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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

LAW
ON LOCAL ELECTIONS*
OF THE REPUBLIC OF SERBIA

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TABLE OF CONTENTS

I.	BASIC PROVISIONS	3
II	ELECTION OF COUNCILLORS TO LOCAL SELF-GOVERNMENT ASSEMBLY.....	5
1.	Electoral Bodies	5
2.	Nomination of Candidates.....	7
3.	Conducting Elections	10
4.	Establishing and Announcing Election Results	12
5.	Termination of Mandate and Repeated Elections	16
6.	Protection of the Electoral Franchise	17
7.	Election Expenses	18
8.	Application of the Regulations on Election of Deputies.....	18
9.	Constituting of the Assembly of a Local Self-government Unit.....	19
III.	ELECTION OF THE PRESIDENT OF MUNICIPALITY	19
III.	PENAL PROVISIONS	21
IV.	TRANSITIONAL AND FINAL PROVISIONS	22

I. BASIC PROVISIONS

Article 1

This Law shall govern the election and termination of term of office of councilors of local self-government units assemblies (hereinafter: councilors), presidents of municipal assemblies and mayors.

Article 2

The citizens shall elect councilors and presidents of municipal assemblies or mayors on the basis of their free universal and equal franchise. The citizens shall exercise this right in person and through secret ballot.

No one has the right, on any reason whatsoever to prevent or force a citizen to vote, to hold him/her accountable for his/her vote or request from him/her to reveal his/her vote or state the reasons for failure to vote.

Article 3

Councilors shall be elected based on the lists of political parties and other political organisations, their coalitions and lists proposed by groups of citizens (hereinafter: electoral lists).

Article 4

The citizens have the right to be equally, truly, impartially, entirely and in time informed by the media on the election campaign of nominators of electoral lists and candidates, as well as on other relevant events.

The media shall ensure equality, trueness, impartiality, entirety and timeliness in informing on all nominators of electoral lists and candidates, and other relevant events.

For the purpose of this Law, electoral campaign means all political, promotional and other activities of nominators of electoral lists and candidates.

Article 5

The councilors and president of the municipality or mayor shall be appointed to a four-year term of office.

The election of councilors and president of the municipal assembly or mayor shall be conducted at least 30 days before the end of their term of office.

Article 6

An employee of the municipal administration or a person nominated or appointed by the local self-government assembly may not be a councillor.

The employment of a local self-government administration employee shall become dormant on the day his/her councillor mandate has been confirmed.

The office of a person nominated or appointed by the local self-government assembly shall cease on the day his/her councillor mandate has been confirmed.

The president of the municipal assembly or mayor may not be a councillor of the municipal assembly, hold office in the bodies of public services or companies established by the municipality or the city, or executive bodies of government authorities or territorial autonomy.

Article 7

The right to elect a councillor, municipal assembly president or mayor belongs to citizens of the Republic of Serbia who are Yugoslav citizens, have turned 18 years of age, have legal competence and reside in the territory of the electoral unit where they exercise their franchise.

A councillor or municipal assembly president or mayor may be a citizen of the Republic of Serbia who is a Yugoslav citizen, has turned 18 years of age, has legal competence and resides in the territory of the electoral unit where he/she has been nominated for a councillor or municipal assembly president or mayor.

Article 8

The election of councilors shall be conducted in a municipality as the electoral unit.

Councillor mandates shall be distributed between the electoral lists in proportion to the number of votes won by each electoral list.

Article 9

The President of the National Assembly shall call the elections of councilors and presidents of municipal assemblies or mayors.

The time period between the day of calling the elections and the election day may not be shorter than 30 and longer than 60 days.

The Decision on calling the elections shall determine the election day and the beginning date of time periods within which electoral procedures shall be performed.

The Decision on calling the elections shall be published in the Official Gazette of the Republic of Serbia.

Article 10

electoral commissions of local self-government units and polling boards shall conduct elections for councilors and municipal assembly presidents, or mayors.

II ELECTION OF COUNCILLORS TO LOCAL SELF-GOVERNMENT ASSEMBLY

1. Electoral Bodies

Article 11

Electoral bodies are electoral commission of the local self-government unit (hereinafter: electoral commission) and polling boards.

