



**Kingdom of Cambodia**  
**Nation Religion King**



**Amended Law  
on Elections of  
Commune Councils**

**June 2006**



## English translation of the Law on Commune Council Elections

### NOTICE

The following is an unofficial translation of the Law on the Elections of the Commune Councils resulting from an amendment that came into force on 27 June 2006.

The version in Khmer of this law and its amendment should be referred to as the official text.

The Amendment to the Law on Elections of the Commune Councils has brought changes to the following articles of the initial law: articles 7 to 12; articles 14 to 20; the title of Chapter 5; articles 33 to 39; articles 41 to 43; articles 45 to 49; articles 93 to 136; articles 140 to 229, articles 231 to 243; articles 247 and 248.

The following articles of the initial Law on the Elections of Commune Councils (Royal Kram ns/rkm/0301/04) promulgated in 2001 are rescinded: articles 29 to 32; article 40; article 44; articles 50 to 92; articles 137 to 139; article 230; articles 244 to 246

For easy of use, please note that articles in italics indicate that the text of this article is either entirely new or has been changed by the amendment.

## **Chapter 1**

### **General Provisions**

#### **Article 1.-**

The purpose of this law is to determine the organization, the administration and the conduct of the election of Commune/Sangkat Council. This law shall apply to all Communes/Sangkats in the Kingdom of Cambodia.

#### **Article 2.-**

Each commune/sangkat shall have a council elected by its citizens within the election by a general, universal, just, free and fair, equal, direct, secret in accordance with the procedures prescribed by this law.

#### **Article 3.- New**

*The election of all commune/sangkat Councils (hereinafter referred to as CC) shall be conducted once every five years.*

*The election of all CC shall be conducted on the same day.*

*The Prime Minister, following the proposal of the Minister of Interior, shall determine the election date.*

*The Prime Minister shall announce the date of the election of CC at least 9 (nine) months before the polling day.*

*The election shall be conducted on Sunday for only one day.*

#### **Article 4.-**

A CC shall hold its office until a new CC is elected and takes office.

#### **Article 5.-**

A CC is elected in accordance with a system of proportional representation by a voter who:

is registered in the list of voters for that commune/sangkat;

is entitled to cast only one vote through a secret ballot;

Each voter is entitled to vote for one CC only.

#### **Article 6.-**

The number of each CC membership shall be determined by a sub-decree as stipulated in article 12 of the Law on Commune Administration, within nine (9) months before the day of election.

## **Chapter 2**

### **Administration of commune/sangkat Council Election**

#### **Article 7.- New**

*The organization and administration of the lists of voters and the management of commune/sangkat council elections shall be the competence of the National Election Committee, which was established in accordance with the Law on the Election of the Members of the National Assembly.*

*The National Election Committee (hereinafter referred to as NEC) shall appoint the Provincial/Municipal Election Commissions (hereinafter referred to as PEC), and the Commune/sangkat Election Commissions (hereinafter referred to as CEC), and the Polling Station Commission (hereinafter referred to as PSC).*

**Article 8.- New**

*All members and officials of NEC, PEC, CEC, and PSC shall maintain independent, impartial and honest attitude in the exercise of their powers, functions and duties.*

**Article 9.- New**

*NEC shall issue regulations and procedures to organize the elections based on the terms as mentioned in this law.*

**Article 10.- New**

*NEC shall have the powers, functions and duties to:*

- *prepare and validate the voter list;*
- *annually review and prepare the voter list;*
- *safeguard and maintain the lists of voters;*
- *make decisions on the registration of the lists of candidates;*
- *monitor the election campaigns;*
- *administer the election procedures inside the polling stations;*
- *administer the ballot counting procedures and organizing the ballot counting;*
- *proclaim the election results;*
- *protect the security in the election process and the ballot counting process, and safeguard the election materials, equipments and furniture used for the whole election process;*
- *train the electoral officials and give guidance to the candidates, agents of the political parties, and observers on the procedures for polling, ballot counting and the provisions of this law;*
- *ensure that the public in general understand the purpose of the elections;*
- *ensure that every person has the right to participate in the electoral process safely without fear or intimidation;*
- *prepare the procedures for polling and ballot counting with transparency and with the participation from observers and agents of the political parties;*
- *ensure regular contact between NEC and the candidates, agents of the political parties, and electoral observers;*
- *implement according to the determinations and procedures relating to the financial monitoring and management prepared by the Ministry of Economy and Finance;*
- *make decisions on appeals related to Commune/sangkat Council Elections except those that are related to the competency of the court;*

- *report to the National Assembly and the Senate on the administration, the conduct of election and election results within 90 days after the Election Day.*

*The powers, function, and duties prescribe in articles 7 (new), 8 (new), 9 (new), and 10 (new) of this law shall be added to those assigned or entrusted to NEC by the Law on Election to the National Assembly.*

**Article 11.- New**

*NEC shall appoint the members of PEC, CEC and PSC from among the citizens, civil servants, or other noticeable persons in the provinces or municipalities, who are eligible to vote, except:*

- *a member of the Royal Cambodian Armed Forces, a member of the national police, or a court official;*
- *a monk or priest of a religion;*
- *a delegate of the Royal Cambodian Government, Governor or Deputy Governor of a province/ municipality;*
- *a Governor or Deputy Governor of a district/Khan;*
- *a Chief, Deputy Chief of a commune/sangkat, Chief or Deputy Chief of a village or village members;*
- *a member of the CC;*
- *a candidate who is running for the elections of the CC;*
- *any person who is holding a position in a political party or who has resigned from the position in a political party in less than six (6) months up to the date of the appointment.*

**Article 12.- New**

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

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

*PSC composition shall consist of a chief, a deputy chief, a secretary and two (2) to four (4) members depending on the determination of NEC for each polling station.*

*All members of the Election Commissions at all levels are electoral officials.*

*NEC may create and assign a secretariat as an assistant to PEC and CEC.*

**Article 13.-**

*The ranks, prerogatives and remuneration of NEC chairman, vice-chairman, and secretary general and of Election Commissions at all levels and their staff are determined in accordance with the provisions prescribed by Articles 30 and 31 of the Law on the Election to the National Assembly.*

**Article 14.- New**

*PSC shall remain in office until the temporary proclamation of the results of the CC election in its polling station is made, and after the handing and taking over of*

*the electoral records as well as the electoral materials and equipment, to CEC has been fully completed.*

*CEC shall remain in office until the official proclamation of the results of the CC elections in its commune is made.*

*PEC shall remain in office until the official proclamation of the results of all CC elections in its province/municipality is made.*

**Article 15.- New**

*NEC has the right to delegate any of its powers, functions, and duties through regulations to PEC, CEC, PSC or any electoral official who has already received his/her appointment.*

*Any reference to NEC in this law is also a reference to a commission member, or an electoral official to whom the NEC has delegated a power, function and duty.*

**Article 16.- New**

*PEC, CEC and PSC shall perform the functions, duties and powers assigned to them by this law or by NEC.*

**Article 17.- New**

*The authorities at all levels, who are responsible for maintaining security, public order, and other work, shall extend cooperation with NEC, and the Election Commissions at all levels, in order to maintain safety, security, and public order during and after the election period.*

**Article 18.- New**

*NEC has the right to appoint PEC or CEC or PSC for a limited period and at any time after the election in order to organize and conduct a new election or a re-election.*

## **Chapter 3**

### **Right to Register and Right to Vote**

**Article 19.- New**

*To be eligible to vote, either sex of citizens shall have their name registered in the last list of voters, which is updated annually, and shall have a document to prove their identity during the polling period.*

*To have their name registered in the list of voters, either sex of citizens shall meet the following requirements:*

- *be a Khmer citizen;*
- *be at least 18 years old on the polling day;*
- *has a residence in the commune/sangkat where he or she is going to vote;*
- *not be in any situation prescribed by article 20 (new) of this law;*

*A place of residence of any person in any commune/sangkat is a place where a person normally lives and to where he/she often returns after a period of temporary absence.*

**Article 20.- New**

*It is prohibited to register or vote in the CC election if the person:*

- *is under the status of incarceration;*
- *is certified by a competent institution as being insane or under a guardianship.*

**Chapter 4**  
**The Election System and the Allocation of Seats**

**Article 21.-**

The CC election shall be conducted under a system of proportional representation where seats are allocated based on the highest average as stipulated in Article 23 and Article 27 of this law.

The CC members shall be selected from the candidate lists of political parties, which are elected in that commune/sangkat.

**Article 22.**

The number of seats in any CC shall be equal to the number of CC members determined by a sub-decree consistent with the law on Commune Administration.

**Article 23**

The seats of any CC shall be allocated by taking into account of the number of total seats and the results of election. The following steps shall be followed:

Step one:

The total valid votes shall be divided by the total number of seats of the CC to establish the number of votes (or quota) that are required by a candidate list to win a seat. The following formula shall be used:

$Q = \frac{V}{S}$	Where : <b>Q</b> = Quotient, ignoring any remaining fraction represents the quota; <b>V</b> = represents the total number of valid votes cast for all candidate lists participating in the CC election; <b>S</b> = represents the total number of seats in the CC
-------------------	--

Step two:

The total number of valid votes received by each candidate list shall be divided by quota in order to establish the preliminary number of seats to which each candidate list is entitled. The following formula shall be used:

$\frac{Vv}{Q}$	<p>Where:</p> <p><b>Ns</b> = Quotient, ignoring any remaining fraction represents the quota; Represents the number of seats to which a candidate list is entitled before any adjustment that may be necessary in step 3;</p> <p><b>Vv</b> = represent the total number of valid votes cast for a candidate list;</p> <p><b>Q</b> = represents quota established in step 1.</p>
----------------	--

If no seats remain to be allocated after the calculation of all candidate lists in step 2, then the final number of seats has been determined.

