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MACEDONIAN ELECTION LAWS

LAW ON ELECTION OF MEMBERS OF PARLIAMENT

Law on Voters' List

LAW ON ELECTION DISTRICTS

July 2002





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Introductory Note

IFES Macedonia has translated the package of election laws passed by Parliament in June. This package of new laws includes:

- Law on Election of Members of Parliament of the Republic of Macedonia (LEMP);
- Law on Voters' List (LVL); and
- Law on Election Districts for Election of Members of Parliament of the Republic of Macedonia.

The translations contained herein are of the laws published in the *Official Gazette*. The LEMP and LVL were published on June 25th; the Law on Election Districts was published on June 26th.

IFES Macedonia has strived to achieve in these translations both clarity and faithfulness to the original - not always an easy task, as there are instances of both awkwardness and ambiguity in the Macedonian language versions.

We have used the convention of "translators notes" in an effort to clarify the text, to describe our choice of language and to indicate where a lack of clarity exists in the original. These notes appear as footnotes in our translations of the LEMP and LVL. There are no footnotes in the original Macedonian.

Dan Blessington
Project Director

July 2002

Law on Election of Members of Parliament of the Republic of Macedonia

I. BASIC PROVISIONS

Article 1

This Law regulates the manner, conditions and procedure for the election of Members of Parliament¹ of the Republic of Macedonia.

Article 2

(1) In the Parliament of the Republic of Macedonia 120 Members of Parliament shall be elected according to the proportional model, whereby the territory of the Republic of Macedonia shall be divided into 6 election districts determined by law, each of which shall elect 20 Members of Parliament.

(2) The number of voters in the election districts may deviate at most from minus 3% up to plus 3% in regard to the average number of voters in the election district.

Article 3

(1) Members of Parliament are elected in general, direct and free elections, by secret ballot.

(2) Nobody is allowed to call the voter to account for his voting, or ask him to say for whom he has voted or why he has not voted.

Article 4

Every citizen of the Republic of Macedonia who has turned 18 years of age and has working capacity² shall have a right to vote.

¹ Translators' note: The Macedonian language term for "Member of Parliament" is roughly equivalent to the English term "deputy". However, in order to avoid confusion with the use of the term "deputy" as a replacement, e.g., "deputy to a member of the State Election Commission," we decided to use the term "Member of Parliament."

² Translators' note: The term "working capacity" is defined in the Law on Non-contentious Procedure, Article 34.

Article 5

Each citizen of the Republic of Macedonia shall have the right to be elected for Member of Parliament, if he:

- has turned 18 years of age;
- has working capacity;
- is not serving a sentence of imprisonment for a committed criminal offence.

Article 6

(1) The office of a Member of Parliament is incompatible with the office of President of the Republic of Macedonia, President of the Government of the Republic of Macedonia³, minister, judge of the Constitutional Court of the Republic of Macedonia, judge, public prosecutor, ombudsman and with other holders of offices elected or appointed by the Parliament and the Government of the Republic of Macedonia.

(2) A Member of Parliament's office is incompatible with the office of a mayor and member of a council in a municipality and the City of Skopje.

(3) A Member of Parliament's office is incompatible with the performance of expert and administrative matters in the bodies of the state administration.

(4) A Member of Parliament's office is incompatible with the performance of economic or other profit making activities.

(5) A Member of the Parliament's office is incompatible with membership in executive bodies of public enterprises, public institutions, funds, agencies, bureaus and other legal entities, as well as election as representative of the state and social property of trading companies.

(6) 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.

(7) The employment of the persons, referred to in paragraph (3) of this Article shall be suspended on the day of verification of the mandate as Member of the Parliament.

(8) The economic or other profit-making activity of the persons referred to in paragraphs 4 and 5 shall be suspended on the day of verification of the mandate for Member of the Parliament.

Article 7

(1) The employment of the members of the armed forces of the Republic of Macedonia, the uniformed members of the Republic of Macedonia Police, the

³ Translators' note: This position is most often referred to as Prime Minister.

authorized officials in the Ministry of the Internal Affairs, the Ministry of Defense, and the Intelligence Agency shall cease temporarily on the day they are determined as candidates for Members of Parliament.

(2) The employment of the persons referred to in paragraph 1 of this Article shall cease temporarily on the day of verification of their mandate as Members of Parliament.

Article 8

(1) The Members of Parliament may not be recalled⁴.

(2) The office of a Member of Parliament shall be performed professionally.

Article 9

(1) Elections for Members of Parliament are held every fourth year, in the last 90 days of the mandate of the old Parliament composition or within 60 days of the day of dissolving the Parliament of the Republic of Macedonia (hereinafter: Parliament).

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

(3) The mandate of the Members of Parliament shall last from the day of its certification until the day of certification of the mandate of the newly elected Members of Parliament.

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

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

(6) 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.

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

Article 10

(1) Activities, acts, submissions, and other documents relating to the carrying out of the elections for Members of Parliament are exempted from paying fees and all activities within the electoral procedure are exempted from taxes of all kinds.

(2) No Value Added Tax shall be paid for the printing of ballots or for the procurement of election material.

⁴ Translators' note: In this context "recalled" is interpreted as meaning "removed from office".

II. BODIES IN CHARGE OF CONDUCTING THE ELECTIONS

Article 11

Bodies in charge of conducting the elections are:

- The State Election Commission;
- The Election Commission of the Election District (hereinafter: Regional Election Commission);
- Municipal Election Commissions; and
- Electoral Boards.

Article 12

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

(2) The State Election Commission has a Secretary and his deputy.

(3) The president of the State Election Commission and his deputy shall be appointed by the President of the Republic of Macedonia.

(4) The members of the State Election Commission, the Secretary, and their deputies shall be appointed by the Parliament.