The electoral bodies shall be independent in their work and respect the laws and regulations established by the law.

The electoral bodies are responsible to their appointing body.

All bodies and organisations are obliged to provide assistance to the electoral bodies and present them the data necessary for their work.

Article 12

The members of electoral bodies and their deputies may only be citizens with franchise and residence in the territory of the municipality.

The members of electoral bodies and their deputies shall cease to be so when they become candidates for councilors.

Article 13

The electoral commission has its permanent composition (appointed members) and expanded composition (including proxies).

The Electoral Composition shall work in its expanded composition from the date of determining such composition to the end of the elections.

Each nominator of a confirmed and proclaimed electoral list who has nominated at least two thirds of candidates of the total number of councilors to be elected have the right to appoint his/her proxy to an electoral body.

Nominators of two or more electoral lists may appoint a joint proxy to an electoral body.

The electoral commission shall make decisions by majority vote of its permanent or expanded composition.

Article 14

The permanent composition of the electoral commission comprises the president and at least four members appointed by the local self-government assembly, and the expanded composition includes one proxy of each electoral list nominator who has nominated at least two thirds of candidates of the total number of councilors to be elected.

The electoral commission shall have a secretary appointed by the assembly of the local self-government unit. The secretary may participate in the work of the commission without the right to vote.

The president, other members of the permanent and expanded electoral commission and the secretary shall have their deputies.

The president, deputy president or secretary of the electoral commission may be a person who holds a degree in law.

On the same day when proclaiming an electoral list, the electoral commission shall issue a decision establishing which nominators of electoral lists meet the requirements for appointing their representatives to the expanded composition of this body.

The electoral commission shall submit the decision establishing fulfilment or non-fulfilment of requirements for appointing representatives to expanded composition of the electoral commission to nominators of electoral lists within 24 hours of issuing such decision.

The nominator of an electoral list shall appoint his/her proxy to the electoral commission within 24 hours of submitting the decision referred to in paragraph 5 of this Article and upon expiry of this deadline, the nominator shall lose the right to appoint a proxy.

The electoral commission shall determine its expanded composition within 24 hours of the expiry of the deadline specified in paragraph 6 of this Article.

Article 15

The electoral commission shall:

1. provide for lawful election of councilors;
2. determine polling stations, especially taking into account a balanced number of electors per polling station and the accessibility of polling stations;
3. determine polling boards and appoint their members;
4. issue instructions to polling boards regarding the election of councilors;
5. prescribe forms and organise technical preparations for the election of councilors;
6. establish whether the electoral lists have been made and submitted in accordance with the regulations on the election of councilors;
7. proclaim electoral lists;
8. determine the form and content of ballot papers, the number of ballot papers for polling stations and submit them to polling boards with a record of the hand-over;
9. establish and announce the overall results of the election of councilors;
10. submit a report to the local self-government unit on the elections of councilors;
11. provide the republic body in charge of statistics with the data on the procedure and results of election of councilors, immediately upon the end of the election;
12. perform other duties prescribed by the regulations on the election of councilors.

In its work, the electoral commission shall follow instructions and apply acts of the Republic Electoral Commission related to the election of deputies.

Article 16

Polling boards shall have a permanent and expanded composition.

The permanent composition of a polling board shall comprise the president and at least two members.

In determining the expanded composition of a polling board, the provisions of this Law referring to electoral commission expanded composition shall apply.

The president and members of a polling board shall have their deputies.

A polling board shall be appointed at least ten days before the election day.

The decision on appointing polling boards shall be submitted to all nominators of confirmed electoral lists within 48 hours of the date of its issuance.

Article 17

A polling board shall directly conduct balloting, ensure the regularity and secrecy of ballot, establish the results of voting at the polling station and perform other duties stipulated by law.

A polling board shall ensure order at the polling station during balloting. The electoral commission shall determine more specific rules on the work of polling boards.

2. Nomination of Candidates

Article 18

Political parties, coalitions and other political organisations jointly or severally may nominate candidates for councilors if they are supported by signatures of at least 30 electors or may nominate electoral lists if they are supported by signatures of at least 200 electors per list.