However, if any seat remains to be allocated after this calculation has been completed for the candidate lists, these remaining seats shall be awarded in the manner set out in step 3.

Step 3:

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

$\frac{Vv}{Ns + 1}$	<p>Where :</p> <p><b>Ha</b> = Represents the highest average;</p> <p><b>Vv</b> = represent the total number of valid votes cast for a candidate list;</p> <p><b>Ns</b> = represents the number of seats allocated to a candidate list.</p>
---------------------	--

If one seat remains to be allocated, after the calculation of the formula in step 3 has been completed for all eligible candidate lists, that seat shall be awarded to a candidate list with highest average.

If more than one seat remains to be allocated, then the formula in Step 3 shall be applied, and one seat must be awarded to any candidate list with highest average. This formula shall then be applied again by augmenting the value of "Ns" by 1 (Ns+1) for any candidate list that was allocated a seat in the first application of this formula. Therefore, a seat shall be allocated to any candidate list with highest average in during the second application of this formula. If further seats remain to be allocated, then the calculation shall be repeated until all remaining seats have been taken up.

**Article 24.-**

All elected candidates shall be taken from the elected candidate lists and their number shall be equal to the number of seats to which that candidate list is entitled to in accordance with the calculation in the article 23 of this law.

The elected candidates shall be selected from each candidate list in a sequence from the top.

**Article 25.-**

The election shall be conducted in any commune/sangkat that has only one candidate list of a political party approved for registration.

All candidate names shall be selected from only one candidate list of a political party in a sequence from the top of the list until all seats in the CC are allocated.

**Article 26.-**

The name of any candidate that is taken from a candidate list of a political party who is elected in a commune/sangkat and is already appointed as a member of CC shall be deleted from the candidate list of the political party concerned.

**Article 27.-**

If any political party a vacant seat or seats, NEC shall allocate the vacant seat or seats within 14 days to other candidate lists of political parties that have been allocated seats in the council. The following steps shall be followed:

Step one:

The total number of valid votes cast for all candidate lists that were awarded seats in the election of the council, excluding the number of valid votes for the candidate that abandoned the seat or seats shall be divided by the number of vacant seats on the council in order to establish number of votes (or quota) that are required by a candidate list to win a seat. The following formula shall be used:

<p><b>V'</b>  <b>Q'</b>= -----  <b>S'</b></p>	<p>Where :</p> <p><b>Q'</b>= the quotient, ignoring any remaining fraction represents the quota;</p> <p><b>V'</b>= represents the total number of valid votes cast for all candidate lists that were awarded seats in the election of the council, excluding the number of valid votes for the candidate that abandoned the seat or seats.</p> <p><b>S'</b>= represents the number of abandoned seats.</p>
---	--

Step 2 :

The number of valid votes received by each candidate list shall be divided by the quota established in step one in order to determine the preliminary number of seats to which each candidate list is entitled. The following formula shall be used:

$V'v$ $N's= \text{-----}$ $Q'$	<p>Where :</p> <p><b>N's</b>= represents the number of seats to which a candidate list is entitled before any adjustment that may be necessary in step 3.</p> <p><b>V'v</b>= represents the total number of valid votes cast for a candidate list;</p> <p><b>Q'</b>= represents the quota established in step 1.</p>
--------------------------------------	--

If no seats remain to be allocated after the calculation has been completed in Step 2 for all candidate lists, then the final number of seats has been determined, except for the candidate list that abandons the seat or seats.

If any seats remain to be allocated after the calculation in step 2 has been completed for all candidate lists, these remaining seats shall be awarded in the manner set out in Step 3.

Step 3:

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

$V'v$ $H'a= \text{-----}$ $N's + 1$	<p>Where :</p> <p><b>H'a</b>= represents the highest average.</p> <p><b>V'v</b>= represents the total number of valid votes cast for a candidate list.</p> <p><b>N's</b>= represents the number of seats allocated to a candidate list.</p>
---	---

The method prescribed in Article 23, paragraphs 7 and 8 shall apply for the calculation in Step 3 and any subsequent calculations.

**Article 28.-**

If the calculations in Articles 23 and 27 in this law resulting in an equality between the candidate lists and it is not possible to determine which candidate list is entitled to be allocated a seat, PEC shall perform drawing of lots to determine the name of the successful candidate list by lot.

A drawing of lots shall be conducted in accordance with the procedures prescribed by NEC regulations.

## Chapter 5

### Polling Station, Polling Stations and Ballot Counting Stations

#### **Article 29.- New**

*NEC shall establish one or more polling stations in each commune/sangkat in accordance with its regulations and procedures.*

*Each polling station shall be in charge of a designated area.*

*Each polling station and the area that it is in charge shall be inside the boundary of its commune/sangkat.*

*Each polling station shall be available to at most 700 (seven hundred) enfranchised citizens.*

*Each polling station shall have the coverage of the whole village and shall facilitate the conveniences for all members of the families inside that village being able to go to vote at that polling station.*

*In case there is any polling station about to receive more than 700 (seven hundred) voters, the NEC shall transfer the names of the extra voters to another closest polling station in the same commune/sangkat.*

#### **Article 30.- New (former article 34)**

NEC has the right to choose only one premise or building for two or more polling stations if it does not affect the regularity in the administration and conduct of the election.

Those polling stations located together in one premise or building shall be located separately from each other.

Those polling stations located together in one premise or building shall be administered separately from each other according to the NEC regulations and procedures.

#### **Article 31.- New (former article 35)**

NEC shall publicize a notice that shows the name and location of each polling station at the polling station and at CEC office from the date of registration of the candidate lists until the closure of the polling station in the Election Day.

#### **Article 32.- New**

*Ballot counting shall be done at the polling station.*

*A polling station is a ballot counting station.*

*A ballot counting station is a place where the ballots are counted, and it is a place where the temporary results of the ballot counting are announced.*

*A PSC becomes a ballot counting commission during the ballot counting.*

### **Article 33.- New**

*Every polling station and every ballot counting station shall have an inner perimeter that is marked by the NEC.*

*The inner perimeter is an area surrounding the polling station or ballot counting station with a diameter of at least 15 (fifteen) meters.*

*The inner perimeter shall have one entrance and one exit.*

### **Article 34.- New**

*Every polling station and every ballot counting station shall have an outer perimeter that is marked by the NEC.*

*The outer perimeter is an area surrounding those stations with a diameter of 100 (one hundred) meters or a different form or a smaller diameter according to the actual situation of the outer perimeter of each of the stations.*

### **Article 35.- New**

*It is prohibited to bring any weapon, explosive or other dangerous substance and object inside the outer perimeter, the inner perimeter, the polling station and the ballot counting station except in cases that someone is making troubles inside the outer perimeter, the inner perimeter, the polling station and the ballot counting station, the chair of the PSC and the chairs of all levels of the electoral commissions have the duty to request for intervention from a competent authority in accordance with the condition mentioned in article 17 (new) of this law.*

### **Article 36.- New**

*The following persons are allowed to enter the polling station and the inner perimeter of that station:*

- *electoral officials designated by NEC;*
- *agents of the political parties that have a list of candidates running for the election and have received the permission, and observers that have ID cards provided by the NEC;*
- *enfranchised citizens that need to vote at that polling station;*
- *those who accompany disabled voters in compliance with the conditions mentioned in article 126 (new) of this law;*
- *security agents and rescue agents when they are requested by the chair of the polling station during an emergency;*

*No person is allowed to enter the polling station before the start of the poll or after the close of the poll without a written authorization from NEC.*

### **Article 37.- New (former article 42)**

*The following persons are allowed to enter the ballot counting station and the inner perimeter of that station:*

- *ballot counting officials designated by NEC;*
- *agents of political parties that have a list of candidates running for the election and have received a permission, and observers that have ID cards provided by NEC;*

- security agents and rescue agents when they are requested by the chair of the ballot counting station during an emergency.

No person is allowed to enter a ballot counting station before the start of the ballot counting or after the ballot counting without a written authorization from NEC.

**Article 38.- New**

*NEC and the election commissions at all levels, chair of the polling station and chair of the ballot counting station shall take necessary measures to protect those who are inside the polling station and the ballot counting station, and those who are inside the inner perimeter of those stations from injury, disturbance, threat or intimidation, and shall safeguard all election materials and equipments in the stations.*

*NEC and the election commissions at all levels, chair of the polling station and chair of the ballot counting station may apply the conditions laid down in article 36 (new) and 37 (new) of this law to the whole or parts of the outer perimeter during an emergency in order to ensure that the polling and ballot counting are conducted safely.*

**Article 39.- New (former article 45)**

The following activities are prohibited in a polling station, and in the inner and the outer perimeter:

- wearing or showing anything that is relating to a political party or a list of candidates of a political party or a candidate of a list;
- disseminating or saying anything that may influence a person to vote for a list of candidates of a political party;
- showing support for or opposition against a political party or a list of candidates of a political party or a candidate of a list.

**Article 40.- New (former article 46)**

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

- wearing or showing anything that is relating to a political party or a list of candidates of a political party or a candidate of a list;
- disseminating or saying anything that may influence the ballot counting officials to count the mark on the ballots in favor of or against any list of candidates of a political party or a candidate of a list;

**Article 41.- New**

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

**Chapter 6**

**Lists of Voters for the commune/sangkat Council Election**

#### **Article 42.- New**

*The last voter list, which is updated annually in compliance with the provisions in the LEMNA, shall be the voter list used for the CC election of each commune/sangkat.*

#### **Article 43.- New**

*In organizing the voter list of each polling station, the NEC shall:*

- include the name of every voter into the list by indicating the address, age and sex;
- specify the name of the commune/sangkat and the ID code of the polling station;
- organize the list in the same format;
- sign and date.

The voter list may be adjusted and combined with other voter lists to form a new joint-list for use in other elections as determined by law.