Article 13

(1) Two members of the State Election Commission shall be appointed from among the judges of the Supreme Court of the Republic of Macedonia, while their deputies from among eminent attorneys and lawyers with the agreement of the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(2) Two members of the State Election Commission shall be appointed from among the judges of the Supreme Court of the Republic of Macedonia, while their deputies from among eminent attorneys and lawyers, with the agreement of the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(3) The president of the State Election Commission, his deputy and the members and their deputies, referred to in paragraphs (1) and (2) of this Article, shall be appointed for a period of 5 years.

(4) Two members of the State Election Commission and their deputies shall be proposed by the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(5) Two members of the State Election Commission and their deputies shall be proposed by the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(6) Members and their deputies referred to in paragraphs (4) and (5) of this Article shall be appointed within 30 days following the day of holding the constitutive session of the Parliament, for a period of 4 years.

Article 14

(1) Law graduates shall be appointed as Secretary and his deputy of the State Election Commission for a period of 5 years.

(2) The Secretary is not a member of the State Election Commission and may not vote.

(3) The Secretary shall do his job professionally.

(4) A Secretariat shall be formed for performance of the administrative and professional oriented matters as a professional service of the State Election Commission.

(5) The Secretariat shall be run by the Secretary of the State Election Commission.

(6) The Secretary and the employees in the Secretariat of the State Election Commission shall have the status of civil servants.

Article 15

(1) Political parties referred to in Article 13 of this Law, shall determine the members and their deputies, referred to in paragraphs (1), (2), (4) and (5), within 5 days following the receipt of notification from the President of the Parliament.

(2) If the political parties fail to determine and submit the names of the members and their deputies within the deadline stated in paragraph (1) of this Article, the members and their deputies shall be proposed by the Commission for Election and Appointment Matters of the Parliament.

(3) The members of the State Election Commission and their deputies of Article 13 paragraphs (4) and (5) of this Law shall be law graduates.

Article 16

(1) A Regional Election Commission shall be established for each election district located in the municipalities of: Kisela Voda, Tetovo, Bitola, Kumanovo, Shtip and Strumica.

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

(3) The Regional Election Commission shall have a Secretary and his deputy.

(4) The presidents of the Regional Election Commissions shall be appointed by the State Election Commission with a two-thirds majority of votes from the total number of members of the State Election Commission. If the president and his deputy cannot be appointed with a two-thirds majority of votes in the first round of voting, then the appointment shall be done with a majority of votes of the total number of members of the State Election Commission.

(5) The members of the Regional Election Commission and their deputies shall be appointed by the State Election Commission within 20 days following the day of establishment of the State Election Commission.

(6) The Secretary and his deputy, referred to in paragraph (3) of this Article shall be appointed by the Regional Election Commission upon a proposal of the president of the Regional Election Commission.

Article 17

(1) The president of the Regional Election Commission and his deputy shall be appointed from among the judges in the Courts of Appeals.

(2) One member of the Regional Election Commission and his deputy shall be appointed from among the judges of the Primary Courts, upon proposal of the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(3) One member of the Regional Election Commission and his deputy shall be appointed from among the judges of the Primary Courts, upon proposal of the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(4) The president of the Regional Election Commission and his deputy, and the members and deputies referred to in paragraphs (2) and (3) of this Article, shall be appointed for a period of 5 years.

(5) One member of the Regional Election Commission and his deputy shall be proposed by the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(6) One member of the Regional Election Commission and his deputy shall be proposed by the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(7) The members and deputies of the Regional Election Commission, referred to in paragraphs (5) and (6) of this Article, shall be appointed for a period of 4 years.

Article 18

(1) The Secretary of the Regional Election Commission and his deputy shall be law graduates, appointed for a period of 5 years.

(2) The Secretary is not a member of the Regional Election Commission and shall not have the right to vote.

(3) For the performance of the administrative and professional oriented matters, the Regional Election Commission shall form a Secretariat from among the civil servants employed in the local departments of the organs of state administration.

(4) The Secretariat shall be run by the Secretary of the Regional Election Commission.

Article 19

(1) Political parties of Article 17 of this Law shall determine the members and their deputies, referred to in paragraphs (2), (3), (5) and (6), and submit them, within 5 days of the receipt of the notification from the State Election Commission.

(2) If the political parties, referred to in Article 17 of this Law, fail to determine and submit the names of the members and their deputies within the deadline stated in paragraph 1 of this Article, the members and their deputies shall be appointed by the State Election Commission.

(3) The political parties shall submit the proposals for members and their deputies of the Regional Election Commissions referred to in Article 17, paragraphs (2), (3), (5) and (6) of this Law, also in cases when a member or his deputy submits a resignation.

(4) The political parties shall submit the proposals referred to in paragraph (3) of this Article within 48 hours after the receipt of the notification from the State Election Commission.

(5) If the political parties fail to submit a proposal within the deadline set forth in paragraphs (1) and (4) of this Article, the members of the Regional Election Commission and their deputies shall be appointed by the State Election Commission within 24 hours after the deadline for proposing candidates.

(6) The members of the Regional Election Commission and their deputies referred to in Article 17, paragraphs (5) and (6) of this Law shall be law graduates.

