

Date Printed: 12/30/2008

JTS Box Number: IFES_14

Tab Number: 6

Document Title: EDICT OF PROMULGATION OF THE LAW ON THE
ELECTION OF COUNCILLORS AND

Document Date: 1998

Document Country: MOT

Document Language: ENG

IFES ID: EL00012



* 2 8 7 F C D 1 E - B C B 0 - 4 3 2 4 - 8 F E 0 - 4 5 A B D C B 1 5 8 B A *

Pursuant to Article 88, Para. 2 of the Constitution of the Republic of Montenegro, I hereby issue

EDICT

OF PROMULGATION OF THE LAW ON THE ELECTION OF COUNCILLORS AND REPRESENTATIVES

Promulgated is the Law on the Election of Councillors¹ and Representatives, passed by the Assembly of the Republic of Montenegro at its second extraordinary session in 1998, held on 3rd, 4th, 5th, 10th, 11th, 12th and 17th February 1998.

No.: 01-177/2

Podgorica, 18 February 1998

PRESIDENT OF THE REPUBLIC OF MONTENEGRO

Milo Djukanović

THE LAW ON THE ELECTION OF COUNCILLORS AND REPRESENTATIVES

I - BASIC PROVISIONS

Article 1

This Law regulates the election and termination of term of office of councillors in the assemblies of municipalities, the historical and administrative capital and representatives in the parliament of the Republic of Montenegro (hereinafter: the Republican Assembly) as well as the protection of suffrage.

Article 2

Citizens elect councillors and representatives on the basis of their free, universal, equal and direct suffrage, by secret ballot.

No one has the right, on whatever grounds, to take a citizen to account for voting, or ask him who he has voted for or why he has not voted.

Article 3

In the assemblies of municipalities, the historical and administrative capital (hereinafter: Municipal Assembly) 30 councillors are elected and an additional councillor per every 5,000 electors.

The number of councillors is determined by the Municipal Assembly by a special resolution on the day of calling for the election at the latest.

One representative per every 6,000 electors is elected in the Republican Assembly.

The number of representatives is determined by the Republican Assembly by a special resolution on the day of calling for the election at the latest.

Article 4

Councillors and representatives are elected in the constituencies on the basis of lists submitted by political parties (a party electoral list), coalitions of political parties (a coalition electoral list), and lists submitted by groups of citizens (an electoral list of a group of citizens) (hereinafter: electoral list).

Seats for councillors and representatives are distributed in proportion to the number of votes obtained.

Article 5

Councillors and representatives are elected for a four year term of office.

Councillors and representatives make a decision and vote in accordance with their conviction.

A councillor and representative cannot be recalled.

Article 6

Citizens have the right to be informed via the media about the election programmes and activities of submitters of electoral lists as well as about the candidates on electoral lists.

To enable citizens to exercise their suffrage referred to in Para. 1 of this Article, the media are obliged to ensure equality in informing about all the submitters of electoral lists and the candidates from electoral lists.

The election campaign in the media and by way of public gatherings shall cease 48 (forty eight) hours prior to the polling day.

Article 7

The election administration bodies conducting the election are polling boards and election commissions.

Article 8

The protection of suffrage is provided by election commissions, the Constitutional Court of Montenegro and competent courts.

Article 9

The funds for conducting the election are provided for in the municipal budget for the election of councillors and in the republican budget for the election of representatives.

All deeds, enactments, petitions and other documents regarding the administration of the election and termination of term of office of councillors and representatives are tax exempted.

II - SUFFRAGE

Article 10

Suffrage, as used in this Law, includes the following rights of citizens: to elect and be elected; to nominate and be nominated as candidates; to

make decisions on the nominated candidates and electoral lists; to publicly put questions to the candidates; to be informed in time, truthfully, completely and objectively about the programmes and activities of submitters of electoral lists and candidates on electoral lists, as well as exercise other rights provided by this Law.

Article 11

A citizen of Montenegro, who has come of age, has the business capacity and has been the resident of Montenegro for at least twelve months prior to the polling day (hereinafter: the *Elector*) shall have the right to elect and be elected a councillor or a representative.

A citizen residing on the territory of the constituency shall have the right to elect a councillor and a representative on terms referred to in Para. 1 of this Article.

III - CONSTITUENCIES

Article 12

The election of councillors is conducted in a municipality as a single constituency.

The election of representatives is conducted in the Republic as a single constituency.

IV - CALLING FOR THE ELECTION

Article 13

The election of councillors and representatives is called for by the President of the Republic of Montenegro (hereinafter "President of the Republic").

The Decision on calling for the election shall define the time-limits for the election procedures prescribed by this Law as well as the date for the polling day.

The Decision on calling for the election shall be published in the "Official Gazette of the Republic of Montenegro".

Article 14

The election of councillors and representatives is held no less than 15 (fifteen) days prior to the termination of the term of office of councillors and representatives whose term of office is still valid.

No less than 60 (sixty) and no more than 100 (a hundred) days shall pass between the day of calling for the election and the polling day.

The term of office of councillors and representatives whose mandate is expiring shall end on the day of verification of terms of office of the newly elected councillors and representatives.

The terms of office shall be verified within 15 (fifteen) days of the polling day.

Article 15

In the event of the dissolution of the Republican Assembly, or rendering the decision that the term of office of the Republican Assembly should be shortened, the President of the Republic shall call for the election on the day of its dissolution, or on the day of coming into effect of the decision on shortening its term of office.

The provision referred to in Para. 1 of this Article shall be applied in the event of the termination of the term of office of the Municipal Assembly, the dissolution of the Municipal Assembly or the termination of the term of office of councillors based on the decision of the Municipal Assembly.

Article 16

Provisions referred to in Article 14, Paras. 2, 3 and 4 of this Law shall also be applied in the event of the dissolution of the Republican, or the Municipal Assembly, and in the event of the termination of the term of office of representatives based on the decision of the Republican Assembly or of councillors based on the decision of the Municipal Assembly.

V - ELECTION ADMINISTRATION BODIES

Article 17

The bodies in charge of administering the election are self-governing and independent in their work and perform their duties in conformity with the law and regulations enacted on the basis of the law.

The bodies administering the election are responsible for their work to the body that appointed them.

All state agencies and organizations are obliged to offer help to the bodies administering the election and provide them with the data necessary for their work.

Members of bodies referred to in Para. 1 of this Article and those employed at state agencies and organizations referred to in Para. 3 of this Article are obliged to impartially perform the tasks and duties with regard to the electoral procedures, regardless of their political affiliation.

Article 18

The election bodies may operate in their permanent composition (appointed members) and their extended composition (authorized representatives).

