brought the contested complaint, a copy to the relevant CEC, and shall keep a copy for files.

The CEC shall register applicant's name immediately in the list of voters under conditions as prescribed in Article 74 of this law.

Article 87:

If the PEC rejects the contested complaint of any person, it shall apply the formality and the procedure a specified in Article 75 of this law.

Article 88:

If the PEC is in favor of the with the opposition complaint of any person or rejects any contested complaint of any person against whom an opposition was brought, it shall certify the approval on the opposition or contested complaint form, and shall give a copy to the person who brought the contested or opposition complaint, a copy to the relevant CEC, and shall keep a copy for files.

The CEC shall refuse the registration of the person against whom the opposition was filed, and shall delete his/her name from the list of voters, and revoke and reject the voter registration card or substitute certificate of that person.

The CEC shall send to the PEC the documents relating to the deletion of name of that person from the list of voters.

Article 89:

After all the contested or opposition complaints in the Communes have been definitely settled, the NEC shall:

- sign and put a date on the list of voters for each voter registration office/station; and certify that such list is an official list of voters for the CC election;
- control and keep the official lists of voters safely.

Article 90:

The NEC may have right to delete the name of any person from the list of voters when upon there is substantial evidence proving that such person had his/her name registered in the lists of voters of many places.

Article 91:

The NEC shall make copies of the official lists of voters for each voter registration office/station and post them publicly at each registration office/station and at the CEC office, according to a date and time as determined by the NEC.

Article 92:

Any person who hold in possession of a voter registration card or any substitute certificate to the voter registration card of any person who is deceased, shall hand over that voter registration card or substitute certificate to the CEC to nullify it.

The CEC shall set up a list for the persons who have been registered in the lists of voters who are deceased, and shall certify on the list that the person is "deceased", in the lists of voters which are going to be used during the election.

The CEC shall report to the NEC through the PEC of those persons who are deceased, by enclosing the voter registration cards or substitute certificates of the deceased therewith.

Article 93:

When organizing the list of voters of each voter registration office/station, the NEC shall:

- include in that list the names of all voters, their addresses, ages, sexes, serial number of voter registration cards or substitute certificates which one voter shall possess only one, in the Kingdom of Cambodia;
- mention the name of the Commune(Khum-Sangkat) and the identification number of the voter registration offices/stations;
- organize the lists according to the same form;
- put signature and the date.

A list of voters may be re-adjusted and combined with other lists of voters in order to create a common list of voters for the communal, municipal-provincial, or national level, as determined by this law.

The NEC shall manage to update these above lists of voters every year.

Chapter VII
Registration of the Lists of Candidates
of Political Parties for the Election

of Commune Councils

Article 94:

Khmer citizens of both sexes, who intend to stand as candidates for the CC election, shall fulfill the following requirements:

- Khmer nationality by birth;
- able to read and write Khmer script;
- has registered in the list of voters of the Commune (Khum-Sangkat) where he/she intends to stand for the election;
- is at least 25 years old on the polling day of the CC election.

Article 95:

Shall not be eligible to stand as a candidate for the election of the CC, any person who is:

- a member of the National Assembly, Senate, Constitutional Council, Royal Government, and a judge ;
- a delegate of the Cambodian Royal Government, a Governor or a Deputy Governor of a province or municipality or of a district (Srok or Khan);
- a member of the NEC, PEC, CEC, and an officer of the voter registration office/station, of the polling office/station, and any staff serving in the NEC and the Election Commissions of all levels;
- a civil servant, a court official, a member of the Royal Cambodian Armed Forces, or of the National Police forces currently holding function,
- a monk or a priest of any religion;
- a clerk (Smean) of any Commune (Khum-Sangkat).

Article 96:

Any government servant, court official, member of the Cambodian Royal Armed Forces, National Police who intends to stand as candidate in the election of Commune Council, shall submit an application for a special leave permission, at least seven (07) days before the date of the electoral campaign until the date of official proclamation of the final results of the election.

If the concerned person is elected, he/she shall submit an application according to hierarchy to the concerned Ministry or concerned unit/entity for serving outside of the original regular framework, during his/her mandate, where in the above title the concerned person may have rights to retain his/her seniority of services in order to be entitled to receive a retirement.

When at the termination of mandate as member of the Commune Council, the concerned person may request to return to serve in his/her original Ministry or Unit; however, regarding the function, it will depend upon the decision of the concerned Ministry or Unit.

Article 97:

After the Prime Minister has fixed the date for the CC election under the conditions as laid down in Article 3 of this law, the NEC shall disseminate publicly in each Commune (Khum-Sangkat), of the date of election of the Commune Council, and of the date and location of registration in the list of candidates.

Article 98:

Every person who intends to stand as a candidate for the election of the Commune Council, shall include his/her name in a list of candidates of any political party.

Each list of candidates shall be prepared by a legally registered political party, under the conditions as specified by the Law on Political Parties.

Each list of candidates of any political party shall contain the names of candidates in a sequence of numerical order.

Article 99:

Each candidate shall have his/her name in only one sole list of candidates of political party.

Article 100:

In order to stand as candidates for the election of Commune Council, each political party shall file an application for registration in the list of candidates for the election of the commune council with the CEC, at least ninety (90) days before the polling day as determined by the NEC.

The application for registration shall be signed by the president of the political party or his/her representative who has been delegated the authority in writing from the Political party's president.

Article 101:

The application for registration in the lists of candidates shall be enclosed therewith:

- a copy of the letter of certification of a registration of any political party with the Ministry of the Interior;

- an address of the central office of the political party, addresses of its offices in the Communes (Khum-Sangkat), and names of its representatives in the Communes where the candidate list has been proposed;
- a list of candidates containing a number of candidates at least twice the number of seats of the CC;
- family names and given names, addresses, and serial numbers of voter registration card or substitute certificate of all the candidates in the candidate list;
- a brief personal history of each candidate filled up by his/her own hand writing, and with 3 photos of 4 x 6cm taking directly from the front, for each candidate, according to the sample as determined by the NEC;
- name of the political party written in full and in abbreviation, the logo of the political party.

Article 102:

The NEC shall fix the date for reception of the applications for registration in the candidate list for each Commune.

The NEC shall disseminate publicly the date and duration for reception of the applications for registration of the lists of candidates at all the CEC offices.

The reception of the applications for registration of the lists of candidates shall last for three (3) days only.

The CEC shall issue a receipt certifying the reception of the application for registration of the lists of candidates to each political party which has filed the application for registration of the list of candidates, and shall keep a stub of the receipt booklet for files.

In the receipt certifying of reception of an application, shall mention of the number of documents received, dates of reception and delivery, and signatures or thumbprints of the deliverer and receiver of such application.

Article 103:

After expiry of the date of reception of application for registration of the candidate lists, the CEC shall examine all those applications for registration of the candidate lists for a period of only one (1) day.

The CEC shall post publicly at its office all the lists of

candidates which applications for registration have been received, within no later than three (3) days after the date of examination of the application for registration of the lists of candidates.

Citizens in the Commune (Khum-Sangkat) who are eligible to vote may have right to raise opinions on any of the lists of candidates which are posted above to the CEC.

Article 104:

In case a list of candidates of any political party has been fulfilled properly in conformity with the conditions as specified in the Articles 94, 95, 96, 98, 99, 100 and 101 of this law, the CEC shall decide to approve on that application for registration of that candidate list, and shall issue a letter of certification for registration of the candidates list to the political party which has proposed such candidate list no later than seven (7) days, after reception that application for registration of the candidate list.

Article 105:

In case a candidate list of any political party failed to fulfill properly in conformity with the conditions as specified in the Articles 94, 95, 96, 98, 99, 100, and 101 of this law, the CEC shall notify in writing to instruct the political party which has proposed that candidate list to rectify properly in compliance with the conditions as specified in this law, and shall provide opportunity for that political party to rectify such deficient part, no later than five (5) days after reception of the letter of notification by the political party.

Article 106:

If the political party which has received the written notice of the deficiencies which were requested to be rectified, has rectified them properly and on time, the CEC shall accept on that political party's application for registration of the candidate list, and shall issue that political party a letter of certification of the registration of that candidate list.

Article 107:

If the political party which proposed the list of candidates failed to make rectification of the deficient part on time as specified in the Article 105 of this law, the CEC shall reject the application for registration of that candidate list.

The CEC shall:

- fill up a rejection form as prescribed, by stating the precise reasons for such rejection, and shall put a signature and date on that form, then give a copy to the concerned political party or its representative;
- provide a contested complaint form to the concerned political party which proposed that list of candidates;
- send a copy of the rejection form to the PEC, and shall keep a copy for files.

Article 108:

Any political party which had submitted an application for registration of a candidate list, but was rejected by the CEC, that political party or its representative may file a contested complaint in writing with the PEC, no later than five (5) days after reception of the rejection form.

Article 109:

The PEC shall hold a public hearing no later than three(3) days after reception of the contested complaint.

The PEC shall post publicly at its office, of the announcement of the venue, date and time of the hearing.

Article 110:

If the PEC is in favor of the contested complaint, it shall certify an approval and put signature on that contested complaint, then shall give a copy to the person who brought the contested complaint, and send a copy to the relevant CEC.