Article 20

(1) Municipal Election Commissions shall be established in:

- the municipality of Berovo and shall be responsible for the municipalities of Berovo and Pehchevo;

- the municipality of Bitola and shall be responsible for the municipalities of Bitola, Bistrica and Capari;
- the municipality of Makedonski Brod and shall be responsible for the municipalities of Makedonski Brod and Samokov;
- the municipality of Valandovo and shall be responsible for the municipality of Valandovo;
- the municipality of Vinica and shall be responsible for the municipalities of Vinica and Blatec;
- the municipality of Gevgelija and shall be responsible for the municipalities of Gevgelija, Star Dojran, Bogdanci and Miravci;
- the municipality of Gostivar and shall be responsible for the municipalities of Gostivar, Negotino Poloshko, Vrapchishte, Chegrane, Vrutok, Mavrovi Anovi, Dolna Banjica, Srbinovo, Oslomej, Zajas and Rostushe;
- the municipality of Debar and shall be responsible for the municipalities of Debar and Centar Zupa;
- the municipality of Delchevo and shall be responsible for the municipalities of Delchevo and Makedonska Kamenica;
- the municipality of Demir Hisar and shall be responsible for the municipalities of Demir Hisar and Sopotnica;
- the municipality of Kavadarci and shall be responsible for the municipalities of Kavadarci, Rosoman and Konopishte;
- the municipality of Kichevo and shall be responsible for the municipalities of Kichevo, Vraneshnica, Drugovo and Plasnica;
- the municipality of Kochani and shall be responsible for the municipalities of Kochani, Orizari, Zrnovci, Obleshevo and Cheshinovo;
- the municipality of Kratovo and shall be responsible for the municipalities of Kratovo, Klechovce and Orashac;
- the municipality of Kriva Palanka and shall be responsible for the municipalities of Kriva Palanka and Rankovce;
- the municipality of Krushevo and shall be responsible for the municipalities of Krushevo, Zitoshe and Dolneni;
- the municipality of Kumanovo and shall be responsible for the municipalities of Kumanovo, Staro Nagorichani and Lipkovo;

- the municipality of Negotino and shall be responsible for the municipalities of Negotino and Demir Kapija;
- the municipality of Ohrid and shall be responsible for the municipalities of Ohrid, Kosel, Mesheishta and Belchishta;
- the municipality of Prilep and shall be responsible for the municipalities of Prilep, Vitolishte, Krivogashtani, Topolchani, Mogila, Kukurechani, Novaci, Dobrushevo, Bac and Staravina;
- the municipality of Probishtip and shall be responsible for the municipalities of Probishtip and Zletovo;
- the municipality of Radovish and shall be responsible for the municipalities of Radovish, Podaresh and Konche;
- the municipality of Resen and shall be responsible for the municipality of Resen;
- the municipality of Sveti Nikole and shall be responsible for the municipalities of Sveti Nikole and Lozovo;
- the municipality of Struga and shall be responsible for the municipalities of Struga, Vevchani, Veleshta, Labunishta, Delogozde and Lukovo;
- the municipality of Strumica and shall be responsible for the municipalities of Strumica, Vasilevo, Bosilovo, Novo Selo, Murtino and Kuklish;
- the municipality of Tetovo and shall be responsible for the municipalities of Tetovo, Zelino, Jagunovce, Tearce, Vratnica, Dzepchishte, Shipkovicica, Kamenjane, Bogovine and Brvenica;
- the municipality of Veles and shall be responsible for the municipalities of Veles, Gradsko, Izvor, Bogomila, Chashka, Zelnikovo, Petrovac and Ilinden;
- the municipality of Shtip and shall be responsible for the municipalities of Shtip and Karbinici;
- the municipality of Karposh and shall be responsible for the municipalities of Karposh, Kondovo and Saraj;
- the municipality of Centar and shall be responsible for the municipality of Centar;
- the municipality of Gazi Baba and shall be responsible for the municipalities of Gazi Baba and Arachinovo;

- the municipality of Chair and shall be responsible for the municipalities of Chair, Chucher Sandevo, Shuto Orizari and Gjorche Petrov; and
- the municipality of Kisela Voda and shall be responsible for the municipalities of Kisela Voda, Studenichani and Sopsishte.

(2) The Municipal Election Commissions shall be located in the municipalities, defined in paragraph (1) of this Article, and shall be in charge of conducting the election activities in the polling units⁵ assigned for those municipalities determined by law.

(3) Election Commissions of paragraph (1) of this Article shall be composed of a president, four members and their deputies.

(4) The Municipal Election Commission shall have a Secretary and his deputy.

(5) The presidents of the Municipal Election Commissions shall be appointed by the State Election Commission with a two-thirds majority of votes from the total number of members of the State Election Commission. If the president and his deputy cannot be appointed with a two-thirds majority of votes in the first round of voting, then the appointment shall be done with a majority of votes of the total number of members of the State Election Commission.

(6) The members of Municipal Election Commissions and their deputies shall be appointed by the Regional Election Commission determined in Article 16, paragraph (1) of this Law, for the municipalities within the election district⁶, within 30 days following its establishment.

Article 21

(1) The president of the Municipal Election Commission and his deputy shall be appointed from among the judges of the Primary Courts, located on the territory of the Municipal Election Commission.

(2) One member of the Municipal Election Commission and his deputy shall be appointed from among the judges of the Primary Courts, located on the territory of the Municipal Election Commission, upon proposal of the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(3) One member of the Municipal Election Commission and his deputy shall be appointed from among the judges of the Primary Courts, located on the territory of the Municipal Election Commission, upon proposal of the ruling political parties,

⁵ Translators' note: The terms "polling unit" and "polling station" are closely related terms and there appears to be no clear pattern of usage. However, we make the distinction to be faithful to the Macedonian version.

⁶ Translators' note: Each of the six Regional Election Commissions is responsible for one of the 6 election districts. See Art. 11.

which have won the largest number of votes in the last elections for Members of Parliament.

(4) The president of the Municipal Election Commission, his deputy, and the members and deputies referred to in paragraphs (2) and (3) of this Article, shall be appointed for a period of 5 years.

(5) One member of the Municipal Election Commission and his deputy shall be proposed by the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(6) One member of the Municipal Election Commission and his deputy shall be proposed by the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(7) The members and deputies of the Municipal Election Commission from paragraphs (5) and (6) of this Article shall be appointed for a period of 4 years.

Article 22

(1) Law graduates shall be appointed as Secretary and his deputy of a Municipal Election Commission, for a period of 5 years.

(2) The Secretary and his deputy, referred to in paragraph (1) of this Article, shall be appointed by the Municipal Election Commission, upon a proposal of the president of the Municipal Election Commission.