A group of citizens may also nominate candidates for councilors if they are supported by signatures of at least 30 electors or may nominate electoral lists if they are supported by at least 200 electors per list.

The nominations referred to in paragraphs 1 and 2 may be made on behalf of a political party or a group of citizens only by a person authorised by the political party or a group of citizens to do so.

On behalf of a coalition of parties, the nomination referred to in paragraph 1 and 2 of this Article may be made by maximum two persons.

Article 19

An electoral list shall be submitted to the electoral commission not later than 15 days before the election day.

The electoral list is submitted to the commission together with the following documents:

1. certificate of electoral right for each candidate in the list stating his/her full name, date of birth, occupation and the personal identification number;
2. written statement of each candidate expressing his/her acceptance of candidacy;
3. certificate of residence for each candidate;
4. written approval of the first candidate in the list;
5. authorisation of the persons nominating the list;
6. certificate of citizenship;
7. signatures of electors supporting the list.

If an electoral list is submitted by a coalition of parties, the list shall be submitted together with a written agreement on the coalition, which stipulates the manner of distribution of mandates pursuant to this Law.

The coalition agreement referred to in paragraph 3 of this Article shall also govern termination of mandate in the case specified under Article 45, paragraph 1, items 1) and 10) hereof, as well as in other cases of filling vacant seats in accordance with this Law.

Article 20

The same person may be a candidate for a councillor only in one electoral list.

The nominator of an electoral list shall determine the order of candidates in the list.

One of every four candidates in the list (the first four candidates, the second four candidates, etc.) shall be of the sex that is less represented in the list, and the total number of the less represented sex in the list may not be smaller than 30%.

A list that does not meet the requirements specified in paragraph 3 of this Article shall be considered deficient to be proclaimed, and its nominator shall be requested to eliminate the deficiencies in accordance with this Law.

Should the nominator fail to eliminate the deficiencies referred to in paragraph 4 of this Article, the electoral commission shall refuse to proclaim the list pursuant to this Law.

If upon issuing the decision on proclaiming the electoral list, a candidate in the list is declared incompetent by a valid court decision, loses the citizenship of the Republic of Serbia, withdraws from a candidacy or in case of death, the nominator of the electoral list shall not be entitled to nominate a new candidate.

The candidate who is the next in the list shall take the position in the electoral list of the candidate referred to in paragraph 3 of this Article.

Article 21

The nominator of an electoral list may withdraw the list by the day of determining the general electoral list at the latest.

The position held by the proxy of the electoral list nominator in all electoral bodies shall terminate by withdrawal of the electoral list, as well as all other pertaining rights.

Article 22

The title of an electoral list shall be determined based on the name of the political party nominating the list, and it may include the name of the person determined by the political party to be the first candidate in the list.

Should two or more political parties nominate a joint list, the title of the list and maximum two first candidates in the list shall be mutually agreed.

In addition to the title of the electoral list of a group of citizens, its nominator shall specify its designation, and the title may also include the full name of the person designated by the group of citizens as the first candidate in the list.

The person designated as the first candidate in the list may be a candidate for a councillor.

Article 23

The electoral commission shall define the form and content of the list of signatures of persons supporting an electoral list and make it available to participants in the elections within 5 days of the date of calling the elections.

The nominator of an electoral list shall appoint persons to collect signatures supporting the electoral list and issue them a special authorisation to collect signatures.

The electoral commission shall define the authorisation form referred to in paragraph 2 of this Article.

It is prohibited to collect signatures at workplaces and exert any form of pressure on citizens to support an electoral list.

An elector may support by his/her signature only one nominator's list.

The electoral commission shall determine the manner of checking the authenticity of signatures and other data entered in the forms specified in paragraph 1 of this Article.

Article 24

The electoral commission shall declare the electoral list of a political party (party electoral list), the list of two or more political parties (coalition electoral list) or the list of a group of citizens (group of citizens electoral list), immediately upon receiving the electoral list and pertaining documents and not later than 24 hours following receipt of the electoral list.

The electoral commission shall deliver the decision on declaring the electoral list specified in paragraph 1 hereof to the nominator without delay.

Article 25

The electoral commission shall take a decision rejecting an electoral list if it determines that such list has not been submitted in by due date.