The CEC shall approve on that application for registration of the candidate list of that political party, and shall register that candidate list then issue a letter of certification of that registration of the candidate list to that concerned political party.

Article 111:

If the PEC rejects the contested complaint, it shall:

- fill up a prescribed rejection form by stating the reasons for such rejection, then put a signature and date on that form;
- provide a copy of the already filled up rejection form to the concerned political party and send a copy to the relevant CEC;
- provide an appeal complaint form to the political party which proposed the list of candidates, in order to bring a

- an appeal to the NEC;
- send a copy of already completed rejection form to the NEC for information, and shall keep a copy for files.

Article 112:

Any political party which has submitted an application for registration of a candidate list, and but such list is rejected by the PEC, that concerned political party or its representative may have right to bring a written contested complaint to the NEC, no later than five (5) days after reception of the notice form of the rejection.

The decision of the NEC shall be final.

Article 113:

The NEC shall hold a public hearing no later than three (3) days after receiving the contested complaint form.

The NEC shall post publicly at its office, of the announcement of the venue, date and time of the hearing.

Article 114:

If the NEC is in favor of the contested complaint, it shall certify an approval and sign on the appeal form, and shall give a copy to the concerned person who brought the appeal, and send a copy to the relevant PEC and CEC, and shall keep a copy for files.

The CEC shall give approval on the application for registration of the candidate list, and shall register that candidate list of that political party, then shall issue a letter of certification of the registration of the candidate list to that concerned political party.

Article 115:

If the NEC rejects the contested complaint, it shall:

- fill up a rejection form, then shall put a signature and date on that rejection form;
- provide a copy of the already completed form to the concerned political party or its representative, and send a copy to the relevant PEC and CEC, and shall keep a copy for files;
- notify the political party which submitted the appeal complaint or its representative that the decision of the NEC shall be final.

Article 116:

After termination of duration of the registration of candidate lists political parties, and after all the contested complaints have been settled, the NEC shall manage the CEC to post publicly at its CEC office the preliminary lists of candidates, no later than three (3) days.

Article 117:

Citizens in the Commune (Khum-Sangkat) who are eligible to vote may have right to file a written opposition complaint with the NEC against the preliminary lists of candidates as in the Article 116 of this law, no later than three (3) days after these lists were posted publicly.

Article 118:

An opposition complaint may be made against any list of candidates of the political party which failed to fulfill the Conditions as specified in the Articles 94, 95, 96, 98, 99, 100, and 101 of this law.

An opposition complaint shall show any specific candidate list of political party by showing any real deficiency in that list of candidates and the reasons for the rejection of that list of candidates.

Article 119:

The NEC shall hold a public hearing no later than three (3) days after receiving the opposition complaint.

The NEC shall inform the political party which filed the application for registration of the candidate list against which an opposition complaint was brought, and the person who brought an opposition complaint, and shall disseminate publicly the announcement of the venue, date and time of the hearing.

Article 120:

If the NEC is in favor of or rejects any opposition complaint, it shall:

- Fill up a form as prescribed by stating the reasons for such approval or rejection on the opposition complaint, then put a signature and date on that form;
- Give a copy of an already completed form to the person who brought the opposition complaint, a copy to the political party which proposed the list of candidates against which an opposition complaint was brought, a copy to the

- relevant PEC and CEC, and shall keep a copy for files;
- Inform the person who brought the opposition complaint and the concerned political party which proposed the list of candidates that the decision of the NEC shall be final.

Article 121:

If an opposition has been agreed upon, the CEC shall reject the registration of that list of candidates of political party against which the opposition complaint was brought, then shall delete that candidate list, then revoke and rescind the letter of certification of the registration of that candidate list.

Article 122:

The preliminary lists of candidates will become official lists of candidates if upon there is no opposition complaint filed against them within the period as specified in the Article 117 of this law or if such opposition complaint has been completely settled according to the conditions as specified in the Articles 119, 120, and 121 of this law.

Article 123:

Based on the official lists of candidates as outlined in the Article 122 of this law, the CEC shall proceed the drawing lots in order to determine the sequence of numerical order of the candidate lists which shall be placed in the ballot sheets, and shall report of the result of drawing lots to the NEC, through the PEC.

The procedure for the proceeding the drawing lots shall be determined by the regulations and procedure of the NEC.

Article 124:

The CEC shall post publicly at its office, the official lists of candidates and names of the candidates in each list, within seven (7) days the latest.

The official lists of candidates, their names and numerical order in each list may not be modified.

Article 125:

The political parties and candidates in the list of candidates of each political party which have been officially registered, shall comply with the Code of Ethics as determined by the NEC.

Chapter XVIII

Election Campaigns

Article 126:

The election campaign is for the purposes of giving opportunity to political parties which have been allowed to register in the list of candidates and its candidates to disseminate to the voters, of their respective policy and political program concerning the development of the Communes (Khum-Sangkat).

Article 127:

The election campaign shall be for a duration of fifteen (15) days, and all activities related to the campaign shall be terminated twenty (24) hours before the polling day.

Article 128:

During campaign activities, each political party or candidate shall not commit any act of threat, intimidation or violence against any citizen, political party, candidate, or other supporters.

A political party or candidate shall not incite the supporters or voters into committing any act of abuse, threat, violence, or intimidation against other political parties, candidates or other voters.

Article 129:

The government servants of all parts and at all levels, all Ministries and institutions of the Cambodian Royal Government and the Royal Cambodian Armed Forces and National Police shall maintain a neutral stance, impartiality, and shall not use any power or influence, or carry out any activity inclining to support for or opposition against any political party, candidates, or supporter.

Article 130:

Any local non-governmental organization or association, and any international association or organization operating in the Kingdom of Cambodia shall maintain a neutral stance and impartiality during the CC election.

Any local non-governmental organization or association, and any international association or organization in the Kingdom of Cambodia shall not perform, either directly or indirectly, any of the following activities:

- Initiates or participate in the election campaign of any political party, candidate or any of its supporter;
- Issues any statement or carries out any activity that

- supports or shows a bias for or opposition against any political party, or candidate or any of its supporter;
- Provide means in material, financial or human resources for supporting any political party, or candidate or any of its supporter.

Article 131:

During the election campaign and the elections, all political parties, candidates, and members of all political parties and their supporters shall comply with the rules, regulations, and principles as stated in the Law on Elections of the Commune Councils, and the Code of Ethics, regulations and procedures of the NEC, and shall respect the principles of Human Rights and Liberal Democracy Multi-Parties as set forth in the Constitution of the Kingdom of Cambodia.

Article 132:

The State's run newspapers, radios and televisions shall publish or broadcast, with free of charge, all the information/news which are requested by the NEC, in order to disseminate the functioning of the election and the management of the education on election.

Article 133:

The managers of the public opera hall, sport stadium, public Park or public hall shall, based on principle of equality and according to the sequence of orders and dates of the requests, provide their place to any candidate or political party which has the list of candidates for the election who requested to rent these places to be used for the election campaign.

Any political party or candidate who wished to rent any public opera hall, sport stadium, public park or public hall shall submit an application to the managers at least three (3) days in advance, before the date of the meeting for the election campaign, and shall send a copy of this application to the CEC.

The managers of these places shall respond to the above application no later than 24 hours after reception of the application.

Article 134:

Any political party of the list of candidates or any candidate may conduct an election campaign in a private place, but shall have agreement from the owner of the place and shall provide a notice in advance to the CEC, of the date of that election campaign.

Article 135:

Any political party or candidate or supporter shall neither interfere nor obstruct any activity of any other political party, candidate or supporter.

Article 136:

The authorities of all levels shall provide cooperation, on an equal basis, to maintain the safety, security, and public order during the election campaign of all political parties, lists of candidates of the political parties, and candidates in the lists of candidates of all political parties.

Chapter IX

Agents of the Political Parties and Electoral Observers

Article 137:

During the process of updating the lists of voters and the registration of voters for the election of the Commune Councils, all political parties which have been legitimately registered according to the Law on Political Parties for at least ninety (90) days before the date of beginning to update the lists of voters and the registration of voters, may have right to appoint an agent and a reserved agent, called as the "agent of the political party", at each voter registration office/station.

Only one sole agent of each political party shall be authorized to enter a voter registration office/station.

A reserved agent of a political party shall be authorized to substitute a full fledge agent only when upon that full fledge agent is absent.

Article 138:

Any political party which has been registered legitimately according to the Law on Political Parties, and which is willing to send its agents to participate in monitoring the process of updating the lists of voters and the registration of voters for the CC election, shall file an application for registration of its agents with the CEC no later than seven (7) days before the date of beginning to update the list of voters and the registration of voters as stated in the para. 2, of the Article 49 of this law.

The application for registration as the agents of the political party shall be enclosed a copy of the letter of certification of the registration of that political party at the Ministry of Interior, a list of agents of political party who are adults by mentioning the family name and given name, date of birth and address of each agent of the political party, as well as the name of the voter registration office/station where each agent is to perform his/her works.

