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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**ELECTORAL CODE**  
**OF “THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA”**  
**as of 29 March 2006**

## I. BASIC PROVISIONS

### Article 1

This Code shall regulate the manner, conditions and procedure for election of the President of the Republic of Macedonia (hereinafter: "President of the Republic"), election of Members of the 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 right to vote, maintaining of the Voters' List, determining of the boundaries of the election districts and determining, changing and publishing the polling stations as well as the conditions for functioning of the polling stations.

#### 1. List of terms

### Article 2

Part of the terms used in this code shall have the following meaning:

1. Every citizen of the Republic of Macedonia who has turned 18 years of age and has working capacity shall have a **“right to vote”**;
2. The **“Voters’ List”** is public document in which all the citizens with a right to vote are registered;
3. **“Election management bodies”** are bodies in charge of carrying out the elections determined in this Code;
4. **“Member of an election management body”** is the president, the members and the deputies of the election management bodies in charge of carrying out the elections;
5. **“List submitters”** are registered political parties or coalitions of political parties registered in the State Election Commission, group of voters and Members of Parliament;
6. **“Candidate”** is a citizen of the Republic of Macedonia confirmed by the competent election commission in accordance with this code for whom there would be voting in the elections;
7. **“Independent candidate”** is a candidate for election of President of the Republic, Member of Parliament, Mayor or Member of a Council supported by a **“group of voters”**;
8. **“Political party”** is political party registered in accordance with a Law;
9. **“Ruling Parties”** are political parties in power that in the last election for Members of Parliament have won the largest number of votes;
10. **“The opposition”** is composed of the political parties in opposition that in the last election for Members of Parliament have won the largest number of votes;
11. **“Authorised representative”** is a person authorised by one of the registered candidates, political party, or coalition to represent their interests before the election management bodies;
12. **“Coalition”** is an association based on a statement of two or more registered political parties participating in the elections together;
13. **“Election campaign”** is public presentation of the candidates, confirmed by the authorised election management bodies, and their programmes in the pre-election period of the respective election process;
14. **“Organiser of an election campaign”** is a person that is authorised by a political party, coalition or a group of voters to organise the election campaign;
15. **“Observers”** are representatives of domestic or foreign registered associations of citizens authorised by the State Election Commission to observe the elections;

16. **“Employees in the public administrations”** is a category of persons employed in the education, health, culture, science and social protection sector who, in accordance with a law, are carrying out works of public interest;

15. **“Employees in the state, municipal administration and administration of the City of Skopje”**, is a category of persons with a status of civil servant in accordance with a law.

## **2. Equal suffrage**

### **Article 3**

(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.

## **3. Electoral Model**

### **Article 4**

(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% 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.

## **4. Voters' List**

### **Article 5**

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

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

## **5. Right to vote and to stand for election**

### **Article 6**

Every citizen of the Republic of Macedonia who is 18 years old, has working 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 7

(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 Member of Parliament, Member of Council and Mayor provided that he/she:

- is 18 years old;
- has working capacity;
- is not serving a prison sentence for committed criminal offence, and
- has not been given a final court decision for imprisonment of at least 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.

## 6. **Incompatibility of the function of President of the Republic, Member of Parliament, Mayor and Member of Council**

### Article 8

(1) The office of a Member of Parliament, Member of Council and Mayor shall be incompatible with the office of the President of the Republic, 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 (hereinafter: the Parliament) and the Government of the Republic of Macedonia (hereinafter: the Government)

(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; and
- 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 cease temporarily on the day of verification of the mandate as Member of the Parliament and Mayor.

(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 on 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) on the day of the verification of the mandate as a Member of a Council the employment of the persons working in the municipal administration shall cease temporarily in accordance with a Law.

### **Article 9**

(1) The employment 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 Internal Affairs, the Ministry of Defence, and the Intelligence Agency shall cease temporarily on the day they are determined as candidates.

2) The employment of the persons from paragraph (1) of this Article shall cease temporarily on the day of the verification of their mandate.

## **7. Professionalism and irrevocability of the function**

### **Article 10**

(1) The Members of Parliament cannot be recalled.

(2) The office of Member of Parliament and Mayor shall be conducted in a professional manner.

## **8. Tax and fee exemption**

### **Article 11**

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

(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 exempt from fees and taxes.

(3) The Minister of Finance shall approve rules in order to regulate, in a unique manner, the proceedings regarding the payment of Value Added Tax on the circulation of ballots and election material needed for the conduct of the election.

## **II. ANNOUNCEMENT AND CARRYING OUT THE ELECTIONS**

### **1. Announcement of the elections**

### **Article 12**

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

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

(3) The Election Announcement Act shall be published in the "Official Gazette of the Republic of Macedonia".

(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. Information on the carrying out of the election**

### **Article 13**

(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 informing from paragraph (1) of this article shall be done by the competent election commission.

## **3. Carrying out the election**

### **Election of President of the Republic**

#### **Article 14**

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

(2) In case of cessation of the mandate of the President due to any reason the election of new President shall be carried out within 40 days from the day of the cessation of the mandate.

### **Election of Members of Parliament**

#### **Article 15**

(1) Elections for Members of Parliament shall be held each 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 carried out in accordance with the provisions of this Code whereas all the deadlines for the election activities shall be five days shorter, except for the deadline determined for carrying out the election campaign.

(3) The deadlines for carrying out the election activities from Paragraph (2) of this article shall be determined by the State Election Commission with a timeline.

(4) The mandate of the Members of Parliament shall last from the day of its verification and until the day of verification of the mandate of the newly elected Members of Parliament.

### **Election of Council Members and Mayor**

#### **Article 16**

(1) The elections for Members of the Councils and Mayor 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) Early elections for Members of Councils and Mayor shall be announced and carried out in accordance with the provisions of this Code within 70 days of the day when the conditions for cessation of the mandate, determined with a Law, have taken place.

(3) The early elections for Members of Council and Mayor shall not be carried out if there are less than six months left until the regular elections.

### **III. BODIES RESPONSIBLE FOR CARRYING OUT THE ELECTIONS**

#### **1. Types of election management bodies**

##### **Article 17**

(1) Bodies responsible for carrying out the elections are:

- State Election Commission;
- Municipal Election Commissions and
- Electoral Boards.

#### **2. Member of an election management body**

##### **Article 18**

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

- he/she had been sentenced for criminal offence related to elections;
- he/she had previously participated in organizing the elections and in his/her work as member of an election body irregularities had been found due to which the voting had been annulled;

(2) The following persons may not be proposed as members of Municipal Election Commission and Electoral Board:

- elected or appointed official of the Government i.e. the Parliament;
- person employed in the state administration of the Ministry of Justice, Ministry of Defence, Ministry of Interior, State Statistical Office, Bureau for Protection and Rescue, Crisis Management Centre, the professional services of the courts as well as the persons employed in the professional service (Secretariat) of the State Election Commission.

(3) A person selected as a member of an election management body may decide to refuse that duty only due to health or family reasons, whereas the organ that selects the person decides upon the exemption from duty based on the submitted, appropriate documentation.

##### **Article 19**

(1) The President and the members of the election management bodies shall carry out their function independently, in good faith and responsibly in accordance with their competences determined in this Code.

(2) The members of the election management bodies, whose function does not have a character of professional engagement, shall have the right to reimbursement, which will be determined with and act of the State Election Commission.

#### **3. Incompatibility of the function of member of an election management body**

##### **Article 20**

(1) If a president, member of election management 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.