(3) The Secretary is not a member of the Municipal Election Commission and shall not have the right to vote.

Article 23

(1) Political parties of Article 21 of this Law shall determine the proposals for members of the Municipal Election Commissions and their deputies, referred to in paragraphs (2), (3), (5) and (6), and submit them to the Regional Election Commission within 10 days of the receipt of the notification from the Regional Election Commission.

(2) If the political parties, referred to in Article 21 of this Law, fail to determine and submit the names of the members and their deputies within the deadline set forth in paragraph (1) of this Article, the members and their deputies shall be appointed by the Regional Election Commission.

(3) The political parties referred to in Article 21 of this Law shall submit the proposals for members of the Municipal Election Commissions and their deputies, referred to in paragraphs (2), (3), (5) and (6) also in cases when a member or his deputy submits a resignation.

(4) The political parties shall submit the proposals referred to in paragraph 3 of this Article within 48 hours following the receipt of the notification from the Regional Election Commission.

(5) If the political parties fail to submit a proposal within the deadline set forth in paragraphs (1) and (4) of this Article, the members of the Municipal Election Commissions and their deputies shall be appointed by the Regional Election Commission within 24 hours after the deadline for proposing candidates.

Article 24

The president and members of the Municipal Election Commission and their deputies shall have a residence on the territory of the municipality for which the Municipal Election Commission was established.

Article 25

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

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

(3) The president of the Electoral Board and his deputy shall, as a rule, be law graduates.

(4) Two members of the Electoral Board and their deputies shall be appointed upon a proposal of the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(5) Two members of the Electoral Board and their deputies shall be appointed upon a proposal of the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(6) The presidents, members of the Electoral Boards and their deputies shall be appointed by the Municipal Election Commission, no later than 20 days before Election Day.

Article 26

(1) The political parties shall propose the members of the Electoral Boards and their deputies, referred to in Article 25, paragraphs (4) and (5) of this Law, no later than 25 days prior to Election Day.

(2) If the political parties fail to submit a proposal within the deadline determined in paragraph (1) of this Article, the members of the Electoral Boards and their deputies shall be appointed by the Municipal Election Commission.

(3) The president of the Municipal Election Commission shall appoint new members to the Electoral Board and their deputies, in case of unjustified abandoning

of the polling station by members of the Electoral Board and their deputies during the elections, with a decision submitted to the members of the Commission.

Article 27

Decisions on the appointment of the Regional Election Commissions and Municipal Election Commissions shall be published in the "Official Gazette of the Republic of Macedonia".

Article 28

(1) The bodies for conducting the elections may work and reach decisions if a majority of members is present.

(2) The bodies for conducting the elections shall reach their decisions with a majority of votes of the total number of members, unless otherwise stipulated by this Law.

(3) In the case of absence of a member of the State, Regional or Municipal Election Commission, as well as a member of the Electoral Board, their deputies shall participate in their work on the sessions.

Article 29

(1) The President, members of the bodies for conducting elections, the Secretaries, as well as their deputies, may not be candidates for Members of Parliament.

(2) If the president, the member of a body for conducting elections, the Secretary, as well as their deputies, accepts candidacy for Member of Parliament, his office of president, member, Secretary or deputy shall cease.

Article 30

(1) The president and members of the bodies in charge of conducting elections shall perform their duties impartially, conscientiously and responsibly in accordance with the responsibilities determined by this Law.

Article 31

(1) Each submitter of a list⁷ of candidates for the election of Members of Parliament shall be entitled to appoint a representative and his deputy that will follow the work of the Regional Election Commission, Municipal Election Commission and Electoral Board starting from the beginning of the elections until the establishment and announcement of the results.

⁷ Translators' note: The term "submitter of list" refers to a political party or group of citizens proposing candidates.

(2) The list submitter shall issue an authorization to the representative and shall inform the Regional and Municipal Election Commissions thereof.

(3) The list submitter's representative at the session of the Regional Election Commission, Municipal Election Commission and the Electoral Board may warn against any irregularities in their work, and if the same is not accepted, he may require that the warning be included in the minutes.

Article 32

The State Election Commission shall:

1. take care of the legality in the preparation and conduct of the elections, and give instructions;
2. appoint the presidents of the Municipal Election Commissions and their deputies.
3. appoint the composition of the Regional Election Commissions, give instructions for their work, explanations about the application of the provisions of this Law and other laws regarding election matters;
4. establish common standards concerning the election material, provide conditions and take care of their implementation;
5. prescribe forms for conducting elections and publish them in the "Official Gazette of the Republic of Macedonia";
6. determine the way of handling and securing the election material;
7. determine the form, size, colour and serial numbers of the ballots;
8. organize the printing of ballots and candidates' lists;
9. hand over to, and receive the election material from, the Regional Election Commissions;
10. conduct education of the Regional Election Commission members;
11. inform the public of the way of voting and of the exercise of the right to vote;
12. 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;
13. decide upon complaints;
14. determine the election results;

15. announce the total results from the elections held for Members of Parliament within three days of their holding;
16. submit a report to the Parliament about the elections held;
17. issue certificates to the Members of Parliament elected;
18. pass a Rulebook and Guide for compensation for the members of the election bodies;
19. submit a financial report to the Parliament for the conducted elections;
20. perform the duties provided by the Law on Voters' List;
21. prescribe the type of device for marking and controlling the persons who have voted (UV lamps, spray, graphite pad);
22. adopt an act for the organization and systemization of the Secretariat of the State Election Commission;
23. form assisting bodies to carry out organizational and technical matters;
24. publish the descriptions of the polling units and election districts in the daily press;
25. perform other duties provided by law.