Any submitter of the verified and proclaimed electoral list shall have the right to appoint authorized representatives to the election administration bodies.

Two or more submitters of an electoral list may appoint a joint authorized representative to an election administration body.

Article 19

Election commissions are appointed for the period of four years, and polling boards are appointed for each election of councillors and/or representatives.

Article 20

To the posts of the chairman, the secretary, the appointed and authorized members of the election administration bodies and their deputies may only be appointed the persons who have suffrage and they may not be nominated as candidates for councillors and representatives.

Persons referred to in Para. 1 of this Article shall leave their posts in the election administration bodies as soon as they accept a candidacy for a councillor or a representative.

Article 21

The election administration bodies take decisions by a majority of votes of their members.

Article 22

The work of the election administration bodies is public.

The election body members and other persons monitoring the operation of the election bodies are obliged to act in line with the rules of conduct set down by the Republican Election Commission.

Should any of the persons referred to in Para. 2 of this Article break the rules of keeping order at the polling station, or in any other way disrupt the work of an election body, the election body may remove them and enter the data on this in the Record.

A candidate from the verified and proclaimed electoral list is not allowed to be present during the work of the election administration bodies.

1. Election commissions

Article 23

The election commissions are: Municipal Commissions and the Republican Election Commissions.

Article 24

Permanent members of a Municipal Election Commission are appointed by the Municipal Assembly upon the proposal of the municipal body in charge of the selection and appointment of these members.

The composition of a Municipal Election Commission shall be published in the "Official Gazette of the Republic of Montenegro - Municipal Ordinances".

Article 25

A Municipal Election Commission is composed of: the chairman, the secretary, three permanent members, and one authorized representative of each of the submitters of electoral lists.

Also appointed are deputies of the chairman and permanent members of a Municipal Election Commission.

An authorized member of a submitter of an electoral list may have a deputy.

The chairman and members of a commission, as well as authorized representatives of submitters of electoral lists, in the event of their absence or inability to perform their tasks and duties in the commission, may be replaced by their deputies.

The chairman of a commission, his deputy and the secretary as well as the members of a commission are selected from graduate lawyers, and the deputies of members, as a rule, from graduate lawyers.

Article 26

Within 48 (forty eight) hours of rendering the decision on the proclamation of the electoral list, the Municipal Election Commission shall pass a decision on which of the submitters of the electoral list have fulfilled the conditions for appointing their representatives in the extended composition of this body.

The decision on whether a submitter has, or has not fulfilled the conditions for appointing its representative in the extended composition shall be submitted to each of the submitters of electoral lists by the Municipal Election Commission within 24 (twenty four) hours of passing such a decision.

The submitter of the electoral list shall appoint its authorized representative in the extended composition of a Municipal Election Commission and notify the Commission of this, and the Commission shall, within no later than 24 (twenty four) hours of the delivery of the above stated notification, render a decision stating their new members by name.

Authorized representatives participate in the work of a Commission and make valid decisions 15 (fifteen) days prior to the polling day.

Article 27

A Municipal Election Commission shall:

- 1) see that the election be conducted legally;
- 2) do logistics for the administration of the election;
- 3) determine polling stations for the election of councillors and representatives;
- 4) form polling boards and appoint the chairman and members of polling boards for the election of councillors and representatives;
- 5) determine the number of ballot papers for each polling station, stamp them, and together with the verified extract from the register of electors deliver them with a written record to the polling boards;

- 6) determine whether the electoral lists for the election of councillors and representatives have been made and submitted in conformity with this Law;
- 7) confirm and proclaim the electoral lists for the election of councillors;
- 8) publicize the number of electors in the municipality and by individual polling stations;
- 9) establish the results of the election of councillors and the number of votes for each electoral list as well as the number of seats won by each electoral list for the election of councillors;
- 10) issue certificates to elected councillors;
- 11) establish the overall results of the election of councillors in its constituency by each polling station and submit a report on this to the Republican Election Commission;
- 12) publicize the results of the election of councillors;
- 13) submit the report to the Municipal Assembly on the results of the election of councillors;
- 14) submit the data on the results of the election of councillors to the bodies in charge of the collection and processing of statistical data; and
- 15) perform other activities provided for by this Law.

Article 28

The Municipal Election Commission shall adopt a rule-book on its work.

The conditions for the work of the Municipal Election Commission are provided by the Municipal Assembly.

Article 29

Permanent members of the Republican Election Commission are appointed by the Republican Assembly, upon the proposal of the Republican Assembly body in charge of the selection and appointment of commission members.

The composition of the Republican Election Commission is published in the "Official Gazette of the Republic of Montenegro".

Article 30

The Republican Election Commission is composed of: the chairman, the secretary, seven permanent members and one authorized representative of each of the submitters of electoral lists.

Deputies are appointed to the chairman and permanent members of the Republican Election Commission.

An authorized representative of the submitter of an electoral list may have a deputy.

The Chairman and the Commission members, as well as authorized representatives of submitters of electoral lists, in the event of their absence or inability to perform their tasks and duties in the Commission, may be replaced by their deputies.

The chairman and members of the Commission, their deputies and the secretary are selected from graduate lawyers.

Article 31

Within 48 (forty eight) hours of the proclamation of the electoral list, the Republican Election Commission shall render a decision determining which submitters of the electoral list fulfill the conditions for appointing their representatives in the extended composition of this body.

The decision on whether a submitter of the electoral list has or has not fulfilled the conditions for appointing its representative in the extended composition shall be submitted to the submitters by the Republican Election Commission within 24 (twenty four) hours of rendering such a decision.

The submitter of the electoral list shall appoint its authorized representative in the extended composition of the Republican Election Commission and notify the Republican Election Commission of this, and the Republican Commission shall, within 24 (twenty four) hours of the delivery of notification, render a decision stating its new members by name.

Authorized representatives participate in the work and make valid decisions as from 15 (fifteen) days prior to the election day.

Article 32

The Republican Election Commission shall:

- 1) see that the election be conducted legally and the provisions of this Law are uniformly implemented;
- 2) monitor and offer professional advice on the implementation of this Law;

- 3) coordinate the work of the Municipal Election Commissions, give instructions with regard to the implementation of this Law, and supervise their work;
- 4) set down unified standards for the election material;
- 5) set down the forms for carrying out the election procedures provided for by this Law;
- 6) determine the manner of proclamation of electoral lists;
- 7) determine the manner of handling and keeping the election material;
- 8) judge whether the lists for the election of representatives have been made and submitted in conformity with this Law;
- 9) render a decision on proclamation of the lists for the election of representatives;
- 10) announce the total number of voters and their number by municipalities and polling stations;
- 11) establish the results of the election of representatives and the number of votes by respective electoral lists, as well as the number of seats belonging to each list for the election of representatives;
- 12) announce the overall results of the election of representatives, as well as the results by each polling station in the Republic;
- 13) submit a report to the Republican Assembly on the election of representatives;
- 14) issue certificates to the elected representatives;
- 15) submit data on the election of representatives to the bodies in charge of the collection and processing of statistical data, and
- 16) perform other activities provided for by this Law.