#### **4. Principle of adequate and equitable and gender representation in the election management bodies**

##### **Article 21**

(1) When selecting the members of the State Election Commission the principle of adequate and equitable representation shall be respected.

(2) When selecting the members of Municipal Election Commissions and the Electoral Boards in the municipalities in which at least 20% of the citizens are members of the other ethnic communities the principle of adequate and equitable representation of all ethnic communities shall be respected.

(3) Each gender shall be represented in the election management bodies with at least 30%.

(4) The SEC shall issue an instruction on the implementation of paragraphs (1), (2) and (3) of this article.

(5) The decisions for appointing the members of Municipal Election Commissions shall be published in the "Official Gazette of the Republic of Macedonia".

#### **5. Proposing representative of the list submitter**

##### **Article 22**

(1) Each submitter of a list of candidates for election of President of the Republic, Members of Parliament, Members of Councils, and Mayors, shall have the right to appoint representative and deputy of the representative to follow the work of the election management bodies from the beginning of the elections until the determining and publishing of the results.

(2) The submitter of the list shall give authorization to the representative and shall inform about this the election bodies.

(3) The representative of the submitter of the list, on the sessions of the election management bodies may point to irregularities in their work and if this is not accepted, the representative could ask that it be entered in the minutes.

#### **6. Manner of functioning of the election management bodies**

##### **Article 23**

(1) The election management bodies may work and make decisions if the majority of the members are present whereas the decisions are adopted with a majority vote from the total number of members.

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

(3) While carrying out the 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.

##### **Article 24**

The work of the election management bodies shall be public, thus the authorised representatives of the submitters of lists and the accredited observers shall have the right to be present at the work of the election management bodies.



## **7. Support for the functioning of the election management bodies**

### **Article 25**

(1) The Parliament, the Ministry of Justice, the Ministry of Internal Affairs, the State Statistical Office, the General Services Department of the Government of the Republic of Macedonia and their regional offices shall be obliged to provide the bodies in charge of carrying out the elections with the technical and other conditions for work.

(2) For carrying out the activities from paragraph (1) of this Article, the election management bodies shall be provided with resources from the Budget of the Republic of Macedonia.

## **8. State Election Commission**

### **8.1 Composition of the State Election Commission**

#### **Article 26**

(1) The SEC shall be composed of President, Deputy and five members.

(2) The President and the Deputy shall be members of the State Election Commission.

(3) The President and the members of the State Election commission shall carry out their function professionally with a mandate of five years and shall have the right to be re-elected.

(4) The State Election Commission shall have Secretary General and his/her Deputy.

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

(6) The resources for the work of the State Election Commission shall be provided from the budget of the Republic of Macedonia.

### **Selection of the composition of the State Election Commission**

#### **Article 27**

(1) A person may be elected as President or member of the SEC if he/she fulfils the following criteria:

- is citizen of the Republic of Macedonia with a permanent residence in the Republic of Macedonia;

- has high education and at least 8 years of legal experience (political/election systems);  
and

- is not a member of an organ of a political party.

(2) The Parliament shall announce the election of the President and the members of the SEC in the "official Gazette of the Republic of Macedonia" and in the daily newspapers. The vacancy shall be opened for 8 days from the day of the announcement.

(3) The Parliamentary Committee on Election and Appointment Issues shall prepare a draft list from the candidates that have applied and shall submit it to the Parliament.

(4) From among the candidates on the draft list, the parties in opposition shall propose the President of the State Election Commission and the ruling parties shall propose his/her deputy.

(5) The President and the members of SEC are elected by the Parliament with a two third majority from the total number of Members of Parliament.

(6) From the day of the election the previous working status of the President and the Members of the SEC shall be temporarily suspended.

## **Cessation of a function in the State Election Commission before the expiry of the mandate**

### **Article 28**

(1) The function of the President, Deputy or a member of the SEC shall cease before the expiry of the mandate:

- if any of the conditions foreseen in Article 27 paragraph (1) of this Law cease to exist;
- upon their personal request;
- due to unprofessional carrying out of the function;
- due to fulfilling the conditions for pension determined with a law;
- due to death; and
- if there is a final court decision for imprisonment for over six months.

(2) With a two third majority from the total number of members the State Election Commission may give a proposal to the Parliamentary Committee on Election and Appointment Issues for dismissing of a member due to unprofessional carrying out of the function.

## **Deadline for proposing President and Deputy President of the State Election Commission**

### **Article 29**

(1) The Political parties from Article 27 paragraph (4) of this code shall propose the President and the Deputy President of the State Election Commission within 3 days from receiving the notification from the President of the Parliament.

(2) In case the political parties do not determine and submit the names of the President and the Deputy President of the State Election Commission within the deadline determined in paragraph (1) of this article, the President and the Deputy President of the State Election Commission shall be proposed by the Parliamentary Committee on Election and Appointment Issues.

## **8.2 Professional service of the State Election Commission**

### **Article 30**

(1) The State Election Commission shall appoint its Secretary General and his/her deputy from among graduated 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.

## **8.3 Competencies of the State Election Commission**

### **Article 31**

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

(2) The State Election Commission shall:

1. Request data from the competent bodies regarding the employees in the state administration, municipal administration and the administration of the City of Skopje as well as regarding the employees in the public administration and shall appoint the members of the Municipal Election Commissions;

2. Give instructions, explanations and recommendations on the implementation of the provisions of this code and the implementation of other laws referring to issues connected to the elections;

3. Dismiss any member of an election management body in case of unlawful activities;

4. Control the legality of the work of the election bodies and undertake measures in the event of determining a violation of the legality in the preparations, the procedure for candidacy, the carrying out of the elections and the determining of the election results, as well as in case of violation of the instructions and recommendations issued by the same;

5. Confirm and publish the lists of candidates for election of President and election of Members of Parliament and determine their order by drawing lots;

6. Adopt a program and establish standards for mandatory education of all election bodies and coordinate the same;

7. Carry out obligatory training of the members of the Municipal Election Commissions and shall issue certificates in a manner and in time frame prescribed with the programme;

8. Prescribe the form for the training attendance certificate for the members of the electoral bodies;

9. Establish common standards regarding the election material, take care of its procurement and prescribe the type of means for marking and checking the persons that have voted (UV lamp, spray and graphite pad);

10. Prescribe forms for conducting elections and forms for collecting signatures by the voters and the Members of Parliament for proposing candidates and publish them in the "Official Gazette of the Republic of Macedonia";

11. Determine the way of handling and securing the election material;

12. Determine the quality, form, size, colour and serial numbers of the ballots;

13. Organize the printing of ballots and candidates' lists

14. Deliver to, and receive the election material from the Municipal Election Commissions;

15. Inform and educate the public about the way of voting and the exercise of the right to vote;

16. 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;

17. Control the polling stations on the day of the elections where irregularities have been reported;

18. Confirm or reject the accepted lists of candidates depending on whether they have been composed in accordance with the provisions of this code;

19. Adopt a rule – book to determine the criteria for the manner and procedure of election of presidents, deputy presidents, members and their deputies in the election management bodies;

20. Sum up and determine the results from the voting for the lists of candidates on a level of election district;

21. Publish the preliminary results of the election for President of the Republic, Members of Parliament, Members of Councils and Mayor based on the date in the minutes of the election bodies;