Article 139:

The CEC shall register the names, and provide an identification card to any agent of the political party who has fulfilled properly the conditions as specified in the Article 138 of this law.

In case any agent of the political party who failed to fulfill the conditions as specified in the Article 138 of this law, the CEC shall make a written rejection of the name of that person to the concerned political party no later than three (3) days after the reception of the application.

The concerned political party may have right to file an application for registration of a new name of agent, for one more time, in place of the agent whose name has been rejected, with the CEC within three (3) days the latest after the date of reception a notice in writing of the rejection.

Article 140:

A political party which has the list of candidates for the election of the CC may have right to appoint an agent and a reserved agent, called the "agent of the political party" for each polling office/station and ballot counting office/station of the Commune (Khum-Sangkat) where it has a list of candidates standing for the election.

The agent of the political party for each polling office/station and ballot counting office/station shall have his/her name registered in the list of voters of any polling office/station in that Commune (Khum-Sangkat).

Only one sole agent of each political party shall be authorized to enter any polling office/station and ballot counting office/station.

The reserved agent of a political party shall be allowed to replace the full fledged agent only when upon the latter is absent.

Article 141:

A political party which has its list of candidates for the election of the CC shall apply for registration of its agents with CEC no later than seven (7) days after the date of posting of the lists of candidates according to the conditions as specified in the Article 124 of this law.

In the application for registration of the agents of the political party shall mention the family name and given name, birth date, address, serial number of the voter registration card or substitute certificate of each agent, and the name of the polling office/station where the agents are to perform their works.

Article 142:

The CEC shall register and provide an identification card to those agents of the political parties who meet the conditions as specified in the Articles 140 and 141 of this law.

In case any agent or reserved agent of the political party does not fulfilled properly the conditions as specified in the articles 140 and 141 of this law, the CEC shall make a written rejection of the name of that person to concerned political party no later than three (3) days after the reception of the application.

The concerned political party may have right to file with the CEC , a new application for registration of the of its agent or reserved agent for one more time, in place of the agent and reserved agent who have been rejected, no later than three (3) days after the reception of the written notice the rejection.

Article 143:

Any political party which has no lists of candidates standing for the CC election in any Commune (Khum-Sangkat), may have right to send its members who are eligible to vote to elect the CC to participate as electoral observers during the polling and ballot counting processes.

Article 144:

Any political party which has no list of candidates for the CC election as stated in the Article 143 of this law, shall apply for registration of its electoral observers with the NEC no later than seven (7) days, after the date of posting publicly of the lists of candidates under conditions as specified in the Article 124 of this law.

The application for registration of the electoral observers of the political party which has no list of candidates for the CC election shall mention the family name and given name, address, serial number of voter registration card or substitute certificate of each electoral observer, and the polling office/station well as the ballot counting office/station where such electoral observer shall perform their works.

Article 145:

The NEC shall register and provide an identification card to the to any electoral observer of the political party which has no list of candidates for the CC election who has fulfilled sufficient conditions as stated in Articles 143 and 144 of this law.

In case any electoral observer fails to fulfill properly the conditions as stated in the Articles 143 and 144 of this law, the NEC shall reject in writing the name of that person, to the concerned political party no later than three (3) days after reception the application.

The concerned political party may file with the NEC for one more time, an application for registration of the new electoral observers in place of those who have been rejected, no later than three (3) days after reception of the notice in writing of the rejection.

Article 146:

When participating in observing during the process of the election and ballot counting, the electoral observers of the political party which has no list of candidates shall not carry out any activity as stated in the Article 158 of this law.

Article 147:

Associations and non-governmental organizations may have right to participate in title as electoral observers during the whole election process.

Article 148:

A Committee called the " Coordination Committee of Associations and Non-governmental organizations for Observing the Elections", shall be established for at least thirty (30) days before the date of beginning of the examination of the lists of voters and the registration of voters, to coordinate with the NEC in organizing the observers of the Associations and NGOs for participating in

observing during the processes of updating the lists of voters, registration of voters, casting ballots and ballot counting.

"The Coordination Committee of the Associations and NGOs", shall terminate its mandate after the official proclamation of the election results of the CC election for with each mandate.

Article 149:

The Coordination Committee of the Association and NGOs for Observing the Elections" shall consist of one (1) President, two (2) Deputy-Presidents and four (4) members.

The President, Deputy-Presidents, and members of the Coordination Committee of the Associations and NGOs for Observing the Elections shall be elected according to the procedure as determined by the NEC.

Article 150:

The Associations and NGOs which are willing to be members of the Coordination Committee of the Associations and NGOs for Observing the Elections shall have the following qualifications:

- shall have been officially registered with the Ministry of Interior of the Kingdom of Cambodia for at least nine (9) months before the date of the election of the Commune Councils;
- shall have a Statutes (By-laws) or similar document stating of its goals and objectives for upgrading the Good Governance, Democracy or election or Human Rights or law or social justice.

Article 151:

Those Associations and NGOs which have sufficient qualifications as required in the Article 150 of this law and which are willing to join as members of the "Coordination Committee of the Associations and NGOs for Observing the Elections", shall file an application in writing with the NEC according to the formality as determined in the regulations and the procedure of the NEC.

Article 152:

The "Coordination Committee of the Associations and NGOs for Observing the Elections" shall have the following duties:

- to collaborate with associations and NGOs in organizing Electoral Observers of the Associations and NGOs to participate in observing the processes of updating the lists of voters, registration of voters, casting ballots and ballot counting according to the instructions of the

- NEC;
- to train the electoral observers of the Associations and NGOs of the laws and procedures relating to the elections;
 - to seek for financial and material resources to ensure to have sufficiently available of means to serving for the electoral observing processes;
 - to collaborate with the NEC in undertaking voter education to the purposes of election and procedures relating to the whole election process;
 - to collaborate with the NEC in questing for assistance of means, materials and budgets for serving in the elections;

The means and budget for the operations of the Coordination Committee of the Associations and NGOs for Observing the Elections shall not fall at the burden of the State's budget.

Article 153:

The NEC may decide to dismiss any member of the Coordination Committee of the Associations and NGOs for Observing the Elections, if such member contravenes of the provisions of this law or regulations and procedures of the NEC.

Article 154:

After consultation with the Coordination Committee of the Associations and NGOs for Observing the Elections, the NEC shall determine though its regulations and procedure:

- The number of electoral observers of the Associations and NGOs for each voter registration office/station, polling office/station, and ballot counting office/station;
- The qualifications required for electoral observers of the Associations and NGOs.

Article 155:

The Coordination Committee of the Associations and NGO for Observing the Elections shall file an application for registration as electoral observers of the Associations and NGOs, with NEC according to time and procedure determined by regulations of NEC.

Article 156:

The NEC shall register and provide an identification card to any electoral observer who has sufficient qualifications as required by regulations and procedure of the NEC.

In case any electoral observer does not have sufficient qualifications, the NEC shall reject in writing the name of that

person in writing to the Coordination Committee of the Associations and NGOs for Observing the Elections within five (5) days the latest, after the reception of the application.

The Coordination Committee of the Associations and NGOs for Observing the Elections may have right to file with the NEC for one more time, an application for registration of new electoral observers in place of those who were rejected, no later than three (3) days after reception of the notice in writing of the rejection.

Article 157:

The agents of each political party which has the right to be present at each voter registration office/station, polling office /station or ballot counting office/station where they have received authorization from the CEC.

The agents of each political party may have right to file an opposition complaint against all violations the provisions of this law or regulations and procedures which they have seen by their own eyes.

The opposition complaints shall be filed with the Chief of the voter registration office/station, the Chief of the polling office /station and Chairman of the ballot counting office/station when there is any violation or after there was a violation.

An opposition shall be made according to the conditions as determined by the NEC.

Article 158:

Agents of the political parties shall not:

- give any instruction or reprimand any voter registration officer, electoral officer and ballot counting officer;
- disturb or interfere in the process of updating the lists of voters, registration of voters, casting ballots and ballot counting;
- raise an opposition or file an opposition complaint to any person other than the Chief of the voter registration office/station, Chief of the polling office/station and Chief of the ballot counting office/station;
- contravene any provisions of this law or any regulations and procedure of the NEC.

Article 159:

Electoral observers shall not:

- give any instruction or reprimand any electoral officers of the voter registration office/station, polling office /station, and ballot counting office/station;
- disturb or interfere in the process of updating the lists of voters, registration of voters, casting ballots and ballot counting;
- contravene the provisions of this law or regulations and procedures of the NEC.

Article 160:

The NEC shall publicize to the political parties, Associations and NGOs undertaking to observe the election of the administration and functioning of the CC election, important provisions of the Law on Commune Administration, and its regulations and procedures.

Article 161:

The NEC shall invite representatives of the international NGOs, representatives of countries and of international organizations to participate in observing in the elections.

Article 162:

The NEC may set up regulations for agents of the political parties and electoral observes pursuant to the provisions of this law.

Chapter X

**Organization, Administration and Functioning
of the Elections**

Article 163:

Each Commune (Khum-Sangkat) shall have its own distinct ballots provided by the NEC.

Article 164:

The NEC shall assure the publication of sufficient number of ballots for each Commune (Khum-Sangkat) on white color papers.

