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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

(VENICE COMMISSION)

**DRAFT ELECTORAL CODE OF
« THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA »**

WORKING VERSION

I. BASIC PROVISIONS**Article 1**

This Law shall regulate the manner, conditions and procedure for election of the President of the Republic of Macedonia (hereinafter: "President of the Republic"), election of the Members of Parliament of the Republic of Macedonia (hereinafter: "Members of Parliament"), election of the members of councils of units of local self-government and the council of the City of Skopje (hereinafter: "members of councils"), and election of the mayors of municipalities and mayor of the City of Skopje (hereinafter: "Mayor"), the manner and the procedure of registering the electoral right and the maintaining of the Voters' List as well as the determination of the borders of the election districts.

Article 2

(1) The President of the Republic, the Members of Parliament, the members of councils and the mayors, shall be elected at general, direct, and free elections, by secret ballot.

(2) No one shall be allowed to claim responsibility of a voter because of his/her voting, or ask him/her to tell whom he/she has voted for or why he/she has not voted.

❖ Electoral model**Article 3**

(1) Election of the President of the Republic of Macedonia shall be carried out on the territory of the Republic of Macedonia as one election district according to the majority model.

(2) In the Parliament of the Republic of Macedonia, 120 Members of Parliament, shall be elected according to proportional model, whereas the territory of the Republic of Macedonia shall be divided into six election districts determined in this Law and for each election district, 20 MPs shall be elected. The number of voters in each election district may vary at most from minus 3% to plus 3% taking from the average number of voters in the election district.

(3) The election of the members of councils shall be carried out on the territory of the municipality according to the proportional model.

(4) The election of a Mayor shall be carried out on the territory of the municipality according to majority model.

❖ Voters' List**Article 4**

(1) The elections and the Referendum on national and local level in the Republic of Macedonia shall be carried out on the basis of the Voters' List.

(2) The Voters' List shall be considered a public document and shall be kept for the whole territory of the Republic of Macedonia

❖ **Right to elect and to be elected**

Article 5

Every citizen of the Republic of Macedonia who is 18 years old, has legal capacity and has domicile in the constituency, municipality, i.e., in the City of Skopje, where the election takes place, shall have the right to vote.

Article 6

(1) A candidate for President of the Republic may be a person who meets the conditions for election of President of the Republic, as set forth in the Constitution.

(2) Every citizen of the Republic of Macedonia shall have the right to be elected as MP, member of council and mayor provided that he/she:

- is 18 years old
- has legal capacity,
- is not serving a prison sentence for committed criminal offence, and
- has not been given a final court decision of imprisonment of not less than 6 months.

(3) Besides the conditions stipulated in paragraph 2 of this article, every citizen has the right to be elected as member of council or mayor if he/she has domicile in the municipality and the City of Skopje, where election takes place.

❖ **Incompatibility**

Article 7

(1) The office of a Member of Parliament, member of council and Mayor shall be incompatible with the office of the President, President of the Government of the Republic of Macedonia, minister, judge, public prosecutor, public attorney, ombudsman, and with other holders of offices elected or appointed by the Parliament of the Republic of Macedonia and the Government of the Republic of Macedonia.

(2) The office of a Member of Parliament shall be incompatible with the office of a mayor and member of a council in the municipality and in the City of Skopje.

- (3) The office of a Member of Parliament and Mayor shall be incompatible with the:
- Performance of professional and administrative work in the state administration bodies.
 - Performance of business or other profitable activity.
 - Membership in management boards of public enterprises, public institutions, funds, agencies, bureaus and other legal entities, as well as with the appointment of a trustee of state- and socially-owned capital in commercial enterprise.

(4) The office of a Mayor of the City of Skopje and the office of a Member of the Council of the City of Skopje shall be incompatible with the office of a Mayor of municipality and the office of Member of council of the municipalities in the City of Skopje.

(5) The office of the holders of offices under paragraphs (1) and (2) of this Article shall terminate on the day of verification of the mandate as Member of Parliament, member of council and mayor.

(6) The employment of the persons, referred to in paragraph (3) line 1 of this Article shall be temporarily suspended from the day of verification of the mandate as Member of the Parliament.

(7) The business or other profitable activity of the persons referred to in paragraph (3) line 2 and 3 of this Article during their term of office shall be temporarily suspended from the day of verification of the mandate as Member of Parliament, whilst the membership in management boards of public enterprises, public institutions, funds, agencies, bureaus and other legal entities, as well as the appointment as a trustee of state- and socially-owned capital in commercial enterprise shall cease.

(8) The employment of the persons working in the municipal administration shall be temporarily suspended on the day of the verification of the mandate as a member of a council.

Article 8

(1) The service of the members of the armed forces of the Republic of Macedonia, the uniformed police officers, and the authorized officials in the Ministry of the Interior, the Ministry of Defense, and the Intelligence Agency shall be suspended from the day they shall be determined as candidates for Members of Parliament.

(2) The office of the persons in paragraph (1) of this Article shall be temporarily suspended from the day of the verification of their mandate as Members of Parliament.

❖ Professionalism and irrevocability of the function

Article 9

(1) The Members of Parliament cannot be revoked.

(2) The office of Member of Parliament and Mayor shall be conducted professionally.

❖ Tax and fee exemptions

Article 10

(1) Proceedings, acts, submissions, and other documents related to the carrying out of the elections, printing of the ballots and the supply of the e election materials shall be exempted from paying fees and all the proceedings within the electoral procedure are exempted from fees and taxes of all kinds.

(2) All the proceedings and documents of the state bodies, all submissions and evidence related to the registration of the citizens in the Voters' List shall be exempted from the payment of fees and taxes.

II. ANNOUNCEMENT AND CARRYING OUT THE ELECTIONS

1. Announcement of the elections

Article 11

(1) The Election Announcement Act shall be passed by the President of the Parliament and setting the starting day on which the deadlines for performing election activities begin and the Election Day.

(2) The Election Announcement Act shall be delivered to the State Election Commission and the Ministry of Justice.

(3) The Election Announcement Act shall be published in the Official Gazette.

(4) From the day of announcing the elections, until the day of holding the elections, a period of not more than 90 days, nor less than 70 days may pass.

2. Carrying out the elections

Article 12

(1) The citizens shall be informed about the carrying out the elections through a public call and by displaying posters on visible places.

(2) The competent election commission shall carry out for the announcement from paragraph (1) of this Article.

❖ Carrying out the elections for President

Article 13

(1) Elections for President of the Republic shall be held in the last 60 days of the mandate of the outgoing President of the Republic.

(2) If the mandate of the President of the Republic, shall terminate due to any reason, the elections for new President shall be announced within 40 days of the day of the mandate cessation.

❖ Carrying out the elections for Members of Parliament

Article 14

(1) Elections for Members of Parliament shall be held every fourth year, in the last 90 days of the mandate of the outgoing Parliament, or within 60 days from the day of dissolving the Parliament of the Republic of Macedonia (hereinafter: "the Parliament").

(2) Early elections for Members of Parliament shall be conducted in accordance with the provisions of this Law.

(3) The mandate of the Members of Parliament shall start on the day of its verification and shall terminate on the day of verification of the mandate of the newly elected Member of Parliament.

❖ Carrying out elections for member of council and mayor

Article 15

(1) The regular elections for members of the councils and mayors shall be held each fourth year simultaneously in all municipalities, on the day of Sunday in the first week of the month of March.

(2) The early elections for council members and mayor shall be announced and carried out in accordance with provisions of this Law, within 70 days of the day when conditions, as set out by law, for cessation of the mandate have taken place.

(6) The early elections for council members and mayor shall not be conducted if there are less than six months left until the regular elections.

III. BODIES RESPONSIBLE FOR CARRYING OUT THE ELECTIONS

Article 16

(1) Bodies responsible for carrying out the elections shall be:

- the State Election Commission;
- the municipal election commissions; and
- the electoral boards.

(2) For the elections of the Members of Parliament, besides the bodies stipulated in paragraph (1) of this Article, Election commission for the election district shall be formed (hereinafter Regional Election Commission)

❖ Member of an election body

Article 17

(1) A person may not be proposed for a member of an electoral body if:

- he/she had been sentenced for criminal offence related to elections;
- he/she previously participated in organizing the elections and in his/her work as member of an electoral body irregularities had been found due to which the voting had been annulled; and
- he/she has not received a certificate for completed training

(2) A person may not be a member of the State Election Commission if he/she has been elected and appointed by the Parliament and the Government of the Republic of Macedonia, provided that this Law does not regulate it in a different manner.

Article 18

The President and the members of the bodies for carrying out the elections shall conduct their function independently, conscientiously and responsibly in accordance with their competences, as determined in this law.

❖ Incompatibility of the function member of an election body

Article 19

(1) The Presidents, the members of the electoral bodies, the Secretaries and their deputies may not be candidates for the President of the Republic, Members of Parliament, council members and mayors.

(2) If a President, member of an election body, Secretary or a deputy accepts a candidature for President of the Republic, Member of Parliament, council member or Mayor his/her function as President, member, Secretary or deputy shall cease.

❖ **Composition of the election bodies**

Article 20

(1) Every gender shall be represented at least by 30% in the composition of the bodies responsible for carrying out elections.

(2) The decisions on appointing the Regional Election Commissions and the Municipal Election Commissions shall be published in the "Official Gazette of the Republic of Macedonia"

❖ **Proposing a representative of the list submitter**

Article 21

(1) Each submitter of a list of candidates for the election of the President of the Republic, Members of Parliament, members of the councils, and mayors, shall have the right to appoint representative and deputy of the representative to follow the work of the regional election commissions, the municipal election commissions and the electoral boards from the beginning of the elections until the determination and publication of the results.

(2) The submitter of the list shall issue authorization to the representative and shall inform about this the regional, the municipal election and the electoral boards.

(3) The representative of the submitter of the list, on a session of the regional election commission, the municipal election commission and the electoral boards, could point to irregularities in their work and if this is not accepted, the representative could ask to have his remarks entered into the minutes.

❖ **Manner of functioning of the election bodies**

Article 22

(1) The bodies for carrying out the elections shall work and decide, if majority of the members are present and the decision shall be adopted with a majority votes from the total number of members, unless this Law regulates it in a different manner.

(2) In case of absence of a member of the State, Regional, Municipal Election Commission or a member of an Electoral Board the deputies shall take part in their work.

(3) For the local elections, in the local self-government units where at least 20% of the citizens speak an official language different from the Macedonian language, the election

commissions and the electoral boards shall use, in addition to the Macedonian language and its Cyrillic alphabet, also the official language and alphabet spoken by at least 20% of the citizens in that local self-government unit.

❖ **Support for the functioning of the election bodies**

Article 23

(1) The Parliament, the Ministry of Justice, the Ministry of Internal Affairs, the State Statistical Office and the General Services Department in the Government shall be obliged to secure the technical and other conditions for functioning of the election bodies.

(2) The assets for carrying out the works stipulated in paragraph (1) of this Article shall be secured from the budget of the Republic of Macedonia.

1. State Election Commission

❖ **Composition of the State Election Commission**

Article 24

(1) The State Election Commission shall be composed of a president, eight members and their deputies.

(2) The State Election Commission shall have a Secretary General and his/her deputy.

(3) The President and of the State Election Commission and the Deputy President, shall be appointed by the President of the Republic of Macedonia.

Alternative 1 to paragraph 3:

The President of the State Election Commission and his/her deputy shall be proposed by the President of the Republic of Macedonia and shall be elected by a 2/3 majority of the votes in the Parliament of the Republic of Macedonia of the total number of Members of Parliament.

(4) The Parliament shall appoint the members of the State Election Commission and their deputies.

(5) The State Election Commission shall have capacity of a legal entity.

(6) The funds for work of the State Election Commission shall be allocated from the Budget of the Republic of Macedonia.

Alternative 2 to paragraph 3, Article 24 and Article 25 paragraph 1:

Six members of the State Election Commission shall be elected from among the judges of the Supreme Court of the Republic of Macedonia by drawing lots. Drawing lots from among the elected members shall elect the president of the State Election Commission also.

Article 25

(1) Four members of the State Election Commission shall be elected from among the judges of the Supreme Court of the Republic of Macedonia by drawing lots.

(2) Deputies to the members referred to in paragraph 1 of this Article shall be elected from among licensed attorneys-at-law and eminent jurists, by drawing lots.

(3) The president of the State Election Commission, his/her deputy, and members and their deputies referred to in paragraphs (1) and (2) of this Article shall be appointed for a period of five years.

(4) Political parties in opposition who have won the largest number of votes during the last elections for Members of Parliament shall propose two members of the State Election Commission and their deputies.

(5) Ruling political parties who have won the largest number of votes during the last elections for Members of Parliament shall propose two members of the State Election Commission and their deputies.

Article 26

(1) Political parties referred to in Article 25 of this Law, shall determine the members and their deputies referred to paragraphs 4 and 5 within five days from the day of receiving the notification to this aim from the President of the Parliament.

(2) If the political parties fail to determine and submit the names of the members and their deputies within the deadline stated in paragraph (1) of this Article, the members and their deputies shall be proposed by the Parliamentary Committee on Elections and Appointments.

(3) The members of the State Election Commission and their deputies referred to in Article 25, paragraphs (4) and (5), of this Law, shall be jurists.

❖ Professional service of the State Election Commission

Article 27

(1) The State Election Commission shall appoint its Secretary General and his/her deputy from among jurists for a period of five years.

(2) The Secretary General shall not be a member of the State Election Commission and shall not have a right to vote.

(3) The Secretary General shall perform the duty on a professional basis.

(4) A professional service shall be established to the State Election Commission, for executing the professional - administrative and organizational- technical work of the State Election Commission.

(5) The professional service shall be headed by the Secretary General of the State Election Commission.

(6) The Secretary General and the staff of the professional service of the State Election Commission shall have status of civil servants.

❖ **Competencies of the State Election Commission**

Article 28

(1) The State Election Commission shall take care for the legality in the preparation and the conduct of the elections in accordance with the law and shall supervise the work of the election bodies.