#### **Article 44.- New**

*The voter list for the CC election shall be organized at least 90 (ninety) days before the polling day.*

## **Chapter 7**

### **Registration of Lists of Candidates Running for commune/sangkat Council Election**

#### **Article 45.- New (former article 94)**

Either sex of Khmer citizens who wish to run as a candidate in the CC election shall meet the following requirements:

- has a Khmer citizenship at birth;
- able to read and write in Khmer;
- has registered in the list of voters of the commune/sangkat he/she wishes to run for the election;
- is at least 25 years of age on the polling day of the CC election.

#### **Article 46.- New**

*It is prohibited to run as a candidate in the CC election for any person who is:*

- *a member of the National Assembly, the Senate, the Constitutional Council, the royal government and a judge;*
- *a delegate of the royal government, a governor or deputy governor of a province or municipality, a governor or deputy governor of a district or Khan*
- *a member of NEC, PEC, CEC, PSC, an employee working in NEC and in the election commissions at all levels;*

- *a civil servant, a court official, a member of the Royal Cambodian Armed Forces or the national police forces in position;*
- *a monk or priest of a religion;*
- *a clerk of a commune/sangkat.*

**Article 47.- New (former article 96)**

A civil servant, a court official, a member of the Royal Cambodian Armed Forces and the national police forces who wishes to stand as a candidate for the CC election shall apply for a special leave at least seven (7) days before the day of the election campaign until the day of the announcement of the official election results.

If any person above is elected, he/she shall submit an application based on his/her hierarchical order to the concerned Ministry or institution, requesting for being released from his/her duties for the duration of his/her term. In this regard, the person concerned shall have the rights to the ranks and status automatically and to maintain his/her seniority for pension benefits.

At the end of his/her term as a member of the CC, the person concerned shall be entitled to return to work in his/her Ministry or institution of origins but his/her functions shall be determined by the concerned Ministry or institution.

**Article 48.- New**

After the Prime Minister has fixed the date for the CC election under the conditions laid down in Article 3 of this law, NEC shall publicize in each commune/sangkat the date for the CC election and the date and location for the registration of the list of candidates.

**Article 49.- New (former article 98)**

Every person who intends to stand as a candidate in the CC election shall have his/her name placed on any list of candidates of the political party.

Each list of candidates shall be proposed by any political party, which has been properly registered under conditions specified by the Law on Political Parties.

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

**Article 50.- New (former article 99)**

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

**Article 51.- New (former article 100)**

In order to stand as a candidate in the CC election, each political party shall file for registration of the lists of candidates with CEC under NEC regulations at least 90 days before the polling day.

The application for registration shall be signed by the political party leader or by his/her representative to whom proper authority has been assigned in writing.

**Article 52.- New**

*Application to register the lists of candidates shall be enclosed with:*

- *a copy of the certificate of the party registration with the Ministry of the Interior;*
- *address of the political party's central office, address of its office in the commune/ sangkat, and the name of its representative stationed in its office in the commune/sangkat where the party is proposing its lists of candidates;*
- *a list of names of candidates in at least twice the number of members of the CC;*
- *family name and first name, address, and a certificate proving that he/she has actually been registered and his/her name is on the voter list of the commune/sangkat where he/she wishes to run for the election;*
- *a brief personal history personally completed by each candidate and 3 photos, sized 4 x 6, of each candidate taken from the front according to a sample determined by NEC;*
- *the name of the political party in full and in acronym, and the logo of the political party.*

**Article 53.- New (former article 102)**

NEC shall fix the date for registration of the list of candidates in each commune/sangkat.

NEC shall post in public the date and duration for the registration of the lists of candidates at all CEC offices.

The acceptance of an application for registration of the lists of candidates lasts only three days

CEC shall issue a receipt certifying the acceptance of the filing for registration of the lists of candidates to each political party proposing the list of candidates and retain the stub of the receipt for its files.

A receipt certifying the acceptance of an application shall indicate the number of documents received, the date of delivery and acceptance and the signatures or thumbprints of the person who delivers and of the receiver.

**Article 54.- New (former article 103)**

After the date for filing for registration of the lists of candidates expires, CEC shall examine all applications for registration of the lists of candidates only in one day.

CEC shall post in public at its office all lists of candidates, which have been properly filed for registration and accepted by it no later than 3 days after the date of examination of the lists of candidates.

Any citizen in the commune/sangkat who is eligible to vote may have a recommendation to CEC about any list of candidates while such list is posted as outlined above.

**Article 55.- New**

*Regarding any list of candidates which properly meets the conditions specified in article 45 (new), 46 (new), 47 (new), 49 (new), 50 (new), 51 (new) and 52 (new) of this law, CEC shall decide and approve its filing for registration and issue a receipt certifying such registration of the list of candidates to the political party proposing such list no later than 7 days after it received the filing.*

**Article 56.- New**

*In case the list of candidates of any political party which does not properly meets the conditions specified in article 45 (new), 46 (new), 47 (new), 49 (new), 50 (new), 51 (new) and 52 (new) of this law, CEC shall notify in writing and instruct the political party proposing the list of candidates to make proper adjustment in compliance with the conditions specified by this law and provide opportunity for that political party to undertake adjustment as regards to any deficiency no later than 5 days after that political party received the notification.*

**Article 57.- New (former article 106)**

If the political party received notification in writing of the deficiencies for which it is requested to make proper adjustment and the political party did it on time as it was requested, then CEC shall accept that political party's filing for registration of the list of candidates and issue a note certifying the registration of the list of candidates to that political party.

**Article 58.- New**

*If the political party filing for registration of the list of the candidates failed to make adjustment on time as regards to any deficiencies as specified by article 56 (new) of this law, CEC shall reject that political party's filing for registration of the list of candidates.*

*CEC shall:*

- *fill in a prescribed rejection form by clarifying the reasons for the rejection, then put a signature and date on that form, give a copy thereof to the concerned political party or its representative;*
- *provide an appeal form to the political party proposing the list of candidates;*
- *send a copy of the rejection form to PEC and retain a copy for its files.*

**Article 59.- New (former article 108)**

Any political party which filed for registration of the list of candidates, but such list is rejected by CEC, that political party or its representative is eligible to appeal in writing to PEC within 5 days of notification of its rejection.

**Article 60.- New (former article 109)**

PEC shall hold a public hearing no later than 3 days after receiving the appeal.

PEC shall post in public at its office, the place, date and time of its hearing.

**Article 61.- New (former article 110)**

If PEC shall agree the appeal, it shall endorse and approve and sign on the appeal form and give a copy to the person who brought the protest, and send a copy to the relevant CEC.

CEC shall approve the filing for registration of the list of candidates of the political party and shall register that list of candidates and issue a note certifying the registration of the list to that political party.

**Article 62.- New (former article 111)**

If PEC rejects the appeal, it shall:

fill in a prescribed rejection form by clarifying the reasons for the rejection, then put a signature and the date on that form;

provide a copy of a completely filled-in rejection form to the concerned political party and

send a copy to the relevant CEC

provide an appeal form to the political party proposing the list of candidates in order to appeal;

send a copy of a completely filled-in rejection form to NEC for information and retain a copy for its files.

**Article 63.- New (former article 112)**

Any political party which filed for registration of the list of candidates, but such list is rejected by PEC, that political party or its representative is eligible to appeal in writing to NEC no later than 5 days after receiving a notice of the rejection form.

**Article 64.- New (former article 113)**

NEC shall hold a public hearing no later than 3 days after receiving the appeal form.

NEC shall post in public at its office, the place, date and time of its hearing.

NEC decision shall be final.

**Article 65.- New (former article 114)**

If NEC agrees the appeal, it shall endorse and approve and sign on the appeal form and give a copy to the person who brought the appeal, and send a copy to the relevant PEC, a copy to the relevant CEC, and retain a copy for its files.

CEC shall approve the filing for registration of the list of candidates and shall register that list of candidates of the political party and issue a note certifying the registration of the list of candidates to concerned political party.

**Article 66.- New (former article 115)**

If NEC rejects the appeal, it shall:

fill in a prescribed rejection form, then put a signature and date on that form;

provide a copy of a completely filled-in rejection form to the concerned political party or its representative, send a copy to the relevant PEC, a copy to the relevant CEC, and retain a copy for its files;

notify the political party filing the appeal or their representatives that NEC decision shall be final.

**Article 67.- New (former article 116)**

Immediately after termination of the filing for registration of the lists of candidates and all appeals are definitely settled, NEC shall direct CEC to post in public at each CEC office the preliminary lists of candidates not later than 3 days.

**Article 68.- New**

*All enfranchised citizens in the commune/sangkat have the right to lodge an objection in writing to NEC against the candidates or the preliminary lists of candidates as outlined by Article 67 (new) of this law not later than 3 days after these lists were posted in public.*

### **Article 69.- New**

*An objection shall be made against any candidate or list of candidates of a political party that did not meet Conditions specified by Articles 45 (new), 46 (new), 47 (new), 49 (new), 50 (new), 51 (new) and 52 (new) of this law.*

*An objection shall delineate a candidate or a list of candidates of a particular political party by indicating the actual deficiency of that candidate or list of candidates and the reason requesting to reject the candidate or the list of candidates.*

### **Article 70.- New (former article 119)**

NEC shall hold a public hearing not later than 3 days after it received the objection.

NEC shall inform the political party filing for registration of the list of candidates to which an objection was brought, to the person who brought an objection, and to publicize regarding the place, date and time of its hearing.

### **Article 71.-**

Whether NEC agrees or rejects the objection, it shall:

fill-in a prescribed form by clarifying the reasons for the approval or rejection of the objection, then put a signature and date on that form;

provide a copy of a completely filled-in form to the person who brought the objection, a copy to the political party proposing the list of candidates and to which an objection was brought, a copy to the relevant PEC, a copy to the relevant CEC, and retain a copy for its files;

notify the person who brought the objection and the political party proposing the list of candidates that NEC decision shall be final.