Article 165:

Each ballot sheet shall have its stub;
Serial numbers in sequence of numerical order shall be printed on the stub of each ballot.

Article 166:

Each ballot sheet shall bear the logos of political parties, and names of political parties written in full and in abbreviation.

The logo of each political party, and its name written in full and in abbreviation which are to be placed on the ballot sheet, shall be arranged according to the sequence of order, based on the results of the drawing lots as stated in the Article 123 of this law.

Article 167:

The NEC shall assure in providing sufficient number of ballot boxes for each Commune (Khum-Sangkat).

Every ballot box shall:

- have a lid attached with it ;
- be well secured that no ballots could be taken out from the inside of the box, when the lid is not open;
- have a key or other device for locking the box, when closing the lid;
- bear a clear number tag or other mark on the outside part of the box which cannot be changed or erased easily, and that such a number tag or mark shall be the only one which exists for that specific ballot box, which will indicate that the ballot box belongs to any Commune (Khum-Sangkat) and polling station.

Article 168:

The NEC shall assure to have official secret stamps available in sufficient number and distinctly for each polling office/station of each Commune (Khum-Sangkat).

Each polling office/station shall have an official secret stamp for affixing on the back of each ballot.

The NEC shall set up a regulations and procedure for the delivery and reception, and for the delivery back and shall assure the confidentiality of the seal.

Article 169:

The CEC shall deliver all election materials necessary for serving the election to the polling office/station not later than thirty six (36) hours before the polling day.

Each polling office/station shall inspect and sign on the receipt of all the election materials which are delivered to it.

The NEC shall set up a regulations for determining the election materials, and a procedure for the delivery, reception, and the

delivery back of the election materials, and shall assure the confidentiality and security of the ballots.

Article 170:

The NEC shall ensure that each polling office/station has the following necessary materials and equipment:

- desks and chairs for electoral officers;
- lists of voters;
- ballot papers which have still not been used;
- ink for finger;
- polling booths;
- ballot box;
- Other necessary materials and equipment.

Article 171 :

Twenty-four hours before the polling day, the Chief of each polling office/station shall convene a meeting of all electoral officers to control their presence, examine the location of each polling office/station, and the materials and equipment serving for the election.

If any electoral officer is absent, he/she shall be replaced by a newly appointed electoral officer according to provisions as outlined in the regulations and procedures.

The Chief of the polling office/station shall manage so that the polling office/station has all necessary election materials, equipment and furniture.

The Chief of the polling office/station shall examine the security situation at the polling office/station, and take actions to provide security when needed.

Article 172:

On the polling day, all electoral officers who have been assigned to work at each polling office/station shall be present at the polling office/station at 06:00 hours, by bringing with them all necessary election materials and equipment.

For the agents of political parties and electoral observers shall be allowed to enter the polling offices/stations at 06:00 hours.

Article 173:

On the polling day between 06:00 hours and 06:30 hours, the

electoral officers shall organize the following tasks:

- to properly check again the ballot box which are provided and its number tag or mark;
- to show to the people in the polling office/station that each ballot box do not contain anything in it;
- to close the its inner lid of the box, and lock it with the sealed key ;
- to stick a number tag or mark on each ballot box, and stamp a seal of the polling office/station on it;
- to allow the agents of political parties and electoral observers to examine the ballot boxes and number tags or marks on these boxes.

In case the election materials and equipment are delivered to the polling office/station after 06:30 hours; the Chairman of the polling office/station shall comply with the above procedure.

In such case the Chairman of the polling office/station may suspend the polls at that polling office/station for temporary, until the above procedure has been fully completed.

After sticking the identification number tags and marks on the ballot boxes, these boxes cannot be opened, except only for the purpose of counting the votes as stated in this law, and moreover, it is not allowed to take them out of the polling office/station, except when transporting to the ballot counting place when the law or regulations requires to count in another place.

Article 174:

Between 06:30 hours and 07:30 hours, the Chairman of the polling office/station shall manage to open the envelope which contains the secret stamp for affixing on the back of the ballots, count the ballots and take record of their number, and serial number the stubs of the ballots according to the formality as determined by the NEC.

Article 175:

The Chairmen of the polling offices/stations shall open the polling offices/stations at 07:00 hours.

Article 176:

Those persons who may be allowed to enter the inner perimeter of a polling office/station are only those who have a voter registration card or a substitute certificate for that polling office/station, and who have not yet cast the ballots.

Any person who does not show his/her valid voter registration card or substitute certificate for his/her polling office/station , shall not be allowed to enter the polling office/station.

Each voter will be provided with a ballot in the polling office/station, if upon he/she has fulfilled the conditions as follows:

- he/she has a voter registration card or a substitute certificate properly;
- he/she has his/her name and serial number of the voter registration card or substitute certificate in the list of voters for that polling office/station;
- he/she has not yet cast the ballot, and has allowed the electoral officer to check his/her finger.

Each voter shall make a mark on a ballot solely by himself/herself in a separate polling booth, and shall insert the already marked ballot into a ballot box in the polling office/station, and then shall let the electoral officer to soak his/her finger in the indelible ink according to the prescribed procedure.

The NEC shall set up regulations for application of this Article, and determine the management of the electoral procedure in polling offices/stations.

Article 177:

Any voter who unintentionally spoils a ballot, shall deliver it to the electoral officer of the polling office/station, and in return, the electoral officer shall give him/her a new replaced ballot according to a procedure as determined by the NEC.

Article 178:

Any voter who is a handicapped and who is unable to cast a vote by him/herself, may have right to choose an adult assistant to accompany him/her or may seek help from the Chief of the polling office/station.

Article 179:

The NEC shall set up regulations to protect the rights of the voters who are physically handicapped and who are unable to soak their finger in the indelible ink.

Article 180:

No person shall be allowed to enter to interfere or help any voter who is being inside the inner perimeter or in the polling

office/station, except if there is an authorization pursuant to the provisions of this law.

Article 181:

An electoral officers of the polling office/station or agent of the political party may have right to file an opposition complaint against any person in the polling office/station, if that individual fails to fulfill any of the conditions as specified in the Article 176 of this law.

The opposition complaint shall be filed with the Chairman of the polling office/station.

In case the Chairman of the polling office/station found out that such person has not fulfilled any condition as specified in the Article 176 of this law, that person shall not be allowed to cast vote, and shall be accompanied by an electoral officer of the polling office/station to the outside of the polling office/station and of its inner perimeter.

In case the Chairman of the polling office/station decides that such person has met the conditions as specified in the Article 176 of this law, that person shall be allowed to vote.

The decision of the Chairman of the polling office/station shall be final.

The NEC shall determine through regulations the procedure for filing an opposition complaint, solution and taking record of the above case.

Chapter XI
Closing the Polls, Ballot Counting, and Collecting,
Delivery and Reception of Election Materials

Article 182:

The Chairman of the polling office/station shall declare to close the polls at 15:00 hours.

All persons who are willing to vote, shall not be allowed to enter the inner perimeter of the polling office /station, after 15:00 hours.

All persons who may have right to vote after 15:00 hours and who shall be allowed to cast votes are those who are being actually

inside the polling office/station or the inner perimeter of that office/station at 15:00 hours.

Article 183:

Immediately after declaring to close the polls and after all voters have cast their votes, the Chairman of the polling office /station in presence of the agents of political parties and electoral observers, shall:

- Close the holes for casting votes of all the ballot boxes respectively with a piece of paper on which there are signatures of the Chairman of the polling office/station and agents of the political parties, then shall put the outer lids over them and lock the boxes; and then shall allow the agents of the political parties and electoral observers to examine all those boxes.
- Take record in a minutes of the number of voters who came to the polls;
- Fill up and sign a form showing the number of ballot sheets received, the number of ballot sheets provided to the voters, the number of spoiled ballots or ballots seized in the polling offices/stations;
- Separate the stubs of the ballots, which have been used, from those of the ballots, which are still not used.

Show the form which has been already completed and signed to the agents of the political parties and electoral observers for examining.

Agents of the political parties shall participate in signing or putting thumbprints as witnesses on the above minutes.

Article 184:

The ballots shall be counted at each polling office/station in the Commune (Khum-Sangkat).

For any polling station, which is unable to count the ballots at its polling office/station because of a force majeure or insecurity, the NEC shall set up a separate instruction.

The NEC shall organize and manage the ballot counting offices /stations in accordance with the provisions of this law.

Article 185:

The electoral officers at each polling office/station shall be responsible for the ballot counting in their own office/station; in

such a case the polling office/station shall become a ballot counting office/station.

In case the ballots are to be counted at any other place different from the polling office/station under conditions as in the para.2 of the Article 184 of this law, the NEC shall assign electoral officers of that polling office/station to count the ballots or may assign other electoral officers to count the ballots if the electoral officers of that polling office/station are absent.

Article 186:

All persons who are actually inside the ballot counting office/station and in the inner perimeter of that office/station shall be subject to under the management and control of Chief of the ballot counting office/station following the advice of the NEC.