(2) The State Election Commission shall:

1. appoint the composition of the Election Commissions;
2. give instruction, clarifications and recommendations on the application of the provisions of this Law and other laws referring to election matters;
3. dismiss each member of an election body in case they work illegally;
control the legality of the work of the election bodies and shall undertake measures in the event of determining a violation of the legality of the preparations, the procedure for candidacy, the conducting and the determining of the election results, as well as in the implementation of the instructions and recommendations given by it;
4. confirm and publish the lists of candidates for election of President and by drawing lots determine their order;
5. adopt a program and establish standards for mandatory education of all election bodies and coordinate it;
6. conduct obligatory training of the members of regional and municipal election commissions and shall issue certificates in a manner and in time frame prescribed with the programme.
7. prescribe the form for the training attendance certificate for the members of the electoral bodies (electoral boards);
8. establish common standards concerning the election material, shall take care of its procurement and shall prescribe the type of means for marking and checking the persons that have voted (UV lamp, spray and graphite pad);
9. prescribe forms for conducting elections and forms for collecting signatures by the voters and the MPs for proposing candidates and publish them in the “Official Gazette of the Republic of Macedonia”;
10. determine the way of handling and securing the election material;
11. determine the quality, form, size, colour and serial numbers of the ballots;
12. organize the printing of ballots and candidates’ lists;
13. deliver to, and receive the election material from, the Regional Election Commissions and the Municipal Election Commissions;
14. inform and educate the public of the manner of voting and of the exercise of the right to vote;
15. adopt a code on the rules for monitoring of elections by domestic and foreign observers, in accordance with international standards, and provide them with identification documents;
16. control the polling stations on the day of the elections where irregularities have been reported;

17. reject with decision all adopted candidate lists, which have not been composed in accordance with this Law;
18. decide upon complaints on the grounds of the election material and other relevant evidence(evidence material);
19. announce the preliminary results of the elections for President of the Republic, MPs, the elections for councilors and mayors based on the data in the minutes of the electoral bodies;
20. publish the final results from the conducted elections;
21. issue certificates to the elected President of the Republic and the elected MPs;
22. adopt the Rulebook and Guide for compensation for the members of the election bodies;
23. submit a report to the Parliament on the conducted elections and a financial report on the conducted elections and shall publish it on its web page;
24. dispense the compensation for the expenses of the elected candidates according to the submitted financial report and publish it on its web page;
25. adopt the act for organization and systematization of the professional service of the State Election Commission for performing professional, administrative and organizational-technical duties for which they can establish support bodies;
26. publish the descriptions of the polling stations in the daily press;
27. decide upon complaints regarding requests for entering, adding or taking out data from the voters' list;
28. take care for the protection of the personal data of the citizens on the voters' list;
29. check the integrity of the database on the Voters' List;
30. sign the voters' List, i.e. the excerpts of the voters' list, not later than 15 days prior to the day of the elections;
31. establish contact with the international associations and organizations that are authorized to observe the elections i.e. the referendum on a national level, on issues regarding the Voters' List;
32. provide data to the media regarding the number of voters registered in the signed voters' list i.e. the excerpts;
33. adopt Rules of Procedure on its own work and the work of the professional service to the State Election commission;
34. perform other duties prescribed by law.

(3) The work of the SEC shall be public and the authorized representatives of the list submitters, upon whose complaints the SEC is deciding, shall have the right to attend the work of the SEC.

(4) For the local elections the forms of the minutes in the local self-government units where at least 20% of the citizens speak an official language different from Macedonian, shall be printed in addition to Macedonian and its Cyrillic alphabet, also in the official language and alphabet spoken by at least 20% of the citizens in that local self-government unit.

2. Regional Election Commission

❖ Composition and election of the Regional Election Commission

Article 29

(1) Regional Electoral Commission shall be formed for each election district, thereby having seat in the municipalities of Kisela Voda, Tetovo, Bitola, Kumanovo, Stip and Strumica.

(2) The Regional Election Commission shall be composed of a president, four members and their deputies.

(3) The Regional Election Commission shall have secretary and his/her deputy nominated by the president of the Regional Election Commission, from among the jurists, for a period of 5 years.

(4) The presidents of the Regional Electoral Commissions and their deputies shall be elected from among the appellate courts judges by drawing lots; two members and their deputies shall be elected from among judges of basic courts by drawing lots. The SEC shall nominate them with a decision for a period of 5 years.

(5) The secretary and his/her deputy referred to in paragraph (3) shall perform professional, administrative and organizational-technical duties of the Regional Election Commission.

(6) One member of the REC and his/her deputy shall be proposed by the political parties in opposition, which in the last elections for members of parliament have won the highest number of votes.

(7) One member of the REC and his/her deputy shall be proposed by the ruling political parties, which in the last elections for members of parliament have won the highest number of votes.

(8) The members and their deputies in the regional electoral commission referred to in paragraphs (6) and (7) of this Article shall be appointed for a period of four years and shall be from among jurists.

Article 30

(1) Political parties referred to in Article 29 of this Law shall determine the members and their deputies referred to in paragraphs (6) and (7) and shall submit their names within 5 days from the day of receiving the notification from the State Election Commission.

(2) If the political parties from Article 29 of this law fail to determine and submit the names of the members and their deputies within the deadline stated in paragraph (1) of this Article, the members and their deputies shall be appointed by the State Election Commission.

(3) The political parties shall also submit proposals for members of the Regional Election Commissions and their deputies referred to in Article 29, paragraphs (6) and (7), of this Law, also in cases when a member or his/her deputy resigns.

(4) The political parties shall submit their proposals referred to in paragraph 3 of this Article, within 48 hours after being notified by the State Election Commission.

(5) If the political parties fail to submit a proposal within the deadline stipulated in paragraphs (1) and (4) of this Article, the members and their deputies of the regional election

commission shall be appointed by the State Election Commission within 24 hours upon expiry of the time set for proposing candidates.

❖ **Competencies of the Regional Election Commission**

Article 31

(1) The Regional Election Commission shall take care for the legality of the preparations and the conduct of the elections in accordance with the law.

(2) The Regional Election Commission shall:

1. appoint the Municipal Election Commissions and their deputies and dismiss the members in the event of their illegal working;
2. control the legality of the work of the electoral bodies and undertake measures in the event of determining a violation of the legality of the preparations, the procedure for candidacy, the conduct and the determination of the election results, as well as in the implementation of the instructions and recommendations given by it;
3. confirm and publish the candidates' lists for the elections of Members of Parliament and determine their order on the ballot by drawing lots;
4. prepare a report on its work and submit it to the State Election Commission within 3 days from the Election Day;
5. control the legality of the work of the municipal election commissions and intervene in the events of determining a violation of the legality in the preparations, candidacy, conducting and the determining of the election results, as well as violation of the instructions and recommendations given by it;
6. provide evidence material during the second instance deciding by the State Election Commission upon its request;
7. undertake technical preparations for conducting the elections according to the instructions, recommendations and clarifications of the State Election Commission;
8. inform and educate the citizens of the manner and technique of voting;
9. register the authorized representatives for monitoring the work of the municipal election commissions;
10. deliver, and collect election materials from, the municipal election commissions in a manner determined with this Law;
11. sum up the results of the voting for the lists of candidates at the election district level and submit all election material to the State Election Commission;
12. fill in and submit statistical data for the needs of the State Statistics Office of the Republic of Macedonia,
13. perform other duties, prescribed by law.

3. Municipal Election Commission

❖ **Composition and election of a municipal election commission**

Article 32

Municipal election commissions shall be formed:

a) in municipalities that have town as their seat:

1. municipality of Berovo
2. municipality of Bitola

3. municipality of Bogdanci
4. municipality of Valandovo
5. municipality of Veles
6. municipality of Vinica
7. municipality of Gevgelija
8. municipality of Gostivar
9. municipality of Debar
10. municipality of Delcevo
11. municipalities of Demir Kapija
12. municipality of Demir Hisar
13. municipality of Kavadarci
14. municipality of Kicevo
15. municipality of Kocani
16. municipality of Kratvo
17. municipality of Kriva Palanka
18. municipality of Krusevo
19. municipality of Kumanovo
20. municipality of Makedosnka Kamenica
21. municipality of Makedonski Brod
22. municipality of Negotino
23. municipality of Ohrid
24. municipality of Pehcevo
25. municipality of Prilep
26. municipality of Probitip
27. municipality of Radovis
28. municipality of Resen
29. municipality of Sveti Nikole
30. municipality of Struga
31. municipality of Strumica
32. municipality of Tetovo
33. municipality of Stip

b) in municipalities that have a village as their seat:

34. municipality of Aracinovo
35. municipality of Bosilovo
36. municipality of Brvenica
37. municipality of Vasilevo
38. municipality of Vevcani
39. municipality of Vranestica
40. municipality of Vrapciste
41. municipality of Gradsko
42. municipality of Debarca
43. municipality of Dojran
44. municipality of Dolneni
45. municipality of Drugovo
46. municipality of Zelino
47. municipality of Zajas
48. municipality of Zelenikovo
49. municipality of Zrnovci
50. municipality of Ilinden

51. municipality of Jegunovce
52. municipality of Bogovinje
53. municipality of Karbanci
54. municipality of Konce
55. municipality of Krivogastani
56. municipality of Lipkovo
57. municipality of Lozovo
58. municipality of Mavrovo and Rostusa
59. municipality of Mogila
60. municipality of Novaci
61. municipality of Novo Selo
62. municipality of Oslomej
63. municipality of Petrovec
64. municipality of Plasnica
65. municipality of Rankovce
66. municipality of Rosoman
67. municipality of Sopiste
68. municipality of Staro Nagoricane
69. municipality of Studenicani
70. municipality of Tearce
71. municipality of Centar Zupa
72. municipality of Caska
73. municipality of Cesinovo - Oblesevo
74. municipality of Cucer - Sandevo

c) municipalities in the city of Skopje:

75. municipality of Aerodrom
76. municipality of Butel
77. municipality of Gazi Baba
78. municipality of Gjorce Petrov
79. municipality of Karpos
80. municipality of Kisela Voda
81. municipality of Saraj
82. municipality of Centar
83. municipality of Cair
84. municipality of Suto Orizari
85. City of Skopje.(this election commission shall be formed only for the purpose of conducting the elections for mayor and council members)

(2) The municipal election commissions shall have their seat in the municipalities as established in paragraph (1) of this Article and shall be responsible for carrying out electoral activities at the polling stations determined with this law.

Article 33

(1) The Municipal Election Commission shall be composed of president, four members and their deputies.

(2) The Municipal Election Commission shall have secretary and his/her deputy appointed by the President of the MEC, from among the jurists, for a period of 5 years.

(3) The president of the MEC and his/her deputy shall be elected from among the judges of the basic courts by drawing lots and shall be appointed with a decision of the SEC for a period of 5 years.

(4) The Secretary and his/her deputy shall perform professional, administrative and organizational-technical duties of the MEC.

(5) Two members of the MEC and their deputies shall be appointed upon a proposal of the political parties in opposition that in the last elections for members of parliament have won the highest number of votes.

(6) Two members of the MEC and their deputies shall be appointed upon a proposal of the ruling political parties that in the last elections for members of parliament have won the highest number of votes.

(7) The members of the Municipal Electoral Commission and their deputies referred to in paragraph (5) and (6) of this Article, shall be appointed for a period of four years and shall be from among the jurists.

Article 34

(1) Political parties referred to in Article 33 of this Law, shall determine and submit their proposals for members of the municipal election commissions and their deputies referred to in paragraphs (5) and (6), to the State Election Commission within 10 days from the day of receiving the notification from the SEC.

(2) If political parties referred to in Article 33 of this Law fail to determine and submit the names of the members and their deputies within the deadline set out in paragraph (1) of this Article, the members and their deputies shall be appointed by the State Election Commission.

(3) Political parties referred to in Article 33 of this Law, shall also submit their proposals for members of the municipal election commissions and their deputies referred to in paragraphs (5) and (6), also in case when a member or his/her deputy resigns.

(4) The political parties shall submit their proposals referred to in paragraph (3) of this Article within 48 hours after receiving the notification to this aim from the SEC.

(5) If the political parties fail to submit a proposal within the deadline set forth in paragraphs (1) and (4) of this Article, the SEC shall appoint the members and their deputies in the MEC, within 24 hours after the expiry of the time for proposing candidates.

Article 35

The president and members of the municipal electoral commission and their deputies, as a rule, shall have their domicile in the area of the municipality for which the MEC has been formed.

❖ Competencies of the Municipal Election Commission

Article 36

(1) The Municipal Election Commission shall take care for the legality in the preparation and conducting of the elections in accordance with law and shall supervise the work of the Electoral Boards.

(2) The Municipal Election Commission shall:

1. appoint the composition of the electoral boards by its decision and shall submit the same, with deposited signatures of the members, to the SEC and the REC;
2. dismiss the members of the electoral board in case they have worked unlawfully;
3. provide instructions for the work of the electoral boards;
4. announce the determined lists of candidates;
5. organize and conduct training for the members of the electoral boards according to the plan and program of the State Electoral Commission (and shall issue them a certificate for completed training);
6. undertake technical preparations for conducting the elections according to guidelines and instructions of the regional election commissions and the State Election Commission;
7. control the legality of the work of the electoral boards and shall intervene in cases when violation of the legality has been determined in the preparations, candidacy and conduct of the elections and determination of the election results, as well as in case of violation of the instructions and recommendations provided by this Commission;
8. prepare a report and submit the same to the State Election Commission;
9. inform the citizens about the place of voting;
10. register the authorized representatives for monitoring the work of the municipal election commission and of the electoral boards, by confirming the authorization;
12. sum up the results from the voting for the list of candidates in the elections for President of the Republic, compile and submit the minutes, together with the entire election material, to the SEC immediately, and at the latest 12 hours after the voting has finished;
13. fill in and submit statistical data for the needs of the State Statistical Office;
14. after conducting the elections for members of parliament the MEC shall submit the election material to the regional election commission within 3 hours upon receiving it from the electoral boards;

(3) Besides the competencies stipulated in paragraphs (1) and (2) of this article, while conducting the local elections, the Municipal Election Commission shall:

1. determine whether the nominated candidates' lists for elections of council members and the candidate list for mayor have been submitted in accordance with this Law;
2. confirm the lists of nominated candidates and shall determine the order of the on the list of candidates by drawing lots;
3. determine the results from the voting in the municipality and the City of Skopje and immediately after the results have become final shall issue, to the elected candidates for council members and to the elected mayors, certificate for election; and
4. perform other duties, prescribed by law.

4. Electoral Board

❖ Composition and election of the electoral boards

Article 37

- (1) Electoral board shall be established for each polling station.
- (2) Electoral boards shall be composed of president, 4 members and their deputies.
- (3) President of the electoral board and his/her deputy, as a rule, shall be jurists.

Alternative 1 to paragraph (3):

Presidents of electoral boards and their deputies shall be appointed by the MEC by drawing lots, from among the attorneys at law or the public servants.

Alternative 2 to paragraph (3):

Presidents of electoral boards and their deputies shall be appointed by the municipal electoral commission by drawing lots, from among the public servants.

(4) Two members of the electoral board and their deputies shall be appointed upon proposal from the political parties in opposition who have won the largest number of votes at the last elections for members of parliament.