### **Article 72.- New**

*If an objection is upheld, CEC shall deny the registration of the candidate or list of candidates of the political party to which an objection was made, then delete the candidacy or the list of candidates, and withhold and rescind the note certifying the registration of that list of candidates.*

### **Article 73.- New**

*A preliminary list of candidates will become an official list of candidates if there is no objection to it within a time limit as specified by Article 68 (new) of this law or if such objection is completely settled under conditions as specified by Articles 70 (new), 71 (new), and 72 (new) of this law.*

### **Article 74.- New**

*Based on the official lists of candidates as outlined in Article 73 (new) of this law, CEC shall direct the drawing lots in order to determine the order of the lists of candidates which shall be placed on the ballot and shall make a report of the result of drawing lots to NEC through PEC.*

*The procedure under which the drawing lots are conducted shall be determined by NEC regulations and the procedure.*

### **Article 75.- New (former article 124)**

CEC shall post in public at its office the official lists of candidates and the names of the candidates in each list not later than 7 days.

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

**Article 76.- New (former article 125)**

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

## **Chapter 8**

### **The Election Campaign**

**Article 77.- New (former article 126)**

The election campaign is aimed at providing any political party which has been allowed to register the list of candidates and its candidates to disseminate to the electorate its policy and political program as regards to the development of the commune/sangkat.

**Article 78.- New (former article 127)**

The duration of the election campaign is 15 days and other campaign-related activities shall terminate 24 hours before the polling day.

**Article 79.- New (former article 128)**

During the election campaign, each political party or candidate shall not commit an act of threat, intimidation or violence against the citizens, the political parties, candidates, and other supporters.

The political party or candidates shall not induce their supporters or voters into committing any act of abuse, threat, violence, or intimidation against other political parties, candidates or other voters.

**Article 80.- New (former article 129)**

The civil servants in all areas and at all levels, all institutions and services of the Royal Government of Cambodia as well as the Royal Cambodian Armed Forces and National police forces shall be a neutral attitude and impartial and shall not use any power or influence, or commit any activity calculated to be giving a support for or undertaking an apposition against any political party, candidates, or their supporters.

**Article 81.- New (former article 130)**

Any local non-governmental organization or association, and international association or organization operating in the Kingdom of Cambodia shall be neutral attitude, impartial in the CC election.

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

Initiate or participate in the election campaign of any political party, candidates or their supporters;

Issue any statement or commit any activity that supports or shows a bias for or an opposition against any political party, or candidates or their supporters;

Provide financial assistance, materials or human resources for supporting any political party, or candidates or their supporters.

**Article 82.- New (former article 131)**

During the election campaign and during the election, all political parties, all candidates, and all members of all political parties and their supporters shall comply with the rules, regulations, and principles outlined in the Law on commune/sangkat Election and the Code of Ethics and NEC regulations and procedures, and respect the principles of Human Rights and democracy specified in the Constitution of the Kingdom of Cambodia.

**Article 83.- New (former article 132)**

The State-run radios, newspapers, and televisions shall broadcast, free of charge, all news requested by NEC in order to disseminate the progress of the election and the management of the election education.

**Article 84.- New (former article 133)**

The managers in charge of the opera hall, sport stadium, Public Park or public hall shall provide their place to any candidates or the political party proposing the list of candidates who rented these places for use in the conduct of election campaign on an equal basis and according to their order of request.

Any political party or candidates who are willing to rent the opera hall, sport stadium, public park or public hall shall submit a request to the managers of these places at least 3 days in advance and must refer a record of such request to CEC.

The managers in charge of these places shall respond to such request not later than 24 hours after they received the request.

**Article 85.- New (former article 134)**

The political party of any list of candidates or candidates may conduct an election campaign in a private place if they obtained proper authority from its owner and shall provide prior notice to CEC of the date of the election campaign.

**Article 86.- New (former article 135)**

Any political party or candidates or their supporters shall neither interfere nor obstruct the activities undertaken by any other political party, candidates or their supporters.

**Article 87.- New (former article 136)**

The authorities at all levels shall provide cooperation, on an equal basis, in order to maintain safety, security, law and order (public order) and order in the conduct of election campaign by any political party, the list of candidates of the political party, and candidates in the lists of candidates of all political parties

## **Chapter 9**

### **Political party agents and Electoral Observers**

**Article 88.- New (former article 137)**

In undertaking to update the list of voters and the polling for the CC election all political parties, which have been properly registered under the Law on Political Parties at least 90 days before starting to update the list of voters and the polling, is eligible to appoint an agent and a substitute agent known as the agent of the political party to each polling station.

The only one agent of the political party shall allow entering the polling station.

The substitute political party agents shall allow replacing the authorized agents in case of the authorized agents absent.

**Article 89.- New**

*Any political party that has a list of candidates contesting in the CC election shall file for registration of its agents and reserved agents to CEC not later than 7 days before the date of posting the list of candidates as outlined in Article 75 (new) of this law.*

*The application to register an agent of a political party must indicate the family name, first name, date of birth, address and a certificate proving the electoral registration at a polling station in that commune/sangkat and the polling station where the agent needs to perform his/her work.*

**Article 90.- New**

*CEC shall register and provide an ID card to the political party agents who qualify under article 88 (new) and 89 (new) of this law.*

*In case any political party agent or reserved agent does not qualify under article 88 (new) and 89 (new) of this law, CEC shall reject his/her name in writing to the concerned political party no later than 3 days after the day the application is received.*

*The concerned political party has the right to apply to register its agents and reserved agents once again with CEC to substitute the ones rejected by the CEC within 3 days after the day it received written notification of such rejection.*

**Article 91.- New (former article 143)**

The political party proposing the lists of candidates in the CC election is eligible to appoint an agent and a substitute agent namely the agent of the political party at each polling station and ballot counting station of any commune/sangkat it runs for the election.

The agent of the political party at each polling station and ballot counting station shall have his/her name registered in the list of voters of any polling station in that commune/sangkat.

The only one agent of the political party shall be allowed entering the polling station and ballot counting station.

The substitute political party agents shall allow replacing the authorized agents in case of the authorized agents absent.

**Article 92.- New**

*Political parties that have no list of candidates running for the election as mentioned in article 91 (new) of this law shall apply to register their observers with*

*the NEC no later than 7 days after the day the lists of candidates are posted according to the terms in Article 75 (new) of this law.*

*An application to register an observer of a political party that has no list of candidates running for the election shall specify the family name, first name, address, and enfranchisement of each observer and the polling station and ballot counting station where the observer will fulfill his/her duties.*

**Article 93.- New**

*The NEC shall register and issue ID cards for observers of political parties that have no any list of candidates running for the election and have qualified under article 91 (new) and 92 (new) of this law.*

**Article 94.- New**

*In case any observer fails to meet the requirements under article 91 (new) and 92 (new) of this law, the NEC shall reject that person's name in writing and send a notification to the concerned political party within 3 days after the day the application is received.*

*The concerned political party may apply to register its observers once again to replace the observers rejected by the NEC within 3 days after receiving the written notification of such rejection.*

**Article 95.- New**

*During their observation in the polling and ballot counting process, observers of the political parties that have no list of candidates running for the election shall not commit any activities forbidden under article 106 (new) of this law.*

**Article 96.- New**

*Non governmental organizations and associations have the right to participate in the whole election process as observers.*

**Article 97.- New**

*The NEC shall determine through a regulation and procedures the following:*

- *the number of observers of NGOs and associations for each polling station and ballot counting station;*
- *the qualification required for the observers of NGOs and associations.*

**Article 98.- New**

*Associations and NGOs shall apply to register their observers with the NEC according to the timeframe and regulations and procedures determined by the NEC.*

**Article 99.- New**

*The NEC shall register and issue ID cards for the observers of NGOs and associations that meet the qualifications required in the regulations and procedures of the NEC.*

**Article 100.- New**

*In case any observer fails to sufficiently qualify the requirements, the NEC shall reject the person's name in writing and notify the concerned association and*

NGO, which applied to register the observer, within 5 days after the day receiving the application.

**Article 101.- New**

Associations and NGOs have the right to apply once again to register their observers with the NEC to replace the rejected ones within 3 days after receiving the written notification of such rejection.

**Article 102.- New**

Each political party agent, who has obtained the permission, has the right to be present at the polling station or ballot counting station according to the regulations and procedures of the NEC.

**Article 103.- New**

During their observation in the polling and ballot counting process, the political party agents have the right to object to any violation on this law or on the regulations and procedures of polling, which the agents directly eyewitness it.

**Article 104.- New**

Any objection as mentioned in article 103 (new) of this law shall be made to the chief of the polling station or chief of the ballot counting station while the violation is occurring or after it has happened.

**Article 105.- New**

An objection shall be made by using the form determined by the NEC.

**Article 106.- New**

During their observation of the polling and ballot counting process, the political party agents shall not:

- give instructions or rebuke the electoral officers and the ballot counting officers;
- disturb or interfere in the polling and ballot counting process;
- object or lodge an objection to any other person who is not the chief of the polling station or chief of the ballot counting station;
- violate the provisions of this law or the regulations and procedures of the NEC.

**Article 107.- New**

During their observation in the polling and ballot counting process, the observers shall not:

- give instructions or rebuke the electoral officers and the ballot counting officers;
- disturb or interfere in the polling and ballot counting process;
- violate the provisions of this law or the regulations and procedures of the NEC.

**Article 108.- New (former article 160)**

NEC shall publicize to the political parties and the associations and NGOs that are responsible the electoral observation on the administration and the conduct of the CC election, the important provisions of the commune/sangkat Administration Law as well as its regulations and the procedure.

**Article 109.- New (former article 161)**

NEC shall invite the international NGOs representatives, the countries representatives and the international organizations representatives to participate in the electoral observation.

**Article 110.- New (former article 162)**

NEC shall make regulations for political party agents and electoral observes under the provisions of this law.