Article 187:

The NEC shall ensure to have some necessary materials and equipment sufficiently available at each ballot counting office/station, which includes desks and chairs for the ballot counting officers.

The ballot counting shall be proceeded in only one place, for each polling office/station.

Agents of political parties and electoral observers shall be arranged to sit/stay at a distance close enough that they could see all the activities of the ballot counting.

Article 188:

After fulfilling the formality and conditions as required in the Articles 183, 184, and 185 of this law, the Chairman of the ballot counting office/station shall manage to open the ballot boxes, and pour out all the ballots from each box, then shall:

- Put the objects which are not ballots separately, if any;
- Unfold the ballots bearing official secret seal on the back by placing them face-down in the first pile;
- In case the cast ballots bear no official secret seal on their back, shall be placed separately in the second pile;
- Count these two piles of the face-down ballots and record them down, then show the numbers of the two piles of ballots to the agents of political parties and electoral observers.

The Chairman of the ballot counting officer/station shall check up the number the counted ballots from the ballot box against the

number of ballots recorded in a form completed according to the conditions as stated in the Article 183 of this law, then shall show the result of this check up to the agents of political parties and electoral observers, in order to enable them to follow up and make assessment of that result.

Article 189:

Electoral officers of the ballot counting offices/stations shall turn face-up all the ballots bearing secret seal on the back in the first pile as stated in the Article 188 of this law, then shall split them into valid ballots and invalid ballots.

An invalid ballot is a ballot:

- which was not provided by the electoral officers of the polling offices/stations;
- on which there are marks for more than one lists of candidates;
- which contains no mark;
- Which is not marked clearly;
- Which is torn or spoiled.

After this the electoral officers of the ballot counting office /station shall count the valid ballots which were marked for each list of candidates.

The ballots shall be counted according to a process that all the agents of political parties and electoral observers can see the mark on each ballot.

Article 190:

When there is any objection against the ballots which have been counted according to the conditions stated in the Article 189 of this law, those objected ballots shall be placed separately, and shall solved according to the conditions as in the Article 191 this law.

Article 191:

The electoral officers of the ballot counting office/station shall examine all the objected invalid ballots and valid ballots according to the conditions as in Articles 189 and 190 of this law.

The examination of these ballots shall be done openly, before the agents of political parties and electoral observers, and shall ask for their suggestions/opinions.

After considering all these suggestions/opinions, the ballot counting officers who have been appointed shall decide to reject (nullify??), and shall not count these ballots:

- which was not provided by the polling office/station;
- which bears no secret official seal on its back;
- which is marked for more than one lists of candidates;
- which contains no mark;
- which contains a mark, but cannot be considered as valid, since that mark make it not possible for the ballot counting officers to conclude as for which list of candidates it was marked for;
- which contains a mark which enables the public to identify the voter;
- which is torn or spoiled and which is not valid.

The ballots which have been accepted under this Article, shall taken out to count and be added to the number of ballots which have been counted according to the conditions as stated in the para. 3 and 4 of Article 189 of this law, whether or not there is an objection to such acceptance.

Article 192:

After fulfilling the conditions as stated in the Articles 188, 189, 190 and 191 of this law, the Chairman of the ballot counting office/station shall make up a minutes of the preliminary results of the ballot counting for his/her office/station according to regulations and procedures as determined by the NEC, and shall show these preliminary results to the agents of political parties and electoral observers.

The agents of political parties shall participate in signing or putting thumb-print on such above Minutes.

In the minutes of the preliminary results of the ballot counting shall be recorded of the total number of the counted ballots from the boxes, number of rejected ballots which were not counted, number of valid ballots which were counted, number of spoiled ballots, number of remaining ballots, and the number of cast ballots for each list of candidates which are arranged according to a sequence of numerical order on the ballots.

The Minutes of the preliminary results of the ballot counting for each polling office/station shall be subject to a review by the Election Commissions of higher levels and by the NEC.

Article 193:

The Minutes of the preliminary results of the ballot counting as mentioned in the article 192 of this law, shall be made into three (3) copies, where:

a copy shall be sent to the CEC by enclosing a list (s) of voters, stubs of the already used ballots, ballots which have not been used, valid ballots, invalid ballots, spoiled ballots, ballot boxes, secret seal for the polling office/ station, opposition or contested complaints, if any, and documents and other necessary materials and equipment as determined by the NEC;

The documents and materials and equipment above shall be arranged or inserted in separate envelopes according to the instructions of the NEC .

- A copy shall be posted publicly at the ballot counting office/station until the day the official election results are proclaimed.

- A copy shall be posted for publicly at the CEC office until the day the official election results are proclaimed.

Article 194:

The NEC shall determine in more practical and further detail of:

- the ballot counting procedure;

- Instructions on the taking record in the minutes of the ballot counting in the ballot counting office/station;

- the method of collection, packing, and specifying properly in detail the items of election materials for the reception and delivery, and of report to the CEC.

- Procedure for the CEC to review the minutes of the ballot counting, summing up the election results for each ballot counting office/station, and control of the election materials and equipment which are received from all ballot counting offices/stations.

Article 195:

In case there is a decision from the NEC that the ballots shall be counted the ballots at any other place than the ballot counting office/station, the ballot counting at such other place shall comply with the procedure as provided for in the Articles 188, 189 190, 191, 192, 193, and 194 of this law.

Article 196:

After totally completed the minutes of the ballot counting and collection election materials, the ballot counting officers shall

bring forwards the minutes and election materials to the CEC.

The agents of political parties and electoral observers shall be allowed to participate in the transport, reception and delivery of the above ballot counting Minutes and election materials.

Article 197:

The CEC shall be present at their office to wait for receiving the ballot counting minutes and election materials from all the ballot-counting offices/stations, from 15:00 hours until after all the ballot counting minutes and election materials have been received from all the ballot-counting offices/stations subordinate of the Commune (Khum-Sangkat).

When receiving all the ballot counting minutes and election materials, the CEC shall sign on a reception-delivery form and then shall give a copy to the Chairman of the ballot counting office/station and keep a copy for files.

Agents of political parties shall be allowed to join in signing or putting thumb-prints as witnesses on reception-delivery form.

Article 198:

The CEC shall review and sum up the preliminary results of the ballot counting from all ballot counting offices/stations no later than three (3) days, after reception of the minutes of the election and election materials from all the ballot counting offices /stations.

In reviewing and summing up the preliminary results of the ballot counting, the CEC may not open up the package of ballots and may not re-count the ballots, for any ballot counting office/station where there was no contested or opposition complaints against the preliminary results of the election.

The agents of political parties and electoral observers shall be allowed to participate in the review and summing up of the preliminary results of ballot counting and the election materials collected from all the ballot counting offices/stations of each Commune (Khum-Sangkat).

Article 199:

The ballot counting minutes and election materials received from each ballot counting office/station shall be noted and kept separately at each ballot counting office/station.

The CEC shall make up a minutes of summing up the preliminary election results in its Commune (Khum-Sangkat) according to the formality as determined in the regulations and procedure of the NEC.

The above minutes shall be made into three (3) copies, where:

- A copy shall be sent to the PEC, by enclosing with it the lists of voters, stubs of the used ballots, ballots which have not been used, valid ballots, invalid ballots, spoiled ballots, a secret seal for affixing on the back of the ballots for each polling office/station, the contested or opposition complaints, if any, and other materials and documents;
- A copy shall be posted publicly at the CEC office until the official proclamation of the final results of the election;
- And a copy shall be kept for files.

Article 200:

In case there is any opposition or contested complaint against any irregularity which might affect the preliminary result of the election at any polling office/station, the CEC shall review the preliminary results of election of that polling office/station before the agents of political parties and electoral observers, by:

- checking the serial numbers of all the ballot stubs which have been delivered to the polling office/station by against the serial numbers of the ballot stubs received in return from that polling office/station;
- checking the lists of voters who came to vote;
- checking and counting the valid ballots which have been cast in favor of each list of candidates of the political parties;
- Checking the invalid ballots;
- Counting the number of spoiled ballots;
- Counting the number of unused ballots;
- checking the official secret seal which was delivered to that polling office/station;
- checking the ballot boxes of that polling office/station and their marks or identification numbers against the marks and identification numbers of the ballot boxes which have been delivered to that polling office/station.

The valid ballots, invalid ballots, and spoiled ballots shall be tied up in bunches, according to the instructions of the NEC.

After the above review, the CEC shall make a report and raise a recommendation to enclose together with the minutes of the election, and submit them to the PEC for consideration and decision.

Article 201:

When receiving the minutes of summing up of the preliminary result of the election of each Commune (Khum-Sangkat), the PEC shall sign on a reception-delivery form, then shall give a copy to CEC, and shall keep a copy for files.

Article 202:

The NEC shall set up a more detail regulations and procedure for application regarding the administration and functioning of the ballot counting pursuant to the provisions of this law.

Article 203:

The PEC shall review the preliminary results of elections of all the Communes (Khum-Sangkat) under its jurisdiction no later than five (5) days, after reception of the minutes of the preliminary results of election from each Commune (Khum-Sangkat).