Article 33

The Republican Election Commission shall take over the responsibilities within the competence of the Municipal Election Commission in case it fails to carry out its duties with regard to the election of representatives in conformity with this Law.

Article 34

The Republican Election Commission shall adopt the rule-book on its work.

The conditions for the work of the Republican Election Commission shall be provided by the Republican Assembly.

2. Polling Boards

Article 35

Polling Boards are composed of: the chairman, two permanent members and one authorized representative of each of the submitters of electoral lists.

Exceptionally of Para.1 of this Article, polling boards in polling stations with over 1,000 registered voters are composed of: the chairman, four permanent members and one authorized representative of each of the submitters of electoral lists.

Deputies are assigned to the chairman and permanent members.

The chairman and members of polling boards, as well as authorized representatives of submitters of electoral lists, in the event of their absence or inability to perform their tasks and duties in the polling board, shall be replaced by their deputies.

A Polling Board is appointed for each polling station not later than 10 (ten) days prior to the polling day.

Article 36

Within 48 (forty eight) hours of rendering the decision on the proclamation of the electoral list, the Municipal Election Commission shall render a decision on which of the submitters of the electoral lists have fulfilled the conditions for appointing their representatives in the extended composition of the Polling Boards.

The Municipal Election Commission shall submit the submitters of the electoral list the decision on whether it has fulfilled the conditions for appointing a representative in the extended composition of the Polling Board within 24 (twenty four) hours of the hour of setting up the polling station.

A submitter of an electoral list shall appoint its authorized representative in the extended composition of the Polling Board and notify the Municipal Election Commission of this, and the Municipal Commission shall, not later than 24 (twenty four) hours of the delivery of such notification, render a decision stating the names of persons becoming the members of the extended composition of the Polling Board.

An authorized representative participates in the work of the Commission and makes valid decisions as from five days prior to the polling day.

Article 37

The Polling Board shall be in charge of direct administering the voting at the polling station, ensure the regularity and secrecy of voting, establish the results of voting at the polling station and perform other activities provided for by this Law.

The Polling Board shall be in charge of keeping order at the polling station during voting.

The Polling Board shall charge two of its members with the duty of administering the voting outside the polling station.

More detailed rules on the Polling Board activities shall be set down by the Republican Election Commission.

VI - PROPOSAL AND CONFIRMATION OF THE ELECTORAL LISTS

1. Candidacy

Article 38

The political parties registered in the Republic of Montenegro, either separately or jointly, as well as groups of citizens, shall nominate candidates for their electoral list on the basis of the prescribed number of electors' signatures.

The political parties shall propose the electoral lists on terms defined by this Law and through the procedures defined by the regulations of those political parties.

Article 39

One person may be nominated as a candidate for the election of councillors on only one electoral list and in only one constituency.

One person may be nominated as a candidate for the election of representatives on only one electoral list.

One electoral list shall contain no less than 1/3 (one third), and no more than the total number of candidates elected.

The submitter of an electoral list may freely determine the order of candidates on the list.

Article 40

A submitter of the electoral list may withdraw the list not later than by the date set for the confirmation of the general electoral list.

Upon the withdrawal of the list, the term of office of the authorized representatives of the submitter of the electoral list in all the election administration bodies shall cease as well as all the rights pertaining to him in this regard according to the provisions of this Law.

A candidate may withdraw his candidacy not later than by the date set for rendering the decision on the proclamation of the electoral list.

Article 41

If after rendering of the decision on the proclamation of the electoral list, a candidate may be stripped of his business capacity by a finally-binding court decision, lose Yugoslav and/or Montenegrin citizenship, withdraw his candidacy, or if he may die, the submitter of the electoral list shall lose the right to nominate another candidate.

The position of the candidate referred to in Para. 1 of this Article shall be taken by the candidate who is next on the electoral list.

2. Title, Confirmation and Proclamation of the Electoral List

Article 42

The title of the electoral list shall be determined according to the name of the political party submitting the electoral list.

If two or more political parties submit a joint electoral list, the name and other rights and responsibilities of the submitters of a joint electoral list shall be specified by way of an agreement, which shall be submitted to the relevant election commission together with the electoral list.

Together with the title of the electoral list of a group of citizens, the submitter shall also determine a more precise appellation of the list.

The title of the list referred to in Paras. 1-3 of this Article may include the name and surname of the person designated as the first candidate on the list supported by his written consent.

Article 43

The electoral list for the election of councillors and/or representatives shall be deemed confirmed if supported by at least 1% of the electors out of the total number of electors in the constituency, based on the data of the last election prior to the decision on calling for the election, regardless of whether the last election was the presidential or the parliamentary election.

Exceptionally to the provision referred to in Para. 1 of this Article, for the political parties or groups of citizens representing Albanians in Montenegro, the electoral list for the election of councillors shall be deemed confirmed if supported by at least 200 (two hundred) electors, and the electoral list for the election of representatives if supported by signatures of at least 1,000 (one thousand) electors.

Electors signing the lists for the election of councillors must be permanent residents of the respective municipality.

Electors signing the lists for the election of representatives must be permanent residents on the territory of the Republic.

The Republican Election Commission shall prescribe the content and layout of the form for the signatures of electors referred to in Paras. 1 and 2 of this Article.

Article 44

An elector may support with his signature only one electoral list for the election of councillors and only one list for the election of representatives.

Article 45

The collection of signatures for the proposal of candidates for the electoral list within the election campaign is initiated and performed by political parties, as well as the citizens, individually or collectively.

Article 46

The electoral list for the election of councillors shall be submitted to the Municipal Election Commission, and the list for the election of representatives to the Republican Election Commission, as early as 20 (twenty) days of the day of calling for the election, and not later than 20 (twenty) days prior to the polling day.

The following documents shall be submitted together with the electoral list to the election commission:

- 1) a written statement of the candidate of his acceptance of the candidacy;
- 2) the certificate of suffrage for each candidate on the electoral list;
- 3) the certificate of permanent residence of each candidate;
- 4) the list of electors' signatures supporting the electoral list;
- 5) a written consent of the first candidate if his name is included in the title of the electoral list.

The electoral list together with the above stated documents is submitted directly to the relevant election commission.