**Chapter 10**

**The Organization, Administration and Conduct of Election**

**Article 111.- New (former article 163)**

Each commune/sangkat shall have its distinctive ballots provided by NEC.

**Article 112.- New (former article 164)**

NEC shall secure the publication of sufficient number of ballots for each commune/sangkat on a blank paper.

**Article 113.- New (former article 165)**

Each ballot shall contain its stub.

Serial number shall be placed on the stub of each ballot.

**Article 114.- New**

*Each ballot shall bear the logo of each political party, and its full name and acronym.*

*The logo of each political party, and its full name and acronym which shall be placed on the ballot, shall be placed following an order determined by drawing lots as outlined in Article 74 (new) of this law.*

**Article 115.- New (former article 167)**

NEC shall guarantee to provide sufficient number of ballot boxes for each commune/sangkat.

Every ballot box shall:

Have an inherent lid (lid from the production process);

Secure that no ballots will be sneaked out of the box if the lid is not taken off the box;

Be equipped with a key or other tool for closing the box with its lid;

Bear clear number or other indicative sign on its outer side which cannot be easily changed or deleted, and there shall be only one number or indicative sign for each

ballot box, and shall indicate that that ballot box is related to any commune/sangkat and polling station.

**Article 116.- New (former article 168)**

NEC shall guarantee the availability of sufficient number of distinctly various secret and official seals for the polling stations of each commune/sangkat.

Each polling station shall have a secret official seal for affixing on the back of each ballot

NEC shall make regulations and the procedure for the delivery, and receipt and the delivery back of the seal and shall secure its secrecy.

**Article 117.- New (former article 169)**

CEC shall deliver all necessary election materials to each polling station not longer than 36 hours before the polling day.

Each polling station shall examine and sign the receipt of all election materials delivered to it.

NEC shall make regulations for identifying the election materials and the procedure for the delivery, receipt, and the delivery back of the election materials, and shall secure the secrecy and security of the ballots.

**Article 118.- New (former article 170)**

NEC shall guarantee each polling station with the following necessary materials and equipment:

The desks and chairs for electoral officials;

The lists of voters,

Ballot papers;

Ink for finger

Polling booths;

Ballot boxes;

Other necessary materials and equipment.

**Article 119.- New (former article 171)**

Twenty-four (24) hours before the polling day, the Chairman of each polling station shall meet all electoral officials in order to control their presence and examine the location of each polling station, and the materials and equipment serving the election.

If any electoral official is absent, he/she shall be replaced by a new electoral official, who was chosen in conformity with provisions outlined in regulations and the procedures.

The Chairman of the polling station shall direct in order to the polling station will have all necessary election materials, equipment and furniture.

The Chairman of the polling station shall examine the security situation at the polling station and take necessary measures to safeguard the safety if needed.

**Article 120.- New (former article 172)**

On the polling day, all electoral officials who have been properly assigned to each polling station shall be present at the polling station at 6: 00 AM by bringing with them all necessary election materials and equipment.

For the agents of political party and electoral observers shall allow entering the polling station at 6: 00 AM.

**Article 121.- New (former article 173)**

On the polling day between 6:00 to 6: 30 AM, the electoral officials shall organize the following tasks:

Properly check each ballot box provided and its number or indicative sign;

Show each ballot box to the people in the polling station that there is nothing in it;

Close each box with its inner lid, lock it with the key compact;

Put the number or indicative sign on each ballot box and put a seal of the polling station on them;

Allow political party agents and electoral observers to see the ballot boxes and various indicative signs on these boxes.

In case the election materials and equipment were delivered to the polling station after 6: 30 Am, the Chairman of the polling station, upon receiving them, shall carry out the procedure mentioned above. In such a case the Chairman of the polling station may suspend the polls at that polling station for a while until the procedure mentioned above is fully completed. .

When the number and indicative sign is placed on each ballot box, all of these boxes may not be opened, except for the purpose of counting the votes as outlined in this law, and it is also not allowed to take them out of the polling station, except for transportation to another place for counting the votes where the law or regulations require to do so in other place.

**Article 122.- New (former article 174)**

Between 6:30 to7: 30 AM, the Chairman of the polling station shall direct to open the envelope in which contains a secret seal for affixing on the back of the ballots, or when the votes are counted and recorded, as well as on the stubs of the ballots under conditions determined by NEC.

**Article 123.- New (former article 175)**

The Chairman of the polling station shall open the polling station at 7: 00 AM.

**Article 124.- New**

*Those who have a right to enter the inner perimeter and the polling station are those whose name is on the voter list and who have a document to prove their identity and who have not cast their vote.*

*Each voter is provided with a ballot within the polling station in case he/she meets the following conditions:*

- *His/her name is on the voter list of the polling station that he/she needs to vote;*

- *He/she has a document to prove his/her identity;*
- *He/she has not yet cast his/her ballot and allows the electoral official to examine his/her finger.*

*Each voter shall make a mark by himself/herself on a ballot in a separate polling booth and inserts the marked ballot into the ballot box in the polling station, and then allows the electoral official to soak his/her finger with the indelible ink under the prescribed procedure.*

*The way the ballot is marked and inserted into the ballot box shall be determined by NEC regulations and procedure.*

*NEC shall make regulations to actually carry out this Article and shall determine the management and electoral procedure in the polling station.*

**Article 125.- New (former article 177)**

Any voter who unintentionally spoils a ballot shall deliver it to the electoral official of the polling station, and the electoral official shall give him/her a new ballot under a procedure determined by NEC.

**Article 126.- New (former article 178)**

Any voter who is a handicapped and is not able to vote by him/herself is eligible to choose an adult to help him/her or is eligible to seek to help from the Chairman of the polling station.

**Article 127.- New (former article 179)**

NEC shall make regulations to protect the right of any voter who is a handicapped and is not able to soak his/her finger in the indelible ink.

**Article 128.- New (former article 180)**

Any person is not allowed to interfere or help any voter when that voter remains within the inner perimeter or in the polling station, except proper authority is obtained under the provisions of this law.

**Article 129.- New**

*A polling station official or an agent of a political party has the right to object to the presence of any individual in the polling station who fails to satisfy one of the requirements specified in article 124 (new) of this law.*

*The objection shall be made to the Chairman of the polling station.*

*In case the Chairman of the polling station finds out that such individual does not meet one of the requirements specified in article 124 (new) of this law, that individual is not allowed to vote and is escorted out of the polling station and the inner perimeter by a polling station official.*

*In case the Chairman of the polling station decides that such individual meets the conditions specified in article 124 (new) of this law, that individual is allowed to vote.*

*The decision made by the Chairman of the polling station shall be final.*

*NEC shall determine through regulations the way by which an objection is brought, settled and recorded.*

## **Chapter 11**

### **Closing the Poll, Ballot Counting, and Collecting, Delivering and Receiving Election Materials**

#### **Article 130.- New (former article 182)**

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

Any person who is willing to vote is not allowed to enter the inner perimeter of the polling station after 15: 00 PM.

Any person who is eligible to vote and remains in the polling station or the inner perimeter of that station at 15: 00 PM is allowed to vote.

#### **Article 131.- New**

*Immediately after declaring to close the polls and after all voters have cast their votes, the Chairman of the polling station, before the presence of agents of political party and electoral observers, shall:*

- *close the hole of all the ballot boxes, through which a ballot is inserted, with a paper signed by chairman of the polling station and the agent of political party and then close the outer cover and lock it and allow the political party agents and electoral observers to examine all of the ballot boxes;*
- *record in the minutes the number of people who came to vote;*
- *complete and sign the form that shows the number of ballots received, provided to the voters, spoiled ballots or ballots confiscated in the polling station;*
- *separate the stubs of used ballots from those of unused ballots.*

*Show the above form, which has been completed and signed to political party agents and electoral observers for inspection.*

*Political party agents may participate in signing or thumb-printing on the above-mentioned minutes.*

#### **Article 132.- New (former article 184)**

The ballots shall be counted at each polling station in the commune/sangkat.

NEC shall give particular instructions for any polling station, which is unable to count the ballots at its polling station because of a force majeure or insecurity.

NEC shall organize and manage the ballot counting stations under the provisions of this law.

#### **Article 133.- New**

*The electoral officials at each polling station are responsible for counting the ballots at their station. In this regard, a polling station shall become a ballot counting station.*

*In case the ballots are counted elsewhere but not the polling station as specified in the second paragraph of article 132 (new) of this law, NEC shall assign the polling station officials to count the ballots or may appoint other officials to count the ballots in case the polling station officials are absent.*

**Article 134.- New (former article 186)**

Any persons remaining at the ballot counting station and in the inner perimeter of that station are subject to the management and control by the Chairman of the ballot counting station following instruction of NEC.

**Article 135.- New (former article 187)**

NEC shall guarantee the availability of necessary materials and equipment at each ballot counting station, including sufficient desks and chairs for the ballot counting officials.

The ballots counting shall conduct only one place for a polling station.

Political party agents and electoral observers shall remain at a reasonable distance enabling them to observe all ballot counting activities.