22. Publish the final results of the carried out elections;

23. Issue certificates to the candidate elected as President of the Republic and to the candidates elected as Members of Parliament;
24. Adopt a rule-book and instruction for the reimbursement of the members of the election bodies;
25. Submit a report to the Parliament on the conducted elections and a financial overview on the conducted elections and publish it on its web page;
26. Dispense the compensation for the expenses of the elected candidates according to the submitted financial report and publish it on its web page;
27. Adopt the act for organization and systematization of the professional service of the State Election Commission and establish the support bodies;
28. Publish the descriptions of the polling stations in the daily press;
29. Decide upon complaints regarding requests for entering, adding or taking out data from the Voters' List;
30. Take care for the protection of the personal data of the citizens contained the Voters' List;
31. Check the integrity of the database on the Voters' List;
32. Sign the Voters' List, i.e. the excerpts of the voters' list, not later than 15 days prior to the Election Day;
33. Establish contact with the international associations and organizations authorized to observe the elections i.e. the referendum on a national level, on issues regarding the Voters' List;
34. Provide the media with data regarding the number of voters registered in the signed Voters' List i.e. the excerpts;
35. Adopt Rules of Procedure on its own work and the work of the professional service to the State Election commission;
36. Decide upon complaints based on inspection of the election material and other evidence;
37. Adopt rule-book on the behaviour of the police during the elections in co-operation with the Ministry of Internal Affairs;
38. Fill in and submit statistical data for the needs of the State Statistical Office of the Republic of Macedonia; and
39. Perform other duties prescribed by this code.

(3) The State Election Commission shall initiate and lead a misdemeanour procedure in accordance with a law.

(4) The forms of the minutes and the entire election material for 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 language 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.

### **Article 32**

(1) Within three days from the day of announcing the elections the SEC shall submit a request to the Agency for Civil Servants and the authorized bodies for submitting data on the employees in the state and municipal administration, the administration of the City of Skopje as well as the public administration, systematized by municipalities according to the address and place of living.

(2) The bodies from paragraph (1) of this article shall submit the data to the SEC within 5 days from day of receiving the request.

## **9. MUNICIPAL ELECTION COMMISSIONS**

### **9.1 Election and composition of Municipal Election Commission**

#### **Article 33**

(1) 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 Kratovo
17. municipality of Kriva Palanka
18. municipality of Krusevo
19. municipality of Kumanovo
20. municipality of Makedonska 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 Probistip
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 Vecani
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 Karbinci
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 determined in paragraph (1) of this Article and shall be responsible for carrying out electoral activities at the polling stations determined with this code.

### **Article 34**

(1) The Municipal Election Commission shall be composed of a 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 graduated jurists, for a period of 5 years.

(3) The Presidents of the Municipal Election Commissions and their deputies, four members and their deputies shall be randomly selected from among the employees in the state administration, municipal administration and the administration of the City of Skopje i.e. the municipal administration with high education. They shall be selected for a period of five years.

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

### **Article 35**

(1) The State Election Commission within 5 days from the day of receiving the data from Article 32 of this code shall form the Municipal Election Commissions. The decisions for forming the Municipal Election Commissions shall be published in the "Official Gazette of Republic of Macedonia".

(2) The manner and the procedure for appointing the President, the deputy, the members and their deputies of the Municipal Election Commissions shall be determined with an act of the State Election Commission.

(3) The manner and the procedure for determining the responsibility in case of unlawful activities of the President, his/her deputy, the members and deputies of the members of the Municipal Election Commissions shall be determined with the Law on Civil Servants.

### **Article 36**

The president and members of the Municipal Election Commission and their deputies, as a rule, shall have their domicile in the area of the municipality for which the Municipal Election Commission has been formed.

## **9.2 Competencies of the Municipal Election Commission**

### **Article 37**

(1) The Municipal Election Commission shall take care of the legality in the preparation and carrying out of the elections in accordance with this code and shall supervise the work of the Electoral Boards.

(2) The Municipal Election Commission shall:

1. Appoint the composition of the electoral boards with a decision and shall submit the same, with deposited signatures of the members, to the State Election Commission;

2. Dismiss the members of the electoral board in case they have worked unlawfully on the day of the elections;

3. Give instructions for the work of the electoral boards;

4. Announce the determined lists of candidates;

5. Organize and carry out the training for the members of the Electoral Boards according to the plan and program of the State Electoral Commission and issue certificates for completed training;

6. Undertake technical preparations for carrying out the elections according to guidelines and instructions of the State Election Commission;

7. Control the legality of the work of the electoral boards and 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 it 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;

11. Hand over and collect the election material to and from the Electoral Boards in a manner determined with this code;

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 carrying out the elections for Members of Parliament, based on the minutes of the Electoral Boards, the Municipal Election Commission shall sum up the results according to the election districts for the polling stations for which it is competent and in accordance with their belonging to the election district;

15. Submit the election material of the polling stations for which it is competent to the State Election Commission, within three hours from receiving the election material from the Electoral Boards; and

16. Provide evidence while deciding upon the legal remedies.

(3) During Local Elections, besides the competencies stipulated in paragraphs (1) and (2) of this article, the Municipal Election Commission shall:

1. Determine whether the proposed lists of candidates for elections of Council Members and the candidate list for Mayor have been submitted in accordance with this code.

2. Confirm the lists of nominated candidates and determine their order 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 this code.

## **10. Electoral Board**

### **10.1 Election and composition of the Electoral Board**

#### **Article 38**

(1) Electoral Board shall be established for each polling station.

(2) Electoral Boards shall be composed of president, 4 members and their deputies.

(3) The Presidents of the Electoral Boards and their deputies shall be randomly selected from among the employees in the state administration, the municipal administration and the administration of the City of Skopje, and the four members and their deputies shall be randomly selected from among the employees in the public administration for a period of 4 years. They shall as a rule have domicile in the municipality to which the polling station belongs.



### **Article 39**

(1) For the purpose of forming the Electoral Boards, the State Election Commission, within 3 days from the day of forming the Municipal Election Commission, shall submit the data from Article 32 of this code to the Municipal Election Commission.

(2) Within 5 days from the day of receiving the data from paragraph (1) of this Article the Municipal Election Commission shall form the Electoral Boards for the polling stations that are under its competence.

(3) The manner and the procedure for appointing the President, his/her deputy, the members and their deputies in the Electoral Boards shall be determined with an act of the State Election Commission.

(4) The manner and the procedure for determining the responsibility for unlawful activities of the President, his/her deputy, the members and their deputies in the Electoral Boards shall be determined in the Law on Civil Servants and the Law on Labour Relations.

## **10.2 Competencies of the Electoral Boards**

### **Article 40**

(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 submit them to the Municipal Election Commission.

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

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

(5) The Electoral Board shall perform its duties in accordance with this code and the instructions of the State Election Commission.

## **IV. REGISTRATION OF THE RIGHT TO VOTE**

### **1. Maintaining the Voters' List**

#### **Article 41**

(1) The Voters' List shall be kept by the Ministry of Justice.

(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 working capacity with 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 i.e. election rounds.

(10) The contents of the Voters' List i.e. the excerpts as issued 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 42**

(1) It is the official duty of the Ministry of Justice 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 Ministry of Justice shall register, add or delete data in the Voters' List at the request of citizens, based on a personal ID card and passport.

## **2. Competencies of the bodies for submitting data to be recorded in the Voters' List**

#### **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.

(2) The Basic Courts shall submit data to the Ministry of Justice 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 personal identification number of the citizen (EMBG).

#### **Article 44**

(1) No later than 30 days before the Election Day or referendum at a national level, the Ministry of Defence shall submit data to the Ministry of Justice 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 prior to the Election Day or referendum at the national level, the organ in charge of executing sanctions shall submit data to the Ministry of Justice on persons who are in custody or serving prison sentence, based on the records kept by this organ.