Article 33

The Regional Election Commission shall:

1. take care of the legal conduct of the elections in the election district;
2. appoint the members of the Municipal Election Commissions and their deputies;
3. confirm and publish the candidates' lists for the elections of Members of Parliament and shall determine their order on the ballot by drawing lots;
4. perform education of the Municipal Election Commission members;
5. undertake technical preparations for conducting the elections according to the directions and instructions of the State Election Commission;
6. inform the citizens of the way and technique of voting;
7. register the authorized representatives for monitoring the work of the Regional Election Commissions;

8. hand over to, and collect election materials from, the Municipal Election Commissions in a manner determined by this Law;
9. sum up the results of the vote for the lists of candidates at the election district level and submit all election material to the State Election Commission;
10. decide on complaints regarding irregularities in the work of the Municipal Election Commissions;
11. fill in and submit statistical data for the needs of the State Bureau of Statistics of the Republic of Macedonia; and
12. perform other duties as well.

Article 34

The Municipal Election Commission shall:

1. take care of the legal conduct of elections;
2. appoint the composition of the Electoral Boards, and give instructions concerning their work;
3. post the determined lists of candidates;
4. perform education of the Electoral Board members;
5. undertake technical preparations for conducting the elections according to the directions and instructions by the Regional and State Election Commission;
6. inform the citizens of the way and technique of voting;
7. register the authorized representatives for monitoring the work of the Municipal Election Commission and the Electoral Boards;
8. hand over to, and collect the election materials from, the electoral boards in a way determined by this Law;
9. hand over the election material to the Regional Election Commission within 3 hours after the receipt of the election material from the Electoral Boards; and
10. perform other duties as well.

Article 35

(1) The Electoral Board shall directly manage the voting at the polling station, ensure regularity and secrecy of the voting, provide free and peaceful conduct of the voting, sum up the voting result at the polling station and post it at the very place where the voting was conducted.

(2) The Electoral Board shall make minutes of its work and shall submit them to the Municipal Election Commission together with the election material.

Article 36

(1) The Parliament, Ministry of Justice, Ministry of Internal Affairs, State Bureau of Statistics and the Department of General and Common Activities in the Government of the Republic of Macedonia and their district offices are obliged to provide technical and other working conditions, as well as personnel teams to the bodies for conducting the elections, for performing the activities in the Secretariats of Article 14, paragraph (4) and Article 18, paragraph (3) of this Law.

(2) The bodies shall be provided with funds from the Budget of the Republic of Macedonia to perform their jobs in paragraph (1) of this Article.

III. NOMINATING CANDIDATES

Article 37

(1) The nomination of candidates for election of Members of Parliament shall be done by submitting lists of candidates.

(2) A candidate for Member of Parliament may be proposed on one list of candidates only.

(3) In the proposed lists of candidates each sex⁸ shall be represented with at least 30%.

Article 38

The registered political parties individually, two or more parties together, as well as a group of voters (hereinafter: list submitter) have the right to submit a list of candidates.

Article 39

In the case where a candidate list submitter is a group of voters, at least 500 signatures of the voters registered in the excerpts of the Voters' List for that electoral district shall be required.

Article 40

(1) The signatures of the voters in the nomination procedure shall be collected before a body in charge of keeping records of electoral rights, by using a form prescribed by the State Election Commission, which shall contain the name and surname, permanent residence, profession, working post and unique citizen number of the candidates proposed, as well as the name, the surname and the unique citizen number of the voter signing the nomination.

⁸ Translators' note: The term used in Macedonian is literally translated as "pole".

(2) The collection of the signatures before the competent body for evidence of the right to vote starts the fifteenth day from the announcement of the elections and lasts 15 days.

(3) Each voter may give his signature for one list of candidates only.

(4) Voters submitting the list should have the right to vote and a permanent residence in the territory of the electoral district.

Article 41

The list submitter may submit only one list of candidates.

Article 42

(1) The list of candidates shall be signed personally by the authorized representative of the list submitter.

(2) The title of the list is marked according to the name of the list submitter.

(3) If the candidates' list submitter is a group of voters, the title of the list shall be marked as "group of voters".

Article 43

(1) The list of candidates shall be submitted to the Regional Election Commission no later than 40 days prior to the day of holding the elections.

(2) The list of candidates shall be submitted on a special form to which the certificate for registration from the competent court and evidence of an opened giro-account for the election campaign shall be attached.

(3) When the submitter of a list of candidates is a group of voters, it has to also submit the necessary number of signatures in accordance with Article 39 of this Law.

(4) Agreement (statement) in writing shall be required for each candidacy and it shall be irrevocable.

(5) The list of candidates contains as many candidates as there are Members of Parliament to be elected for that electoral district.

(6) The order of the candidates on the list of candidates shall be determined by the list submitter.

Article 44

(1) The Regional Election Commission shall, immediately upon the receipt of the list of candidates, examine if they have been submitted within the deadline given and have been made in accordance with the provisions of this Law.

(2) Should the commission of paragraph (1) of this Article establish that there have been some omissions, or irregularities, it will call the submitters thereof immediately, but within no more than 48 hours, to eliminate the omissions or irregularities found.

(3) If a commission of paragraph (1) of this Article establishes that the lists have been submitted within the deadline given, and have been made in accordance with the provisions of this Law, that is, the omissions and irregularities found have been eliminated by the list submitters within the deadline set in paragraph (2) of this Article, it will confirm the submitted lists with a decision within 48 hours following the receipt of the lists.

Article 45

(1) Should the Regional Election Commission establish that the lists have not been submitted in a timely manner, that is the omissions and irregularities found have not been eliminated by the submitters of the lists within the time-limit set in Article 44, paragraph (2) of this Law, it will reject the submitted list by a decision.

(2) An objection against the decision of the Regional Election Commission of paragraph (1) of this Article may be submitted to the State Election Commission through the Regional Election Commission within 24 hours following the receipt of the decision.

(3) The State Election Commission shall be obliged to reach a decision on the objection within 24 hours following the receipt of the objection.