When reviewing the preliminary results of election of each Commune (Khum-Sangkat), the PEC may not open the package of ballots of any Commune (Khum-Sangkat) or of any polling office/station, if there is no contested or opposition complaint against the preliminary results of election of that Commune (Khum-Sangkat) or of the polling office/station of that Commune.

For any Commune (Khum-Sangkat) or polling office/station where there is/are contested or opposition complaint(s), the PEC may open up and examine all the election materials and may recount the ballots, if necessary.

In any Commune (Khum-Sangkat) where there is a difference of votes of 0.5 % in maximum between two or more candidate lists, and of which there is/are contested or opposition complaint(s) which is/are correctly in conformity with the conditions of the article 210 of this law, the PEC shall open up and examine the electoral materials and recount the ballots.

The concerned CEC, agents of political parties, electoral observers of that Commune (Khum-Sangkat) and the person who brought the opposition(s) as stated in the Article 210 of this law, may participate during the process of reviewing of the preliminary

results of the election conducted by the PEC.

After the reviewing of the preliminary results of the election of each Commune (Khum-Sangkat) have been totally completed, the PEC shall determine the number of seats received by each list of candidates of the political party, and take up the names of candidates who have been elected as members of the Commune Council of each Commune (Khum-Sangkat) according to the conditions as stated in the Article 24 of this law, and then shall determine the names of the elected candidates who are to assume the positions as President of the CC, Chief of Commune (Mékhum or Chau-Sangkat) and Deputy-Chief of Commune (Chumtup or Chau-Sangkat rong), according to the conditions as stated in the Articles 32, 33, 34, and 34 of the Law on Commune Administration, and then shall make a report to the NEC following a prescribed form.

In determining the elected candidates to assume the positions of President of the CC, Chief of Commune (Mékhum or Chau-Sangkat) and Deputy-Chief of Commune (Chumtup or Chau-Sangkat rong), if there are two or more candidate lists of political parties received equal votes, the PEC shall organize drawing lots in conformity with the procedure as determined by the NEC.

Chapter XII
Preliminary Results of Election,
Final Results of Election, and Contest
Against the Election Results.

Article 204:

During the reviewing of the results of the election of each Commune (Khum-Sangkat), if upon finding out that there is any irregularity in the election, but which does not lead to any change of the election results, the PEC shall fill up an approval form and put a signature on it, then show that approval on the preliminary results of election of that Commune (Khum-Sangkat) to the agents of political parties and electoral observers.

Article 205:

In case if the irregularity leads to any change of the preliminary results of the election, the PEC shall suspend the preliminary results of election of the concerned Commune (Khum-Sangkat), then shall reject the preliminary results of election in that Commune or in that polling office/station, by:

- declaring that the preliminary results of election in that Commune (Khum-Sangkat) or in that polling office/station has been rejected;
- filling up a notification form to notify of the decision on the contested complaint by indicating the reasons of such refusal of the preliminary results of the election, then put a signature and date on that form;
- declaring that the decision of the PEC is being subject to a review by the NEC;
- sending a letter of notice form of the decision on the complaint to the NEC, a copy thereof to the relevant CEC, a copy to the person who filed the contested complaint, a copy to all representatives of the political parties who have lists of candidates in that Commune, and a copy shall be kept for files.

Article 206:

The PEC shall send a letter of notice of the decision on rejection of the preliminary result of the election of any Commune (Khum-Sangkat) or any polling office/station no later than twenty four (24) hours, to the NEC for a review.

The NEC shall review and take decision on the PEC's decision of rejection of the preliminary result of election of the Commune (Khum-Sangkat) no later than 4 days, after the reception of the letter of notice of the decision on the contested complaints.

Article 207:

If the NEC is not accepted with the PEC's decision of rejection of the preliminary results of the election, it shall :

- declare that preliminary results of the election in that Commune (Khum-Sangkat) or any polling office/station of that Commune have been considered as fair results;
- fill up a prescribed form by stating the reasons of the disagreement with the PEC's decision, then shall put a signature and date on that form;
- send a copy of that form to the relevant PEC, CEC, person(s) who filed the contested complaint(s), all

representatives of the political parties having the lists of candidates in that Commune (Khum-Sangkat), and a copy shall be kept for files.

Article 208:

In case if the NEC is accepted with the PEC's decision of rejection of the preliminary results of the elections, it shall:

- declare that preliminary results of the election in that Commune or any polling office/station of that Commune have been rejected;
- fill up a prescribed form by stating the reasons for such rejection of preliminary results of the election, then put a signature and date on that form;
- send a copy of that form respectively to the relevant PEC, CEC, person(s) who filed the contested complaint(s), all representatives of political parties having the list of candidates in that Commune, and another copy shall be kept for files.

Article 209:

In case if the NEC rejects the preliminary results of election of any Commune (Khum-Sangkat) or of any polling office/station, it shall manage to organize a re-election no later than thirty (30) days, after the preliminary results of election have been rejected. A re-election shall be conducted at the same polling station(s) for the same list of voters, and the same lists of candidates of the political parties as of the previous election.

The provisions as stated in Chapters 8, 9, 10, 11 and 12 of this law shall be applicable for the re-elections, except for the ballots which are to be printed on papers of different color from the previous ones.

Article 210:

All persons who have been registered in the lists of voters of that Commune (Khum-Sangkat) or political parties which have the lists of candidates may file opposition complaints to the PEC, against the preliminary results of election in that Commune or in any polling office/station of that Commune (Khum-Sangkat).

An opposition complaint shall be made in writing and filed with the PEC no later than three (3) days, after the CEC has posted publicly the preliminary results of election of that Commune.

Opposition complaints shall be based on any irregularity during the

election process, which leads to any change of the election results.

An opposition complaint shall be based on precise grounds by indicating the place and time where such irregularity has occurred, names and addresses of the witnesses, and other justifiable supports or evidence.

The PEC shall make a decision on the opposition complaints within no later than five (5) days, after reception of the opposition complaints.

Article 211:

In case if the PEC finds out that the opposition complaints do not have any reasonable ground or that there is no effect which leads to any change of the election results, it shall reject the opposition complaints, by :

- informing the persons who brought the opposition complaints that their opposition complaints have been rejected;
- filling up a prescribed form of rejection by indicating the reasons for such rejection, then put a signature and date on that form;
- informing the persons who brought the opposition complaints that the concerned persons or their lawful representatives may file contested complaints with the NEC, against the decisions of rejection of the PEC no later than four (4) days, after the reception of the rejection form;
- providing a form to the persons who filed the oppositions or their representatives for filling a contested complaint;
- Sending a copy of the filled up form of rejection respectively to NEC, relevant CEC, persons who filed the appeal, all representatives of the political parties having the lists of candidates in that Commune, and a copy shall be kept for files.

Article 212:

If the PEC is accepted with the opposition complaints, it shall reject the preliminary results of the election in that Commune, by:

- informing the persons who brought the opposition complaints that their opposition complaints have been accepted;
- declaring that preliminary election results in that Commune (Khum-Sangkat) or in any polling office/station of that Commune (Khum-Sangkat) have been rejected;
- filling up a prescribed form of rejection of the preliminary results of the election by stating the reasons

- for such rejection, then put a signature and date on that form,
- declaring that the PEC's decision is being under review by the NEC;
 - sending a copy of the rejection form respectively to the NEC, CEC, persons who filed the opposition complaints, all representatives of the political parties having the lists of candidates in that Commune (Khum-Sangkat), and a copy shall be kept for archives.

Article 213:

The NEC shall review the preliminary results of election in any Commune (Khum-Sangkat) or in any polling office/station of that Commune (Khum-Sangkat) where there were opposition complaints filed against it no later than four (4) days, after reception of the contested complaint forms as stated in the Article 211 of this law, or of the rejection forms of the preliminary results of election, as stated in Article 212 of this law.

When reviewing the preliminary results of election in any Commune or polling office/station of that Commune where there are opposition complaints, the NEC may, if necessary, open and inspect all election materials, and recount the ballots in that Commune (Khum-Sangkat) or any polling office/station of that Commune (Khum-Sangkat).

In case any Commune (Khum-Sangkat) has differences of votes between two or more candidate lists of 0.5 % at most, and where there are contested or opposition complaints in that Commune (Khum-Sangkat), according to the conditions as stipulated in the article 210 of this law, the National Election Committee (NEC) shall open and inspect the election materials and recount the ballots.

The review of the preliminary results of the election as stated above, shall be proceeded in presence of the agents of political parties, electoral observers and the concerned persons who have brought the opposition complaints.

Article 214:

In case if upon finding out that the opposition complaints against the preliminary results of election in any Commune or polling station of that Commune (Khum-Sangkat) were based on no reasonable grounds or did not have any affect which lead to any change of the election results, the National Election Committee (NEC) shall reject these opposition complaints, by:

- informing the persons who brought the opposition complaints or their representatives that their opposition complaints have been rejected;
- declaring that the preliminary election results in that Commune or any polling station of that Commune (Khum-Sangkat) have been considered as fair;
- filling up prescribed rejection forms by stating the reasons for such rejection, then put a signature and date on those forms,
- informing the persons who brought the opposition complaints or their representatives that the decisions of the NEC are final;
- sending a copy of the already filled-up rejection forms respectively to the relevant PEC and CEC, persons who brought the oppositions complaints, all representatives of political parties having the lists of candidates in that Commune (Khum-Sangkat), and another copy shall be kept for files.