(5) Two members of the electoral board and their deputies shall be appointed upon proposal from the ruling political parties who have won the largest number of votes at the last elections for members of parliament.

(6) The municipal election commission shall appoint the presidents, the members of the electoral boards and their deputies at the latest 20 days prior to the Election Day.

Article 38

(1) Political parties referred to in Article 37 of this Law, shall submit their proposals for members and their deputies in the electoral boards referred to in paragraphs (4) and (5), at the latest 25 days prior to the Election Day.

(2) If political parties fail to submit their proposal in the deadline set out in paragraph 1 of this Article, then the municipal election commission shall appoint the members and their deputies in the electoral boards.

(3) The president of the municipal electoral commission shall appoint new members of the electoral board and their deputies if the members and their deputies in the electoral board have unjustifiably left the polling station during the elections, by means of a decision to be submitted to the members of the commission.

❖ Competencies of the Electoral Boards

Article 39

- (1) The electoral board shall take care for the legality in conducting the elections.
- (2) The electoral board shall:

1. directly conduct the voting procedure at the polling station;
2. provide regularity and secrecy in casting the ballot;
3. provide free and peaceful voting process;
4. determine and sum up the election result at the polling station;
5. announce the election results at the polling station; and
6. prepare a report and run a log on its work and shall submit it to the municipal election commission.

(3) The Electoral Board shall prepare minutes about its work and about the counting of the results on a single form prescribed and certified by the State Election Commission with and together with the election material, the board shall submit it to the municipal election commission.

(4) When making errors in filling in the minutes, the electoral board shall proceed according to the Guidelines of the State Election Commission.

(5) The electoral board shall perform its duties in accordance with the law and the instructions of the SEC.

IV. REGISTRATION OF VOTERS' RIGHT

❖ Maintaining the Voters' List

Article 40

(1) The Voters' List shall be kept by the body of the state administration in charge of registering the voters' right.

(2) The Voters' List shall be maintained according to the Register of Citizens in the form of a Register of Voters, with automatic data processing in an electronic form.

(3) The personal data of the citizens in the Voters' List shall be written in the languages and alphabets in which the original records are kept, in accordance with Law.

(4) All citizens who have turned 18 years of age, have residence on the territory of the Republic of Macedonia and who have a valid personal ID card or passport shall be registered in the Voters' List.

(5) All citizens of the Republic of Macedonia, who are temporarily working or staying abroad, with a residence on the territory of the Republic of Macedonia and with a valid passport, shall also be registered in the Voters' List. These persons shall be registered according to their last place of residence in the Republic of Macedonia, prior to their departure abroad.

(6) Citizens who have been deprived of their legal capacity by a final court decision shall not be registered in the Voters' List.

(7) In the Voters' List, the citizens shall be recorded according to the municipality where they reside.

(8) Excerpts of the Voters' List shall be prepared for each election district, municipality and polling station.

(9) In cases when different election processes are carried out simultaneously, each polling station shall receive as many signed excerpts of the voters' list as the number of election processes and election rounds.

(10) The contents of the Voters' List i.e. the excerpts; on the day of the elections (first round) cannot be changed until the end of the elections.

(11) The resources for updating and preparing the Voters' List shall be provided from the Budget of the Republic of Macedonia.

Article 41

(1) In order to conduct voting in the Army post offices, organizations, institutions, units and penitentiary institutions, special excerpts of the Voters' List shall be prepared as follows:

- for voting of citizens who are on military drill or serving military duty at the time of the elections;
- for voting of citizens who are in custody or are serving time in prison at the time of elections.

❖ Competencies of the bodies for submitting data to be recorded in the Voters' List

Article 42

(1) It is the official duty of the body in charge of registering the voters' right to register, add and delete data in the Voters' List, based on data from registers, records of residence and citizenship of the Republic of Macedonia, other official records, and through direct inspection.

(2) The body in charge of registering the voters' right shall register, add or delete data in the Voters' List at the request of citizens, based on a personal ID card and passport.

Article 43

(1) The Ministry of Internal Affairs shall submit data, to the body in charge of registering the voters' right, for citizens who:

- have turned 18 years of age and have a valid personal ID card or passport;
- have turned 18 years of age and have died;
- have turned 18 years of age and have moved to or out of a given municipality, or have changed their address within the municipality;
- have turned 18 years of age and have changed their first or last name;
- have turned 18 years of age and have acquired or lost citizenship of the Republic of Macedonia;
- have turned 18 years of age and are temporarily working or residing abroad, or have permanently moved out of the Republic of Macedonia, with data on the country where they reside.

(2) The First Instance Courts shall submit data to the body in charge of registering the voters' right on persons who have been deprived of their working capacity with a final court decision.

(3) The data, referred to in paragraphs (1) and (2) of this Article, shall be delivered twice a year, from 1 February to 10 February and 1 July to 10 July. In cases when elections or a referendum are announced, the data shall be delivered the day following the announcement day of the elections or referendum and shall as a rule contain the unique identification number of the citizen (EMBG).

Article 44

(1) No later than 30 days before the Election Day or referendum at the state level, the Ministry of Defense shall submit data to the body in charge of registering the voters' right on persons who are serving military duty or are on military drill, based on the records kept by this body.

(2) No later than 30 days before the Election Day or referendum at the state level, the Office in charge of executing sanctions shall submit data to the body in charge of registering the voters' right on persons who are in custody or sentenced to jail, based on the record kept by this body.

(3) The data from paragraphs (1) and (2) of this Article shall be submitted on a magnetic medium and shall as a rule contain the personal identification number of the citizen (EMBG)

❖ Contents of the Voters' List and the printed excerpts

Article 45

(1) The Voters' List shall contain the following data: the personal identification number of the citizen (EMBG), surname, name of one of the parents and personal name, sex, residential address (municipality, settlement, street, house number, entrance and apartment), date of entering and deleting, and date and type of the data added.

(2) Printed excerpts of the Voters' List and the special excerpts, referred to in Article 41 of this Law, shall be kept in alphabetical order according to the last name of the citizen and shall contain the following columns: ordinal number, surname and name, sex, date of birth, address (settlement, street, house number, entrance and apartment), signature or fingerprint of the voter and mark (star) for the persons who are temporarily working or staying abroad.

❖ Printing of the special excerpts of the Voters' List

Article 46

The special excerpts from the Voters' List, referred to in Article 45 of this Law, shall be prepared in two copies, as follows:

- For citizens who are on military drill or serving military duty during the elections, one copy is systematized according to the polling unit or municipality and under

notes, the number of the military camp, organization, institution, unit and the municipality in which that military camp, organization, institution and unit is located. The second copy is systematized according to the number of the military camp, organization, institution, unit and the municipality in which that military camp, organization, institution and unit is located and under the remarks rubric, the number of the polling unit and the municipality to which that polling unit belongs;

- For citizens that are under custody or sentenced to jail during the elections, one copy is systematized according to polling station or municipality, and under notes, the municipality in which the penitentiary institution is located. The second copy is systematized according to the penitentiary institution and the municipality in which it is located, and under notes, the number of the polling station, and the municipality to which that polling unit belongs.

❖ **Inspection of the data in the Voters' List throughout the year**

Article 47

(1) A citizen may, throughout the year, request to inspect the excerpts of the Voters' List in the regional offices of the body in charge of registration of the voters' right.

(2) If during the inspection, the citizen determines that either he/she or another citizen has not been registered in the Voters' List, or determines that data should be entered, added or deleted, he/she shall have the right to submit a request to enter, add or delete data to the regional office of the body in charge of registration of the voters' right. Adequate documentation shall be submitted along with the request.

(3) The body in charge of registration of the voters' right shall check the accuracy of the data and the documents enclosed by the citizen, no later than three days from the day of receiving the request. If it is determined that the request is well founded, they shall enter, add or delete data in the Voters' List or, on the contrary, they shall bring a decision to reject the request.

(4) The citizen has the right to file a complaint against the decision referred to in paragraph (3) of this Article within 3 days following the day of receipt of the decision to the State Election Commission.

(5) The State Election Commission shall decide upon the complaint, referred to in paragraph (4) of this Article, within 3 days following the day of receipt of the complaint.

(6) Within 3 days following the day of receipt of the decision, the citizen may file an appeal against the decision of the State Election Commission to initiate an administrative dispute before the Supreme Court of the Republic of Macedonia.

(7) The Supreme Court of the Republic of Macedonia shall decide upon the appeal, referred to in paragraph (6) of this Article, within 3 days following the day of receipt of the appeal.

(8) The final decision reached on the appeal by the Supreme Court of the Republic of Macedonia, shall be considered as the basis to enter, change and delete data in the Voters' List.

❖ **Public inspection of the Voters' List**

Article 48

(1) The body in charge of registering the voters' right shall, no later than 15 days after the announcement of the elections, display the consolidated Voters' List on public inspection in its district and local offices in accordance with the following data:

- citizens who have turned 18 years of age, on the Election Day (first round of voting);
- deceased persons, 30 days before the day of announcing the elections, and
- other information from the Voters' List, on the day of announcing the elections.

(2) Immediately upon displaying the excerpts from the Voters' List on public inspection, the body in charge of registration of the voters' right shall inform the citizens through the media of the place and the duration of the inspection, and the possibility for entering, adding or deleting data in the Voters' List.

(3) The inspection shall last 15 days.

❖ **Change of data in the Voters' List that has been displayed on public inspection**

Article 49

(1) A request for entering, adding or deleting data in the Voters' List excerpts that are open for inspection, within the deadline referred to in paragraph 3 of Article 48 of this Law, may be submitted by each citizen if:

- he/she or some other citizen is not recorded in the Voters' List;
- a person, who does not have the right to vote, does not have residence within the territory of the municipality, or has died, is recorded;
- his/her personal name and address, or the personal name and address of another person, are not entered correctly.

(2) The request for entering, adding or deleting data referred to in paragraph (1) of this Article shall be submitted in writing to the regional office of the body in charge of registering the voters' right or to the local office where the person resides.

(2) The necessary evidence shall be attached to the request.

Article 50

(1) The body in charge of registering the voters' right shall decide upon the requests of the citizens, referred to in Article 49 of this Law, within 24 hours of the day of receiving the request and if it determines that the request is well founded, it will enter, add or delete data, and if not, it will reject the request with a decision.

(2) The citizen may file a complaint against the decision referred to in paragraph (1) of this Article to the State Election Commission within 24 hours from receiving the decision.

(3) The State Election Commission shall decide on the complaint referred to in paragraph (2) of this Article within 24 hours after receiving the complaint.

(4) An appeal may be filed to the Supreme Court of the Republic of Macedonia against the decision of the State Election Commission, within 24 hours of receiving the decision, in order to initiate an administrative dispute.

(5) Upon the appeal referred to in paragraph (4) of this Article, the Supreme Court shall decide within 24 hours of receiving the appeal.

(6) The final decision of the Supreme Court of the Republic of Macedonia on the appeal to register, change and delete data shall become an integral part of the Voters' List confirmed by the State Election Commission.

❖ **Closing and signing of the Voters' List**

Article 51

The body in charge of registering the voters' right shall conclude the Voters' List, with all the changes resulting from the inspection, printed as excerpts, no later than 15 days after the ending of the public inspection.

Article 52

(1) The Voters' List i.e. the excerpts shall be concluded by noting the following: number of pages of the Voters' List i.e. excerpt, number of voters on the Voters' List (marked with number and letters), the critical moment for the data determined in Article 48, paragraph (1) of this Law, concluding date, signature of the authorized person and stamp.

(2) The concluded Voters' List shall contain the data of citizens whose requests for deletion, addition or change of data in the Voters' List have been positively resolved by the Ministry of Justice, the State Election Commission and the Supreme Court of the Republic of Macedonia.

(3) The body in charge of registering the voters' right shall submit the concluded Voters' List to the State Election Commission for signing within five days from the day it has been concluded

Article 53

(1) In the procedure for signing, the State Election Commission shall check if all positively decided requests of the citizens by the body in charge of registering the voters' right, the State Election Commission and the Supreme Court of the Republic of Macedonia have been entered.

(2) If the State Election Commission determines that the positively decided requests have not been entered in the Voters' List and the excerpts, it shall be returned to the body in charge of registering the voters' right. The corrections shall be made within 48 hours following the day of their receipt.

❖ **Protection of data in the Voters' List**

Article 54

(1) The personal data contained in the Voters' List shall be protected according to the provisions of the Law on Protection of Personal Data, and shall not be used for any purpose other than exercising the citizens' right to vote, in accordance with this Law.

(2) The body in charge of registering the voters' right shall issue, in hard copy or electronic form on CDROM, to the registered political parties and to the independent candidates when taking part in the elections, upon their written request, data from the verified or previously prepared excerpt of the Voters' List and an excerpt from the Voters' List for each polling station, containing the data referred to in Article 45, paragraph (2) of this Law.

(3) The expenses for the preparation of the data of the Voters' List in hard copy or electronic form shall be covered by the submitters of the request.

(4) The registered political parties and the independent candidates, or the authorized representatives of the list submitters and their deputies, may not use the Voters' Lists for recording the persons who have voted on Election Day.

Article 55

An authorized employee or any other person, body or organ, acquainted with the personal data contained in the Voters' List, shall be obliged to secure and protect them, as regulated in Article 54 of this Law.

IV. NOMINATING CANDIDATES

1. Proposing candidates

Article 56

(1) The nomination of candidates for the election of President of the Republic, Members of Parliament, and candidates for council members and for mayor, shall be done by submitting a list of candidate for President of the Republic, a list of candidates for members of Parliament, and a list of candidates for council members i.e. of list of candidate for mayor.

(2) A candidate for President of the Republic, MP, candidates for council members and for mayor may be nominated only on one candidates' list.

Article 57

(1) The list submitter may submit only one list of candidate for President of the Republic, candidates for Members of Parliament, candidates for council members as well as only one list of candidate for mayor.

(2) In conducting the local elections, the lists submitter in the unit of local self-government where at least 20% of the people speak official language other than Macedonian,

submitting the candidates lists, i.e., the candidate list for mayor, shall be made in the official language and alphabet that is used by citizens in that unit of local self-government.

❖ **Submitter of a list of candidate for president of the Republic**

Article 58

(1) A list of candidate for President of the Republic may be submitted by at least 10,000 voters or at least 30 Members of Parliament.

(4) In case when a list of candidate for President of the Republic is a group of voters, at least 10,000 signatures of the voters registered in the Voters List shall be collected.

(3) In case when a list submitter of candidate for President of the Republic are the members of parliament, at least 30 signatures of MPs shall be collected.

❖ **Submitter of a list of candidate-s for MPs, council members and mayor**

Article 59

(1) The registered political parties individually, two or more parties jointly, as well as a group of voters (hereinafter: "lists submitters") have the right to submit a list of candidate-s for MPs, council members and mayor.