Article 47

Immediately upon the receipt of the electoral list, the competent election commission shall determine whether it has been submitted in the prescribed term, and whether it has been composed in conformity with the provisions of this Law.

If the competent election commission finds that the electoral list has not been submitted in time, it will render a decision on rejecting the electoral list.

If the competent election commission finds that the electoral list has certain faults, it shall render, within 48 (forty eight) hours of the receipt of the electoral list, a decision ordering the submitter of the electoral list to eliminate them within 48 (forty eight) hours of the delivery of the decision. The decision shall suggest the measures that are to be taken in order to eliminate those faults.

If the competent election commission finds that the faults in the electoral list have either not been eliminated at all, or have not been eliminated within the prescribed period, it shall render a decision, within the next 24 (twenty four) hours, on refusing to proclaim such an electoral list.

Article 48

If the competent election commission finds that the submitted electoral lists have no faults or that the faults have been eliminated, it shall render a decision confirming and proclaiming the electoral list.

The decision referred to in Para. 1 of this Article shall, without delay, be delivered to the submitter of the electoral list.

3. General Electoral List

Article 49

Upon the confirmation and proclamation of submitted electoral lists, the competent election commission shall compose the general electoral list comprising all the electoral lists with names of all the candidates.

The order of candidates on the general electoral list shall be determined by the chairman of the election commission by drawing lots, in the presence of authorized representatives of submitters of confirmed electoral lists.

The general electoral list is publicized by the competent election commission not later than 10 (ten) days prior to the polling day.

VII - PRESENTATION OF SUBMITTERS OF ELECTORAL LISTS AND CANDIDATES FROM ELECTORAL LISTS

Article 50

The submitters of electoral lists shall have the right to inform the citizens on an equal basis about their programmes and activities in the media within the same daily slots and daily columns.

No property (money, technical equipment, facilities, etc.) of state authorities, state-owned enterprises, public institutions and funds, or of the Chamber of Commerce and Economy of Montenegro can be used for the presentation of electoral lists.

Article 51

From the day of calling for the election until the termination of the election campaign, Radio-television of Montenegro shall provide, within its political and information programmes that could be watched and heard all over the Republic, special programmes of equal length broadcast at the same time, in which submitters of the electoral lists shall present themselves and present and expound their political programmes.

The state-owned enterprise referred to in Para. of this Article shall on no conditions be allowed to broadcast the presentation of political programmes in commercial, entertainment or any other programmes except the political and information programmes.

Article 52

From the day of calling for the election until the termination of the election campaign, "Pobjeda", the state-owned publishing company, shall provide equal space, columns and terms in its daily paper for each submitter of the electoral list to present themselves and present and expound their political programmes.

Article 53

Radio-television of Montenegro shall, at least five times during the election campaign, provide an announcement of a promotion rally free of charge and in conditions and on terms providing equal position for all the submitters of the electoral lists.

The state-owned publishing company "Pobjeda" shall announce all promotion rallies of the submitters of the electoral lists for the election of representatives free of charge during the election campaign, on terms referred to in Para. 1 of this Article.

Article 54

The media that on commercial basis publicize the submitters' notices promoting the election, political programmes and candidates, shall indicate on each notice that it is a "paid notice".

Article 55

The rules on presentations of political parties in the election campaign shall be set down by the Republican Assembly not later than 30 (thirty) days prior to the expiry of the date of calling for the election, or at the same time when the Assembly is dissolved, or when it renders the decision on shortening its term of office.

Article 56

The editors and presenters of political, information and specialized programmes shall, during the election campaign, independently and objectively present all the candidates, and the presenters must have an impartial attitude to all the political, social-welfare and ethnic and cultural programmes.

In agreement with submitters of electoral lists, the editors referred to in Para. 1 of this Article shall determine the programme of their presentations, in accordance with the Law and the criteria of the editorial policy.

In conformity with the provision referred to in Para. 1 of this Article, and in conformity with Para. 2 of Article 6 of this Law, programmes shall be organized providing direct public confrontation of political programmes of the submitters of electoral lists as well as the candidates on these lists.

Article 57

All other media founded by the Republic, the administrative and the historical capital and municipalities, in conformity with this Law, shall provide equal terms for the presentation of all the submitters of electoral lists and candidates on those lists.

The media referred to in Para. 1 of this Article, together with the representatives of their founders and submitters of electoral lists, shall set down more detailed rules for the presentation of the submitters of electoral lists, their election programmes and candidates on these list.

Article 58

Submitters of electoral lists and the candidates on these lists shall have the right to organize, during the election campaign and on equal terms, conferences and other public gatherings with the purpose of presenting and promoting their election programmes, electoral lists as well as the candidates on those lists, in conformity with the regulations on public order and peace.

Article 59

During the election campaign, the media founded by the Republic, the administrative and the historical capital and municipalities, shall, depending on their financial and technical means at their disposal, and on equal terms, inform about the activities of submitters at all of their conferences and other public gatherings in which they present their election programmes and their candidates for the election of representatives.

The submitters of electoral lists and the media referred to in Para. 1 of this Article shall, by an agreement, set down the ways and terms of reporting from a public gathering as well as the terms by which the submitters of the electoral lists should inform the media of a public gathering to be held.

Article 60

During the election campaign, the submitters of electoral lists and the candidates on these lists shall have the right to prepare election posters, public notices, photographs, leaflets, promotional messages and the like

and publicly display them, with no prior permission needed, in places designated by a competent municipal body.

Article 61

The audio election campaign material shall be used at a time and in such a manner so as not to disturb the citizens and infringe their right to peace, in conformity with the regulations of public order and peace.

Article 62

During the election campaign, the media shall publicize the findings of competent state bodies stating that a certain media has violated the principles of equality, parity and objectivity of their informing the citizens about the election programmes and candidates of political parties and other submitters of electoral lists.

Article 63

During the period of seven days prior to the polling day, it shall be forbidden to publicize in the media the results of polls, research and analyses with regard to the citizens' personal estimate of the election results.

On polling day, before closing the polling stations, it is forbidden to publicize preliminary results or the estimates of the election results.

Article 64

The provisions of this chapter shall also apply to the media founded by legal and physical entities performing their activity in conformity with the provisions of the Public Information Law.

VIII - ADMINISTRATION OF ELECTION

1. Polling Stations

Article 65

Voting for the election of councillors and representatives is conducted at polling stations.

Polling stations are set up by the Municipal Election Commission upon the proposal of the authority in charge of keeping the Register of Electors not later than 15 (fifteen) days prior to the polling day.