(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).

### **3. 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) The printed excerpts of the Voters' List and the special excerpts 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.

### **4. Printing of the special excerpts of the Voters' List**

#### **Article 46**

(1) Special excerpts of the Voters' List shall be prepared for carrying out the elections in the military posts, organisations, institutions, unit and penitentiary institutions for:

- the persons who during the elections are on a military drill or are serving in the military, and
- the persons who during the elections are in detention or are serving prison sentence.

#### **Article 47**

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 station or municipality and the number of military post, organization, institution, unit and the municipality in which that military post, organization, institution and unit is located is under remarks. The second copy is systematized according to the number of the military post, organization, institution, unit and the municipality in which that military post, organization, institution and unit is located and the number of the polling station and the municipality to which that polling station belongs is under remarks.

- For citizens who are in detention or are serving prison sentence during the elections, one copy is systematized according to polling station or municipality, and the municipality in which the penitentiary institution is located under remarks. The second copy is systematized according to the penitentiary institution and the municipality in which it is located, and the number of the polling station, and the municipality to which that polling station belongs under remarks.

### **5. Inspection of the data in the Voters' List**

#### **Article 48**

(1) A citizen may, throughout the year, request to inspect the excerpts of the Voters' List in the regional offices of the Ministry of Justice.

(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 the regional office of the Ministry of Justice to enter, add or delete data. Adequate documentation shall be submitted along with the request.

(3) The Ministry of Justice 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 and if it is determined that the request is well founded, they shall enter, add or delete data in the Voters' List or. If the request is not well founded it shall be rejected with a decision.

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

(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

## **6. Public inspection of the Voters' List**

### **Article 49**

(1) The Ministry of Justice 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 with the following data:

- citizens who will 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 Ministry of Justice 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 public inspection shall last 15 days.

## **7. Change of data in the Voters' List that has been opened for public inspection**

### **Article 50**

(1) A request for entering, adding or deleting data in the Voters' List excerpts that are open for public inspection, within the deadline referred to in Article 49 paragraph (3) of this code, 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 Ministry of Justice or to the local office where the person resides.

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

### **Article 51**

(1) The Ministry of Justice shall decide upon the requests of the citizens, referred to in Article 50 of this code, within 24 hours from the day of receiving the request and if it determines that the request is well founded, it will enter, add or delete data, 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 upon 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.

## **8. Closing and signing of the Voters' List**

### **Article 52**

The Ministry of Justice shall close 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 53**

(1) The Voters' List i.e. the excerpts shall be closed 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 50, paragraph (1) of this code, closing date, signature of the authorized person and stamp.

(2) The closed 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 Ministry of Justice shall submit the closed Voters' List to the State Election Commission for signing within five days from the day it has been closed.

### **Article 54**

(1) In the procedure for signing, the State Election Commission shall check if all positively decided requests of the citizens by the Ministry of Justice, 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 Ministry of Justice. The corrections shall be made within 48 hours following the day of their receipt.

## **9. Protection of data in the Voters' List**

### **Article 55**

(1) The personal data contained in the Voters' List shall be protected in accordance with a Law, and shall not be used for any purpose other than exercising the citizens' right to vote, in accordance with this Code.

(2) The Ministry of Justice 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 signed or previously prepared excerpt of the Voters' List for each polling station, containing the data referred to in Article 45, paragraph (2) of this Code.

(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, coalitions and the independent candidates, i.e. 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 56**

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, in accordance with Article 55 of this Code.

## **V. NOMINATING CANDIDATES**

### **1. Nomination of candidates**

#### **Article 57**

(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. list of candidate for Mayor.

(2) A candidate for President of the Republic, Member of Parliament, candidates for Council Members and for Mayor may be nominated only on one list of candidates.

### **2. Submitter of a list**

#### **Article 58**

(1) The submitter of a list 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) When carrying out the election, the submitter of the lists in the units of local self-government where at least 20% of the citizens speak official language other than Macedonian, shall submit the candidates lists, i.e., the candidate list for mayor, in addition to the Macedonian language and its Cyrillic Alphabet, also in the official language and alphabet used by citizens in that unit of

local self-government.

(3) When carrying out the elections for Members of Parliament, the submitter of the lists from Paragraph (1) of this Article in the Election Districts where at least 20% of the citizens speak official language other than Macedonian, shall submit the lists of candidates, in addition to the Macedonian language and its Cyrillic Alphabet, also in the official language and alphabet used by citizens in that unit of local self-government.

### **Submitter of a list of candidate for President of the Republic**

#### **Article 59**

(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.

(2) 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 Member of Parliament, Council Members and Mayor**

#### **Article 60**

(1) The registered political parties individually, coalitions, as well as a group of voters (hereinafter: "submitter of a list") have the right to submit a list of candidate-s for MPs, Council Members and Mayor.

(2) The State Election Commission shall determine the subjectivity of the submitter of a list of candidates based on a statement of the political parties that are participating in the elections as a coalition.

(3) The coalition statement from paragraph (2) of this Article shall be signed by the representatives of the political parties that are participating in the election together and it shall contain the name of the coalition, logo, municipality i.e. election district in which they are participating together.

(4) The candidates' list shall be signed personally by an authorized representative of the submitter of a list.

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

(6) If the submitter of a list of candidates 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 of candidates for Members of Parliament with collected signatures**

#### **Article 61**

In case when submitter of a list of candidates for MPs, is a group of voters, at least 1.000 signatures of the voters registered in the excerpts of the Voters' List of the Election District, shall be collected.

### **Submitter of a list of candidate-s for Council members and Mayor with collected signatures**

## **Article 62**

(1) In case when submitter of a list of candidates for Council Members, 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.

### **3. Procedure of collection of signatures for proposing candidate**

#### **Article 63**

(1) The signatures of the voters in the nomination procedure shall be collected before officials from the Ministry of Justice on a form prescribed by the State Election Commission, which shall contain the name and surname, the domicile, profession, and personal identification 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 Ministry of Justice shall commence at the 15th day from the day of announcing the elections and shall last 15 days.

(3) Each 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 shall have the right to vote and a domicile within the area of the election district, municipality, i.e., the City of Skopje.

### **4. Contents of the submitted list**

#### **Article 64**

(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/her domicile, profession, 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, 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, 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, and personal identification number of the citizen.

(5) In the submitted list of candidates for Members of Parliament from paragraph (2) of this Article and list of candidate for Member of Council of the municipality and the City of Skopje from paragraph (3) of this Article, in every three places at least one will be reserved for the less represented gender.

## **5. Procedure for submitting the list**

### **Article 65**

(1) The list of candidates shall be submitted on a form prescribed by the State Election Commission.

(2) When submitter of a list of candidate i.e. candidates is political party registration certificate from the competent court must be attached.

(3) When submitter of a list is coalition, the statement from Article 60 paragraph (3) of this Code must be attached.

(4) When submitter of a list of candidate i.e. candidates is a group of voters, the required number of signatures stipulated in Article 61 i.e. 62 of this Code must be submitted as well.

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

(6) The order of the candidates on the list shall be determined by the submitter of the list in accordance with Article 64 of this Code.

### **Article 66**

(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 State Election Commission.

(3) The authorized representatives of the list submitters shall submit the list of candidates for Council Members, i.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 67**

(1) The State i.e. Municipal Election Commission from Article 66 of this Code, shall, upon the receipt of the lists of candidate i.e. candidates, examine whether they have been submitted within the prescribed deadline and whether the lists have been made in accordance with the provisions of this Code.