(2) The candidates' list shall be signed in person by an authorized representative of the list submitter.

(3) The name of the list shall be marked according to the name of the list submitter.

(4) If the candidates' list submitter is a group of voters, the name of the list shall be marked with "group of voters" and according to the initials of the name and surname of the list submitter.

❖ **Submitter of a list for MPs with collected signatures**

Article 60

In case when a list submitter of candidates for MPs, is a group of voters, at least 500 signatures of the voters registered in the excerpts Voters' List of the Election District, shall be collected.

❖ **Submitter of a list of candidate-s for council members and mayopr with collected signatures**

Article 61

(1) In case when a candidates' list submitter for members of a council, i.e., candidate list for a mayor, is a group of voters, it shall be required to collect:

- in a municipality with no more than 10,000 inhabitants, at least 100 signatures of the registered voters in the excerpt of the Voters' List of the municipality;

- in a municipality that has between 10,001 and 30,000 inhabitants, at least 150 signatures of the registered voters in the excerpt of the Voters' List of the municipality;
- in a municipality that has between 30,001 and 50,000 inhabitants, at least 250 signatures of the registered voters in the excerpt of the Voters' List of the municipality;
- in a municipality that has between 50,001 and 100,000 inhabitants, at least 350 signatures of the registered voters in the excerpt of the Voters' List of the municipality;
- in a municipality with more than 100,001 inhabitants at least 450 signatures of the registered voters in the excerpt of the Voters' List of the municipality; and
- in the City of Skopje at least 1,000 signatures of the registered voters in the excerpt of the Voters' List for the area of the City of Skopje concerned.

❖ **Procedure for collecting signatures**

Article 62

(1) The signatures of the voters in the nomination procedure shall be collected before a state body competent for maintaining the register of the voters' right by using a form prescribed by the State Election Commission, which shall contain the name and surname, the domicile, profession, working post and the personal registration number of the candidates nominated, as well as the name and surname, and the personal identification number of the voter signing the nomination.

(2) Collecting signatures before the state body competent for running the register of the voters' right shall commence at the 15th day from the day of announcing the elections and shall last 15 days.

(3) Every voter may give his/her signature only for one candidate list for President of the Republic, candidates for Members of Parliament, members of a council, and candidate for mayor.

(4) Voters submitting the list must have the right to vote and a domicile within the area of the election district, municipality, i.e., the City of Skopje.

2. Contents of the List

Article 63

(1) The submitted list of candidate for President of the Republic shall contain title of the list, name and symbol of the list submitter, name and surname of the nominated candidate for President by marking his domicile, profession, working post, and personal identification number of the citizen.

(2) The submitted list of candidates for members of parliament shall contain the following: number of election district, title of the list, name and symbol of the submitter of the list, name and symbol of the carrier of the list, name and surname of each candidate for member of parliament with marking their domicile, profession, working post and personal identification number of the citizen.

(3) The submitted list of candidates for council members, i.e. list of candidate for mayor shall contain the following: the municipality, i.e. the City of Skopje for which the elections are carried out, title of the list, name and symbol of the list submitter, name and surname of the carrier of the list, name and surname of each candidate for council member with marking their domicile, profession, working post and personal identification number of the citizen.

(4) The submitted list of candidate for mayor shall contain the following: the municipality i.e. the City of Skopje for which the candidate is nominated, title of the list, name and symbol of the list submitter, name and surname of the proposed candidate for mayor with marking the domicile, profession, working post and personal identification number of the citizen.

(5) At least 30% of each gender should be represented in the lower and upper part of the submitted lists of candidates for members of parliament from paragraph (2) of this article and for members of council of the municipality i.e. the City of Skopje from paragraph (3) of this article.

Alternative to the paragraph (5) of Article 63:

In the submitted list of candidates, every third place is filled with candidates of the less represented gender.

3. Procedure for submitting candidate list

Article 64

(1) The list of candidates shall be submitted on a special form together with the registration certificate from the competent court.

(2) When a group of voters appears as a submitter of a list of candidate or candidates, the required number of signatures stipulated in Article 60 i.e. 61 shall also be submitted.

(3) For each nomination, a written consent (statement) of the candidate, which is irrevocable, shall be required.

(4) The order of the candidates on the list shall be determined by the list submitter in accordance with Article 63 of this Law.

Article 65

(1) The authorized representatives of the list submitters shall submit the list of candidate for President of the Republic, to the State Election Commission.

(2) The authorized representatives of the list submitters shall submit the list of candidates for Members of Parliament to the Regional Election Commission.

(3) The authorized representatives of the list submitters shall submit the list of candidates for council members, .e. the list of candidate for mayor to the Municipal Election Commission.

(4) The lists of candidates from paragraphs 1,2 and 3 shall be submitted to the competent election commission, at the latest, 35 days prior to the Election Day.

Article 66

(1) The State, Regional and Municipal Election Commission from Article 63 of this Law, shall, upon the receipt of the lists of candidate i.e. candidates, examine whether they have been submitted within the deadline given and have been made in accordance with the provisions of this Law.

(2) Should the State, Regional or Municipal Election Commission establish that there have been some irregularities, it shall call the authorized representative of the submitter thereof, i.e., the first signed candidate for MP, to eliminate the irregularities within 48 hours from the receipt of the lists.

(3) Should the State, Regional or Municipal Election Commission establish that the lists have been submitted within the prescribed deadline, and have been made in accordance with the provisions of this Law, i.e. the irregularities and the omissions have been eliminated by the lists submitters within the deadline set in paragraph 2 of this Article, it shall confirm the submitted lists with a decision.

(4) Should the State, Regional or Municipal Election Commission establish that the lists have not been submitted timely, i.e. the irregularities and the omissions have not been eliminated by the list submitters within the deadline set in paragraph 2 of this Article, the submitted lists shall be rejected with a decision within 24 hours from the receipt of the lists.

(5) Against the decision of the Municipal Election Commission stipulated in paragraph 4 of this article, appeal may be submitted to the competent Appellate Court, within 24 hours upon the receipt of the decision.

(6) Against the decision of the Regional Election Commission stipulated in paragraph 4 of this article, complaint may be submitted to the State Election Commission through the Regional Election Commission, within 24 hours upon the receipt of the decision.

(7) The State Election Commission shall be obliged to decide upon the complaint stipulated in paragraph 6 of this article, within 24 hours upon its receipt.

(8) Against the decision of the SEC stipulated in paragraphs 4 and 7 of this article, an appeal may be submitted to the Supreme Court of the Republic of Macedonia through the SEC within 24 hours upon receipt of the decision.

(9) The Supreme Court of the Republic of Macedonia shall be obliged to decide upon the appeal within 48 hours after it has received it.

(8) Submitting appeal by post shall not be permitted.

Article 67

(1) The competent election commission shall determine the order of the candidates on the list of candidates by drawing lots.

(2) The competent election commission shall inform the authorized representatives of the list submitters regarding the activities in accordance with paragraph 1 of this article.

(3) The Regional i.e. the Municipal Election Commission shall submit the determined lists to the State Election Commission.

4. Publishing of the lists

Article 68

(1) The State Election Commission shall publish the determined list of candidate for Election of President of the Republic in the "Official Gazette of the Republic of Macedonia", at the latest 30 days prior to the Election Day.

(2) The State Election Commission shall publish the determined lists of candidates for members of Parliament in the Elections Districts in the daily press, at the latest 25 days prior to the Election Day.

(3) The Municipal Election Commission shall announce the determined lists of candidates for members of council i.e. lists of candidate for mayor, by displaying them in all inhabited places and in the polling stations in the municipality, i.e. the City of Skopje.

(4) The municipal election commissions shall post the determined lists of candidates for members of Parliament in the polling stations in the municipality for which they are competent.

(5) The lists of the determined candidates for the President of the Republic, or Members of Parliament, in a local self-government unit where 20% of the citizens speak official language other than Macedonian, are displayed in Macedonian, as well as in the other official language.

(6) In the units of the local self-government where at least 20% of citizens speak official language other than the Macedonian, the announcement of the lists of candidates for council members i.e. the lists of candidate for mayor, shall be done, in addition to the Macedonian language and its Cyrillic alphabet, also in the official language and alphabet that are used by citizens in that unit of local self-government.

VI. ELECTION CAMPAIGN AND FINANCING OF THE ELECTION CAMPAIGN

Article 69

(1) Submitter of a list of candidates whose list of candidates for election of President of the Republic, members of Parliament, members of council, candidates for mayor, have been confirmed by the competent election commission, shall have the right to organize election campaigns (hereinafter: "organizers of election campaign").

(2) The organizers of election campaign shall have the right to equally and under the same conditions use all forms of political propaganda, informing, and other forms of propaganda, whose aim is to influence the voters' decision when voting.

(3) Foreign legal entities and persons may not organize election campaigns.

Article 70

(1) The organizers of election campaign must open a giro account designated "for election campaign", within 48 hours after the confirmation of the list of candidates, and within that deadline, the proof for opened giro account shall be submitted to the competent election commission.

(2) If the organizer of election campaign fails to open a giro account in the proscribed deadline, the confirmed list of candidates shall be annulled with a decision of the competent commission.

(3) In case when the organizer of an election campaign is a group of voters, the authorized representative of the list submitter is the signatory of the giro account.

(4) The organizer of the election campaign shall deposit on the giro account of paragraph (1) of this Article all the funds received from legal entities or persons intended for financing the election campaign.

(5) All campaign expenses are to be covered solely with the funds from the giro account for the election campaign.

Article 71

(1) The election campaign organizer shall be responsible for the legality of conducting of the election campaign.

(2) The election campaign organizer shall also be responsible for the election campaigns activities for which he/she shall have authorized other persons.

Article 72

(1) If during the election campaign, that is, during the presentations or propaganda information of certain organizers of election campaign, the rights of candidates are being violated (by preventing and disturbing the opponents' campaign), they shall have the right to initiate immediately a procedure before the competent court of first instance for protecting their rights.

(2) The court of first instance shall decide upon the request for rights protection within 48 hours after the request has been submitted.

(3) An appeal against the decision of the court of first instance may be submitted before the competent Appellate Court within 48 hours after it has been received.

(4) The competent Appellate Court shall decide upon the complaint within 48 hours from the day of submitting the appeal.

(5) The effective decision shall immediately be announced in the media.

❖ Duration of the election campaign

Article 73

(1) The election campaign shall commence 20 days prior to the Election Day and shall end 24 hours prior to the Election Day.

(2) The broadcasting body shall be obliged to monitor the programs of the electronic media in the Republic of Macedonia, during the election silence and on the Election Day.

(3) The broadcasting body shall be obliged, immediately upon identification of the irregularities (agitation, information relating to the election campaigns, advertising messages making presentation of the party programs and party symbols), to notify the body in charge of electronic communication, which is obliged, immediately after the receipt of the information, to decide on taking away the radio station from the owner, who has made the irregularity, for a period of 48 hours.

❖ Presenting in the media

Article 74

(1) The media in the Republic of Macedonia are obliged to provide, under equal conditions, equal approach in the presentation of the electoral programmes of the candidates.

(2) The duration of the electoral presentation, as well as the methods of advertising and the conditions for the use of program hours, i.e. the space in the media for the presentation of the candidates, political parties and the group of voters and their programs, shall be determined by a decision regarding the rules for equal media presentation.

(3) The decision about the rules for equal media presentation shall be adopted by the Parliament, upon proposal from the body in charge of broadcasting.

(4) The body in charge of broadcasting shall be obliged to submit the draft decision from paragraph (2) of this Article to the Parliament, at the latest, 60 days prior to the Election Day.

(5) The decision about the rules for equal media presentation shall be published, at the latest, 40 days prior to the Election Day.

Article 75

(1) When announcing election propaganda, information in the informative part of their program, the media shall be obliged to state that it is a paid advertisement.

(2) The media whose founder is the Parliament, in cooperation with the State Election Commission shall be obliged to inform the citizens of the way and technique of voting, free of charge.

❖ Public opinion polls

Article 76

(1) Public opinion polls may be published, not later than 5 days before the Election Day.

(2) When public opinion polls on candidates, political parties and group of voters in the election campaign are published, the name of the institution or the head of the institution who organized the survey, the date, methodology, the size and the structure of the sample, and the name of the person who commissioned the polls is necessary to be given.

(3) Public opinion polls may be conducted on the very elections day, and the results thereof may be announced, at the earliest, immediately after the closing of the electoral sites.

❖ **Election posters**

Article 77

(1) Displaying election posters free of charge is allowed only at places determined by the municipality, and the City of Skopje.

(2) The municipality and the City of Skopje have an obligation to mark the places of paragraph 1 of this Article for each lists submitter separately.

(3) The municipality and the City of Skopje may determine additional places for displaying election posters and charge for it.

(4) Municipalities and the City of Skopje immediately after the end of elections are obliged to utilize part of the funds referred to in paragraph 3 of this Article in order to eliminate the garbage left during the election campaign.

(5) Municipalities and the City of Skopje are obliged to announce the conditions for obtaining the right to use the places for displaying posters no later than 50 days prior to holding the elections.

(6) Municipalities and the City of Skopje are obliged to ensure equal conditions for all election campaign organizers when displaying posters at the designated places.

(7) Election posters may be displayed on residential buildings and other private buildings having the prior consent of the owner of the building.

(8) Election posters may not be displayed on buildings where the polling station is located or in the room where voting takes place.

Article 78

(1) Destroying election posters or putting them up over other election campaign organizers' posters is forbidden.

(2) The organizer of the election campaign is obliged, within 30 days after the end of the elections, to clean up the garbage left over from the posters.

❖ **Pre-election rallies**

Article 79

- (1) Pre-election rallies are public.
- (2) The organizer is responsible for keeping the order at the rallies.

Article 80

The election campaign organizer shall inform in writing the competent body for internal affairs, through the regional office regarding the organization of a pre-election rally on public places and on public transport places, at the latest, 48 hours prior to its holding.

Article 81

(1) Pre-election rallies may not be held in military buildings, religious buildings, hospitals, homes for old people, schools, kindergartens, and other public institutions.

(2) As an exception, the organizers shall be allowed to hold pre-election rallies in schools, or cultural centers if there is no other appropriate building in the municipality where the rally would be held.

(3) The permission is given by a person in charge of the institution, under equal conditions for all election campaign organizers.

(4) The facilities, equipment or other property intended to be used by the state bodies and bodies of local self-government and the City of Skopje may not be utilized for the purposes of election campaigns.

(5) As an exception, the facilities of the bodies from paragraph (4) of this Article may be used if there are no other appropriate facilities in the place that may be used for the purposes of election campaign.