Polling stations must be arranged in a way providing enough space for all the members of the Polling Boards to have insight and access to the ballot box and the election material at all times.

Not later than 10 (ten) days prior to the polling day, the Municipal Election Commission shall announce which polling stations have been set up and which electors shall vote at a particular polling station.

Article 66

A polling station is set up for up to 2,000 electors.

More detailed rules with regard to polling stations are set down by the Republican Election Commission.

Article 67

An elector shall cast his vote at the polling station where he is entered in the extract from the Register of Electors.

Exceptionally to the provision referred to in Para. 1 of this Article, an elector may cast his vote outside the polling station where he is entered in the extract from the Register of Electors by post, on terms prescribed by this Law.

The procedure of voting outside the polling station, as well as the number of electors who have exercised their right to vote in this manner, are entered in the Record on the Work of the Polling Board.

More detailed rules on voting by post are set down by the Republican Election Commission.

Article 68

A local authority in charge of keeping the Register of Electors shall deliver the notice on the election to electors not later than 5 (five) days prior to the polling day.

Each elector is delivered an invitation stating the date and time of polling, the number and address of the polling station at which he should cast his vote, as well as the number under which he is entered in the extract from the Register of Electors.

Article 69

Each elector shall vote in person.

An elector may cast his vote only once during polling.

Voting is done in secrecy.

Voting is done on verified ballot papers.

An elector shall confirm that he has taken the election material by signing his name in the separate book of electors the layout of which shall be determined by the Republican Election Commission.

No one is allowed to come to the polling station carrying arms or dangerous instruments.

At the polling station and within the area of 50 (fifty) metres from the polling station, it is forbidden to display political party symbols and other promotional material that may affect the decision of electors.

Should the rules referred to in Paras. 1-6 of this Article be infringed during polling, the Polling Board shall be dissolved, and should the rules referred to in Para. 7 of this Article be infringed, the polling board may be dissolved. In the event of dissolving a polling board, polling at that polling station shall be repeated.

More detailed instructions on the measures providing the secrecy of voting are set down by the Republican Election Commission.

Article 70

Polling stations in the constituency shall be opened at 7 a.m. and closed at 8 p.m. During this interval, the polling station must be open non-stop.

The electors who are present at the polling station at the time of its closing shall be allowed to cast their vote, and the polling board shall previously determine the number and identity of the such voters.

Article 71

Should the order at the polling station be disturbed, the Polling Board may interrupt the polling until order is restored. The reasons for and duration of interruption shall be entered in the Record on the Work of the Polling Board.

The police on duty may enter the polling station only with the permission of the Polling Board chairman and only if order and peace are disturbed at the polling station.

If polling is interrupted for more than an hour, it shall be prolonged for the time of duration of the interruption.

Article 72

While the polling station is open and polling is in progress, all members of the Polling Board or their deputies must be present at the polling station.

Each polling station shall have a special room where it is possible to ensure the secrecy of voting.

In the room in which the voting is conducted only as many voters can be present at a time as there are polling booths at a polling station.

Persons having no rights or duties with regard to the administration of the election, as prescribed by this Law, are forbidden to remain at the polling station.

If the rules referred to in Paras. 1-4 of this Article have been infringed, a complaint can be lodged to the Municipal Election Commission that shall then decide whether voting at that polling station shall be repeated.

2. Election Material

Article 73

The ballot paper shall contain:

- 1) indication of the constituency;
- 2) the ordinal number placed before each individual electoral list;
- 3) the titles of electoral lists according to the order determined on the general electoral list;
- 4) a remark stating that electors are to cast vote for one electoral list

only, which is done by circling the ordinal number before the title of that list, or by circling either the title of the list or the name and surname of the first candidate on the list.

Article 74

The competent election commission shall prescribe in more details the form and layout of ballot papers, the manner and control of printing, verification and distribution of ballot papers, as well as the destruction of matrices.

The competent election commission shall determine the number of ballot papers that must be identical to the number of electors entered in the Register of Electors, as well as the number of reserve ballot papers.

The Republican Election Commission shall determine the colour of ballot papers for the election of councillors and representatives.

Article 75

The Municipal Election Commission shall prepare in due time the election material for each Polling Board, and particularly the number of ballot papers required, the general electoral lists, extracts from the Register of Electors, special and official envelopes for voting, as well as the form of the Record of the Work of Polling Boards.

The delivery of the election material shall be performed not later than 48 (forty eight) hours prior to the polling day.

The competent municipal body shall be in charge of setting up the polling stations and preparing for each Polling Board the necessary number of ballot boxes with the means for sealing and other instruments needed for voting.

On polling day, before the beginning of polling, the Polling Board shall determine whether the election material for that Polling Board is complete and in proper state, whether the polling station has been organized in such a way to ensure the secrecy of voting, and whether polling may start, and shall enter all this in the Record of the Work of Polling Board.

Article 76

The general electoral list, with the titles of electoral lists and names of all the candidates, must be displayed in a visible place at a polling station during polling.

The contents, form and manner of display of the general electoral list referred to in Para. 1 of this Article are prescribed by the Republican Election Commission.

Article 77

The representatives of submitters of electoral lists and the candidates for councillors and representatives shall have the right of insight into the election material, particularly into the extracts from the Register of Electors, the Records of the Work of Polling Boards, the Records of election commissions and ballot papers. The inspection of the election material is carried out in the offices of the Republican Election Commission, as well as of the bodies keeping the election material.

At the request of a submitter of an electoral list, the bodies keeping the election material are obliged to allow the photocopying of the material at the expense of the party filing the request.

The insight into the election material may be carried out within 5 (five) days of the polling day.

Article 78

The election material shall be kept for the period of at least 4 (four) years.

Exceptionally to the provision referred to in Para. 1 of this Article, the ballot papers shall be kept for 60 (sixty) days or until the termination of the procedure on the infringement of rights during the election.

The manner of keeping and using the election material is prescribed by the Republican Election Commission.

3. Polling

Article 79

The Polling Board shall check the ballot box in the presence of the elector who is first to come to the polling station. The result of this control is entered into the control slip which shall be signed by both the members of the Polling Board, and the first elector.

The control slip is placed in the ballot box which is then sealed in the presence of the first elector, and this is entered into the Record of the Work of the Polling Board.

Upon opening of the ballot box, it shall first be checked whether it contains a control slip. If the ballot box does not contain the control slip, the Polling Board shall be dissolved, a new one appointed, and voting at that polling station shall be repeated.

The form of the control slip is prescribed by the Republican Election Commission.

Article 80

The elector shall first state his name and surname, and prove his identity by producing either his ID or some other means of identification with a photograph and a personal identification number or the number of ID in it.