(2) Should the State i.e. 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 i.e. 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 Code, 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 i.e. 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 State Election Commission from paragraph (4) 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.

(7) The Supreme Court of the Republic of Macedonia from paragraph (6) of this Article. The competent Appellate Court from paragraph (5) of this Article shall be obliged to decide upon the appeal within 48 hours after it has received it.

(8) Submitting complaints and appeals by post shall not be permitted.

### **Article 68**

(1) The order of the candidates on the list of candidate i.e. the lists of candidates shall be determined by the competent election commission by drawing lots.

(2) The competent election commission shall, as a rule, inform the authorised representatives of the list submitters about the undertaken activities in accordance with paragraph (1) of this Article.

(3) The Municipal Election Commission shall immediately submit the determined single list to the State Election Commission.

## **6. Publishing the lists**

### **Article 69**

(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 newspapers, of which one shall be in the language of the community spoken by at least 20% of the citizens of the Republic of Macedonia, at the latest 25 days prior to the Election Day.

(3) The Municipal Election Commission shall announce the determined single 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, at the latest 25 days prior to the Election Day.

(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) In the units of the local self-government where at least 20% of citizens speak official language other than the Macedonian, the determined lists of candidates shall be published, 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**

### **1. Organiser of election campaign**

### **Article 70**

(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 71**

(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 those 48 hours 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 shall be covered solely with the funds from the giro account for the election campaign.

(6) The giro account from paragraph (1) of this Article shall be closed after the reimbursement of funds from the Budget of the Republic of Macedonia i.e. the budgets of the municipalities and the City of Skopje for each vote won in the election.

### **Article 72**

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

(2) The election campaign organizer shall also be responsible for the election campaigns activities for which other persons have been authorised.

### **Article 73**

(1) If during the election campaign, or during the presentations or propaganda information of certain organizers of election campaigns, the rights of candidates are being violated (by preventing and disturbing the opponents' campaign), they have the right to immediately initiate a procedure before the competent Basic Court for the protection of their rights.

(2) The Basic Court shall decide upon the request for rights' protection within 48 hours after the request has been submitted.

(3) Appeal against the decision of the Basic Court may be lodged before the competent Court of Appeals within 48 hours after it has been received.

(4) The competent Court of Appeals shall decide within 48 hours of the day of submitting the appeal.

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

## **2. Duration of the election campaign**

### **Article 74**

(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 Council 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 to notify the competent court within 24 after the receipt of the information in order to initiate a procedure for punishable act.

## **3. Media Presentation**

### **Article 75**

(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 Broadcasting Council.

(4) The Broadcasting Council shall be obliged to submit the draft decision from paragraph (2) of this Article to the Parliament, at the latest, 50 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 76**

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

(2) The public 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 or charge.

## **4. Opinion polls**

### **Article 77**

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

(2) When 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 that organized the survey, the date, methodology, the size and the structure of the sample, and the name of the person who commissioned the polls shall be given.

## **5. Election posters**

### **Article 78**

(1) Displaying election posters free of charge shall be 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) The Municipality 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 Election Day.

(6) The Municipality 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 79**

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

### **6. Pre-election rallies**

#### **Article 80**

(1) The pre-election rallies shall be public.

(2) The organ in charge of internal affairs shall be in charge of keeping the order during the pre-election rallies.

#### **Article 81**

The election campaign organizer shall inform in writing the competent organ 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 82**

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

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

(3) The permission for holding a pre-election rally shall be issued by a person in charge of the institution, under equal conditions for all election campaign organizers.

(4) The facilities, equipment or other property of the state bodies and bodies of local self-government and the City of Skopje may not be used 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) Permission shall be issued by the person in charge of the institution, under equal conditions for all election campaign organizers.

## **7. Financing of the elections**

### **Article 83**

(1) The election campaigns may not be financed from:

- Funds from the Budget of the Republic of Macedonia, except the funds defined in Article 86 paragraph 2 of this Code;
- Funds from the budget of municipalities and the City of Skopje except the funds defined in Article 86 paragraph 2 of this Code;
- 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 joint ventures where foreign capital is dominant

(2) The election campaign may be financed by:

- persons with 5.000 Euro in Denar counter value and
- legal entities with 20.000 Euro in Denar counter value.

### **Article 84**

When financing the election campaign, the election campaign organizer may spend no more than 60 Denar per registered voter in the election district i.e. municipality for which they have submitted list of candidates i.e. list of candidates..

## **8. Financial Report**

### **Article 85**

(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, the State Election Commission 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 municipal 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.

(7) If the State Audit Office determines irregularities in the financial report of the organiser

of election campaign connected to exceeding of the limit for election campaign or determines financing of the election campaign that is contrary to the provisions of this Code it shall inform the competent bodies in order to initiate adequate procedure.

## **9. Reimbursement of election expenses**

### **Article 86**

(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 Denar 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 report on the election campaign, based on the report from the State Election Commission regarding the elections.

(3) The reimbursement of the election expenses shall be determined with a decision of the Parliament, of the municipal council and the council of the City of Skopje.

### **Article 87**

(1) Based on the decision from Article 86 paragraph (3) of this Code, the competent body shall adopt a decision for non-reimbursement of the expenses to the election campaign organisers in accordance with Article 85 paragraph (7) of this Code.

(2) 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 88**

(1) 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.

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

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

(4) 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 i.e. the Election Commission of the City of Skopje; 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.

### **3. Election material**

#### **Article 89**

(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;
- signed excerpt from the Voters' List;
- devices for marking and controlling the persons who have voted (UV lamp, spray, graphite pad );
- stamps;
- Voting Guidelines; and
- other material necessary for voting.

### **Article 90**

(1) The voting guidelines 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 State Election Commission. 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.

## **3. Submitting the election material**

### **Article 91**

(1) The State Election Commission shall submit the election material to the Municipal 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 92**

(1) The Municipal Election Commission shall be obliged to submit the election material to the Electoral Boards one day prior to the Election Day.

(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 shall have the right to record the same in the minutes and they may be used as a basis in the procedure for protection of the right to vote.

(5) If the objections of the authorised representatives from paragraph (4) of this Article are not recorded in the minutes, they shall have the right to submit them to the Municipal Election Commission within five hours after signing the minutes.

(6) Authorized observers shall have the right to be present at the handing over of the election material.

## **4. 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 elections 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 written.

(2) On the ballot, the candidates shall be given the same order as defined in the single 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 the basis of data from the registry books.

(2) The part of the ballot that remains on the ballot stub shall contain the serial number of the ballot, the municipality 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 for election of Members of Parliament shall contain:

- Title of the ballot, number of election district, 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 ballot stub shall contain the serial number of the ballot, the number of the election district, the municipality 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 part of the ballot used for voting in the elections for Council Members shall contain:

- Title of the ballot, number of 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.

(2) The part of the ballot that remains on the ballot stub 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 Council Members shall contain the name of the municipality, i.e. the City of Skopje, for which election is being carried out.

### **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 on the ballot stub 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 carried out.

### **5. Polling station**

#### **Article 99**

(1) A place where the voting will be carried out (premises in the facility) 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 prior to 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 box is 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, the President shall be obliged to enable them to enter them in the minutes and they may be used as a basis in the procedure for protection of the right to vote.

(5) If the objections of the present representatives of the lists submitters from 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 of the conditions before the start of the voting.