**Article 136.- New**

*After meeting the conditions required in Articles 131 (new), 132 (new), and 133 (new) of this law, the Chairman of the ballot counting station shall direct to open the ballot boxes, and pour the ballots out of each box and shall:*

- *separate objects, if any, that are not ballots;*
- *unfold the ballots that bear the official secret stamp on the back by putting them facedown to form the first pile;*
- *in case there are voted ballots that bear no official secret stamp on the back, they shall be piled up separately to form the second pile;*
- *count the number of the facedown ballots in these two piles, record it and show it to the political party agents and electoral observers.*

*The Chairman of the ballot counting station shall verify the number of the ballots poured out of the ballot boxes with the number recorded in the form completed as required by Article 131 (new) of this law, and then show the result of such verification to the political party agents and electoral observers so that they may scrutinize and evaluate the result.*

**Article 137.- New**

*The officials of the ballot counting station shall overturn the ballots bearing the stamp on the back in the first pile as mentioned in Article 136 (new) of this law, and then shall distinguish them as valid and invalid ballots.*

*It shall be considered as valid for any ballot that is marked to support only one political party on the ballot provided by the PSC.*

*It shall be considered as nullified for any ballot:*

1. *that is not official; or*
2. *that is not marked or is marked but the ballot counting commission cannot conclude which political party has been voted for; or*

3. *that carries any sign that identify the voter; or*
4. *that is torn or spoiled; or*
5. *that bears no official secret stamp.*

*The type of ballots that is considered as nullified under point 1, 2, 3, 4 and 5 above shall be determined by the NEC regulations and procedures.*

*After this, the ballot-counting officer shall count the valid ballots, which carry the supporting votes for each political party.*

*Ballots shall be counted in a way that the political party agents and observers can see the marks of all ballots.*

**Article 138.- New**

*When there is any objection to any ballot counted according to the conditions specified under Article 137 (new) of this law, the objected ballot shall be put separately, and the objection shall be resolved according to the conditions under Article 139 (new) of this law.*

**Article 139.- New**

*The officials of the ballot counting station shall scrutinize all invalid ballots and the ones to which an objection is brought according to the conditions specified in Articles 137 (new) and 138 (new) of this law.*

*The inspection of these ballots shall be done openly in front of the political party agents and observers, and these people shall be asked to provide their opinions.*

*After considering all of the opinions, the appointed ballot-counting officials shall decide to refuse counting any ballot:*

- *that is not provided by the polling station;*
- *that bears no official secret stamp;*
- *that is marked for more than one list of candidates;*
- *that has no mark;*
- *that is marked but is invalid because the mark cannot tell the ballot-counting officials whether it is for any candidate;*
- *that carries a sign identifying the voter;*
- *that is torn or spoiled, which cannot be regarded as valid.*

*Any ballot that is accepted in regard of this article shall be counted in addition to the valid ballots, which were counted according to the conditions required in the second and third paragraph of Article 137 (new) of this law, even if there is or is not any objection made against such decision to accept the ballot.*

**Article 140.- New**

*After fulfilling the requirements in Articles 136 (new), 137 (new), 138 (new) and 139 (new) of this law, the Chairman of the ballot counting station shall make minutes on the temporary results of the ballot counting of his/her respective station according to the regulations and the procedure determined by NEC, and shall show these temporary results to the political party agents and observers.*

*The political party agents may participate in signing or thumb-printing on the above-mentioned minutes.*

*The minutes on the temporary results of the ballot counting shall record the number of the ballots poured out of the ballot boxes, the number of ballots rejected without being counted, the number of the counted valid-ballots, the number of the spoiled ballots, the number of the remaining ballots and the number of the ballots voted for each list of candidates, which were orderly placed on the ballot paper.*

*The minutes on the temporary results of the ballot counting at each polling station shall be subject to the revision of the superior election commissions and of the NEC.*

#### **Article 141.- New**

*The minutes on the ballot counting as mentioned in Article 140 (new) of this law shall be made in 3 copies:*

- *A copy shall be sent to the CECs attached with the voter list, the stubs of used ballots, the unused ballots, the valid and invalid ballots, the spoiled ballots, the ballot boxes, the secret stamp for the polling station, objections or appeals if there are any, and other necessary documents, materials and equipments as determined by NEC.*

*The above-mentioned materials, equipments and documents shall be separately packed or put in separate envelopes according to the NEC's instructions.*

- *Another copy shall be publicly posted at the ballot counting station until the day the official election results are proclaimed.*
- *Another copy shall be publicized at the CECs' office until the day the official election results are proclaimed.*

#### **Article 142.- New (former article 194)**

NEC shall more actually determine:

The ballot counting procedure;

Instructions regarding the making of the ballot counting record at the ballot counting station;

The way to properly collect, wraps, and records the election materials for the delivery to and receipt by and to report to CEC.

Procedure for CEC to review the ballot counting records, compute the election results from each ballot counting station, and control over the election materials and equipment received from all ballot counting stations.

#### **Article 143.- New**

*In case NEC decides to count the ballots at any other place beside the ballot counting station, the vote count at such other place must be conducted under provisions specified by Articles 136 (new), 137 (new), 138 (new), 139 (new), 140 (new), 141 (new), and 142 (new) of this law.*

#### **Article 144.- New (former article 196)**

After the ballot counting record is made and the election materials are collected, the officials of the ballot counting station shall refer the ballot counting record and the election materials to CEC.

The political party agents and electoral observers shall be allowed to participate in the transport, delivery and receipt of the ballot counting records as well as the election materials mentioned above.

**Article 145.- New**

*CEC shall be present at its office waiting for receiving the ballot counting minutes and election materials from all ballot-counting stations from 15: 00 PM until it receives the ballot counting minutes and election materials from all ballot-counting stations in its commune/sangkat.*

*When CEC receives the ballot counting minutes and election materials, it shall sign on a delivery-receipt form and then give a copy of it to the Chairman of the ballot counting station and retain a copy for its files.*

*In regard to the delivery-receipt form outlined above, the political party agents may join in signing or thumb-printing on such form as witnesses.*

**Article 146.- New (former article 198)**

CEC shall review and compute preliminary results of the vote counts from all ballot-counting stations not later than 3 days after it receives the election records and election materials from all ballot-counting stations.

In reviewing and computing the preliminary results of the vote-counts, CEC may not open any envelopes containing the ballots and may not count this ballot-from any ballot counting station for which there was no protest against or objection to the election preliminary results.

The agents of the lists of candidates and electoral observers shall be allowed to participate in the review and computation of the preliminary results of ballot counting as well as the election materials collected from all ballot-counting stations in each commune/sangkat.

**Article 147.- New (former article 199)**

The ballot counting records and election materials received from each ballot counting station shall be recorded and kept separately for each ballot counting station.

CEC shall make a record regarding the computation of preliminary election results in the commune/sangkat under a conditions determined by NEC regulations and the procedure.

The record as mentioned above shall be made in 3 copies:

A copy shall be referred to PEC by being enclosed with the lists of voters, the stubs of used ballots, the ballots which are not used, valid ballots, invalid ballots, spoiled ballots, the secret seal for affixing on the back of ballots at each polling station, the objection or protest if any, and other documents, materials and equipment,

A copy is posted for public announcement at CEC office until the official election results are proclaimed,

And retain a copy for its files.

**Article 148.- New (former article 200)**

In case there exists an objection to or a protest against any serious irregularity in the election at any polling station, CEC shall review preliminary election results of that polling station before political party agents and electoral observers by:

Examining the serial numbers of all ballot books delivered to the polling station by checking against the serial numbers of the stubs of ballots received from that polling station;

Examining the list of voters who came to vote;

Examining and counting valid ballots received by each list of candidates of the political party;

Examining invalid ballots;

Counting the number of spoiled ballots;

Counting the number of unused ballots;

Examining the official secret seal delivered to that polling station;

Examining each ballot box and its indicative number or sign for that polling station by checking against the indicative number or sign of the ballot boxes delivered to that polling station.

The valid ballots, invalid ballots, and spoiled ballots shall be tied up in accordance with NEC instructions.

After the review as mentioned above is made, CEC shall make report and raise suggestions together with the record of the computation of preliminary election results to PEC to consider and decide.

**Article 149.- New (former article 201)**

When PEC receives records of the computation of preliminary election results from each commune/sangkat, it shall put a signature on a delivery-receipt form and provide a copy to CEC and retain a copy for its files.

**Article 150.- New (former article 202)**

NEC shall make regulations and the procedure in order to more actually apply regarding the proper administration and conduct of the vote-counts under provisions of this law.

**Article 151.- New**

*The PEC shall review preliminary election results of all Communes/Sangkats under its jurisdiction not later than 5 days after it receives the minutes of the computation of preliminary election results from each commune/sangkat.*

*In reviewing the preliminary election results of each commune/sangkat, the PEC may not open the ballot package of any commune/sangkat or of any polling station if the commune/sangkat or polling station has no any appeal or objection to its preliminary election results.*

*For any commune/sangkat or polling station that has an appeal or objection, the PEC may open and examine all election materials and may recount the votes if necessary.*

*In cases where a commune/sangkat has 0.5% at most of discrepancy of votes between two or more lists of candidates and that commune/sangkat has an appeal*

*or objection that is proper according to the conditions prescribed in Article 158 (new) of this law, the PEC shall open and examine all election materials and recount the votes.*

*The concerned CEC, political party agents, observers of that commune/sangkat and the person who brought the objection as mentioned in Article 158 (new) of this law may participate in the process of reviewing the preliminary election results of that commune/sangkat conducted by the PEC.*

*After completely reviewed the preliminary election results of each commune/sangkat, the PEC shall determine the seats to be received by the list of candidates of each political party, and shall select the names of the candidates being elected as members of CC according to the conditions specified in Article 24 of this law, and shall determine which elected candidates to become chairman of the CC, chief of the commune/sangkat and deputy chief of the commune/sangkat according to the conditions outlined in Articles 32, 33, 34 and 35 of the Law on Commune/Sangkat Administration, and then it shall report immediately to the NEC using the prescribed form.*

*In determining the elected candidates to assume the role as the CC chairman, chief of commune/sangkat and deputy chief of commune/sangkat, if the list of candidates of two or more political parties received equal votes, the PEC shall conduct a lucky draw according to the procedures established by the NEC.*

## **Chapter 12**

### **Preliminary Election Results, Final Election Results and Objection to Election Results**

#### **Article 152.- New (former article 204)**

In reviewing the election results of each commune/sangkat, if PEC finds out that an irregularity in the election does not affect the election results, then it shall fill in a form of approval and put a signature on that form and show its approval of the election results of that commune/sangkat to the political party agents and electoral observers.