The elector may not cast his vote without producing a proof of his identity.

After having confirmed the identity of the elector, the chairman or a member of the Polling Board shall circle the ordinal number before his name in the extract from the Register of Electors, explain the voting procedure to him, and hand him over the ballot paper.

Article 81

Members of a Polling Board may in no way influence the decision of the elector.

Members of a Polling Board shall explain the voting procedure to the elector again if requested so by the elector.

Members of a Polling Board shall take special care that the elector is not disturbed by anyone while marking out his ballot paper, and that the secrecy of voting is completely ensured.

Should any of the rules referred to in Paras. 1-3 of this Article, the Polling Board shall be dissolved, and voting at that station shall be repeated.

Article 82

An elector may cast his vote for only one electoral list on the ballot paper.

Voting is performed either by circling the ordinal number before the title of the chosen electoral list, or by circling the title of the list, or by circling the name and surname of the first candidate on the list.

An elector shall fold the marked ballot papers himself in such a manner as to conceal who he has voted for and place it into the appropriate ballot box, and shall then leave the polling station.

Article 83

No alterations to the extracts from the Register of Electors may be made on polling day.

If any of the activities are performed in contravention to the provision referred to in Para. 1 of this Article, the Polling Board shall be dissolved, and voting at that polling station shall be repeated.

Article 84

An elector who cannot cast his vote in person (for reasons of his blindness, disability or illiteracy) has a right to bring another person with

him who shall, in his stead, and according to his instructions, mark the ballot, that is perform the voting procedure.

The manner of voting referred to in Para. 1 of this Article shall be entered into the Record.

Article 85

An elector who cannot vote at the polling station (handicapped persons or those prevented in some other way) shall inform the Polling Board whether he wishes to vote. The Polling Board shall, through its member in charge of voting outside polling stations, enable such an elector to cast his vote, in a manner ensuring directness and secrecy of voting.

After being informed of the elector's inability to come to the polling station to cast his vote, the Polling Board shall, through its member in charge of voting by post, deliver to the elector the official envelope containing the stamped ballot paper, general electoral list, and a special envelope in which to put his marked ballot paper.

After the elector has voted, he shall place the ballot paper in the separate envelope which is then sealed and wax-stamped in his presence by the member of the Polling Board. The closed envelope containing the ballot paper is then placed into the official envelope which is sealed in the presence of the elector by the member of the Polling Board.

The member of the Polling Board in charge of voting outside polling stations shall deliver the official envelope to the Polling Board which shall then open it, circle the ordinal number before the elector's name in the extract from the Register of Electors, and place the closed envelope containing the ballot paper into the ballot box.

The manner of voting of the electors referred to in Para. 1 of this Article is entered in the Record.

More detailed instructions on the manner of voting referred to in Para. 1 of this Article shall be prescribed by the Republican Election Commission.

Article 86

Electors who are doing their national service or are taking part in a military exercise, or electors who are performing duties in units or institutions of the Yugoslav Army, shall cast their vote at special polling

stations determined by the Republican Election Commission in agreement with the authorities of the Yugoslav Army.

Extracts from the Register of Electors are provided, and the composition of the Polling Board and the manner of voting of persons referred to in Para. 1 of this Article determined by the Republican Election Commission.

Article 87

The electors who are in detention or serving a prison sentence shall vote at a special polling station determined by the Republican Election Commission in agreement with the management body in charge of enforcing penal sanctions.

Extracts from the Register of Electors are provided, and the composition of the Polling Board and the manner of voting of persons referred to in Para. 1 of this Article determined by the Republican Election Commission.

Article 88

The electors who at the time of the election are temporarily resident abroad shall vote at the polling station in the region of their last permanent residence on the territory of the Republic of Montenegro, before leaving the country.

IX - ESTABLISHING AND ANNOUNCING OF ELECTION RESULTS

1. Establishing election results

Article 89

After the voting has been finished, the Polling Board shall proceed to establish the election results in its polling station.

The Polling Board determines the number of unused ballot papers and places them into a separate envelope which is then sealed.

Based on the extract from the Register of Electors, the Polling Board determines the total number of electors who have voted.

When the ballot box is opened, and after the control slip has been checked, valid ballot papers are separated from the invalid ones.

The Polling Board states the number of invalid ballot papers, then the number of valid ballot papers, as well as the number of votes for each electoral list, and enters it into the Record.

The following shall be deemed invalid ballot papers: unmarked ballot papers, ballot papers marked in such a way that it is not clear which electoral list an elector has voted for as well as the ballot paper in which more than one electoral list have been circled.

If it is determined that the number of ballot papers found in the ballot box is larger than the number of electors who have cast their vote, the Polling Board shall be dissolved and a new one appointed, and polling at that polling station shall be repeated. The election results at that polling station shall be determined after the repeated polling.

Article 90

After the Polling Board has established the election results, the following shall be entered into the Record of its work: the number of ballot papers received, the number of unused ballot papers, the number of used ballot papers; the number of invalid ballot papers, the number of valid ballot papers, the number of votes for each electoral list, the number of electors according to the extract from the Register of Electors, the number of electors who have voted according to the Register of Electors and the number of electors who have voted by post.

Also entered in the Record are the remarks and opinions of the Polling Board members, as well as all other facts that may be relevant to polling.

The Record of the Work of the Polling Board shall be signed by all the members of the Polling Board.

Each member of the Polling Board shall receive a copy of the Record of the Work of the Polling Board.

Article 91

After the election results have been established, the Polling Board shall deliver, immediately, and not later than 12 (twelve) hours following the closing of the polling station, to the Municipal Election Commission the Record of the Work of the Polling Board, the extract from the Register of Electors, unused and, separately, used ballot papers, invalid and, separately, valid ballot papers, as well as the remaining election material.

Article 92

Upon receipt of the election material from the polling stations, the Municipal Election Commission shall establish the following: the total number of electors entered in the register of electors, the number of electors who have voted at the polling stations, the number of electors who have voted by post, the total number of ballot papers received, the total number of invalid ballot papers, the total number of valid ballot papers, and the number of votes for each electoral list for the election of councillors.

On the basis of polling results at all polling stations in the constituency, the The Municipal Election Commission shall establish the preliminary results for the election of councillors within 12 (twelve) hours of the receipt of Reports from polling stations.

The Municipal Election Commission shall establish the results of voting for representatives at polling stations within its region, within 12 (twelve) hours of the delivery of the Report from polling stations at the latest, and shall submit a report, together with the Record of its work, to the Republican Election Commission.

The Republican Election Commission shall establish the preliminary results of the election of representatives, within 12 (twelve) hours of the delivery of the reports of the Municipal Election Commissions.