(6) The permit is given by the person in charge of the institution, under equal conditions for all election campaign organizers.

2. Financing of the election campaign

Article 82

- (1) The election campaigns may not be financed from:
 - Funds from the Budget of the Republic of Macedonia, except the funds defined in Article 87 paragraph 2 of this Law;
 - Funds from the budget of municipalities and the City of Skopje except the funds defined in Article 87 paragraph 2 of this Law;
 - Funds from public enterprises and institutions;
 - Funds from citizens' associations, religious communities, religious groups, and foundations;
 - Funds from foreign governments, international institutions, bodies, and organizations of foreign states and other foreigners;
 - Funds from anonymous sources.

Article 83

When financing the election campaign, the election campaign organizer may spend no more than 15 denars per registered voter in the election district for which they have submitted candidates' list.

❖ Financial report

Article 84

(1) An election campaign organizer is obliged to submit a financial report on the election campaign.

(2) The financial report on the election campaign shall contain data on the total amount of the funds, sources of funding, and expenses incurred.

(3) The financial report shall be submitted to the State Audit Office and the Parliament, immediately, and not later than 30 days after the day of verification of the mandates.

(4) The financial report on the election campaigns shall be published by the State Election Commission on its website.

(5) For local elections, the financial report shall be submitted to the municipality council and the council of the City of Skopje, at the latest, 30 days from the day the elections had finished.

(6) When the organizer of a campaign is a group of voters the excess of funds that had been collected shall be donated to charity.

❖ Reimbursement of election expenses

Article 85

(1) The election campaign organizers whose candidates have been elected Members of Parliament, council members, and mayors, shall have the right to reimbursement of the election expenses, the amount of which is 15 denars per vote won.

(2) The reimbursement of election expenses will be paid from the Budget of the Republic of Macedonia, that is from the budget of the municipality and the City of Skopje within 3 months from the day of submitting the financial statement on the election campaign, on basis of the report from the State Election Commission regarding the elections.

(3) If two or more political parties are the submitter of the list of the elected MP, council members, mayor, the funds between them shall be divided into equal shares, unless the parties have agreed otherwise.

(4) The reimbursement of the election expenses is determined by a decision of the Parliament, of the municipality council and the City of Skopje.

Article 86

The competent election commission shall make a decision to annul the list of candidates if, at the latest by the day of the election, with an effective court decision it has been established that funds obtained from committed criminal offences have been used during the election campaigns.

VII. CARRYING OUT THE ELECTIONS

1. Funds for carrying out the elections

Article 87

(1) Upon proposal from the State Election Commission, and as of the day of announcing the elections, the Parliament shall adopt a financial plan determining the expenses for conducting the elections and remuneration for members of bodies that carry out the elections.

(2) The funds for carrying out elections shall be provided for from the Budget of the Republic of Macedonia and they shall be at the disposal of the State Election Commission.

(3) Two thirds of the funds intended for the elections shall be utilized to cover the expenses related to the election activities of the bodies in charge of carrying out the elections.

(4) One third of the funds intended for carrying out the elections shall be utilized to cover part of the expenses incurred by the election campaign organizers whose candidates have been elected MPs.

(5) The funds for carrying out local elections shall be provided for from the budget of the municipality and the City of Skopje and they shall be at the disposal of the Municipal Election Commission; the funds for the election material shall be provided from the Budget of the Republic of Macedonia and they shall be at disposal of the State election Commission.

2. Election material

Article 88

(1) The election material for carrying out the elections shall consist of:

- ballot boxes and panels;
- forms for minutes and a notebook for the work of the electoral board;
- ballot booklet, according to the excerpts of the Voters' List;
- lists of candidates;
- certified excerpt from the Voters' List;
- devices for marking and controlling the persons who have voted (UV lamp, spray, graphite pad) and;
- the Voting Guidelines
- other material necessary for voting.

Article 89

(1) The instruction for voting shall be displayed on a visible place on the voting panels and other visible places at the polling stations in accordance with the Instruction issued by the SEC. The instruction shall be printed in Macedonian language and its Cyrillic alphabet and in the languages and alphabets of the other communities mentioned in the Preamble of the Constitution of the Republic of Macedonia.

(2) The Lists of the candidates shall be displayed in the polling site.

❖ **Submitting the election material**

Article 90

(1) The State Election Commission shall submit the election material to the Regional Election Commissions no later than 72 hours prior to the Election Day.

(2) Minutes shall be prepared for the submission of the election material, in which the total number of ballots with the related serial numbers and the required number of lists of candidates to be displayed in the voting facilities shall be indicated.

Article 91

(1) The Regional Election Commissions shall submit the election material to the Municipal Election Commissions no later than 62 hours prior to Election Day.

(2) Minutes shall be prepared for handing over the election material, in which the total number of ballots with the related serial numbers and the required number of lists of candidates to be displayed in the voting facilities shall be indicated.

Article 92

(1) The Municipal Election Commission is obliged to submit the election material to the Electoral Boards one day prior to the day determined for holding the elections.

(2) Minutes shall be prepared for the submission of the election material from the Municipal Election Commission to the Electoral Boards in which the total number of ballots with the related serial numbers and the rest of the necessary voting material shall be indicated.

(3) The president and electoral board members, and the member of the election commission who is handing over the material shall sign the minutes.

(4) Should the present representatives of the lists submitters have some objections to the handing over of the electoral material, they have the right to record the same in the minutes and the objections registered in that way may be invoked in the complaints and be subject of an assessment in the appellate proceedings.

(5) If the objections of paragraph (5) of this Article raised by the present representatives of the lists submitters are not recorded in the minutes, they shall have the right to submit them to the municipal electoral commission within five hours after signing the minutes.

(6) Authorized observers shall also have the right to be present at the handing over of the election material from the municipal electoral commission to the electoral boards.

3. Ballot

Article 93

(1) The ballot shall be printed in Macedonian language and its Cyrillic alphabet.

(2) The name of the list submitter, name and the surname of the candidate i.e. the carrier of the list shall be written in Macedonian language and its Cyrillic alphabet.

(3) For the members of the other communities the name of the list submitter, name and the surname of the candidate i.e. the carrier of the list shall be written in Macedonian language and its Cyrillic alphabet and in the language and the alphabet of the community to which they belong.

(4) In units of local self-government where at least 20% of citizens speak official language other than Macedonian, the ballots for the election of council members and mayor shall be printed, in addition to Macedonian and its Cyrillic alphabet, also in the official language and alphabet that are used by citizens in that unit of local self-government.

Article 94

(1) If there are list submitters with the same name and surname, then the initial letter of their middle name shall also be given.

(2) On the ballot, the candidates shall be given the same order as defined in the unique list of candidates.

(3) The ballot shall contain a part for voting and a part that shall remain on the ballot stub.

❖ For President of the Republic

Article 95

(1) The part of the ballot for voting for election of President of the Republic shall contain:

- Title of the ballot, municipality and number of the polling station
- Ordinal number, name and symbol (if any) of the list submitter; and
- Name and surname of the candidates on basis of data from the registry books.

(2) The part of the ballot that remains in the stub shall contain the serial number of the ballot and the number of the polling station.

(3) The name of the ballot shall contain the flag of the Republic of Macedonia.

❖ For members of Parliament

Article 96

(1) The part of the ballot used for voting the elections for members of Parliament shall contain:

- Title of the ballot, municipality and number of the polling station
- Ordinal number, name and symbol (if any) of the list submitter; and
- Name and surname of the candidates on basis of data from the registry books.

(2) The part of the ballot that remains in the stub shall contain the serial number of the ballot and the number of the polling station.

(3) The name of the ballot shall contain the number of the Election District and the flag of the Republic of Macedonia.

❖ For council members

Article 97

(1) The ballot shall contain a part used for voting in the elections for council members shall contain:

- Title of the ballot, number of the polling station, and municipality;
- Ordinal number, name and symbol (if any) of the list submitter; and
- Name and surname of the first candidate on the list on basis of data from the registry books.

(3) The part of the ballot that remains in the stub shall contain the serial number of the ballot, the municipality, and the number of the polling station.

(6) The name of the ballot for election of council members shall contain the name of the municipality, i.e. the City of Skopje, for which election is being conducted.

❖ For mayor

Article 98

(1) The part of the ballot used for voting in the elections for mayor shall contain:

- Title of the ballot, number of the polling station, and municipality;
- Name and symbol (if any) of the list submitter; and
- Ordinal number, name and surname of the candidates on basis of data from the registry books.

(2) The part of the ballot that remains in the block shall contain the serial number of the ballot, the municipality, and the number of the polling station.

(3) The name of the ballot for election of mayor shall contain the name of the municipality, i.e. the City of Skopje, for which election is being conducted.

4. Carrying out the voting

❖ Polling station

Article 99

(1) A place where the voting will be carried out shall be determined for each polling station(hereinafter: polling station).

(2) The list of candidates shall be posted in the premises that have been determined.

Article 100

(1) The president and members of the electoral board shall gather in the voting room no later than one hour before the beginning of the voting to determine whether:

- The room is in the same condition as left on the day before the elections;
- The election material is in the same condition as left on the day before the elections; and
- The ballot boxes are empty.

(2) The electoral board shall prepare a minutes on the condition found, which is signed by the president and members of the board.

(3) The objections of the board members shall be entered in the minutes.

(4) Should the present representatives of the lists submitters have any objections, they have the right to record them in the minutes, and only the objections registered in that way may be invoked in the complaints and be subject of an assessment in the appellate proceedings.

(5) If the objections of the representatives of the lists submitters present of paragraph (4) of this Article are not entered in the minutes, they shall have the right to submit the objections to the municipal election commission within five hours after signing the minutes.

(6) Authorized observers shall also have the right to be present at establishing the conditions before the start of the voting.

❖ Duration of the voting

Article 101

(1) Voting shall begin at 7:00 am and last uninterruptedly until 7:00 pm.

(2) The polling station shall be closed at 7:00 pm, and the voters who happen to be in the building where the voting takes place will be allowed to cast their vote.

(3) The electoral board may close the polling station before the end of the period set forth in paragraph 1 of this Article, in case all the voters registered on the excerpt of the Voters' List have cast their votes.

❖ Securing the polling station

Article 102

(1) Upon closure of the polling station, the police shall secure the building where the polling station and the electoral board are located and shall remove all unauthorized persons from the building.

(2) The police shall secure the electoral board until the minutes and the election material are handed over to the municipal electoral commission, if requested by the electoral board.

❖ **Competencies of the Electoral board during the voting**

Article 103

(1) The electoral board shall take care of maintaining peace and order at the polling station.

(2) The electoral board may remove anybody disturbing the peace and order at the polling station.

(3) The building where the polling station is located and access to it shall be secured by the police during conducting of voting.

(4) The electoral board may ask for police assistance with a view to restoring order at the polling station.

(5) Nobody shall be allowed to come to the polling station armed, except for the police in the case provided for in paragraphs (3) and (4) of this Article.

(6) The electoral board in co-operation with police shall be obliged to remove the propaganda materials from the building or the room where the voting is conducted.

(7) The police, upon request from the electoral board shall be obliged to remove the unauthorized persons from the building and the room where the voting is conducted as well as the unauthorized persons in radius of 100 meters from the building where the voting is conducted.

Article 104

(1) The electoral board may suspend the voting when the order at the polling station is disturbed, until it is restored.

(2) The voting may be suspended in cases of natural disasters or other emergency circumstances.

(3) The electoral board shall suspend the voting if the building where the polling station is located is not secured by the police, and this was needed, or if the police were called but failed to appear.

(4) The electoral board shall also suspend the voting in case when the police cannot restore order at the polling station and in case when the police do not comply with the provisions of this Law.

(5) If the voting has been disrupted for more than an hour, it will be prolonged for as much time as the disruption lasted, but no longer than three hours.

(6) If the disruption lasted for more than three hours, the voting shall be repeated.

(7) The reasons for the disruption of the voting and the time it lasted shall be entered in the minutes.

❖ **Rights and obligations of the list submitters and the authorized observers during the voting**

Article 105

(1) Should the representatives of the lists submitters have any objections to the work of the electoral board during the voting, they may point out the irregularities in order to be eliminated.

(2) The objections given are registered in writing in the minutes and the objections registered in such a way may be invoked in the complaints and be subject of an assessment in the appellate proceedings.

(3) If objections of paragraph (2) of this Article raised by the representatives of the lists submitters have not been entered in the minutes, they shall have the right to submit the same to the municipal election commission within five hours after signing the minutes.

(4) Authorized domestic observers, should they have any objection about the work of the electoral board, shall have the right to enter them in the log at the polling station.

Article 106

(1) The president, members of regional election commissions, municipal election commissions and electoral boards and their deputies, as well as the representatives of lists submitters, and the observers shall not be allowed to have any marks or symbols of a political party or candidate at the time and place of the voting.

5. Voting

Article 107

(1) The voting is carried out personally at the polling stations in the Republic of Macedonia.

(2) Voting on behalf of other person shall not be permitted, except in cases provided for by Article 112 of this Law.

❖ **Determining the identity of the voters**

Article 108

- (1) The voters vote one at a time.
- (2) When the voter approaches to vote, a member of the electoral board examines if the voter is at the appropriate polling station and with an ultraviolet lamp checks whether the voter has got an inerasable mark on the nail and the thumb of the right hand of the voter.
- (3) When the voter approaches to vote the electoral board checks his/her personal identity.
- (4) The voter shall prove his/her personal identity with an identity card or a passport.
- (5) The electoral board circles the ordinal number of the voter in the excerpt of the Voters' List having established his/her identity, and the voter puts his/her signature. If the voter is illiterate, then the voter shall affix his/her fingerprint of the right thumb. If the voter does not have a right thumb, then the voter shall affix the fingerprint of the left thumb. If no left thumb either, then no fingerprint shall be affixed.
- (6) Upon identification, the voter shall be given a ballot and his/her right thumb shall be marked with invisible ink, that is, the left thumb, if no right thumb, at the same time carefully marking in order to include the thumbnail as well. If no thumb on both hands, then no marking shall be made.

❖ Manner of voting

Article 109

- (1) The voting shall be performed with one ballot for each type of election.
- (2) The ballot shall be removed in numerical sequence from the stub of the booklet and given to the voter.
- (3) The voter shall be instructed of the way of voting and shall be allowed to vote.

Article 110

The voter shall cast the vote by circling the ordinal number of the list submitter i.e. the ordinal number of the candidate for whom he/she has decided to vote for and putting the folded ballot in the ballot box.

❖ Voting of the disabled and ill persons

Article 111

- (1) The voter who is unable to vote at the polling station (disabled or ill person, pursuant to the Instruction of the State Election Commission) but wants to vote, shall notify the Municipal Election Commission thereof no later than 3 days prior to the election day.