If the electoral commissions determines that an electoral list contains deficiencies constituting a hindrance to declaring an electoral list in accordance with this Law, it shall pass a conclusion, within 24 hours following receipt of the electoral list, instructing thereby the nominator of the electoral list to rectify the deficiencies within 48 hours following delivery of said conclusion. The said conclusion shall concurrently indicate to the electoral list nominator activities to be undertaken in order to rectify the deficiencies.

If the electoral commission determines that the electoral list contains deficiencies under this Law, or if it determines that electoral list deficiencies have not been rectified, it shall take a decision in the following 24 hours rejecting declaration of the electoral list.

Article 26

A general electoral list shall be determined by the electoral commission, such list to contain all electoral lists with names of all candidates, their date of birth, occupation and domicile.

The order of electoral lists, with names of all candidates, on the general electoral list shall be determined pursuant to the order of their proclaiming.

The electoral commission shall publish the general electoral list pursuant to manner of publishing municipal statutes, at latest 15 days prior to election day.

Every electoral list nominator shall be entitled, through an authorised person and within 48 hours subsequent to publishing of the general electoral list, to perform inspection of all electoral lists and attached documents.

Article 27

The citizens are entitled to be informed in respect of electoral lists.

The citizens are entitled, by means of public media, to be timely, truthfully and impartially informed on all activities of participants in the electoral procedure and of events relevant to the elections.

3. Conducting Elections

Article 28

The electoral commission shall be required to prepare voting material in due time for each polling board, and especially the required number of ballot papers, excerpt from the electoral register, certificates of franchise, special official envelopes for voting, and the polling board report form.

The electoral commission shall prepare and stamp the ballot papers.

The electoral commission determines the total number of ballot papers that shall be equal to the number of registered voters in the municipal electoral register.

The electoral commission shall supervise preparation and stamping of ballot papers and shall define the number of spare ballot papers whereby said number may not exceed 0.3% of the total number of ballot papers.

Ballot papers shall be printed in one location.

An electoral list nominator shall deliver to the electoral commission the name of the person authorised to attend printing, counting, and packing of ballot papers and delivery thereof to bodies authorised to conduct elections.

In municipalities where national minorities' languages are in official use ballot papers shall be printed also in such languages.

The electoral commission shall specify content, form and appearance of ballot papers, manner and control of printing thereof, delivery and handling of ballot papers.

Article 29

Hand-over of electoral material shall be made at latest 24 hours prior to election day.

Municipal authorities shall arrange polling stations and shall prepare for each polling board the required number of ballot boxes with material for their sealing and writing material.

Prior to voting on election day the polling board shall determine whether the electoral material prepared for that polling station is complete and correct, whether the polling station is arranged so as to ensure secrecy of ballot and whether voting may commence, and shall so record in its report.

Article 30

The ballot paper shall contain:

Ordinal number placed in front of the title of the electoral list,

Titles of electoral lists, pursuant to sequence determined for the general electoral list, with name of the first candidate from the list,

A notice that only one electoral list may be voted for, by circling the ordinal number in front of the title of such list or the title of the list.

Article 31

The general electoral list, with titles of electoral lists and names of all candidates shall be visibly displayed at the polling station during balloting.

Content, form and manner of displaying the general electoral list referred to in paragraph 1 hereof shall be stipulated by the electoral commission.

Article 32

Representatives of electoral list nominators and candidates for councillors shall be entitled to inspect electoral material, and especially excerpts from electoral registers, polling board records, electoral commission records and ballot papers. Inspection is done in the official premises of the electoral commission and/or of the bodies holding such electoral material. Inspection of electoral material may be done within 5 days after holding of elections.

Article 33

An elector shall vote at the polling station where he/she is registered in the electoral register.

An elector may vote outside of the polling station where he/she is registered in the electoral register except, under conditions and manner provided by law.

The method of voting outside of the polling station as well as the number of electors who so voted shall be recorded in the polling board record.

Article 34

An elector shall cast his/her ballot personally.

An elector may vote only for one of the electoral lists on the ballot paper.

Voting is done by circling the ordinal number in front of the title of the electoral list or by circling the title of the electoral list.