(4) A complaint against the decision of the State Election Commission of paragraph (3) of this Article may be submitted to the Supreme Court of the Republic of Macedonia, through the State Election Commission within 24 hours following the receipt of the decision.

(5) The Supreme Court of the Republic of Macedonia shall be obliged to reach a decision upon the complaint within 48 hours following the receipt of the complaint.

(6) Submitting objections and complaints by mail is not permitted.

Article 46

(1) The Regional Election Commission shall determine the order of the lists of candidates on the ballot by drawing lots

(2) The Regional Election Commission shall be obliged to inform the authorized representatives of the list submitters for the activities that will be undertaken in accordance with paragraph (1) of this Article.

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

(4) The State Election Commission shall publish the determined lists in the daily press no later than 30 days before the day determined for conducting the elections.

(5) The Municipal Election Commissions of Article 20, paragraph (1) of this Law shall post the determined lists in the polling units in which the election is to be conducted.

IV. ELECTION CAMPAIGN

Article 47

(1) A political party, two or more political parties together, or a group of voters, whose lists of candidates for election of Members of Parliament have been confirmed by the Regional Election Commission, shall have the right to organize an election campaign (hereinafter: election campaign organizers).

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

(3) Foreign legal entities and natural persons may not organize an election campaign.

Article 48

(1) The election campaign shall begin 30 days prior to the Election Day and may not be carried out 24 hours prior to and on Election Day.

(2) The Broadcasting Council shall be obliged to follow the programs of the electronic media in the Republic of Macedonia for the duration of the election silence and on Election Day.

(3) After determining the irregularities (agitation, information connected to the election campaign, advertisements, which present party programs and party symbols), the Broadcasting Council shall immediately inform the Ministry of Transport and Communication and/or the Telecommunication Office.

(4) The Telecommunication Office shall reach a decision for closing the radio station of the holder who committed the irregularity for a period of 48 hours, immediately after the receipt of the notification.

Article 49

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

(2) The election campaign organizer is also responsible for the election campaign activities for which it will authorize other persons.

Article 50

(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 Primary Court with a view to protecting their rights.

(2) The Primary Court shall decide upon the request for rights' protection within 72 hours after the request has been submitted.

(3) A complaint against the decision of the Primary Court may be lodged before the competent Court of Appeals within 72 hours after it has been received.

(4) The competent Court of Appeals shall decide within 72 hours of the day of submitting the complaint.

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

Article 51

(1) The media in the Republic of Macedonia are obliged to provide under equal conditions equal access on their programs in the presentations of the election programs of the candidates for Members of Parliament, political parties and groups of voters.

(2) The duration of the election presentation, methods of advertising and terms for the use of air-time, or 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 on the rules for equal media presentation.

(3) The decision on the rules for equal media presentation shall be reached by the Parliament, upon a proposal by the Broadcasting Council.

(4) The Broadcasting Council shall be obliged to submit the proposal for the decision, referred to in paragraph (2) of this Article to the Parliament no later than 60 days before Election Day.

(5) The decision on the rules for equal media presentation shall be published no later than 40 days prior to Election Day.

Article 52

(1) Public opinion polls shall be announced no later than 5 days prior to Election Day.

(2) When public opinion polls on candidates, political parties and groups of voters in the election campaigns are announced, the name of the institution or head of the institution that organized the survey, the date, methodology, size and structure of the sample, and the name of the person who commissioned the polls, shall be given.

(3) Public opinion polls may be conducted on the actual Election Day, and the results thereof shall be announced no sooner than the closing of the polling units.

Article 53

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

Article 54

The media, whose founder is the Parliament, in cooperation with the State Election Commission have an obligation without compensation to inform the citizens of the way and technique of voting.

Article 55

(1) Displaying election posters free of charge is allowed only at places determined by the municipality, or 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 submitter of lists separately.

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

(4) The municipality 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 waste left during the election campaigns.

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

(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 facility.

(8) It is not allowed for the campaign posters to be displayed on objects where the polling station is located or in the premises where the voting is performed.

Article 56

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

(2) The organizer of the campaign is obliged to remove the waste caused by the posters within 30 days after the end of the elections.

Article 57

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

Article 58

The election campaign organizer shall notify in writing the Ministry of Internal Affairs through its District Ministry about organizing a pre-election rally in public places and in places used for public traffic no later than 48 hours prior to its holding.

Article 59

- (1) Pre-election rallies may not be held in military buildings, religious buildings, hospitals, homes for old people, schools, kindergartens, and other public institutions.
- (2) As an exception, the organizers will be allowed to hold pre-election rallies in schools, or cultural centres if there is no other facility in the municipality where the rally could be held.
- (3) The permit for holding pre-election rallies is given by a person in charge at the institution, under equal conditions for all election campaign organizers.
- (4) The facilities, equipment or other property intended for work of the state bodies and the bodies of the municipality and of the City of Skopje may not be utilized for the purposes of election campaigns.
- (5) As an exception, the premises of the bodies referred to in 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 campaigns.
- (6) The permit is given by the person in charge of the body, under equal conditions for all election campaign organizers.

V. FINANCING OF THE ELECTORAL CAMPAIGN

Article 60

(1) An election campaign organizer shall open a giro account⁹ with reference "for election campaign" no later than 35 days before Election Day, based on a certificate issued by the State Election Commission for the submitted list of candidates.

⁹ Translators' note: The Macedonian term "giro-account" is equivalent to the English term "bank account".

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

(3) The election campaign organizer shall put all funds received from legal or natural persons intended for financing the election campaigns in the giro account, referred to in paragraph (1) of this Article.

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

Article 61

(1) An election campaign organizer shall submit a financial report on the election campaigns.

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

(3) The financial report shall be submitted to the Parliament no later than 3 months after the elections are finished.

(4) Excess funds shall be donated to charity by the election campaign organizer that is a group of voters.