(2) The notification referred to in paragraph (1) of this Article may also be submitted through a proxy.

(3) The Electoral Board shall enable the person referred to in paragraph (1) of this Article to vote in his/her home or the hospital he/she is in, one day prior to the elections in such a way that the secrecy of the voting is guaranteed.

(4) The Electoral Board shall provide a special ballot box for the voting referred to in paragraph (3) of this Article, which is taken empty to the home or hospital where the voter is.

(5) The voting, referred to in paragraph (3) of this Article, shall be recorded in the minutes of the Electoral Board.

(6) For the date and time of voting, referred to in paragraph (3) of this Article, the president of the Municipal Election Commission shall notify the representatives of the list submitters in writing.

❖ Voting of the persons with physical disability or illiterate persons

Article 112

(1) The voter, who due to a physical disability or illiteracy is unable to vote in the manner defined by this Law, has the right to bring along a person to help him with voting.

(2) If the voter referred to in paragraph (1) of this Article does not have a person to help him with the voting, the Electoral Board shall appoint another person from among the voters.

(3) The person helping another person with voting may not be from among the Electoral Board members, representatives of the list submitters or observers.

(4) The same person may assist not more than two voters, referred to in paragraph (1) of this Article, with the voting.

(5) The Electoral Board shall instruct the person referred to in paragraph (3) of this Article that his/her assistance should not influence the voter's choice.

(6) The voting referred to in paragraph (1) of this Article shall be recorded in the minutes by the Electoral Board.

❖ Voting of persons who are serving in the military, who are on a military drill or are serving prison sentence or are in a custody

Article 113

(1) Voters who are not at their place of residence on Election Day due to their military service or military drill shall cast their vote at their military unit, organization, institution or unit.

(2) Voters who on Election Day are serving a prison sentence or are in custody shall vote in the penitentiary institutions.

(3) Having received the lists of voters referred to in paragraphs (1) and (2) of this Article, the Municipal Election Commission is obliged to send them immediately to the military units, organizations, institutions, unit where the voters are serving their military service or doing their military drill, as well as the penitentiary institutions where the voters are serving their prison sentences or are in custody.

(4) The elections for the voters referred to in paragraphs (1) and (2) of this Article shall be carried out by the Electoral Board of the nearest polling station or a special electoral board, in accordance with this Law, one day before the Election Day, and the representatives of the list submitters are notified thereof with a view to their being present at the voting.

(5) The Electoral Board shall prepare separate minutes for the voting referred to in paragraph (4) of this Article.

(6) The minutes and election material shall be submitted to the corresponding Municipal Election Commissions after the completion of the voting.

6. Summing - up and determination of the election results at the polling stations

Article 114

(1) The results of the voting at the polling station shall be determined in the following manner:

- the unused ballot shall be counted and after the count, primarily the lower right hand corner shall be torn off, and then they shall be put in a special envelope;
- the total number of voters registered who have cast their vote and have placed their signature or fingerprint only, shall be determined;
- one member shall be selected by drawing lots, to take out and open the ballots from the ballot box one at a time, and hand them over to the president of the Electoral Board;
- the ballot box shall be opened and the counting of votes shall begin;
- the ballot is shown to all Electoral Board members, to the representatives of the submitters of lists present, and to the observers;
- the Electoral Board shall determine whether or not the ballot is valid and for which list of candidates i.e. mayor the vote has been cast;
- the vote cast shall be recorded, the ballot shall be put in the corresponding place and a new ballot shall be taken out of the ballot box.

❖ Valid ballot

Article 115

(1) The ballot is valid if it has been circled in the way prescribed in Article 110 of this Law.

(2) A valid ballot shall be considered the one from which in a reliable and unambiguous way it may be established for which list of candidate or list of candidates the voter has cast his/her vote.

(3) The ballot shall be invalid should it not be completed, or should there be more than one lists of candidates or candidates for mayor circled.

❖ **Voting minutes**

Article 116

(1) The Electoral Board shall enter the following information in the minutes: the ordinal number of the polling station, the number of the decision for establishing the polling station, the number of the decision for establishing the electoral board, the time of beginning and concluding the voting; the total number of voters in the polling station according to the excerpt of the Voters' List; the total number of voters who have voted; the total number of ballots put in the ballot box; the total number of ballots that have not been used; the total number of invalid ballots and the total number of votes each list of candidates has won individually.

(2) The minutes shall contain a separate tabular section for the tabulation and the determination of the results from the polling station.

(3) Possible comments by the members of the Electoral Board shall be recorded in the minutes as well.

Article 117

(1) The president and Electoral Board members shall sign the minutes.

(2) The minutes are valid if signed by the majority of the Electoral Board members whose signatures have been deposited.

(3) The president of the Electoral Board should state the reasons for the minutes not being signed by a member of the board.

(4) If the majority of members of the Electoral Board do not sign the minutes, the minutes shall be done and signed by the Municipal Election Commission, based upon the entire election material.

(5) In case the present representatives of the list submitters have remarks, they shall have the right to enter them in the minutes, and the comments registered in that way may be invoked in the objections

(6) If the remarks by the representatives of the list submitters referred to in paragraph 5 of this Article are not recorded in the minutes, they shall have the right to submit them to the Municipal Election Commission within 5 hours following the completion of the minutes and those comments may be grounds for an objection.

(7) If the authorized domestic observers have any remarks on the work of the electoral board, they shall be entitled to enter them in the polling book.

❖ **Hand over of the election material to the Municipal Election Commission**

Article 118

(1) The minutes and the rest of the election material shall be submitted to the Municipal Election Commission by the Electoral Board within five hours following the completion of the voting.

(2) A copy of the minutes duplicated as carbon copy shall be given to every representative of the list submitter, and the original document that has previously been verified with a seal from the State Election Commission shall be submitted to the Municipal Election Commission.

(3) Upon the completion of the activities described in paragraphs (1) and (2) of this Article, the Electoral Board shall immediately announce and post the results summed up from the voting carried out at the polling station.

(4) The election material shall be submitted to the Municipal Election Commission by the president of the Electoral Board accompanied by interested Electoral Board members or representatives of the submitters of lists and representatives of the police, if necessary.

(5) Separate minutes shall be prepared for the handover of the material of paragraph (1) of this Article.

7. Summing - up and determination of the results for election of President of the Republic

Article 119

(1) The municipal electoral commission shall, within five hours after receipt of the entire election material from the electoral boards, sum-up the results of the voting for the list of candidates in the polling stations for which it is competent, and shall submit them to the State Election Commission.

❖ First round

Article 120

(1) The candidate who wins majority votes from the total number of voters registered in the Voters' List shall be elected for President of the Republic.

❖ Second round

(1) If in the first round no candidate for President of the Republic wins the required majority votes, then voting in the second round shall be cast for two candidates who won most votes in the first round.

(2) The second-round voting shall take place within 14 days after the first-round voting.

(3) At the second round of voting, the candidate who wins majority votes of the voters who have cast their ballot, shall be elected for President of the Republic, provided more than one half of the voters cast their ballot.

❖ Repetition of the voting**Article 122**

(1) The entire election procedure shall be repeated if no candidate wins the required majority votes in the second round of voting as well.

(2) The entire election procedure shall be repeated if only one candidate is nominated for President of the Republic and that candidate fails to win the required majority votes in the first round of voting.

❖ Statement**Article 123**

(1) Before assuming office, at the latest ten days from the day of announcing the final results, but not prior to end of office of the previous President, the President of the Republic shall give an oath in the Parliament of the Republic of Macedonia which shall read as follows:

"I hereby declare that I shall execute the Office of the President of the Republic of Macedonia in conscientious and responsible manner, that I shall respect the Constitution and the laws, and that I shall protect the sovereignty, the territorial integrity and the independence of the Republic of Macedonia".

(2) The President of the Republic of Macedonia, elected on presidential elections due to cessation of office, shall deliver the oath referred to in paragraph 1 of this Article after three days of announcing the final results.

8. Summing-up and determination of the results of election for members of Parliament**❖ Delivery of the election material to the Regional Election Commission****Article 124**

(1) The election material shall be submitted to the regional electoral commission by the president of the municipal electoral commission, accompanied by members of the municipal electoral commission concerned, or by representatives of lists submitters concerned, within three hours after receiving the election material from the electoral board, accompanied by police officers.

(2) The regional electoral commission shall, within five hours after receiving the entire election material from the municipal electoral commissions, sum-up the results of voting for lists of candidates in the polling stations within the election district it is in charge of.

❖ Voting minutes**Article 125**

(1) The regional electoral commission shall prepare minutes on its work.

(2) Information on the summed - up votes from the voting, such as the ordinal number of the polling stations in the election district, the total number of voters for those polling stations registered in the excerpts in the Voters' List, the total number of voters who have voted, the total number of invalid ballots and the total number of votes each list of candidates has won at level of election district, shall be recorded in the minutes on the voting.

(3) Possible objections by the members of the regional electoral commission shall be recorded in the minutes as well.

Article 126

(1) Minutes shall be signed by the president and the members of the REC.

(2) The minutes shall be considered valid if signed by the majority of the REC members.

(3) The president of the REC should state the reasons for the minutes not being signed by a member of the commission.

(4) If the minutes are not signed by the majority of the regional electoral commission members, then the State Electoral Commission shall draw and sign the minutes, on basis of the entire election material.

(5) In case the present representatives of the lists submitters have objections, they have the right to register them in the minutes and the objections registered in that way may be invoked in complaints.

(6) If the objections of the representatives of the lists submitters of paragraph (5) of this Article are not registered in the minutes, they shall have the right to submit them to the State Election Commission within five hours of the moment of compiling the minutes and these objections may represent grounds for complaint.

(7) Each representative of the list submitter shall receive a copy of the minutes as well, while authorized domestic observers shall receive a copy of the tabular section of the minutes.

❖ Delivery of the election material to the State Election Commission

Article 127

(1) The regional electoral commission shall submit the minutes on its work as well as the entire election material to the SEC within eight hours after receiving the election material.

❖ Determination of the results and distribution of mandates

Article 128

(1) The State Election Commission shall determine the total results of the voting in the election districts.

(2) The State Election Commission shall determine the voting results based on the minutes of the results summed up by the Regional Election Commissions and the entire election material.

(3) The State Election Commission shall establish the results for each individual election district according to the number of the total votes that individual lists of candidates have won on the basis of the summarized results of the Regional Election Commissions for the election district.

(4) When establishing the election results, the D`Hondt's formula shall be applied.

(5) Having established the total number of votes cast for that number of candidates in the election district (so called electorate), each individual list is divided by the sequence of divisors 1, 2, 3, 4, etc. until all seats in the election district are allocated according to the determined principle.¹

(6) The quotients of the division, referred to in paragraph (5) of this Article, are classified by size, whereby as many of the largest quotients as there are Members of Parliament being elected in the election district shall be relevant.

(7) A list of candidates shall obtain as many parliamentary seats as there are largest quotients out of the number of quotients referred to in paragraph (6) of this Article.²

(8) In the case that for the last parliamentary seat, two identical quotients appear to exist, the mandate shall be allotted by drawing lots.

(9) When allocating parliamentary seats, as many candidates as seats won by the list, shall be considered elected.

(10) Candidates are elected from the list of candidates according to the established order. Those candidates included in the list according to the order determined, shall be considered elected.

Article 129

(1) The State Election Commission shall prepare minutes for establishing the results of the voting for each of the election districts separately.

(2) The minutes shall contain information on the voting results, as follows:

- the total number of polling units;
- the total number of voters registered in the excerpts of the Voters' List for the election district;

¹Translators' note: A previous law states the principle more clearly. It states: "Having established the total number of votes cast for each list of candidates (what we call electorate) each one separately is divided by the sequence of quotients 1, 2, 3, 4, etc., until all 35 seats are allocated according to the determined principle".

²Translators' note: The language in the Macedonian version is unclear.

- the total number of voters who have cast their vote;
- the total number of invalid ballots;
- the total number of votes that each individual list of candidates won;
- the number of parliamentary seats won by the list of candidates; and
- the name and surname of the candidates elected.

Article 130

The elections shall be considered completed when the results of the election of 120 Members of Parliament become final.

9. Summing – up and determining of the results from the voting for election of council members

❖ Determining of the results and distribution of mandates

Article 131

(1) The overall results of the voting in a municipality shall be established by the municipal election commission.

(2) The municipal electoral commission shall establish the voting results based on the received minutes with the summed-up votes from the electoral boards as well as the complete electoral material.

(3) The municipal election commission shall establish the results according to the number of the votes that lists of candidates for council members have won individually on basis of summed-up results from electoral boards.

(4) The election commission of the City of Skopje shall establish the results from the voting in the city of Skopje for council members according to the number of the votes that lists of candidates for council members have won individually on basis of summed-up results received from the election commissions in the area of the city of Skopje.

(5) When establishing the election results, the D'Hondt formula shall be applied.

(6) Having established the total number of votes cast for each list of candidates (that is, the very electorate), each list separately is divided by the sequence of divisors 1,2,3,4, etc. until the number of council members who are being elected in the municipality and the City of Skopje.

(7) The results of the division referred to in paragraph 6 of this Article are classed by size whereby as many largest results of the division are relevant as the number of council members that are being elected.

(8) The list of candidates for council members shall obtain as many councilors' seats as there are the biggest results from the number of results referred to in paragraph 6 of this Article.

(9) In case for the last councilors' seat two identical results of the division appear to exist, the mandate shall be allotted by drawing lots.

(10) When allocating councilors' seats, the number of the seats the list has won is the number of candidates considered to have been elected.

(11) The candidates for council members are elected from the list of candidates according to the established order.

Article 132

(1) The Municipal Election Commission shall prepare minutes to establish the results of the voting.

- (2) The minutes shall contain information on the voting results, such as:
- the total number of electoral sites in the municipality and the City of Skopje,
 - the total number of voters registered in extracts from the General Voters Register for the municipality and the City of Skopje,
 - the total number of voters who have cast their vote,
 - the number of invalid ballots,
 - the total number of votes that each candidates list has won individually,
 - the number of seats for councilors won from the list of candidates, and
 - Name and surname of the candidates elected.

(3) A copy of the minutes shall be given to every representative of the list submitter as well, while domestic observers shall be given a copy of the tabular section of the minutes.

10. Determining the results of the voting for mayor

❖ First round

Article 133

(1) The candidate who wins majority of votes from the voters who have voted shall be considered elected in the first round of voting for mayor, provided 1/3 of the total number of voters registered in the excerpt of the Voters List for the municipality in question have voted.