An elector shall personally fold his/her ballot paper so that the electoral list, for which he/she has voted for, shall not be visible and shall insert it into the ballot box and leave the polling station immediately.

4. Establishing and Announcing Election Results

Article 35

Upon concluding of the voting the polling board shall commence determining voting returns at the polling station.

The polling board determines the number of unused ballot papers and places them in a separate envelope, which is then sealed, and bearing a notice that it contains unused ballot papers.

On basis of electoral register excerpt the polling board determines the overall number of electors who have voted.

Once the ballot box is opened and the control ballot paper is checked, the valid ballot papers are separated from the invalid.

The polling board states the number of invalid ballot papers, enters such number into the record and seals the invalid ballot papers into a separate envelope, with a note on the envelope that it

contains invalid ballot papers, and shall then determine the number of valid ballot papers and the number of votes won by each of the electoral lists, which shall also be entered into the record.

Valid ballot papers shall be placed into a separate envelope with a note on the envelope that it contains valid ballot papers, that shall then be sealed.

An invalid ballot paper shall be an empty ballot paper, a ballot paper filled in such way that determination which electoral list received the vote is not possible, and a ballot paper on which more than one electoral list has been circled.

When the name and surname of the first candidate on the list has been circled or the title or part of the title of the electoral list has been circled, and/or if both the ordinal number and the title of the electoral list and the name and surname of the first candidate are circled, such ballot paper shall be deemed valid.

If it is determined that the number of ballot papers in the ballot box is greater than the number of electors who voted, or the ballot box does not contain the control ballot paper, the polling board shall be dismissed and a new one appointed, and voting at such polling station shall be repeated.

Article 36

Once the voting results are determined, the polling board shall enter into the record of its work: the number of received ballot papers; number of unused ballot papers; number of invalid ballot papers; number of valid ballot papers; number of votes won by each of the electoral lists; number of electors pursuant to the electoral register excerpt and the number of electors who voted.

The polling board record shall contain also remarks and opinions of polling board members, of electoral list nominators and of joint proxies of electoral list nominators, as well as all other facts relevant to the voting.

All members of the polling board shall sign the record of the polling board's work.

Article 37

The record of the polling board work shall be made on the prescribed form and printed in six copies.

In municipalities where languages of national minorities are in official use the polling board record shall be printed also in these languages.

The first copy of the record shall be delivered to the electoral commission together with determined electoral material.

The second copy of the record shall be displayed at the polling station for public scrutiny.

The four remaining copies of the record shall be handed over immediately to proxies of nominators of electoral lists that won the largest number of votes at such polling station and if no such proxy is present the copy of the record may be taken over by the proxy within 12 hours.

The remaining nominators of electoral lists shall be entitled, within 12 hours of delivery of the material from the polling station to the electoral commission, to receive a certified photocopy of the polling board record from the electoral commission.

Article 38

Once the voting results have been determined the polling board shall, without delay and at latest within 8 hours upon closing of the polling station, deliver to the electoral commission the record on determining the voting results at the polling station, electoral register excerpt, valid ballot papers in a sealed separate envelope, unused ballot papers in a sealed separate envelope, invalid ballot papers in a sealed separate envelope and all remaining electoral documents.

A record shall be made on the hand-over of electoral documents that shall be signed by the electoral commission representative and at least two members of the polling board who have handed over the electoral documents.

Article 39

Upon receipt of the electoral documents from the polling stations the electoral commission shall, within 24 hours of closing of the polling stations, determine: the total number of electors recorded in the electoral register; number of electors who have voted at the polling stations; number of voters who voted by tendered ballot; total number of invalid ballot papers; total number of valid ballot papers and the number of votes won by each of the electoral lists.

The electoral commission shall determine the results of voting at polling stations at latest within 6 hours from delivery of reports from the polling stations.

Article 40

The electoral commission shall determine election results and shall make a separate record thereof.

Each electoral list shall receive the number of seats proportionate to the number of votes won.

The electoral commission shall determine the number of seats belonging to each of the electoral lists.

Electoral lists winning at least 3% of the votes of the total number of votes cast shall be eligible for allocation of seats.