**6. 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.

**7. Securing the polling station****Article 102**

(1) The police shall secure the polling station from 6:00am until 7:00pm.

(2) Upon closure of the polling station and during the counting of the votes, 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.

(3) The police shall secure the electoral board until the minutes and the election material are handed over to the Municipal Election Commission, if requested by the electoral board.

**8. 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 facility where the polling station is located and access to it shall be secured by the police during the 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 respond to the request.

(4) The President or the Deputy of the President of the Electoral Board may call the police in the room where the voting is carried out if there is a need for that.

(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.

## **9. 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 eliminate the irregularities.

(2) Should the present representatives of the lists submitters have any objections, the President of the Electoral Board shall be obliged to enable them to enter them in the minutes and they may be used as a basis in the procedure for protection of the right to vote.

(3) If the 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**

The president, the members of 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.

## **10. Voting**

### **Article 107**

(1) The voting shall be 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 stipulated in Article 111 of this Code.

### **Determining of the identity of the voter**

### **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.

## **11. 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, a stamp shall be put on the front side of the ballot and it shall be given to the voter.

(3) The voter shall be instructed of the way of voting and shall be allowed to vote.

### **Article 110**

(1) 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 and, before putting the folded ballot in the ballot box, the Electoral Board shall put stamp on the backside of the ballot.

### **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 persons who are not able to vote by themselves**

#### **Article 112**

(1) Voter, who due to a physical disability or illiteracy is unable to vote in the manner defined by this Code, shall have the right to bring along a person to help him/her 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 of 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 to 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.

**Summing - up and determining of the election results at the polling stations**

**Article 114**

(1) The results of the voting at the polling station shall be summed up and 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 which shall closed, sealed and the number of the unused ballots shall written on it;

- the ballot box shall be opened and the counting of votes shall begin

- 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 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. candidate 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 shall be considered 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 candidate circled.

**Minutes for the voting****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 minutes shall be signed by the President and Electoral Board members.

(2) The minutes shall be considered 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) Should the present representatives of the list submitters have remarks, the President of the Electoral Board shall be obliged to enable them to enter their remarks in the minutes, and the remarks may be used as a basis in the procedure for protection of the right to vote.

(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 complaint.

(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 log at the polling station.

## **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.

## **13. Summing - up and determining of the results for election of President of the Republic**

### **Article 119**

The Municipal Election 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**

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**

### **Article 121**

(1) If no candidate for President of the Republic wins the required majority in the first round, then voting in the second round shall be carried out 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 that more than one half of the voters have cast their ballot.

#### **Repetition of the voting**

### **Article 122**

(1) The entire election procedure shall be repeated if no candidate wins the required majority 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 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 the 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 three days after the announcing the final results.

#### **14. Summing up and determining of the result from the voting for election of Members of Parliament**

#### **Article 124**

(1) The Municipal Election Commission, within five hours from the receipt of the entire election material from the Electoral Boards for which it is competent, shall sum up the results of the voting for the lists of candidates, at the polling stations of the corresponding Election District.

### **Minutes for the voting**

#### **Article 125**

(1) The Municipal Election Commission shall prepare minutes on its work

(2) The minutes on the voting shall contain data on the summed up results of the voting such as: ordinal number of the polling stations in the election district for which it is competent, 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 cast for each list of candidates at a level of election district and from the polling stations for which the Municipal Election Commission is competent.

#### **Article 126**

(1) The minutes from Article 125 of this Code shall be signed by the president and the members of the Municipal Election Commission.

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

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

(4) In case the present representatives of the lists submitters have objections, the President of the Municipal Election Commission shall be obliged to enable them to enter the objections in the minutes and they may be used as basis in the procedure for protection of the right to vote.

(5) 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.

## **15. Determination of the results and distribution of mandates**

### **Article 127**

(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 Municipal 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 summed up results by the Municipal Election Commission for the polling stations in the Election District for which it is competent.

(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 list is divided by the sequence of quotients 1, 2, 3, 4, etc. until all seats in the election district are allocated according to the determined principle.

(6) The quotients of the division, referred to in paragraph (5) of this Article, are classified by amount, whereby relevant are as many of the largest quotients as there are Members of Parliament being elected in the Election District.

(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.<sup>1</sup>

(8) Should there be two identical quotients when distributing the last seat in the Parliament the mandate shall be allotted by drawing lots.

(9) When allocating the seats in the Parliament, the number of mandates shall correspond to the number of seats won by the list.

(10) Candidates are elected from the list of candidates according to the established order.

### **Article 128**

(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 stations;
- the total number of voters registered in the excerpts of the Voters' List for the election district;
- 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 129**

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

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<sup>1</sup> Translators' note: The language in the Macedonian version is unclear.

## **16. Summing – up and determining of the results from the voting for election of Council Members**

### **Article 130**

(1) The overall results of the voting in a municipality shall be established by the Municipal Election Commission.

(2) The Municipal Election 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 election 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 the basis of the 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's formula shall be applied.

(6) Having established the total number of votes cast for each list of candidates, 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 amount 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 councillors' seats as there are the biggest results from the number of results referred to in paragraph 6 of this Article.

(9) Should there be two identical quotients when distributing the last seat in the Parliament the mandate shall be allotted by drawing lots.

(10) When allocating councillors' seats, the number of elected candidates shall correspond with the number of seats won by the list.

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

### **Article 131**

(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 polling stations in the municipality and the City of Skopje,
- the total number of voters registered in extracts of the Voters' List 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 councillors won by 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.

**17. Determining the results in the elections for mayor****First round****Article 132**

(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 determine the results of the voting for mayor according to the number of votes that each of the lists of candidates for mayor have won, based on the summed-up results received from the Municipal 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 in Paragraph (1) of this Article.

**Second round****Article 133**

(1) If in the first round, no candidate for mayor wins the required majority votes in accordance with Article 132, Paragraph 1, of this Code, then voting in the second round shall be organized for two candidates who won most votes in the first round.

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

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

**Appointing a trustee until the new elections****Article 134**

(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 the end 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, within 15 days, the Government of the Republic of Macedonia shall appoint a trustee to carry out the functions of a Mayor.

(3) Within 15 days after having appointed a trustee, the Government of the Republic of Macedonia shall notify the President of the Assembly of the Republic of Macedonia for the purpose of announcing elections for Mayor.

**18. Announcing the results of the elections****State Election Commission****Article 135**

(1) The State Election Commission shall announce the initial results of the elections consecutively, as they receive them electronically; the results based on the minutes of the Municipal Election Commissions shall be announced within twelve hours after the finishing of the elections.

(2) The State Election Commission shall announce the final results of the voting within 24

hours from the day they have become final.

### **Municipal Election Commission**

#### **Article 136**

(1) Within 7 hours after the finishing of the voting, the Municipal Election Commission shall announce the initial results of the elections for Council Members i.e. Mayor based on the data from the Electoral Boards by displaying the results on a bulletin board in the municipality and announcing them to the media.

(2) Within 10 hours after the finishing of the voting the Election Commission of the City of Skopje shall announce the initial results of the elections for Council Members i.e. Mayor, based on the data from Municipal Election Commissions for the City of Skopje, by displaying them on a bulletin board in the City of Skopje and announcing them to 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.

### **19. Elections for President of the Republic of Macedonia due to the early termination of the mandate**

#### **Announcing the election**

#### **Article 137**

(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 138**

(1) 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 Ministry of Justice, 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 139**

(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 16<sup>th</sup> day of the day of announcing the elections.