Article 215:

If the NEC is accepted with the opposition complaints against the preliminary results of election in any Commune or polling office/station in that Commune, it shall:

- inform the persons who brought the opposition complaints or their representatives that their opposition complaints have been accepted;
- declare that the preliminary results of election in that Commune or polling office/station of that Commune have been rejected;
- fill up the prescribed forms by stating the reasons for such rejection of the preliminary results of election, then put signature and date on those forms;
- send a copy of the already completed forms respectively to the relevant PEC and CEC, all representatives of the political parties having the lists of candidates in that Commune (Khum-Sangkat) persons who filed the oppositions complaints, and a copy shall be kept for files.

The decisions of the National Election Committee shall be final.

Article 216:

In case the NEC rejects the preliminary results of the election of any Commune (Khum-Sangkat) or any polling office/station of that Commune (Khum-Sangkat), it shall manage to comply with the provisions of the Article 209 of this law.

Article 217:

After the preliminary results of election of all the Communes have been reviewed, and upon founding out that the results are fair, then the NEC shall immediately proclaim publicly the official (final) results of the CC election of those Communes (Khum-Sangkat).

For any Commune (Khum-Sangkat) where there is/are contested or opposition complaint(s) against the preliminary results of which, the official proclamation of the final results of election of Commune Council of that Commune (Khum-Sangkat) be done, when upon all the contested and oppositions complaints have been completely settled according to the procedure as stated in this law.

The NEC shall provide a copy of the official election result of each Commune to the Prime Minister, a copy to the Interior Minister, and shall post these results for public announcement at the relevant PEC office, relevant CEC office, and keep a copy for document.

Article 218:

The National Election Committee (NEC) shall manage to keep safely all election document which have been used in the elections of the Commune Councils which include the followings:

- all the Minutes of summing up of the election results of the Commune Council elections as well as dossiers of the contested and opposition complaints and with decisions on the complaints made by election authorities of all levels, shall be kept safely and for ever;
- the lists of voters for the CC election of all Communes (Khum-Sangkat) throughout the country for each mandate shall be deposited a copy in the State's Archives, and a copy in the NEC office for eternally;
- All ballots which have been used for the CC election for each mandate shall be kept safely for a period of one year from the polling day. After the expiry of this above period, the NEC shall set up a Commission to destroy these ballots, except for those ballots at any Commune (Khum-Sangkat), against which there were opposition or contested complaints.

Article 219:

The candidates who have been elected as members of the Commune

Councils (Councilors) under this law, will become members of the Commune Councils for a five (5) year term, from the date of taking office, and shall terminate their mandate according to the conditions as stipulated in the Article 11 of the Law on Administration of Communes (Khum-Sangkat).

Chapter XIII: Closure Polling Station(s) in Emergency

Article 220:

The NEC may have right decide to close or not to open one or more polling offices/stations in cases of emergency, which might cause a danger or threat to safety of the electoral officers and voters who are inside of the inner perimeter.

The emergency cases may include any of the followings:

- Public insecurity;
- Flood, storm, earthquake or other natural disaster;
- collapse of the buildings which are used for the election by any eventuality, fire or other similar damages which may cause danger;
- Administrative impediment which makes it not possible for the election to be conducted.

Any polling office/station which is not opened or which is closed according to this Article, shall be closed for the whole day.

Article 221:

The NEC shall immediately report to the Prime Minister, in case any polling office/station is to be closed.

Article 222:

In case any polling office/station was closed, the election at that polling office/station shall be re-done no later than thirty (30) days after, at any appropriate place as determined by the NEC.

All voters who are eligible to vote at that polling office /station shall be allowed to vote whether or not they have already cast their ballots.

The NEC shall ensure to have sufficient number of ballots printed on papers of different color than the previous ones.

Article 223:

The ballots which were cast in the polling offices/stations which were closed as stated in the Article 220 of this law, shall not be taken out for counting, but only those ballots which were cast on the day when the election is re-done, shall be counted.

For the ballots which shall not be counted, the electoral officers shall record them down in a Minutes, then arrange and keep them properly in accordance with the regulations and procedure as determined by the NEC.

All the ballots which have been cast at all the polling offices /stations were not closed, shall be counted and taken record on the polling day.

All ballots shall be counted and taken record according to the procedure as determined in this law.

After the election is re-done, the NEC shall manage to sum up the results of election for the whole Commune (Khum-Sangkat) then shall proclaim the results, according to the procedure as stated in this law.

Article 224:

The NEC shall prepare additional regulations and procedures for application of the conditions stipulated in the Articles 220, 222, and 223 of this law, which include:

- The safety for the electoral officers, voters, agents of the political parties and electoral observers;
- The role of the agents of the political parties and electoral observers;
- The delivery, keeping, reception and safety of all election materials;
- The closure of polling stations and the reopening of these polling stations;
- The process of the re-do election;
- The ballot counting;
- The proclamation of the results of election.

**Chapter XIV
Re-election**

Article 225:

The re-election as specified in the Article 17 of the Law on Commune Administration shall be held within no later than a hundred and twenty (120) days.

The Minister of Interior shall determine the date for the re-election within no later than seven (7) days, after there is a case which requires to have a re-election.

The re-election shall start from 07:00 hrs till 15:00 hrs.

Article 226:

Citizens may be eligible to vote in the re-election only when upon they have had their names registered in the voter lists and their voter registration cards or substitute certificates are still valid.

The name list of voters shall be the list of voters of the last election.

Each registered voter may have right to cast only one vote, through a secret-ballot vote.

Article 227:

The re-election shall be conducted and administered by the National Election Committee(NEC), in accordance with provisions of this law.

Article 228:

The National Election Committee(NEC) shall be responsible for the re-election.

Provisions for the election of the Commune Councils as stipulated in this law, shall also be applicable for the re-election of the new Commune Council(s).

The NEC may have right to prepare regulations and procedures to ensure that the re-election will be conducted freely, fairly and with justice.

Chapter XV
Budget

Article 229:

A Special Account of the National Treasury shall be created as an Account of Endowment Fund for Elections which will be used by the

National Election Committee (NEC) for organizing the Commune Council elections pursuant to Financial Law.

The Endowment Fund for Elections which is derived from contributions by the government, assistance from foreign governments, international organizations, donations from generous persons and other NGOs, and other lawful incomes, shall be included into national budget, in order to be provided directly to this Special Account.

A number of foreign financing for the election may be made outside of the operation of the National Treasury.

The norms of revenue-expenditure and procedure for application of this Article shall be determined by a Sub-decree following the proposal of the National Election Committee (NEC), after consultation with the Minister of Economy and Finance.

Chapter XVI Penalties

Article 230:

Shall be subject to a reprimand or dismissal from function by the National Election Committee (NEC), any voter registration officer who committed any of the following offenses, without prejudice to any other criminal punishment:

- If he/she refused to deliver a voter registration card or a substitute certificate to the voter registration card, to any citizen, after he/she has registered him/her name in the voter list;
- If he/she has intentionally issued a voter registration card or a substitute certificate to any person whose age is not yet eligible to vote or to any person who has not yet fulfilled sufficiently the required conditions for registering in the voter list;
- If he/she has intentionally delivered a voter registration election card or a substitute certificate to any person whose right to vote had been deprived ;
- If he/she prevents any citizen who is eligible to vote from getting registered;
- If he/she prevents any citizen from receiving a voter registration card or a substitute certificate, after the latter has registered his/her name already in the voter list.

Article 231:

Shall be subject to a revocation of a voter registration card and eliminated of candidacy of the concerned person from the candidate list of the political party by the NEC, and with a fine penalty in cash from five million (5,000,000) to twenty five million (25,000,000)riels, without prejudice to any other criminal offense, for any person who has committed any of the following offenses:

- If he/she uses force or violence or intimidation to prevent the citizens who are eligible to vote from being present themselves at the voter registration office/station, or from going to register themselves, or from receiving a voter registration card or a substitute certificate;
- If he/she incites the supporters or the voters to committing an abuse, threat, violence against any candidate or a list of candidates of other political party;
- If he/she made any oppression or threat, or compulsion to swear to vote for a candidate list of his/her political party or for a candidate list of any political party that he/she likes;
- If he/she uses force or violence to prevent the citizens who are eligible to vote from going to vote;
- If he/she prevents a list of candidates of any political party or candidate(s) of any list and their supporters from conducting an electoral campaign according to specified period;
- If he/she uses force or violence or intimidation or contemptible words which cause fear, mistake or confusion and loss of confidence on the confidentiality of the election;
- If he/she causes any disturbance to prevent the election from being conducted;
- If he/she causes any disturbance to prevent the counting of ballots;
- If he/she causes any harm to the peace and order during the election;
- If he/she buys off the votes by using either any object or cash;
- If he/she removes an election card or a substitute certificate from another person.