Article 41

The electoral commission shall allocate seats between various electoral lists by multiplying the overall number of seats with the number of valid votes won each of the electoral lists. The obtained result shall then be divided by the total number of votes won by all electoral lists, except for the votes cast in favour of those electoral lists that that have not fulfilled the condition specified in Article 40 of this Law. Each electoral list shall have won such number of seats as equal the number of integers resulting from this proportion. If one or more seats remain unallocated, they shall be allocated to electoral lists according to the largest fractions.

If two or more electoral lists have the same or the next largest part of fraction, the seat shall be allocated to the electoral list that has won the greater number of seats.

The electoral commission shall within 24 hours of closing of the polling stations allocate the seats in the manner set in paragraph 1 hereof, and shall make a separate record thereof.

Article 42

Seats belonging to a particular electoral list shall be allocated to candidates from that list, in accordance with provisions of this Law.

If a particular electoral list has won more seats than there are candidates for councillors nominated by such list, the seat shall be allocated to the electoral list having the next largest part of a fraction.

If two or more electoral lists have the same or the next largest part of a fraction, the seat shall be allocated to the electoral list that has won the greater number of seats.

One third of won seats is allocated to the candidates in the list according to their sequence.

The electoral list nominator shall no later than within 10 days of publication of the overall election results inform the electoral commission about the candidates in the list who will be allocated the remaining two thirds of seats, of which every fourth seat shall be allocated to a person of less represented sex in the list.

If the electoral list nominator fails to provide the information, or provides the information contrary to paragraph 5 of this Article, the electoral commission shall inform him in writing that he/she is obliged to do so within the additional 5-day deadline, with a warning in respect of the consequences for failing to do so.

If the electoral list nominator fails to provide the information within the additional time limit, or again provides the information contrary to paragraph 5 of this Article, the electoral commission shall allocate all won seats to the candidates according to their sequence in the list. No complaint may be filed against such decision.

In case of a coalition of parties, the remaining two thirds of won seats shall be allocated in accordance with the coalition agreement referred to in Article 19 hereof.

Article 43

The electoral commission shall announce the election results within 24 hours from end of balloting.

Article 44

The electoral commission shall issue the councillor a certificate of election.

5. Termination of Mandate and Repeated Elections

Article 45

A councillor's mandate shall cease prior to end of term for which he/she has been elected:

1. If he/she is no longer a member of the political party or coalition whose candidate he/she was;
2. By resignation;
3. If a decision is passed to dissolve the local self-government assembly
4. If a decision is passed to call early elections;
5. If validly convicted to unconditional imprisonment for minimum of six months;
6. If declared incompetent by valid court decision;
7. By undertaking job, or function which are, in accordance with the law, incompatible with the function of councillor;
8. If no longer having permanent residence on the territory of the local self-government unit;
9. By loss of citizenship;
10. In case of death of a councillor;
11. If deleted out of the registry of a competent body of the political party, or other political organisation on whose list he/she was elected.

The councillor's mandate shall end in case specified in para. 1 of this Article.

The assembly of the local self-government unit shall confirm the end of the mandate at its first session following the delivery of the notice of the reasons for end of the mandate of the councillor.

Article 46

The repeated election shall be held if the electoral commission or competent municipal body annuls the elections due to the irregularities in conduct of elections, in cases determined by this Law.

If the elections are annulled at a certain polling station, voting shall be repeated only at that polling station.

Elections shall be repeated within seven days following the identifying irregularities in the election procedure, in the manner and procedure established for conduct of elections at the polling stations where the election procedure has not been conducted in accordance with this Law.

The electoral commission shall call the repeated elections.

The repeated elections shall be conducted in accordance with the list of candidates established for the annulled elections, except when the elections were annulled due to irregularity in establishing electoral list.

In case of repeated elections, the final election results shall be determined upon the completion of the repeated voting.

Article 47

When term in office of a councillor ends before the expiry of the period to which he/she is elected, the seat shall revert to the electoral list the councillor was elected. The seat shall be allocated to the next candidate in the electoral list for whom the party had not won a seat initially.