(2) The election commission of the City of Skopje shall establish the results from the voting in the city of Skopje for council members according to the number of the votes that lists of candidates for council members have won individually on basis of summed-up results received from the election commissions in the area of the city of Skopje.

(3) The entire election procedure shall be repeated provided one candidate is nominated for mayor and that candidate fails to win the required majority votes in the first round of voting referred to paragraph (1) of this Article.

Article 134

(1) If in the first round, no candidate for mayor wins the required majority votes in accordance with Art. 113, paragraph 1, of this Law, then voting in the second round shall be organized for two candidates who won most votes in the first round.

(2) The second-round voting shall take place within 14 days after the first-round voting.

(3) The candidate who wins more votes in the second round of voting, shall be considered elected for mayor.

❖ **Appointing a commissioner until the new elections**

Article 135

(1) Should there be no elected mayor even after the second round of voting, for any reason, then the electoral commission shall, within 15 days upon finish of the elections, notify thereof the Government of the Republic of Macedonia.

(2) Upon receiving the notification referred to in paragraph 1 of this Article, the Government of the Republic of Macedonia shall appoint a commissioner within 15 days to act in capacity of mayor.

(3) Within 15 days after having appointed a commissioner, the Government of the Republic of Macedonia shall notify the President of the Assembly of the Republic of Macedonia in order to call elections for mayor.

11. Announcing the results of the elections

❖ **State Election Commission**

Article 136

(1) The SEC shall consecutively announce the initial results of the elections that they have received electronically, and the results based on the minutes of the municipal election commissions i.e. the regional election commissions, shall be announced within twelve hours after the finishing of the elections.

(2) The SEC shall announce the final results of the elections within 24 hours from the day they have become final.

❖ **Municipal Election Commission**

Article 137

(1) The municipal election commission shall announce the initial results of the elections for council members or mayor, within 7 hours once the voting is over, on a basis of data from electoral boards and shall display them on a bulletin board in the municipality and shall inform thereof the media.

(2) The municipal electoral commission of the City of Skopje shall announce the initial results of the elections for council members, that is, for mayor, within 10 hours after finish of voting on basis of data from municipal electoral commissions for the City of Skopje and shall display them on a bulletin board in the City of Skopje and shall inform thereof the media.

(3) The municipal election commissions i.e. the election commission of the city of Skopje shall announce the final results of the elections for council members and mayor within 24 hours from the day final ending of the elections.

12. Elections for President of the Republic of Macedonia due to the early termination of the mandate

Article 138

(1) Should the Constitutional Court of the Republic of Macedonia render an act that concludes existence of conditions for cessation of the office of President of the Republic of Macedonia, in accordance with Article 81 paragraph 8, of the Constitution of the Republic of Macedonia, the Court shall submit it, within 24 hours, to the President of the Parliament of the Republic of Macedonia and shall announce it in the "Official Gazette of the Republic of Macedonia".

(2) Within 48 hours of the moment of announcing the act referred to in paragraph 1 of this Article, the President of the Parliament of the Republic of Macedonia shall issue an act on announcing elections for President of the Republic of Macedonia.

❖ Procedure for collection of signatures

Article 139

The collection of signatures in the procedure for nominating a candidate for President of the Republic of Macedonia and the public inspection of the Voters' List shall be carried out before the body responsible for recording the voters' right, and shall commence on the fifth day of the day of announcing the presidential elections due to the early termination of the mandate and shall last ten days.

❖ Submitting a list of candidate

Article 140

(1) The list of candidates for President of the Republic of Macedonia shall be submitted to the State Election Commission, at the latest, on the 16th day of the day of announcing the elections.

(2) A candidate may revoke his/her candidacy, at the latest, on the 17th day of the day of announcing the elections.

❖ Competencies of the State Election Commission

Article 141

(1) Within 24 hours upon receipt of the list of presidential candidates, the State Electoral Commission shall determine whether they have been submitted within the deadline stipulated in Article 140 paragraph 1 of this Law and whether they have been made according to the law.

(2) Should the Commission of paragraph 1 of this Art. conclude, upon receiving the lists, that certain irregularities or omissions have been committed, then it shall call the lists submitters to immediately eliminate them and at the latest within 24 hours after the submission of the lists.

(3) Should the Commission of paragraph 1 of this Art. conclude that the lists have been submitted within the prescribed deadline and have been made in accordance with the law, i.e. the lists submitters have eliminated the irregularities and omissions, within the deadline set in paragraph 2 of this Article, then the Commission shall confirm the submitted lists by decision within 24 hours after receiving the corrected lists.

Article 142

(1) Should the State Electoral Commission conclude that the lists have not been submitted timely, i.e. the lists submitters have not eliminated the irregularities and failures found within the deadline stipulated in Article 141, paragraph 2, of this Law, the Commission shall, within 24 hours, with a decision reject, submitted list.

(2) An appeal against the decision of the State Election Commission may be filed to the Supreme Court of the Republic of Macedonia within 24 hours upon receipt of the decision.

(3) The Supreme Court of the Republic of Macedonia shall decide upon the appeal within 24 hours upon receiving it.

(4) The appeal referred to in paragraph 2 of this Article shall be field via the State Election Commission, while postal delivery of the appeal shall not be permitted.

❖ Announcement of the lists

Article 143

The State Electoral Commission shall announce the established lists in the “Official Gazette of the Republic of Macedonia”, at the latest, on the 21st day from the day of announcing the elections at the latest.

❖ Election campaign

Article 144

The election campaigns shall commence on the 22nd day from the day of announcing the elections and shall end 24 hours before the Election Day.

❖ Election campaign organizer

Article 145

The organizer of the election campaign shall open a giro account designated “for election campaign”, on the basis of issued confirmation from the State Election Commission for having submitted a candidate list for President of the Republic of Macedonia.

❖ Presentation in media

Article 146

(1) The Broadcasting Council shall submit a proposed decision about the rules for equal presentation in the media during the election for President of the Republic of Macedonia due to cessation of the mandate to the Parliament of the Republic of Macedonia, at the latest 15 days after announcing the elections. The Parliament shall adopt the decision within two days after receiving it.

(2) The decision of paragraph 1 of this Article shall be published immediately, and at the latest within 24 hours in the “Official Gazette of the Republic of Macedonia”.

❖ Announcement of the descriptions of the polling stations

Article 147

(1) The body of state administration responsible for maintaining the Voters’ List shall submit a copy of the decision on determining the number and description of every electoral site to the electoral commission 10 days before the Election Day at the latest.

(2) The municipal election commission shall, at the latest 5 days prior to the Election Day, display the descriptions of the polling stations that have even determined for voting, by indicating from which area voters shall vote at a given polling station, on visible place.

XIII. PROTECTION OF THE RIGHT TO VOTE

Article 148

(1) The procedure for the protection of the right to vote is an urgent one.

(2) The submissions (complaints and appeals) for the protection of the right to vote shall be communicated directly to the competent electoral bodies via the institutions that made the previous decisions.

(3) The second instance decisions of the competent bodies shall be final.

(4) Submitting complain and appeal via the post shall not be permitted.

Article 149

❖ Procedure for the protection of the voters’ right of the list submitters

(1) Each submitter of a list of candidates in the election procedure for President of the Republic, for MPs, has the right to submit a complaint to the State Election Commission; the list submitter has the right to submit a complaint on local election procedure to the municipal election commission.

(2) The complaint referred to in Paragraph 1 of this Article shall be submitted within 48 hours of the time the irregularities have been found.

(3) The State Election Commission, or the Municipal Election Commissions shall decide upon the complaint within 48 hours after receiving it.

(4) An appeal against the decision of the State Election Commission, or the municipal election commission, may be submitted before the Supreme Court of the Republic of Macedonia within 48 hours after receiving the decision.

(5) The appeal shall be submitted via the State Election Commission, or the municipal election commission.

❖ Procedure for protection of the voters' right of the voters

Article 150

(1) Every voter whose voters' right has been violated in the election procedure may submit a complaint with the State Election Commission, and for local elections to the municipal election commission within 24 hours.

(2) The State Election Commission, that is, the municipal election commission shall decide upon the complaint within 24 hours after the receipt of the complaint.

(3) An appeal against the decision of the SEC, or the MEC, may be submitted before the Supreme Court of the Republic of Macedonia within 24 hours after receipt of the decision, via the SEC, i.e. the MEC.

❖ The decision-making procedure before the Supreme Court of the Republic of Macedonia

Article 151

(1) The Supreme Court of the Republic of Macedonia decides upon the appeals from Article 149 and Article 150 in a panel of five judges elected by drawing lots.

(2) The Supreme Court of the Republic of Macedonia shall decide upon the appeal within 24 hours after the appeal has been received.

(3) The Supreme Court of the Republic of Macedonia may confirm or change the decision.

(4) Decisions related to complaints and appeals shall, as they are adopted, be published on the website of the Supreme Court of the Republic of Macedonia, the SEC i.e. the MEC and in a different appropriate manner.

IX. ANNULMENT AND REPETITION OF THE VOTING

(1) The SEC i.e. the MEC shall, with a decision, annul the voting at the polling station in the following cases:

- if the electoral board fails to conduct the voting in the manner defined by this Law;
- if the secrecy of voting has been violated;
- if the has been suspended for more than three hours
- if the police has failed to respond to the request for intervention made by the electoral board, provided there was a need for such intervention and that this has influenced the conduct of the voting in the polling station;
- in case it has been established that there is a larger number of ballots in the ballot box than the number of voters who turned out; and
- if some person or persons have voted for other person(persons).

(2) The State Election Commission shall, repeat the voting at polling stations where the voting has been annulled, if the total number of voters registered at those polling stations has influence on the overall results.

(3) An appeal against the decision of paragraphs (1) and (2) of this Article may be submitted to the Supreme Court of the Republic of Macedonia within 24 hours from the moment of receiving the decision.

(4) The Supreme Court of the Republic of Macedonia must proceed upon the appeal within 48 hours upon receipt.

(5) The voting at the polling station that has been annulled shall be repeated within 14 days from the day of voting.

X. REPEATED ELECTIONS

1. Termination of the mandate and additional elections for MPs

Article 153

(1) The mandate of an MP shall terminate before the period for which he/she has been elected if:

- he/she resigns;
- he/she is sentenced for a criminal offense for which a sentence of at least five years is prescribed;
- there is incompatibility with the office of MP ;
- he/she dies;
- he/she is deprived of his/her legal capacity by an effective decision.

(2) If the Representative resigns, the Parliament at its next session shall determine that his/her mandate terminates from the day of holding that session.

(3) The mandate of an MP shall terminate on the day the conditions referred to in paragraph 1, sub-paragraphs 2, 3, 4, 5, of this Article are fulfilled, which is concluded by the Parliament at the first next session.

Article 154

(1) If the mandate of the candidate elected from the list of candidates terminates, pursuant to one of the grounds defined in Article 153 of this Law, the next candidate on the list shall become a MP for the rest of the mandate.

(2) The SEC shall notify the next candidate on the list in the cases referred to paragraph (1) of this Article within three days of the termination of the mandate.

(3) If the next candidate on the list referred to in paragraph (2) of this Article does not within 8 days notify the SEC whether he/she accepts the mandate, this right shall be transferred to the next candidate on the list.

(4) In case when the list of candidates has been exhausted in accordance with the provisions in paragraphs (1), (2), and (3) of this Article, realization of this right shall commence again from the very start of the list of candidates, if there are any on the list.

Article 155

(1) If the list of candidates has no candidates and grounds for acquiring mandate of MP, determined in Article 154 of this Law, have been exhausted, additional elections for MPs shall be announced in the election district where the MP had been originally elected.

2. Termination of the mandate and additional elections for council members and mayor

Article 156

(1) If the mandate of a council member terminates or is taken away, pursuant to one of the grounds defined in the Law on Local Self-Government and in this Law, then the next candidate on the list shall become a council member for the rest of the mandate.

(2) The election commission shall notify the next candidate on the list in the cases referred to paragraph (1) of this Article within three days of the termination of the mandate of the council member.

(3) The candidate referred to in paragraph 1 of this Article shall be obliged to notify, in written form, the electoral commission if he/she accepts the mandate, within 8 days from the day of receiving the notification referred to in paragraph 2 of this Article.

(4) If the candidate pursuant to paragraph (3) of this Article does not accept the mandate, this right shall be transferred to the next candidate on the list.

Article 157

(1) If a council member has resigned before the expiry of six months since the verification of the mandate, and if on the list, as provided for in Article 156 of this Law, there is no candidate, realization of this right shall commence again from the very start of the list of candidates, if there are any on the list

(2) If on the list of candidates there are no candidates and the if the conditions for acquiring mandate as a council member have been exhausted , additional elections for municipal council members and members of the council of the city of Skopje shall be conducted.

(3) The additional elections shall be announced by the Parliament of the Republic of Macedonia within 15 days from the day of taking away the mandate.

3. Elections for substituting council members

Article 158

(1) If an effective court decision establishes that during the election a political party or a group of voters, used bribe and means acquired through criminal acts to win votes, the mandates won by this political party, i.e. group of voters, shall be annulled by the election commission and replacement elections shall be conducted for these mandates.

(2) Replacement elections may not be announced six months before the end of the mandate which the council was elected for.

(3) The mandate of a council member, pursuant to paragraph 1 of this Article, i.e. elected at replacement elections, shall last until the end of the mandate of the member of the council whose mandate had been terminated.

(4) The replacement election shall be announced by the President of the Parliament upon suggestion of the competent election commission.

4. Early elections for mayor and members of councils

Article 159

(1) If a mandate of a mayor is terminated due to one of the reasons stipulated in the Law on Local Self-Government and in this Law, early elections for mayor shall be announced.

(2) If there are less than six months until the regular elections for mayor to the early elections of paragraph 1 of this Article shall not be announced.

Article 160

(1) Early elections for council members shall be announced before the end of the mandate, if one of the conditions stipulated in the Law on Local Self-Government and in this Law takes place.

5. Repeated election for council members

Article 161

(1) If the session of the council does not take place until the 31st day from the day of the completion of the elections, in accordance with Article 37 paragraphs 2 and 3 of the Law on Local Self Government, repeated elections for council members shall be carried out which shall be announced by the President of the Parliament.

XI. OBSERVING THE ELECTIONS

Article 162

(1) Elections and election procedure may be observed by:

- registered domestic and foreign associations of citizens in the Republic of Macedonia and registered associations of foreign countries whose statutes include principles on democracy and protection of human rights;
- International organizations, and
- Representatives of foreign countries.

(2) The State Election Commission shall determine the procedure for conducting the observation mission.

Article 163

(1) Organizations and persons from Article 162 of this Law may observe the whole election process after getting authorization from the State Election Commission.