Article 232:

Shall be subject to a fine penalty of from ten million (10,000,000) Riels to fifty million (50,000,000) Riels, and dismissal definitively from job in the electoral works, for any member,

officer or staff of the National Election Committee (NEC), Provincial-Municipal Election Commission (PEC), Commune (Khum-Sangkat) Election Commission (CEC), and any officer of the voter registration office/station and the polling station, who committed any act in violation of the Article 8 of this law.

Article 233:

Shall be subject to a fine penalty from ten million (10,000,000) to twenty million (20,000,000) Riels, without prejudice to any other criminal punishment, and with a removal of an voter registration card for a period of five (5) years, and plus a suppression from the voter list, for any member of the NEC, PEC, CEC, and any officer of the voter registration office/station, polling office/station or ballot counting office/station, who counterfeited any document, ballot, or who used tricks to fraud the results of the election.

Article 234:

Shall be subject to a fine penalty from five million (5,000,000) to twenty five million (25,000,000) Riels, without prejudice to any other criminal punishment, for any person who persuades, buys off, threats, intimidates, or uses violence to prevents citizen(s) who meets conditions as specified in this law from standing as candidate(s) in the Commune Council elections.

If the offender is a candidate in the elections of the Commune Councils shall, in addition to the above punishment, be revoked of his/her voter registration card or substitute certificate, and be deleted of his/her candidacy from the list of candidates of the political party.

If the offender is a member, an officer, or a staff member of the NEC, or of the Election Commission at all levels, or is an officer of the voter registration office/station or polling office/station, shall be dismissed definitively from function, in addition to the above punishment.

Article 235:

Shall be subject to a warning, for any person who contravenes the Article 39 of this law .

In case of repeated offenses, shall be subject to a seizure of his/her weapon, explosive device, or other hazardous substance or object by the competent agents and shall be penalized a fine in cash from five million (5,000,000) to ten million (10,000,000)

Riels .

And if the offender is a civil servant, a military or a police, the National Election Committee (NEC) shall:

- Request to the head of institution of the concerned person to impose an administrative disciplinary sanction against him/her, ranging from taking a leave of absence without pay to dismissal from function, according to the seriousness of the offense committed;
- Be suppressed from the list of voters and revoked of voter registration card or substitute certificate.

If the offender is a member, an officer or a staff member of the NEC, PEC, CEC, or is an officer of a voter registration office /station, polling office/station or the ballot counting office /station, the NEC shall, in addition to the above punishment, delete his/her name from the name list of member/officer/staff, and in addition shall be prohibited from joining and work anymore, with the NEC or with the Election Commissions of all levels or with the voter registration offices /stations or the polling offices/stations, or with the ballot counting offices /stations, for a period of ten (10) years from this election session and forth.

Article 236:

Shall be subject to a warning, for any person who contravenes the Articles 40, 41, 42, 44, 45 and 46 of this law.

In case of repeated offense, shall be subject to a fine penalty in cash from five million (5,000,000) to ten million (10,000,000) Riels.

And if the offender is a candidate of any political party's candidate list shall, in addition to the above punishment, be subject to a removal of the voter registration card or substitute certificate, and to a suppression from the voter name list and also to a suppression of his/her candidacy from the list of candidates.

Article 237:

The National Election Committee (NEC) shall remove the voter registration card or substitute certificate for a period of five (5) years and with a suppression from the voter list, and then, shall make a request to the head of institution to impose administrative disciplinary sanctions ranging from taking leave of absence without pay to the dismissal from function, for any

government servant or responsible who contravenes the Article 17 of this law.

Article 238:

Shall be subject to a fine penalty in cash from five million (5,000,000) to ten million (10,000,000) Riels, and with a removal of a voter registration card or a substitute certificate for a period of 5 years and plus a suppression from the list of voters, for any person who orders or entices or cheats the voters to vote for any candidate list of the political party according to what has been shown/indicated or according to by any other means during the election.

If the offender is a member or officer or staff of the National Election Committee (NEC) or of the Election Commission of all levels, or is an officer of the polling office/station, the National Election Committee (NEC) shall dismiss him/her from function, and in addition, he/she shall be banned from performing works for 10 years, from this election date and forth.

If the offender is a candidate of the election he/she shall, in addition to the above punishment, be subject also to a suppression of candidacy from the candidates list.

Article 239:

Shall be subject to a fine penalty in cash from ten million (10,000,000) to twenty five million (25,000,000) Riels, without prejudice to any other criminal punishment, and with a removal of the voter registration card or a substitute certificate for a period of five (5) years, and plus a suppression from the voter list, for any person who intentionally caused the opening of the ballot box(es) or a torn off or an unlocked of the sealed key or any marking device for safety of the ballot box, or who causes a loss or who steals or tries to get by force or destroys the ballot box(es) containing the ballots.

If the offender is a member, or an official, a staff of NEC or of the commission of any level, or an official the polling station, the NEC shall dismiss him or her from employment, and shall prohibit him or her from getting any job for ten (10) years from this election period onward.

If the offender is a candidate, his/her candidacy must be deleted from the list of candidates in addition to the punishment outlined above.

Article 240

Shall be subject to a fine penalty in cash from five million (5,000,000) to ten million (10,000,000) Riels, without including yet any other criminal punishment, and with a removal of the voter registration card or a substitute certificate for a period five (5) years and plus a suppression from the voter list, for any person who contravenes the Articles 128, 129, 130, and 135 of this law.

In addition to the above punishment, the concerned offender shall also be subject to suppression of candidacy from the list of candidates, if he/she is a candidate of the election.

Article 241:

Shall be subject to a warning, any person who contravenes the para.1 and 3, of Article 133 of this law.

In case of repeated offense, shall be subject to a removal of the voter registration card or a substitute certificate, and shall be eliminated from the voter name list for a period of five (5) years, and in addition, a request shall be made to the head of institution of the concerned person to impose any administrative disciplinary sanction against him/her, ranging from taking leave of absence without pay to a fine penalty in cash from two million (2,000,000) to four million (4,000,000) Riels.

Article 242:

Shall be subject to a warning, for any person who contravenes the Articles 158 and 159 of this law.

In case of repeated offense, shall be subject to a fine penalty in cash from five million (5,000,000) to ten million (10,000,000) Riels .

**Chapter XVII
Transitional Provisions**

Article 243:

In order to conduct the first election of the Commune Councils after this law comes into effect, the Prime Minister shall declare the date of election of the Commune Councils within a period of at least nine (9) months before the election date.

Article 244:

In order to update the lists of voters for the first elections of Commune Councils, shall take as basis the lists of voters of the 1998 elections of members of the National Assembly of each voter registration office in each Commune (Khum-Sangkat).

The formality and procedure for updating of the voter lists shall comply with the conditions as stipulated under this law.

Article 245:

Any Commune Chief (Mékhum or Chau-sangkat), Deputy-Chief of Commune (Chumtup or Chau-sangkat rong) who wishes to stand as candidates for this first election of the Commune Councils, shall file an application for resignation from function with the Delegate of the Royal Government or Governor of the concerned Province or Municipality through the Governor of the concerned District (Srok or Khan), within at least seven (7) days before the date of opening of the electoral campaign, and until the date of official proclamation of the final results of the election of the Commune Council (Krom Preuksa Khum-Sangkat). And the concerned person shall return to his/her office, in order to prepare to transfer the office to the new Commune Council.

In case if any Commune Chief (Mékhum or Chau-Sangkat) or Deputy-Chiefs of Commune (Chumtup or Chau-sangkat rong) requests for resignation in order to stand as candidates for this first election of the Commune Councils, the Governor of the district (Srok-Khan) shall select the citizen in that Commune (Khum-Sangkat) or an officer from his/her district (Srok-Khan) or an officer of the Commune who does not stand for the election and then request to the Delegate to the Royal Government or Governor of the concerned Province or Municipality to appoint as the Commune Chief (Mékhum or Chau-sangkat) or Deputy-Chief of Commune (Chumtup or Chau-sangkat rong) for temporary, until the date of official proclamation of the final results of the election of the Commune Council of that Commune.

Article 246:

In order to conduct the first election of the Commune Councils after this law comes into force, the political parties which are currently having seats in the National Assembly shall respectively assign one representative of theirs to join in the composition of the National Election Committee (NEC).

In case any member of the NEC is deceased or requested in writing for resignation or lost of professional ability by having a letter of certification from the competent institution or who fails to comply with the internal regulations, and if any concerned political party is resigned, that member shall be changed according to the provisions as provided for in the Law on Election of the Members of the National Assembly.

Chapter XVIII
Final Provisions

Article 247:

Any provision that is contrary to this law shall be hereby repealed.

Article 248:

This law shall be declared as urgent./.

PHNOM PENH, ON 19 March 2001.

In the name of, and following the royal Order;

The Acting Head of State;

Signature of: CHEA SIM.

BE SUBMITTED FOR ROYAL SIGNATURE
OF H.M. THE KING;
THE PRIME MINISTER;
Signature of: HUN SEN.

BE SUBMITTED TO HIS SAMDECH THE PRIME MINISTER;
THE CO-MINISTER AND MINISTER OF INTERIOR;
Signatures of:
SAR KHENG. YOU HOC KRY.