Article 62

The election campaigns shall not be financed from:

- funds from the Budget of the Republic of Macedonia, except the funds defined in Article 64 of this Law;
- funds from the budget of the municipalities and the City of Skopje;
- 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; and
- funds from enterprises with mixed capital, where the dominant owner is a foreign investor.

Article 63

When financing the election campaign, an election campaign organizer may spend no more than 15 denars per registered voter in the electoral district for which a candidates' list has been submitted.

Article 64

(1) The election campaign organizers whose candidates have been elected Members of Parliament from the list of candidates have the right to reimbursement in the amount of 15 denars per vote won.

(2) The reimbursement of election expenses will be paid from the Budget of the Republic of Macedonia within 3 months following the submission of the financial report on the election campaigns.

(3) If two or more political parties are the submitter of the list of the elected Member of Parliament, the funds shall be divided between or among them in equal shares, unless the parties have agreed otherwise.

(4) The reimbursement of the election expenses is determined by a decision of the Parliament.

Article 65

The State Election Commission shall make a decision to annul the election of candidates for Members of Parliament of a political party, two and more political parties jointly, or a group of voters, if with a final¹⁰ court decision it has been established that funds obtained on the basis of actions subject to penalty, have been used during the election campaign.

VI. CONDUCTING THE ELECTIONS

Article 66

(1) Citizens shall be notified of the elections by means of a public announcement and displaying posters in visible places.

(2) The notification, referred to in paragraph (1) of this Article, shall be carried out by the Regional and Municipal Election Commissions.

1. Election Material

Article 67

The election material for executing the elections for Members of Parliament consists of:

- ballot boxes and voting screens;

¹⁰Translators' note: "Final" means that no further legal remedies are available to challenge such a decision.

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

Article 68

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

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

Article 69

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

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

Article 70

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

(2) Minutes shall be prepared for handing over 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) In the minutes on the handover of the election material, the Electoral Board shall determine if the room in which the voting will take place meets the prescribed voting conditions.

(4) The president, Electoral Board members and a member of the Election Commission, who is handing over the material, shall sign the minutes.

(5) Should the representatives of the list submitters present have some comments on the handing over of the election material, they have the right to request that those comments be registered in the minutes, and only the comments registered in that way may be invoked in the objections and be the subject of an assessment in the appellate proceedings.

(6) If the comments by the representatives of the list submitters present, referred to in paragraph (5) of this Article, are not evidenced in the minutes, they have the right to submit comments to the Municipal Election Commission within 5 hours of signing the minutes.

2. Ballot

Article 71

(1) The ballot shall contain:

- 1) the title of the ballot and the number of the election district;
- 2) the ordinal number, name and symbol (if any) of the list submitter;
- 3) the name and surname of the carrier of the list¹¹;
- 4) the serial number of the ballot in the part remaining on the ballot stub of the booklet; and

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

(3) The title of the ballot shall contain the number of the election district and the flag of the Republic of Macedonia.

(4) The name of the list submitter, and the name and surname of the carrier of the list, shall be written in the Macedonian language and in the Cyrillic alphabet.

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

(6) The voting instructions shall not be part of the ballot. The instructions shall be posted in a noticeable place on the voting screen and in other noticeable places of the polling stations, in accordance with the Instruction given by the State Election Commission. The instructions shall be printed in the Macedonian language and its Cyrillic alphabet and in the languages and alphabets of the other communities listed in the Preamble of the Constitution of the Republic of Macedonia.

¹¹ Translators' note: The first person on the list is referred to as the "carrier of that list".

3. Conducting the voting

Article 72

A place where the voting is conducted shall be determined for each polling unit (hereinafter: polling station).

Article 73

(1) Voting shall begin at 7:00 am and shall 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 facility 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, provided that all the voters registered in the excerpt of the Voters' List have cast their votes.

Article 74

(1) After closing the polling station, the police shall secure the facility in which the polling station and the Electoral Board are located, and shall remove all unauthorized persons from the facility.

(2) The police shall also secure the Electoral Board until the handover of the minutes and the election material to the Municipal Election Commission, if such a request has been made by the Electoral Board.

Article 75

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

- the room is in the same condition as it was left on the day before the elections;
- the election material is in the same condition as it was left on the day before the elections; and
- the ballot box is empty.

(2) The Electoral Board shall prepare minutes on the condition found, and they shall be signed by the president and members of the Board.

(3) The comments of the president and members of the Electoral Board shall be entered in the minutes.

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

(5) If the comments referred to in paragraph (4) of this Article of the representatives of the list submitters present are not recorded in the minutes, they have the right to submit them to the Municipal Election Commission within 5 hours of signing the minutes.

Article 76

(1) The Electoral Board takes care of the peace and order at the polling station.

(2) The Electoral Board may remove any person disturbing the peace and order at the polling station.

(3) The facility in which the polling station is located shall be secured by the police during the conduct of voting.

(4) The Electoral Board may ask assistance from the police for establishing order at the polling station.

(5) No one is allowed to come into the polling station armed, except for the police in cases provided in paragraphs (3) and (4) of this Article.

Article 77

(1) If the order at the polling station is disrupted, the Electoral Board may stop the voting until order is re-established.

(2) The voting can also be stopped due to weather disasters or other emergencies.

(3) The Electoral Board shall terminate the voting if the facility in which the polling station is located is not secured by the police, while there was a need for that or if the police were called but did not respond to the call.

(4) The Electoral Board shall also terminate the voting in cases when the police cannot maintain order at the polling station and are not complying with the provisions of this Law.

(5) If the voting was stopped for more than one hour, it shall be continued for as much time as the interruption lasted, but not longer than 3 hours.

(6) If the interruption lasted for more than 3 hours, the voting shall be repeated.

(7) The reasons for the interruption of the voting and the duration of the interruption shall be entered in the minutes.