2. Allocation of seats

Article 93

The Municipal Election Commission for the election of councillors and the Republican Election Commission for the election of representatives, shall establish the total number of votes each electoral list has won and the number of seats belonging to each list.

Each list shall be apportioned a number of seats in proportion to the number of votes it has won.

Article 94

Only electoral lists that have won more than 3% (three percent) of votes of the total number of the electors who have voted in the constituency shall take part in the apportioning of the seats, unless otherwise prescribed by this Law.

Article 95

The number of seats apportioned to an individual electoral list shall be determined by dividing the total number of votes each electoral list in the constituency has won by 1, 2 and ... through to the number which corresponds to the number of councillors and representatives that are elected in the constituency. The quotients thus arrived at are sorted by size, and taken into account are as many largest quotients as there are councillors and representatives elected.

Each electoral list shall be apportioned as many seats as the number of such quotients it has.

If two or more electoral lists get the same quotient on the basis of which they would be apportioned a seat, it shall be decided by drawing lots which electoral list shall be apportioned that seat.

Article 96

The seats within the total number of seats an electoral list has won shall be apportioned by apportioning one half of the seats to the candidates on the electoral list according to the order on the list, and the remaining seats to the candidates on the list in accordance with the decision of the submitters of the electoral list.

When an electoral list has won an odd number of seats, the number of seats apportioned to the candidates on the list according to their order on the list shall be increased by one.

Article 97

In case that, according to the results of polling established in the manner referred to in Article 95 of this Law, a particular electoral list should win a larger number of seats than the number of candidates on the list, those seats shall be apportioned to the electoral lists having the next largest quotient.

Article 98

The Municipal Election Commission shall establish the final results of the election of councillors within 12 (twelve) hours of expiry of the term for filing objections and claims, and of the decision on these objections and claims becoming final and executive.

The Republican Election Commission shall establish the final results of the election of representatives within 12 (twelve) hours of the expiry of the term for filing objections and claims, and of the decisions on these objections and claims becoming final and executive.

2. Announcing election results

Article 99

The Municipal Election Commission for the election of councillors and the Republican Election Commission for the election of representatives shall announce the final election results including the following:

- 1) the number of electors entered in the register of electors;
- 2) the number of electors who have voted at the polling station;
- 3) the number of electors who have voted outside the polling station;
- 4) the number of electors who have voted;
- 5) the number of ballot papers received;
- 6) the number of unused ballot papers;
- 7) the number of used ballot papers;
- 8) the number of invalid ballot papers;
- 9) the number of valid ballot papers;
- 10) the number of votes individual electoral lists have won;
- 11) the number of seats individual electoral lists have won.

Final results of the election of representatives are published in the "Official Gazette of the Republic of Montenegro", and of the election of councillors in the "Official Gazette of the Republic of Montenegro - Municipal Ordinances", within 15 (fifteen) days of polling day at the latest.

Article 100

The elected councillors and representatives shall be issued by the Municipal Election Commission and the Republican Election Commission respectively the certificate that they have been elected councillors or representatives on the day of the verification of their terms of office.

X - TERMINATION OF TERM OF OFFICE, REPEATED ELECTION, FILLING VACANT SEATS OF COUNCILLORS AND REPRESENTATIVES AND EARLY ELECTION

1. Termination of term of office

Article 101

Councillors' and representatives' terms of office shall be terminated before the expiry of the term for which they have been elected in the following cases:

- 1) if they resign;
- 2) if they have been convicted, by a finally-binding court decision, to an unconditional prison sentence of not less than six months, or to a prison sentence for a criminal act rendering them unworthy of this office;
- 3) if they have been stripped of their business capacity by a finally-binding court decision;
- 4) if they take over a function that is incompatible with the office of a councillor and a representative, in conformity with the Constitution and this Law;
- 5) if their Yugoslav and Montenegrin citizenship is revoked;
- 6) if they die;
- 7) if they cease to be members of political parties on whose electoral lists they have been elected;
- 8) if a ban is placed on the activities of the political party on whose electoral list they have been elected.

The term of office of councillors or representatives shall be terminated on the day of advent of any of the events referred to in Para. 1 of this Article.

The termination of the term of office shall be stated by the competent assembly at its first session following the receipt of notification of reasons for the termination of the term of office of a councillor or representative.

A councillor, or representative whose term of office has terminated pursuant to Para. 1, Item 4 of this Article, shall remain on the electoral list and may gain the term of office of a councillor, or representative again, in accordance with this Law.

2. Repeated election

Article 102

The repeated election shall be conducted if the competent election commission annuls the election at an individual polling station.

In the case referred to in Para. 1 of this Article, the polling is repeated at that individual polling station only.

The repeated election shall be conducted in the manner and according to the procedure for the administration of election provided for by this Law.

The repeated election shall be called for by the competent election commission.

In case the election is repeated, the final results shall be established after the repeated voting is finished.

Article 103

The repeated election is conducted within not more than 7 (seven) days of the day the election is annulled.

Electoral lists for the administration of repeated election may not be changed.

3. Filling vacant seats of councillors and representatives

Article 104

If the term of office of a councillor or representative is terminated for reasons stated in Article 101 of this Law, the seat shall be awarded to a new councillor or representative, in the manner set down in this Article.

If on the electoral list from which a councillor or representative has been elected there remains the same or larger number of candidates than the number of councillors or representatives whose term of office has been terminated, elected shall be the candidate whom the submitter of the electoral list decides.

If on the electoral list from which a councillor or representative has been elected there are no other candidates, the candidate from the list having the next largest quotient shall be deemed elected a councillor or representative.

The term of office of a new councillor or representative shall last until the expiry of the term of office of a councillor or representative whose term of office has been terminated.

The candidates referred to in Paras. 2 and 3 of this Article shall be required, prior to the confirmation of their terms, to present a written consent that they accept the term.

4. Early election

Article 105

In the event of the dissolution of the Republican Assembly, or of the passing of the decision to shorten the term of office of the Republican Assembly, the early election shall be called for.

The early election shall be conducted in the manner and according to the procedure for the administration of election set down by this Law.

XI - PROTECTION OF SUFFRAGE

Article 106

The bodies in charge of administering the election are obliged to notify the electors during the election procedure of their electoral right and the manner of protection of these rights.

Article 107

Every elector, candidate and submitter of the electoral list have the right to lodge a complaint to the competent election commission for reasons of the infringement of the electoral rights during the election.

The complaint referred to in Para. 1 of this Article shall be lodged within 72 (seventy two) hours of the hour at which the decision was made or the act performed.

The complaint referred to in Para. 1 of this Article is lodged directly to the competent election commission.