#### **Article 153.- New (former article 205)**

In case there exists a serious irregularity in the election that might lead to a change in the preliminary election results, PEC shall suspend preliminary results of the relevant commune/sangkat and then deny preliminary election results of that commune/sangkat or at that polling station and shall:

declare that preliminary election results in that commune/sangkat or at that polling station are denied;

fill in a prescribed notice form of the decision on the protest by clarifying the reasons for the rejection of preliminary election results, then put a signature and date on that form,

declare that PEC decision subject to the review by NEC;

send a copy of a *prescribed* notice form of the decision on the protest to NEC, a copy to the relevant CEC, a copy to the person who brought the objection, a copy to

all representatives of the political party proposing the lists of candidates in that commune/sangkat, and retain a copy for its files.

**Article 154.- New (former article 206)**

PEC shall send a notice of the decision on the rejection of preliminary election results of any commune/sangkat or any polling station not later than 24 hours to NEC to review.

NEC shall review and decide on PEC decision to reject preliminary election results not later than 4 days after it receives a prescribed notice form of the decision on the protest.

**Article 155.- New (former article 207)**

In case NEC does not agree PEC decision to reject preliminary election results, the National Election Committee shall:

Declare that preliminary election results of that commune/sangkat or at any polling station of that commune are proper;

Fill in a prescribed form by clarifying the reasons for disapproving with PEC decision, then put a signature and date on that form,

Send a copy of that form to relevant PEC, a copy to the relevant CEC, a copy to the person who brought the protest, a copy to all representatives of the political party proposing the lists of candidates in that commune, and retain a copy for its files.

**Article 156.- New (former article 208)**

In case NEC agrees PEC decision to reject preliminary election results, it shall:

declare that preliminary election results of that commune/sangkat or at any polling station of that commune/sangkat are denied;

Fill in a prescribed form by clarifying the reasons for the rejection of preliminary election results, then put a signature and date on that form;

send a copy of that form to the relevant PEC, a copy to the relevant CEC, a copy to the person who brought the protest, a copy to all representatives of the political party proposing the list of candidates in that commune/sangkat, and retain a copy for its files.

**Article 157.- New (former article 209)**

In case NEC denies preliminary election results of any commune/sangkat or of any polling station, it shall order a new election not later than 30 days after preliminary election results were denied.

A new election shall be conducted at the same polling station(s) for the same list voters, and the same lists of candidates of the political parties as the previous election.

The provisions specified in Chapters 8, 9, 10, 11 and Chapter 12 of this law shall apply to a new election, except the ballots, which shall be published with a different color from the color used for the previous ballots.

**Article 158.- New (former article 210)**

Any person who has been registered in the list of voters of that commune/sangkat or the political party proposing the list of candidates is eligible to object to preliminary election results of that commune/sangkat or at any polling station of that commune/sangkat to PEC.

The objection shall be made in writing to PEC not later than 3 days after CEC has made public the preliminary election results of that commune/sangkat.

The objection shall base on any irregularity in the election process, which seriously affects the election results.

The objection shall be based on reasonable grounds by showing the place and time where such irregularity occurred, the names and addresses of witnesses and other justifiable supports or evidence.

PEC shall make a decision regarding such objection not later than 5 days after it received the objection.

**Article 159.- New (former article 211)**

In case PEC finds out that the objection is not bases on any reasonable groundless or does not affect the election results, it shall reject the objection and shall:

Inform the person who brought the objection that his or her objection is rejected;

Fill in a prescribed rejection form by clarifying the reasons for the rejection, then put a signature and date on that form,

Notify the person who brought the objection that he/she or his/her representative is eligible to appeal against PEC decision to NEC not later than 4 days after he /she received the rejection form;

Provide an appeal form to the person who brought the objection or his/her representative to appeal against the rejection;

Send a copy of a completely filled-in rejection form to NEC, a copy to the relevant CEC, a copy to the person who brought the objection, a copy to representatives of the political party proposing the list of candidates in that commune/sangkat, and retain a copy for its files.

**Article 160.- New (former article 212)**

If PEC agrees the objection, it shall temporarily deny the preliminary election results in that commune/sangkat and then shall:

inform the person who brought the objection that his/her objection is accepted;

declare that preliminary election results in that commune/sangkat or in any polling station of that commune/sangkat are denied;

fill in a prescribed rejection form of preliminary election results by clarifying reasons for the rejection, then put a signature and date on that form,

declare that PEC decision subject to NEC review;

send a copy of a rejection form to NEC, a copy to CEC, a copy to the person who brought the objection, a copy to the representative of the political party proposing the list of candidates in that commune/sangkat, and retain a copy for its files.

**Article 161.- New**

*The NEC shall review the preliminary election results of any commune/sangkat or of any polling station that has an objection not later than 4 days after it receives the appeal application as mentioned in Article 159 (new) of this law or the form rejecting the preliminary election results outlined in Article 160 (new) of this law.*

*In reviewing the preliminary election results of a commune/sangkat or of a polling station that has an objection, the NEC may open to examine all election materials and may recount the ballots of that commune/sangkat or that polling station if necessary.*

*In cases where a commune/sangkat has 0.5% at most of discrepancy of votes between two or more lists of candidates and that commune/sangkat has an appeal or an objection that is proper according to the conditions prescribed in Article 158 (new) of this law, the NEC shall open to examine all election materials and recount the ballots.*

*The process of reviewing the preliminary election results as mentioned above shall be made in front of the political party agents, observers and the relevant person who brought the objection.*

#### **Article 162.- New (former article 214)**

In case NEC finds out that the objection to the preliminary election results of any commune/sangkat or at any polling station of that commune/sangkat is not based on any reasonable grounds or does not affect the election results, it shall reject the objection and shall:

notify the person who brought the objection or his/her representative that his/her objection is rejected;

declare that the preliminary election results of that commune/sangkat or at any polling station of that commune/sangkat are proper;

fill in a prescribed rejection form by clarifying the reasons for the rejection, then put a signature and date on that form,

notify the person who brought the objection or his or her representative that NEC decision shall be final;

send a copy of a completely filled-in rejection form to relevant PEC, a copy to the relevant CEC, a copy to the person who brought the objection, a copy to the representative of the political party proposing the list of candidates in that commune/sangkat, and retain a copy for its files.

#### **Article 163.- New (former article 215)**

If NEC agrees the objection to the preliminary election results of any commune/sangkat or at any polling station in that commune/sangkat, it shall:

notify the person who brought the objection or his/her representative that his/her objection is accepted;

declare that the preliminary election results in that commune/sangkat or at any polling station of that commune/sangkat are denied;

fill in a prescribed form by clarifying reasons for the rejection of preliminary election results, then put a signature and date on that form,

send a copy of a completely filled-in form to the relevant PEC, a copy to the relevant CEC, a copy to the representative of the political party proposing the list of candidates in that commune/sangkat, a copy to the person who brought the objection, and retain a copy for its files.

NEC decision shall be final.

**Article 164.- New**

*In case the NEC denies the preliminary election results of any commune/sangkat or of any polling station, it shall apply the provisions prescribed in Article 157 (new) of this law.*

**Article 165.- New (former article 217)**

After all preliminary election results of all Communes/Sangkat have been reviewed and found proper; NEC shall proclaim the official results of the CC election in those Communes/Sangkats.

For any commune/sangkat the preliminary election results of which protests or objections have been brought to, the proclamation of official election results in these Communes/Sangkat shall be made when all appeals and objections have been definitely settled under the procedure outlined in this law.

NEC shall provide a copy of the official election result of each commune/sangkat to the Prime Minister, a copy to the Interior Minister, and shall post these results in public at the relevant PEC office, relevant CEC office, and retain a copy for its files.

**Article 166.- New**

*The NEC shall keep all election documents used in the CC election safely, for instance:*

- *The minutes of the election results of the CC election, the appeals and objections, and the decisions on such complaints made by all levels of the electoral authorities shall be safely kept forever.*
- *All ballots used in the CC election for each mandate shall be stored safely for a period of two years after the polling day. When this time limit expires, the NEC shall set up a commission to destroy these ballots.*

**Article 167.- New (former article 219)**

Any candidate elected to the CC under this law will become a CC member for a mandate of five (5) years from the date he/she takes office and shall terminate his or her mandate under conditions specified by Article 11 of the Commune Administration Law.

**Chapter 13**

**Closing the Polling Station(s) in Case of Emergency**

**Article 168.- New (former article 220)**

NEC is eligible to decide not to open and is eligible to close any or certain number of polling stations in case of emergency, which might cause a danger or a threat to the safety of the electoral officials, and the voters who remain in the inner perimeter.

Cases of emergency may include one of the following:

Public insecurity;

Flooding, storm, earthquake or other natural disaster;

The collapse of a building for the election;

Administrative deadlock rendering the conduct of election to become impossible.

Any polling station which is not opened or which is closed under this Article shall be closed all day long.

**Article 169.- New (former article 221)**

NEC shall immediately inform the Prime Minister in case any polling station shall be closed.

**Article 170.- New (former article 222)**

In case a polling station is closed, the election at that polling station shall be conducted anew not later than 30 days at any proper place determined by NEC.

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

NEC shall guarantee sufficient number of ballots, which are published in different color from the ones used in earlier election.