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

## **Competencies of the State Election Commission**

### **Article 140**

(1) Within 24 hours upon receipt of the list of presidential candidates, the State Election Commission shall determine whether they have been submitted within the deadline stipulated in Article 139 Paragraph (1) of this Code.

(2) Should the Commission of Paragraph (1) of this Article 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 Article 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 141**

(1) Should the State Election 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 140, Paragraph (2), of this Code, 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.

## **Publishing the lists**

### **Article 142**

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

## **Election campaign**

### **Article 143**

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

## **Organiser of election campaign**

### **Article 144**

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 145**

(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, at the latest within 24 hours in the "Official Gazette of the Republic of Macedonia".

## **Publishing the descriptions of the polling stations**

### **Article 146**

(1) The Ministry of Justice shall submit a copy of the decision on determining the number and the description of every Polling Station, to the Municipal Election Commission, at the latest, 10 prior to the Election Day.

(2) The Municipal Election Commission shall, at the latest 5 days prior to the Election Day, display on visible place the descriptions of the determined Polling Stations, by indicating from which area voters shall vote at a given polling station,.

## **VIII. PROTECTION OF THE RIGHT TO VOTE**

### **Article 147**

(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 election management bodies via the institutions that have made the previous decisions.

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

(4) Submitting complaint, lawsuit and appeal by post shall not be permitted.

### **1. Procedure for protection of the right to vote of the list submitters**

### **Article 148**

(1) Each submitter of a list of candidates in the election procedure for President of the Republic and for Members of Parliament, has the right to submit a complaint to the State Election Commission and for the election of Council Members in the municipalities and in the City of Skopje and election of Mayor in the municipalities and in the City of Skopje, to the Municipal Election Commission or the Election Commission of the City of Skopje..

(2) The complaint referred to in Paragraph (1) of this Article shall be submitted within 48 hours after the end of the voting.

(3) The State Election Commission, the Municipal Election Commission and the Election Commission of the City of Skopje shall decide upon the complaint within 48 hours after receiving it.

(4) An appeal against the decision of the State Election Commission, Municipal Election Commission, Election Commission of the City of Skopje, may be submitted before the Supreme Court of the Republic of Macedonia within 48 hours after receiving the decision.

(5) The appeal shall be based on the remarks pointed out in the complaint that has been decided upon in first instance.

## **2. Procedure for protection of the voters' right of the voters**

### **Article 149**

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

(2) The first instance organ shall be obliged to make a decision upon the complaint within 4 hours from receiving it.

(3) Against the decision made by the first instance organ, i.e. the State Election Commission, appeal may be submitted before the Supreme Court of the Republic of Macedonia within 24 hours after receipt of the decision.

## **3. The decision-making procedure before the Supreme Court of the Republic of Macedonia**

### **Article 150**

(1) The Supreme Court of the Republic of Macedonia decides upon the appeals from Article 148 and Article 149 of this Code 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 48 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 State Election Commission, the Municipal Election Commissions and the Election Commission of the City of Skopje and in another appropriate manner.

## **IX. ANNULMENT AND REPETITION OF THE VOTING**

### **Article 151**

(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 on a level of Election District, city i.e. municipality has impact 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 through the State Election Commission, Municipal Election Commission i.e. the Election Commission of the City of Skopje within 24 hours from the receipt of 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 14 days from the day of voting.

## **X. Repeated elections**

### **1. Cessation of the mandate and additional elections for Members of Parliament**

#### **Article 152**

(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 offence 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 MP 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), line 2, 3, 4, 5, of this Article are fulfilled, which is determined by the Parliament at the first next session.

#### **Article 153**

(1) If the mandate of the candidate elected from the list of candidates terminates, pursuant to one of the grounds defined in Article 152 of this Code, the next candidate on the list shall become MP for the rest of the mandate.

(2) The State 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.

(3) If the next candidate on the list referred to in Paragraph (2) of this Article does not notify the State Election Commission, within 8 days 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 154**

(1) If the list of candidates has no candidates and grounds for acquiring mandate of MP, determined in Article 153 of this code, 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 155**

(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 Municipal 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) Within 8 days from the day of receiving the notification referred to in Paragraph (2) of this Article, the candidate referred to in Paragraph (1) of this Article shall be obliged to notify, in written form, the Municipal Election Commission if he/she accepts the mandate.

(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 156**

(1) In case when the list of candidates, in accordance with Article 155, is exhausted, the 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 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 the members of councils**

### **Article 157**

(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 Municipal 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 for which the council was elected.

(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 158**

(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 159**

(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 160**

If the session of the council does not take place until the 31<sup>st</sup> 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. ELECTION OBSERVATION****Article 161**

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

- Domestic associations of citizens, registered in accordance with the Law on Citizens' Associations and Foundations, at least 1 year prior to the elections, as well as foreign associations registered in the Republic of Macedonia and 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 162**

(1) Organizations and persons from Article 161 of this Code 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 161 of this Code, if they start expressing support for a candidate or a party.

**XII. POLLING STATIONS****Article 163**

Polling station under this Code shall be considered the inhabited places or part of inhabited places where the voters from that area exercise their right to vote.

**1. Criteria for determining the polling stations****Article 164**

(1) The polling stations shall be determined for inhabited places or parts of inhabited places that have voters entered in the excerpts of the Voters' List for those inhabited places or parts of inhabited places.

(2) The polling stations shall be within the boundaries of the Municipality.

**Article 165**

(1) Maximum of 1000 voters may vote in one polling station thus this shall be taken into consideration while determining the number of polling stations and the area they would be covering..

(2) If more than 1000 citizens live in one settlement and there is no possibility for part of the voters to vote in another polling station, the number of voters in that polling station may go up to 1400.

(3) A polling station may not be established for a settlement that has less than 10 voters.

### **Article 166**

The Polling Station shall as a rule not be more than 3 km away from the furthest address in urban inhabited places and more than 5 km in the rural inhabited places.

## **2. Procedure for determining, changing and announcing polling stations**

### **Article 167**

The Ministry of Justice, in cooperation with the body in charge of matters in the area of urbanism, construction and protection of the environment, the body in charge of measuring and cadastre and the administrative organization in charge of statistical matters and organizational-technical and methodological processing of the data in the Voters' List, prepares the professional-technical descriptions of the polling stations. The professional-technical description of the polling stations contains:

- municipality, number of election district, number of polling station, inhabited area and location of the polling station (facility and address of the facility where the voting will be conducted, inhabited area), whether the polling station is a whole inhabited area, street (name), indicator of division and house number (from – to).

### **Article 168**

(1) Based on the professional-technical descriptions of the polling stations prepared in accordance with article 167 of this Code, the Minister of Justice will reach a decision determining the number and description for each polling station separately, by pointing out the inhabited areas, i.e. streets and house numbers included in the polling stations and the voting facility.

(2) The Ministry of Justice shall submit a copy of the decision of paragraph 1 of this article to the electoral commission no later than 20 days before the day determined for the elections, i.e. for the referendum voting.

### **Article 169**

(1) The change of the description of the polling stations shall be done when changing the names of the streets or house numbers and if the number of voters or the distance from the polling station increase.

(2) The Minister of Justice adopts a decision determining the change of the description of the polling station.

(3) The changes in the description of the polling stations may be done at the latest 30 days prior to the Election Day or the day of the Referendum.

### **Article 170**

(1) The Municipal Election Commission shall, at the latest 15 days prior to the Election Day i.e. the Referendum Day, post on a visible place the descriptions of the polling stations that have been determined for voting marking the area from which the voters are going to vote in the respective polling

station

(2) The announcement of the descriptions of the polling stations may also be done through the local media.