When the term of a councillor ends before the expiry of the period to which elected, and there are no other candidates for whom the nominator of the electoral list did not win a seat on the electoral list from which the councillor was elected, the seat shall reverted to the nominator of the electoral list that has next largest portion of the fraction and did not win a seat.

If two or more electoral lists have the same next largest portion of the fraction, the seat shall revert to the electoral list that won the larger number of seats.

The mandate of the new councillors shall last until the end of the term of the councillor whose term ended.

A written confirmation of acceptance of the term of office shall be obtained from each candidate prior to allocation of seat.

6. Protection of the Electoral Franchise

Article 48

Every voter, candidate for councillor and nominator of electoral list may file objection to the electoral commission due to violation of electoral franchise or electoral procedure.

Every member of the poling board may file an objection to the electoral commission due to violation of electoral franchise or electoral procedure that occurred at a poling station.

An objection may be filed within 24 hours following the day of issuance of the decision, or when the action was executed or the omission was made.

Article 49

The electoral commission shall within 48 hours following the receipt of the objection issue a decision and send it to the objector.

If the electoral commission adopts the objection, it shall annul the decision or action.

If the electoral commission does not issue a decision on objection within the time period prescribed by this Law, the objection shall be considered adopted.

Article 50

An appeal against the decision of the electoral commission, as well as the decision sustaining the objection, may be filed to the competent municipal court within 24 hours of the delivery of the decision.

The appeal shall be deliberated upon at the council's session.

The electoral commission shall immediately, at latest within 12 hours, deliver all information and data necessary for deliberation.

During the procedure for protection of the electoral franchise, the court shall implement provisions of the Law that governs the procedure in administrative disputes.

A decision on appeal shall be reached at latest within 48 hours following the receipt of the appeal and files.

A decision issued on the basis of the appeal procedure is legally valid and there may be neither requests for extraordinary challenging of the court decision nor request for retrial as pursuant to the Law on Administrative Disputes.

If the court adopts the appeal against the decision on overruling the objection, an appropriate electoral procedure, or elections, shall be repeated within 10 days at latest.

If the court adopts the appeal against the decision on sustaining the objection, it shall be considered that the electoral commission has not revoked the decision or action.

7. Election Expenses

Article 51

The funds for conduct of elections and financing of electoral activity for election of councillors shall be provided by the budget of local self-government units.

The funds for financing of electoral activity shall be distributed amongst the nominators of the candidates in the manner established by an act of the assembly of a local self-government unit.

The filings and activities during the electoral procedure shall be exempted from taxes.

8. Application of the Regulations on Election of Deputies

Article 52

Provisions of the Law on Election of Deputies ("Official Gazette RS", No.35/2000) related to register of electors, electoral bodies, nomination of candidates, the title composition and proclamation of electoral lists, polling stations, public information on the candidates, end of electoral campaign and proclamation of preliminary results or anticipation of the results, election material, voting, establishing and announcing electoral results, tax and contributions evasion for income paid as compensation for the work performed in the bodies in charge of elections and punishments, shall accordingly apply for the election of councillors if not otherwise prescribed by this Law.

9. Constituting of the Assembly of a Local Self-government Unit

Article 53

The Assembly of a local self-government unit shall be constituted within 20 days following the day of election of a councillor.

Term of office for a councillor shall begin with the day of confirmation of the term.

The confirmation of a term for a councillor shall be conducted on the basis of the certificate on election of councillor and report by the electoral commission on conducted elections.

A three-member commission shall be formed at the constitutive session of the assembly of the local self-government unit in order to establish the agreement between the certificate of election for councillor and report by the electoral commission.

On the basis of the report of the commission specified in para.4 of this Article, a person presiding the constitutive session of the assembly of a local self-government unit, shall conclude that the electoral commission has submitted a report on conducted elections and identify the certificates of election of councillors that are in agreement with this report, whereby confirming the term of the newly elected councillors.

III. ELECTION OF THE PRESIDENT OF MUNICIPALITY

Article 54

Election or recall of the president of municipality shall be conducted on the basis of the appropriate application of the provisions of this Law related to the election of councillors of local self-government assembly, if the provisions of this Law do not specify otherwise.

Article 55

Political parties may, individually or jointly, nominate a candidate for president of municipality who is supported by signatures of at least 3% of the electorate in the municipality.