(2) Applications for observation, together with the required identification documents, shall be submitted to the State Election Commission from the day of announcing the elections, but not later than 10 days prior to the Election Day.

(3) The State Election Commission shall issue authorization to the observers at not later than seven days from the day of receiving the application.

(4) The State Election Commission has the right to revoke the observation authorization from the entities referred to in Article 162 of this Law, if they start expressing support for a candidate or a party.

XII. ELECTION DISTRICTS FOR THE ELECTION OF THE MEMBERS OF PARLIAMENT OF THE REPUBLIC OF MACEDONIA

Article 164

Election districts comprise (consist) of the polling stations within the municipal borders where the citizens exercise their election right.

Article 165

There are six election districts in the Republic of Macedonia:

Election district 1				
Municipality KARPOS	polling stations from	2592	to	2653
Municipality KISELA VODA	polling stations from	2425	to	2427
Municipality KISELA VODA	polling stations from	2654	to	2672
Municipality KISELA VODA	polling stations from	2739	to	2751
Municipality KISELA VODA	polling stations from	2761	to	2771
Municipality KISELA VODA	polling stations from	2774	to	2795
Municipality CENTAR	polling stations from	2796	to	2818
Municipality CENTAR	polling stations from	2822	to	2822
Municipality CENTAR	polling stations from	2828	to	2828
Municipality CENTAR	polling stations from	2830	to	2868
Municipality CENTAR	polling stations from	2870	to	2871
Municipality CAIR	polling stations from	2819	to	2821
Municipality CAIR	polling stations from	2823	to	2827
Municipality CAIR	polling stations from	2829	to	2829
Municipality CAIR	polling stations from	2869	to	2869
Municipality CAIR	polling stations from	2872	to	2898
Municipality AERODROM	polling stations from	2673	to	2738
Municipality AERODROM	polling stations from	2752	to	2760
Municipality AERODROM	polling stations from	2772	to	2773
Municipality SARAJ	polling stations from	2428	to	2461
Municipality MAKEDONSKI BROAD	polling stations from	0224	to	0274
Municipality SOPI[TE	polling stations from	2412	to	2424
Municipality STUDENI^ANI	polling stations from	2341	to	2361
Election district 2				
Municipality GAZI BABA	polling stations from	2332	to	2332
Municipality GAZI BABA	polling stations from	2476	to	2552
Municipality GORCE PETROV	polling stations from	2553	to	2591
Municipality CAIR	polling stations from	2899	to	2903
Municipality CAIR	polling stations from	2916	to	2917
Municipality CAIR	polling stations from	2922	to	2922
Municipality CAIR	polling stations from	2924	to	2928
Municipality CAIR	polling stations from	2934	to	2945
Municipality SUTO ORIZARI	polling stations from	2955	to	2973
Municipality BUTEL	polling stations from	2904	to	2915
Municipality BUTEL	polling stations from	2918	to	2921
Municipality BUTEL	polling stations from	2923	to	2923
Municipality BUTEL	polling stations from	2929	to	2933
Municipality BUTEL	polling stations from	2946	to	2954
Municipality ARACINOVO	polling stations from	2333	to	2340
Municipality KUMANOVO	polling stations from	0995	to	1104
Municipality LIPKOVO	polling stations from	1105	to	1130
Municipality STARO NAGORI^ANE	polling stations from	1156	to	1186
Municipality CUCER – SANDEVO	polling stations from	2462	to	2475
Election district 3				
Municipality BEROVO	polling stations from	0001	to	0016
Municipality VELES	polling stations from	2135	to	2203
Municipality VELES	polling stations from	2207	to	2210
Municipality VINICA	polling stations from	0303	to	0332

Municipality GRADSKO	polling stations from	2217	to 2226
Municipality DELCEVO	polling stations from	0572	to 0604
Municipality ZELENIKOVO	polling stations from	2362	to 2376
Municipality ZRNOVCI	polling stations from	0888	to 0891
Municipality ILINDEN	polling stations from	2393	to 2411
Municipality KARBINCI	polling stations from	2316	to 2331
Municipality KOCANI	polling stations from	0830	to 0874
Municipality KOCANI	polling stations from	0892	to 0902
Municipality KRATOVO	polling stations from	0903	to 0937
Municipality KRIVA PALANKA	polling stations from	0938	to 0981
Municipality KUMANOVO	polling stations from	1131	to 1141
Municipality KUMANOVO	polling stations from	1144	to 1150
Municipality LOZOVO	polling stations from	1704	to 1712
Opština MAKEDONSKA KAMENICA	polling stations from	0605	to 0618
Municipality PETROVEC	polling stations from	2377	to 2392
Municipality PEHCEVO	polling stations from	0017	to 0025
Municipality PROBISTIP	polling stations from	1530	to 1573
Municipality RANKOVCE	polling stations from	0982	to 0994
Municipality SVETI NIKOLE	polling stations from	1671	to 1703
Municipality STARO NAGORICANE	polling stations from	1142	to 1143
Municipality STARO NAGORI^ANE	polling stations from	1151	to 1155
Municipality CASKA	polling stations from	2204	to 2206
Municipality CASKA	polling stations from	2211	to 2216
Municipality CASKA	polling stations from	2227	to 2246
Municipality CESINOVO - OBLESEVO	polling stations from	0875	to 0887
Municipality STIP	polling stations from	2247	to 2315
Election district 4	polling stations from		
Municipality BITOLA	polling stations from	0194	to 0204
Municipality BOGDANCI	polling stations from	0368	to 0377
Municipality BOSILOVO	polling stations from	1811	to 1826
Municipality BOSILOVO	polling stations from	1842	to 1843
Municipality VALANDOVO	polling stations from	0280	to 0302
Municipality VASILEVO	polling stations from	1794	to 1810
Municipality GEVGELIJA	polling stations from	0333	to 0367
Municipality DEMIR KAPIJA	polling stations from	1238	to 1248
Municipality KAVADARCI	polling stations from	0659	to 0712
Municipality KONCE	polling stations from	1608	to 1617
Municipality KRIVOGASTANI	polling stations from	1508	to 1519
Municipality MOGILA	polling stations from	0181	to 0193
Municipality MOGILA	polling stations from	0214	to 0223
Municipality NEGOTINO	polling stations from	1213	to 1237
Municipality NOVACI	polling stations from	0158	to 0180
Municipality NOVO SELO	polling stations from	1774	to 1792
Municipality PRILEP	polling stations from	1350	to 1457
Municipality PRILEP	polling stations from	1494	to 1507
Municipality PRILEP	polling stations from	1520	to 1529
Municipality RADOVIS	polling stations from	1574	to 1607
Municipality RADOVIS	polling stations from	1618	to 1623
Municipality ROSOMAN	polling stations from	0713	to 0722
Municipality DOJRAN	polling stations from	0378	to 0385
Municipality STRUMICA	polling stations from	1713	to 1773
Municipality STRUMICA	polling stations from	1793	to 1793
Municipality STRUMICA	polling stations from	1827	to 1841

Election district 5	polling stations from		
Municipality DEBARCA	polling stations from	1314	to 1334
Municipality DEBARCA	polling stations from	1343	to 1349
Municipality BITOLA	polling stations from	0026	to 0157
Municipality BITOLA	polling stations from	0205	to 0213
Municipality VEVCANI	polling stations from	1921	to 1923
Municipality VRANE[TICA	polling stations from	0802	to 0813
Municipality DEMIR HISAR	polling stations from	0619	to 0658
Municipality DOLNENI	polling stations from	1209	to 1211
Municipality DOLNENI	polling stations from	1458	to 1493
Municipality DRUGOVO	polling stations from	0758	to 0781
Municipality KICEVO	polling stations from	0723	to 0757
Municipality KRIVOGASTANI	polling stations from	1212	to 1212
Municipality KRUSEVO	polling stations from	1187	to 1208
Municipality OHRID	polling stations from	1249	to 1313
Municipality OHRID	polling stations from	1335	to 1342
Municipality PLASNICA	polling stations from	0275	to 0279
Municipality RESEN	polling stations from	1624	to 1670
Municipality STRUGA	polling stations from	1844	to 1920
Municipality STRUGA	polling stations from	2976	to 2976
Election district 6	polling stations from		
Municipality BOGOVINJE	polling stations from	2050	to 2079
Municipality BRVENICA	polling stations from	2032	to 2049
Municipality VRAPCISTE	polling stations from	0436	to 0462
Municipality GOSTIVAR	polling stations from	0386	to 0435
Municipality GOSTIVAR	polling stations from	0480	to 0480
Municipality GOSTIVAR	polling stations from	0499	to 0533
Municipality GOSTIVAR	polling stations from	0782	to 0782
Municipality GOSTIVAR	polling stations from	2974	to 2975
Municipality DEBAR	polling stations from	0477	to 0477
Municipality DEBAR	polling stations from	0534	to 0556
Municipality ZELINO	polling stations from	2089	to 2114
Municipality ZAJAS	polling stations from	0814	to 0829
Municipality JEGUNOVCE	polling stations from	2115	to 2134
Municipality MAVROVO I ROSTUSA	polling stations from	0463	to 0476
Municipality MAVROVO I ROSTUSA	polling stations from	0478	to 0479
Municipality MAVROVO I ROSTUSA	polling stations from	0481	to 0498
Municipality OSLOMEJ	polling stations from	0783	to 0801
Municipality TEARCE	polling stations from	2007	to 2031
Municipality TETOVO	polling stations from	1924	to 2006
Municipality TETOVO	polling stations from	2080	to 2088
Municipality CENTAR ZUPA	polling stations from	0557	to 0571

Article 166

If a polling station is changed in accordance with the Law on Polling stations, the voters from the new polling station shall exercise their right to vote in the election district in which the polling station used to belong.

Article 167

The SEC shall, not later than 30 days prior to the Election Day, publish the descriptions of the polling stations determined with this Law.

XII. PENAL PROVISIONS (these shall be defined after the conclusiveness of the previous text)

Article 168

A person preventing the elections and voting, violating and misusing the right to vote, violating the voter's freedom of choice, bribing at the elections and voting, destroying electoral documents and committing election fraud, shall be punished pursuant to the provisions of the Criminal Code.

Article 169

A person committing the offence of participating in the election campaigns in his uniform will be fined from 20,000 to 50,000 denars (Article 8 of this Law).

Article 170

(1) A political party committing the offence of not complying with the deadline referred to in Article 70 of this Law shall be fined from 200,000 to 300,000 denars.

(2) A candidate or any other person shall also be fined from 20,000 to 50,000 denars for acts referred to in paragraph 1 of this Article.

Article 171

A person committing the offence of preventing and obstructing the campaign shall be fined from 20,000 to 50,000 denars (Article 72 of this Law).

Article 172

- (1) A fine of 200,000 to 300,000 denars shall be paid by the public media that:
- does not provide equal presentation of the candidates for Members of Parliament, political parties, voters' groups and their programs referred to in Article 74, paragraph (1) of this Law;
 - does not accept and announce in a timely manner the rules of Article 74 paragraph (2) of this Law;
 - publishes public opinion polls in a period of 5 days prior to the Election Day referred to in Article 76, paragraph (1) of this Law; and
 - announces the election propaganda information without stating that the information in question is a paid advertisement referred to in Article 75 of this Law.

(2) The editor-in-chief shall also be fined from 20,000 to 50,000 denars for an offence referred to in paragraph (1) of this Article.

Article 173

A fine of 20,000 to 50,000 denars shall be imposed for the following offences:

- for the editor-in-chief of the media publishing a public opinion poll for a candidate without stating the information referred to in Article 76, paragraph (2);
- for the editor-in-chief of the media if he publishes an election propaganda announcement without publishing the person who ordered it. (Article 76, paragraph (2) of this Law).

Article 174

The person responsible of a municipality, or the City of Skopje shall be fined from 40,000 to 50,000 denars for committing the offence of failing to determine places for displaying posters free of charge, and for not marking them for each list submitter separately (Article 77 of this Law).

Article 175

The organizer of the electoral campaign shall be fined from 40,000 to 50,000 denars for the offence of failing to remove the waste of the posters within the deadline determined in Article 78, paragraph (2) of this Law.

Article 176

A natural person destroying or putting up election posters over other election campaign organizer's posters on places designated for their display shall be fined from 20,000 to 50,000 denars for the offence (Article 77, paragraph (1) of this Law).

Article 177

A political party that shall be fined from 200,000 to 300,000 denars for:

- failing to report an election rally at least 48 hours prior to its holding; and
- organizes a rally contrary to Articles 79 and 80 of this Law.

Article 178

The responsible person of a competent state body, religious community or public institution allowing the election campaign organizer to organize pre-election rallies contrary to Article 81 of this Law, shall be fined from 20,000 to 50,000 denars for the offence.

Article 179

(1) A political party failing to submit a report on the financing of election campaign referred to in Article 84 of this Law, i.e. when for financing of the election campaign they use finances in accordance with Article 83 of this Law, shall be fined from 200,000 to 300,000 denars for the offence.

(2) During the election campaign, should a political party spend more funds than the amount defined in Article 87 of this Law, it shall be fined from 200,000 to 300,000 denars for the offence.

(3) The responsible person of a political party shall also be fined from 20,000 to 50,000 denars for the activities referred to in paragraphs (1) and (2) of this Article.

Article 180

A person referred to in Article 106, paragraph (1) of this Law, having any marks or symbols of a political party or a candidate during the time or at the place of voting, shall be fined from 20,000 to 50,000 denars for the offence.

Article 181

(1) A person who votes for other persons or on behalf of another person, as well as one who prevents the presence of the police if there was a need for that (Articles 102,103, 111, and 112 of this Law), shall be fined from 40,000 to 50,000 denars for the offence.

(2) An official person (police officer) who abuses his or her position and causes disorder at the polling station (Article 102 of this Law) shall be fined from 40,000 to 50,000 denars for the offence.

XIV. TRANSITIONAL AND FINAL PROVISIONS

Article 182

The validity of the Law on the Election for President, the Law on Election fo the Members of Parliament, the Law on Local Elections, the Law on Voters List and the Law on Election Districts shall cease on the day when this Law enters into force.

Article 183

(1) The legal force of the provsion stipulated in the Article 40 paragraph (3) shall be implemented, once the necessary conditions shall be established.

(2) The State Statistical Office shall continue to conduct the organizational-technical and methodological processing of the data of the Voters List untill this competence is finally transferred to the body in charge of the registration of the voting right.

(3) For carrying out the voting of the internally displaced persons, the body in charge of the registration pf the voting right shall prepare special excerts from the Voters List, based upon the evidence provided by the competent authorities.

Article 184

This Law shall enter into force on the eighth day from the day of its publication in the "Official Gazette of the Republic of Macedonia"