(3) The State Election Commission shall be obliged to inform the citizens by publishing the descriptions of the polling stations in the press and the other means of public information.

### **3. Conditions for functioning of the polling stations**

#### **Article 171**

(1) Each polling station has an ordinal number.

(2) The ordinal number of the polling station is displayed on the facility where the voting for that polling station is conducted; if voting for two or more polling stations is conducted in the same facility, on the outer walls of the facility, with the ordinal number of the polling station is pointed out every room that is determined for voting in that polling station.

#### **Article 172**

(1) The premises in which the voting takes place cannot be determined in a facility where offices of a political party are located, or which is used for the activities of the political parties.

#### **Article 173**

(1) The voting is carried out in a closed room that fulfills the conditions for the personal, free and secret voting of the voters.

(2) The names of the inhabited places and parts of the inhabited places (streets and parts of streets), which are covered by the polling station, are displayed in the room where the voting takes place.

(3) The room determined for voting is equipped with booths i.e. partitions or curtains so that it cannot be seen how the voters marks the ballot.

(4) Every polling booth must be equipped with a pen for the needs of the voting.

(5) Transparent ballot boxes made from a hard material are put in the room for voting and those are given to electoral boards sealed with a protocol.

(6) The rooms determined for voting must be professionally-technically equipped for locking and sealing.

### **XIII. ELECTION DISTRICTS FOR THE ELECTION OF THE MEMBERS OF PARLIAMENT OF THE REPUBLIC OF MACEDONIA**

#### **Article 174**

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

#### **Article 175**

There are six election districts in the Republic of Macedonia:

<b>Election district 1</b>			
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 BROD	polling stations from	0224	to 0274
Municipality SOPISTE	polling stations from	2412	to 2424
Municipality STUDENICANI	polling stations from	2341	to 2361
<b>Election district 2</b>	polling stations from		
Municipality GAZI BABA	polling stations from	2332	to 2332
Municipality GAZI BABA	polling stations from	2476	to 2552
Municipality GJORCE 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 NAGORICANE	polling stations from	1156	to 1186
Municipality CUCER – SANDEVO	polling stations from	2462	to 2475
<b>Election district 3</b>	polling stations from		
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
Municipality 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
<b>Election district 4</b>	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
<b>Election district 5</b>	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 VRANESTICA	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
<b>Election district 6</b>	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 176

If a Polling Station is changed in accordance with this Code, 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 177

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

## XIII. PENAL PROVISIONS

### Article 178

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 179

(1) A person committing the offence of participating in the election campaigns in a



uniform will be fined from 20,000 to 50,000 Denar (Article 9 of this Code).

(2) Member of an election management body acting contrary to the provision of this Code shall be fined from 20.000 to 50.000 Denar (Article 19 Paragraph (1) of this Code).

#### **Article 180**

(1) A political party committing the offence of not complying with Article 72 of this Code 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 Denar for acts referred to in paragraph 1 of this Article.

#### **Article 181**

(1) A person committing the offence of preventing and obstructing the campaign shall be fined from 20,000 to 50,000 Denar (Article 73 of this Code).

#### **Article 182**

(1) A fine of 200,000 to 300,000 Denar 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 75, paragraph (1) of this Law;
- does not accept and announce in a timely manner the rules of Article 75 paragraph (2) of this Law;
- publishes public opinion polls in a period of 5 days prior to the Election Day referred to in Article 77, 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 76 of this Law.

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

#### **Article 183**

(1) A fine of 20,000 to 50,000 Denar 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 77, 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 77, paragraph (2) of this Code).

#### **Article 184**

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 78 of this Code).

#### **Article 185**

The organizer of the electoral campaign shall be fined from 40,000 to 50,000 Denar for the offence of failing to remove the waste of the posters within the deadline determined in Article 79, Paragraph (2) of this Code.

#### **Article 186**

A 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 Denar for the offence (Article 78, Paragraph (1) of this Code).

#### **Article 187**

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

- failing to report an election rally at least 48 hours prior to its holding; and
- organizes a rally contrary to Articles 81 and 82 of this Code.

#### **Article 188**

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 82 of this Code, shall be fined from 20,000 to 50,000 Denar for the offence.

#### **Article 189**

(1) A political party failing to submit a report on the financing of election campaign referred to in Article 85 of this Code, i.e. when for financing of the election campaign they use finances in accordance with Article 83 of this Code, shall be fined from 200,000 to 300,000 Denar for the offence.

(2) During the election campaign, should a political party spend more funds than the amount defined in Article 84 of this Code, it shall be fined from 200,000 to 300,000 Denar for the offence.

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

#### **Article 190**

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 191**

(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 Code, shall be fined from 40,000 to 50,000 Denar for the offence.

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

#### **XIV. TRANSITIONAL AND FINAL PROVISIONS**

##### **Article 192**

On the day of the entrance into force of this Code the following Laws shall not be valid any more: Law on Election of President of the Republic of Macedonia "Official Gazette of the Republic of Macedonia No.20/94,48/99 and 11/2004; Law on Election of Members of Parliament, Official Gazette of the Republic of Macedonia No.42/2002 and 46/2004), Law on Local Elections, Official Gazette of the Republic of Macedonia No.45/2004,52/2004,60/2004 and 4/2005, Law on Voters' List, Official Gazette of the Republic of Macedonia No. 42/02,35/2004 and 74/2005), Law on Polling Stations, Official Gazette of the Republic of Macedonia No.50/97) and Law on Election Districts for Election of Members of Parliament in the Republic of Macedonia, Official Gazette of the Republic of Macedonia No.43/2002.

##### **Article 193**

(1) At the first forthcoming elections for Members of Parliament of the Republic of Macedonia, the Electoral Board shall be consisted of five members and their deputies.

(2) The President of the Electoral Board and his/her deputy shall be selected from among the employees in the state, municipal and the administration of the City of Skopje, while two members and their deputies shall be selected from among the public administration employees with random choice.

(3) One member of the Electoral Board and his/her deputy are appointed upon a proposal of the opposition political parties that won the majority of votes at the last parliamentary elections.

(4) One member of the Electoral Board and his/her deputy are appointed upon proposal of the ruling political parties that won the majority of votes at the last parliamentary elections.

(5) The manner and the procedure for election of members from Paragraph (2) of this Article are carried out in accordance with Article 39 of this Code.

(6) The political parties shall submit their proposals for members from Paragraphs (3) and (4) of this Code to the Municipal Election Commission within 5 days from the day when they received the information from the Municipal Election Commission.

(7) If the political parties do not submit the proposal within the deadline stipulated in Paragraph (6) of this Article, the members will be appointed by the Municipal Election Commission.

##### **Article 194**

(1) The entering of personal data in accordance with Article 41 paragraph (3) of this Code shall be implemented after the establishment of conditions for that.

(2) The State Statistical Office shall continue carrying out the organisational – technical and methodological processing of the data from the Voters' List until the activities are fully taken over by the Ministry of Justice.

(3) For carrying out the voting of the Internally Displaced Persons, the Ministry of Justice shall prepare special excerpts of the Voters' List based on the records of the competent bodies.

##### **Article 195**

The State Election Commission shall be appointed within 15 days from the day this Code enters into force.

#### **Article 196**

The by-laws foreseen with this code shall be adopted by the State Election Commission within 20 days from the day of its establishment.

#### **Article 197**

This Code shall enter into force on the day it is published in the “Official Gazette of the Republic of Macedonia”.