Signatures of at least 3% of the electorate in the municipality for president may also be nominated by a group of citizens that support a candidate.

Article 56

The municipal electoral commission shall, at latest within 5 days upon the expiry of the time period for nomination of a candidate, establish a list of candidates for president of the municipality in alphabetic order of surnames of candidates.

The list of candidates shall bear the name of the nominator along the personal name of the candidate.

Article 57

The nominator of a candidate for president of municipality may withdraw his/her nomination at latest by the day of establishing of the list of candidates for president of municipality.

Every candidate may withdraw the candidacy by the day of establishing of the list of candidates for president of municipality.

The nomination shall be withdrawn, or abandoned shall in written form.

Article 58

Voting for president of municipality shall be announced on a ballot prepared and stamped by municipal electoral commission.

A ballot shall comprise the following:

1. name of municipality;
2. indication of voting for election of president of municipality;
3. ordinal number before the name of candidate;
4. full name of candidate, in accordance with the schedule determined on the list of candidates, with designation of the nominator.

Article 59

A candidate who won the largest number of votes of electors shall be elected president of municipality.

If no candidate won a majority of votes in the first run, two or more candidates who won an equal and the largest number of votes go to the run-off.

The run-off shall be held within 15 days, and the winner will be the candidate with the largest number of votes.

If even in the run-off, two or more candidates win an equal and at the same time largest number of votes, the voting shall be repeated within 8 of the day the results are established, until one candidate wins the largest number of votes.

Article 60

The term of president of municipality shall end prior to its expiry:

1. by resignation;
2. if convicted to at least six months imprisonment;
3. If declared incompetent by valid court decision;
4. If no longer having permanent residence on the territory of the municipality;
5. By loss of citizenship;
6. In case of performing activities determined by the law as incompatible with the function of president of municipality;
7. In case of death;
8. By recall;
9. In other cases prescribed by the law.

President of the National Assembly shall within 15 days following the end of term of the president of municipality call elections for president of municipality, if there is more than six months left until the expiry of the term of the president of municipality.

Article 61

A motion for recall of president of municipality may be filed, individually or jointly, by political parties, or a group of citizens who are supported by signatures of at least 10% of the electorate in municipality.

The municipal assembly may also submit a motion for recall of president of municipality by majority vote out of total number of councillors.

The Government of the Republic of Serbia may file a motion for recall of president of municipality, if assessed that the entrusted job is not being conducted in accordance with the law.

Electors shall directly by secret ballot decide on the motion for recall.

Article 62

A president of municipality shall be deemed recalled if the majority of voters who cast their ballots voted for his/her recall.

Article 63

The provisions of this Law on Election and Recall of President of Municipality shall be implemented in respect of the procedure for election and recall of a mayor.

III. PENAL PROVISIONS

Article 64

A fine amounting from 100,000 to 200,000 dinars shall be imposed on a political party, coalition or other political organisation or legal entity who is collecting signatures contrary to the provision of Article 23, paragraph 4 hereof.

A fine amounting from 5,000 to 10,000 dinars shall also be imposed on the responsible person of a political organisation or other legal entity.

A fine amounting from 5,000 to 10,000 dinars shall also be imposed on the person collecting the signatures.

IV. TRANSITIONAL AND FINAL PROVISIONS

Article 65

The provisions of this Law related to the election of councillors to local self-government assemblies and president of municipality shall apply as of the next elections for all councillors of the local self-government assemblies in particular or all local self-government units.

The provisions of the Law on Local Self-government (Official Gazette of the RS, No. 9/2002) related to the bodies of local self-government units shall apply as of the next elections for all councillors of the local self-government assemblies in particular or all local self-government units.

Article 66

The provisions of Articles 120 to 162 of the Law on Local Self-government (Official Gazette of the RS, Nos. 49/99 and 27/01) related to the election of councillors to municipal assemblies shall apply for by-elections for the current composition of the local self-government assemblies, and shall cease to be valid on the date of calling elections for all councillors to local self-government assemblies in the Republic.

Article 67

This Law shall enter into force on the eighth day following the day of its publication in "The Official Gazette of the Republic of Serbia".