Article 108

A complaint against a decision, act or failure of the Polling Board shall be lodged to the Municipal Election Commission.

A complaint against a decision, act or failure of the Municipal Election Commission shall be lodged to the Republican Election Commission.

Article 109

36

The competent election commission shall render a decision within 24 (twenty four) hours of the hour of receipt of the complaint and shall deliver it to the submitter of the complaint.

If the competent election commission finds the complaint is justified, it shall annul the decision or the act.

If the competent election commission fails to render a decision on the complaint within the terms set down by this Law, the complaint shall be deemed justified.

Article 110

Against the decision of the competent election commission by which the complaint has been rejected or accepted as justified, a complaint may be lodged to the Republican Election Commission.

A complaint can be lodged to the Constitutional Court against the decision of the Republican Election Commission rejecting or accepting the complaint as justified.

Article 111

All the procedures with regard to the delivery of decisions, conclusions, and other records, documents, means of identification, petitions and the like shall be regulated in accordance with the rules regulating the delivery in the administrative procedure, unless otherwise prescribed by this Law.

XII - ELECTION ADMINISTRATION AND ELECTION CAMPAIGN EXPENSES

Article 112

Assets for the work of election administration bodies, the election material and other expenses for the administration of the election shall be provided by the Municipal Assembly for the election of councillors, and the Republican Assembly for the election of representatives. The request to be allocated these assets, together with the specification of the total expenses, is submitted by the competent election commission.

The Republican Election Commission shall determine the criteria and allocate the assets to municipal election commissions for performing necessary activities in administering the election of representatives.

The Republican Election Commission shall determine the manner of and control the spending of assets referred to in Para. 2 of this Article.

Assets allocated as a fee to persons working in election administration bodies are exempted from paying taxes and contributions.

Article 113

The elected representative, or councillor proposed by a group of citizens and the political party for the elected representative, or councillor from the list of that political party, shall be awarded an allowance the amount of which is determined by the Republican, or the Municipal Assembly.

Article 114

State and local administration bodies shall make their premises, equipment, means and other facilities for conducting the election campaign available and provide equal conditions for their using to all the submitters of electoral lists.

Within 10 (ten) days of calling for the election, the bodies referred to in Para. 1 of this Article shall define, by an agreement with the submitters of electoral lists, the conditions and manner of using the facilities referred to in Para. 1 of this Article.

XIII - PENAL PROVISIONS

Article 115

Any person taking an elector to account after the election for voting or asking the elector to say who he has voted for or why he has not voted shall be either fined or imprisoned for up to one year for the criminal act.

If the act referred to in Para. 1 of this Article is committed by a member of an election commission, a polling board or another person carrying out duties with regard to the election, such a person shall be punished with a prison sentence from three months to three years.

Article 116

On any person committing any of the following acts shall be imposed a fine of five-fold to twenty-fold minimum wage in the Republic or sentenced to imprisonment of up to 60 (sixty) days:

- 1) agitating contrary to the provision of Article 6 of this Law;
- 2) accepting the candidacy contrary to the provision of Article 39 of this Law;

- 3) signing when nominating a candidate contrary to the provision of Article 44 of this Law;
- 4) using the property for the presentation of electoral lists contrary to the provision of Para. 2, Article 50, of this Law;
- 5) disturbing the work of the Polling Board, conducting the election, voting, or the work of the election commission;
- 6) remaining at the polling station after voting in spite of the warning of the chairman of the Polling Board, contrary to the provision of Article 72 of this Law;
- 7) coming to the polling station armed or with dangerous instruments, contrary to the provision of Article 69.

Together with the punishment for the infraction of the Law referred to in Para. 1, Item 7 of this Article, the committer of this act shall also be punished with taking away the arms or dangerous instruments.

Article 117

A fine of fifty-fold to three hundred-fold minimum wage in the Republic shall be imposed on a state media or any other public media if it:

- 1) does not act in conformity with the provisions of Articles 51, 52, 53, 56, 57, 58 and 62 of this Law;
- 2) acts contrary to the provision of Article 63 of this Law.

A fine of five-fold to twenty-fold minimum wage in the Republic shall also be imposed on the authorized official at the state media or any other public media for committing acts referred to in Para. 1 of this Article.

XIV - TRANSITIONAL AND FINAL PROVISIONS

Article 118

The next election of representatives to the Assembly of the Republic of Montenegro shall be conducted in the Republic as a single constituency in which five representatives, out of the total number of representatives, shall be elected in polling stations determined by a special decision of the Republican Assembly.

The confirmed and proclaimed electoral lists shall have equal rights at all polling stations in the Republic as a single constituency.

At polling stations determined by a special decision of the Republican Assembly, only those electoral lists that have won at least 3 % of votes out

of the total number of electors that have voted at those polling stations shall be allocated seats.

To the electoral list that fulfills the condition to participate in the allocation of seats at polling stations determined by a special decision of the Republican Assembly shall in the final allocation of seats be added the votes of electors that this electoral list has won at other polling stations in the Republic, on condition that it does not participate in the allocation of seats at those polling stations.

The votes that an electoral list has won that, according to the number of votes it has won, does not participate in the allocation of seats at polling stations determined by a special decision of the Republican Assembly, shall be added to the votes that this electoral list has won at other polling stations in the Republic, on condition that it participates in the allocation of seats at those polling stations.

The allocation of seats referred to in Para. 1 of this Article shall be conducted in accordance with Article 95 of this Law.

Article 119

For the election referred to in Article 118 of this Law, municipal election commissions shall make a special report on the election of representatives at polling stations determined by a decision of the Republican Assembly.

Article 120

Ultra-violet light machines and transparent ink shall be used at the next parliamentary election referred to in Article 118 of this Law.

The manner of using the transparent ink referred to in Para. 1 of this Article shall be determined by a regulation of the Republican Election Commission.

Article 121

The municipal assemblies shall appoint municipal election commissions not later than 20 (twenty) days of this Law coming into force.

The Republican Election Commission shall be appointed within the term referred to in Para. 1 of this Article.

Article 122

The Republican Election Commission shall pass regulations and prescribe forms for the implementation of this Law within 20 (twenty) days of its appointment.

Article 123

The Municipal Assembly shall bring its election regulations into accord with the provisions of this Law within 45 (forty five) days of this Law coming into force.

Article 124

On the day that this Law comes into force, the Law on the Election of Councillors and Representatives ("Official Gazette of the Republic of Montenegro", Nos. 49/92, 16/95 and 21/96) shall become invalid.

Article 125

This Law shall come into force on the day following the day of its publication in the "Official Gazette of the Republic of Montenegro".