**Article 171.- New**

*The ballots voted at a polling station that was closed according to Article 168 (new) of this law shall not be counted. Only the ballots voted during the polling day of a re-election shall be counted.*

*For the ballots that shall not be counted, the polling station officials shall make minutes and retain them according to the regulations and the procedure determined by the NEC.*

*The ballots voted in all polling stations that have not closed shall be counted and recorded on the polling day.*

*All ballots shall be counted and recorded under the procedure determined in this law.*

*After a re-election is conducted, the NEC shall assign to compute the election results in the whole commune/sangkat and to proclaim the results according the procedure specified in this law.*

**Article 172.- New**

*The NEC shall make additional regulations and procedures for the actual implementation of the conditions outlined in Article 168 (new), 170 (new) and 171 (new) of this law, in which they include:*

- *Safety of Electoral Officials, Voters, Political Party Agents and Observers*
- *Role of Political Party Agents and Observers*
- *Delivery, Maintenance, Receipt and Safety of All Election Materials*
- *Closure of Polling Stations and Reopening of Polling Stations*
- *Process of a Re-election*
- *Ballots Counting*

- *Proclamation of Election Results*

## **Chapter 14**

### **Re-election**

#### **Article 173.- New (former article 225)**

A reelection as specified by Article 17 of the Commune Administration Law shall be conducted not later than 120 days.

The Interior Minister shall determine the date for conducting a reelection not later than 7 days after the occurrence of an event requiring such reelection.

A reelection shall be carried out from 7: 00 AM through 15: 00 PM.

#### **Article 174.- New**

*Citizens are eligible to vote in a re-election only if their names are on the voter list, and they have a document to prove their identity.*

*The list of voters shall be the last voter list.*

*Each registered voter has the right to cast only one vote through a secret ballot.*

#### **Article 175.- New (former article 227)**

A reelection shall be conducted and administered by NEC in accordance with provisions of this law.

#### **Article 176.- New (former article 228)**

NEC shall be held responsible for any reelection.

The provisions for the CC election as specified by this law shall apply to a reelection in order to elect a new CC.

NEC is eligible to design regulations and the procedure to guarantee that a reelection will be conducted freely and fairly.

## **Chapter 15**

### **Budget**

#### **Article 177.- New (former article 229)**

There shall be created a Treasury Special Account as a Fund-Endowment Bank Account for the Election for use by NEC in the CC election under financial appropriations.

Fund endowment for the election, which is obtained from other contributions of the government, assistance from foreign governments, international organizations, donations from generous persons and from other NGOs, and other lawful incomes, must be integrated into the national budget in order to provide directly to this Treasury Special Account.

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

The conditions and procedure for applying this Article shall be determined by sub-decree on request of NEC after it has consulted the Minister of Economy and Finance.

## **Chapter 16**

### **Penalties**

#### **Article 178.- New**

*The name will be removed from the electoral list, the candidacy of the individual or the candidacy to contest in the election of the political party will be canceled by the NEC, and/or a fine from 5,000,000 (five million) Riels to 25,000,000 (twenty five million) Riels will be imposed, not counting any other criminal penalties yet, to any person and political party that committed any of the following acts:*

- *Incite the supporter or voters to commit abuses, intimidation or violence on another candidate or political party.*
- *Impose duress or intimidate or force the other person to make an oath to vote for his/her own political party or any other political party that he/she likes.*
- *Use force or violence to prevent enfranchised citizens from going to vote or run as candidates.*
- *Prevent a candidate and the supporters of a political party from undertaking an election campaign in accordance with what has been determined.*
- *Use force or violence or intimidation or insulting words leading to fear or misunderstanding causing chaos and loss of confidence in the secrecy of the election.*
- *Create disturbances making the election unable to process forward.*
- *Create disturbances making the vote counting unable to process forward.*
- *Cause disorder during the poll.*
- *Buy votes with materials or cash.*

#### **Article 179.- New**

*A fine from 10,000,000 (ten million) Riels to 50,000,000 (fifty million) Riels will be imposed, and/or his/her electoral work will be terminated forever for any member or official/staff of the NEC, of all levels of the electoral commissions, and any polling station official who violates Article 8 (new) of this law.*

#### **Article 180.- New**

*A fine from 10,000,000 (ten million) Riels to 25,000,000 (twenty five million) Riels will be imposed, not counting any other criminal penalties yet, and/or his/her name will be removed from the voter list for a period of 5 (five) years for any member of the NEC, PECs, CECs and PSCs that fakes documents, counterfeit ballots or uses other tricks to cheat the results of the elections.*

### **Article 181.- New**

*A fine from 5,000,000 (five million) Riels to 25,000,000 (twenty five million) Riels will be sanctioned, not counting any other criminal penalties yet, for any person who induces or motivates through buying or intimidates or scares or uses violence in order prevent another citizen, who qualifies the requirements as prescribed in this law, from running as a candidate for the elections of the commune councils.*

*In case the offender is a candidate running for the CC election, his/her voting right will be removed, and his/her candidacy shall be deleted from the list of candidates of the political party in addition to sentence above.*

*In case the offender is a member or an official/staff of the NEC or of all levels of the election commissions, or is a polling station official, his/her electoral work shall be terminated forever in addition to the punishment above.*

### **Article 182.- New**

*Any person who violates Article 35 (new) of this law shall receive a warning.*

*In case the person refuses to abide by the warning, his/her weapon, or explosive or hazardous substance and object shall be confiscated by competent agents in order to punish him/her according to the law and fine him/her from 5,000,000 Riels to 10,000,000 Riels. If the offender is a civil servant, or a military or a police officer, the NEC shall:*

- *Request the head of the relevant institution to impose administrative sanctions on the offender, ranging from being suspended without pay to being dismissed from position, according to the seriousness of the offense.*
- *Disenfranchise the offender by removing his/her name from the voter list.*

*In case the offender is a member or an official/staff of the NEC or a PEC or a CEC, or an officer of a polling station or ballot counting station, the NEC shall terminate his/her employment with the NEC or all levels of the electoral commissions or the polling station or ballot counting station for a period of 10 years starting from this election year onward in addition to the punishment outlined above.*

### **Article 183.- New**

*Any person who violates Article 36 (new), 37 (new), 39 (new) and 40 (new) of this law shall receive a warning.*

*In case he/she refuses to abide by the warning, he/she shall be fined from 5,000,000 Riels to 10,000,000 Riels.*

*In case the offender is a candidate in a list of a political party, he/she shall be disenfranchised; his/her name shall be deleted from the voter list; and his/her candidacy shall be canceled in addition to the punishment outlined above.*

### **Article 184.- New**

*The NEC shall disenfranchise him/her for a period of 5 years, remove his/her name from the voter list, and shall request the head of the relevant institution to impose administrative sanctions on him/her, ranging from being suspended without pay to being discharged from employment, for any civil servant or responsible person who violates Article 17 (new) of this law.*

### **Article 185.- New**

*A person shall be fined from 5,000,000 Riels to 10,000,000 Riels, and his/her voting right shall be withheld for a period of 5 years; his/her name shall be deleted from the voter list, if he/she orders or induces or tricks a voter to choose a list of candidates of a political party by following indications or by some other means during the poll.*

*If the offender is a member or an official/staff of the NEC or of all levels of the electoral commissions or an official of a polling station, the NEC shall terminate his/her employment and prevent him/her from getting [an electoral] job for 10 years starting from this election year onwards.*

*If the offender is a candidate running for the election, his/her candidacy shall be removed in addition to the punishment outlined above.*

### **Article 186.- New**

*Any person who intentionally causes a ballot box to open up, to be torn apart, or the seal or any other material used to determine the safety of the ballot box to become unlocked, or causes the ballot box to be lost or stolen, or fights for the ballot box, or destroys the ballot box that has ballots inside shall be fined from 10,000,000 Riels to 25,000,000 Riels, not counting other criminal penalties yet, and shall be disenfranchised for 5 years; and his/her name shall be deleted from the voter list.*

*If the offender is a member or an official/staff of the NEC or of all levels of the election commissions, or is an official of a polling station, the NEC shall terminate him/her from the job, and shall prohibit that person from getting an electoral job for a period of 10 years starting from this election year onwards.*

*If the offender is a candidate running for the election, his/her candidacy shall be canceled in addition to the punishment outlined above.*

### **Article 187.- New**

*Any person who violates Article 79 (new), 80 (new), 81 (new) and 86 (new) of this law shall be fined from 5,000,000 Riels to 10,000,000 Riels, not counting any other criminal penalties yet, and his/her voting right shall be withheld for five years, and his/her name shall be deleted from the voter list.*

*If the offender is a candidate running for the election, his/her candidacy shall be removed in addition to the punishment outlined above.*

### **Article 188.- New**

*Any person who violates the 1<sup>st</sup> and 3<sup>rd</sup> paragraph of Article 84 (new) of this law shall receive a warning.*

*In case he/she refuses to abide by the warning, he/she shall be disenfranchised, and his/her name shall be deleted from the voter list for 5 years, and the head of his/her institution shall be requested to impose administrative sanctions on the offender, ranging from being suspended without pay to being discharged from position, and the offender shall be fined from 2,000,000 Riels to 4,000,000 Riels.*

### **Article 189.- New**

*Any person who violates Article 106 (new) and 107 (new) of this law shall receive a warning.*

*In case he/she refuses to abide by, he/she shall be fined from 5,000,000 Riels to 10,000,000 Riels.*

## **Transitional Provisions**

### **Chapter 17**

#### **Article 190.-New (2)**

*The elections of the commune/sangkat councils for the 3<sup>th</sup> mandate shall be conducted on Sunday June 3, 2012.*

*The National Election Committee shall disseminate the date of the elections publicly and immediately in every commune/sangkat in the whole country.*

### **Chapter 18 Final Provisions**

#### **Article 191.- New (former article 247)**

Any provision that is in conflict with the provision of this law shall be abrogated.

#### **Article 192.- New (former article 248)**

This law shall be declared as urgent.

**\*\*\***

Promulgated at the Royal Palace, Phnom Penh, on June 27, 2006

Signed            Stamp

**NORODOM SIHAMONI**

Presented to His Majesty the King

Prime-Minister Signed HUN SEN

Submitted to the Prime-Minister for signature

Vice Prime-Minister Signed SAR KHENG

UNOFFICIAL TRANSLATION BY  
UNITED NATIONS DEVELOPMENT  
PROGRAMME (UNDP), CAMBODIA