Article 78

(1) If the representatives of the submitters of lists have any comments concerning the work of the Electoral Board during the voting, they can point out the irregularities, so that they can be corrected.

(2) Comments made are registered in the minutes in writing, and only comments registered in such a way can be pointed out in objections and be the subject of evaluation in appellate proceedings.

(3) If the representatives of the submitters of lists do not have comments registered in the minutes as referred to in paragraph (2) of this Article, they have the right to submit them to the Municipal Election Commission within 5 hours of signing the minutes.

Article 79

(1) The president, members of Regional Election Commissions, Municipal Election Commissions and Electoral Boards and their deputies, as well as the representatives of list submitters, and the observers are not allowed to have any marks or symbols of a political party or candidate at the time and place of the voting.

(2) No campaigning is allowed on Election Day.

(3) The Electoral Board in cooperation with the competent bodies is obliged to remove propaganda material in the facility and room where the voting is taking place and within a radius of 100 meters.

4. Way of voting

Article 80

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

(2) Voting for another person is prohibited, except in the cases referred to in Article 85 of this Law.

Article 81

(1) The voters approach to vote one by one. One of the members of the Electoral Board checks if the voter is at the appropriate place.

(2) When the voter approaches to vote, the Electoral Board verifies through the use of an ultra-violet detection lamp if the voter has an indelible¹² mark on the thumb of his right hand, making sure to check the nail of the thumb of the voter.

(3) When the voter approaches to vote, the Electoral Board checks his personal identity.

¹² Translators' note: Marking ink is both "indelible" and "invisible".

(4) The voter shall prove his personal identity with an ID card or passport.

(5) After the identification of the voter, the Electoral Board circles his ordinal number in the excerpt of the Voters' List and the voter places his signature, while if he is illiterate, he shall put his right index finger print. If the voter does not have a right index finger then he shall put a print of his left index finger, and if he does not have a left index finger as well, then putting a print shall not be needed.

(6) After the identification, the voter shall receive a ballot and shall have his right thumb, or left thumb if he does not have a right thumb, marked with invisible marking ink, making sure that the application covers the nail of the thumb. If the voter does not have a thumb on either hand, then marking shall not be done.

Article 82

(1) The voting shall be performed with one ballot.

(2) The ballot shall be removed in numerical sequence from the stub of the booklet and given to the voter, while the serial number remains on the stub.

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

Article 83

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

Article 84

(1) The voter who is unable to vote at the polling station (disabled or ill person) 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 be made through a proxy.

(3) The Electoral Board enables the person referred to in paragraph (1) of this Article to vote in his home or the hospital he 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.

Article 85

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

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

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

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

(5) The Electoral Board shall instruct the person referred to in paragraph (3) of this Article that he may not influence the voter's choice with his help.

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

Article 86

(1) Voters who are not at their place of residence on Election Day due to their military service or military manoeuvres 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 maneuvers, as well as the penitentiary institutions where the voters are serving their prison sentences or are in custody.

(4) The elections for the voters referred to in paragraphs (1) and (2) of this Article shall be carried out by the Electoral Board of the nearest polling unit, 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 in the military unit.

(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.

5. Summing up the voting results at the polling stations

Article 87

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

- the unused ballots shall be counted and put in a special envelope that is closed, sealed, and the number of the polling unit and the total number of unused ballots are written down on it;
- the total number of voters registered in the excerpt of the Voters' List, who have cast their vote and have placed their signature or fingerprint only, shall be determined;
- the ballot box shall be opened and the counting of votes shall begin;
- 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 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.

Article 88

(1) The ballot is valid if it has been circled in the way prescribed in Article 83 of this Law.

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

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

Article 89

(1) The Electoral Board shall prepare minutes of its work.

(2) Information entered in the minutes shall include: the ordinal number of the polling unit, the time of beginning and concluding the voting; the total number of voters in the polling unit 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 put in the ballot box; the total number of invalid ballots and the total number of votes each list of candidates has won individually.

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

Article 90

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

(2) The minutes are valid if signed by the majority of the Electoral Board members.

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

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

(5) In case the representatives of the list submitters present have comments, they have the right to enter them in the minutes, and only the comments registered in that way may be invoked in the objections and be the subject of an assessment in appellate proceedings.

(6) If the comments 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 (signing) of the minutes.

Article 91

(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) Each representative of the list submitter shall receive a copy of the minutes.

(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) The election material shall be submitted to the Regional Election Commission by the president of the Municipal Election Commission accompanied by the interested Municipal Election Commission members or representatives of the submitters of lists and representatives of the police, within 3 hours after the receipt of the election material from the Election Board.

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

6. Summing up the voting results in the election district

Article 92

The Regional Election Commission shall sum up the results of the voting for the lists of candidates of the polling units of the electoral district for which it is responsible, within 5 hours of the receipt of the entire election material from the Municipal Election Commissions.

Article 93

(1) The Regional Election Commission shall prepare minutes of its work.

(2) In the minutes of the voting, the following information shall be entered: the votes summed up, the ordinal number of the polling units in the election district, the total number of voters for the polling units registered in the excerpts of the Voters' List, the total number of voters who have cast their vote, the total number of invalid ballots and the total number of votes that each list of candidates has won at the election district level.

(3) Possible comments by the members of the Regional Election Commission shall be recorded in the minutes, as well.

Article 94

(1) The president and the Regional Election Commission members shall sign the minutes.

(2) The minutes are valid if signed by the majority of the Regional Election Commission members.

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

(4) If the minutes are not signed by the majority of the members of the Regional Election Commission, the minutes are prepared and signed by the State Election Commission, based on the entire election material.

(5) In case the representatives of the list submitters present have comments, they have the right to register them in the minutes and only the comments registered in that way may be invoked in objections and be the subject of an assessment in appellate proceedings.

(6) If the comments 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 State Election Commission within 5 hours following the completion (signing) of the minutes.

(7) Each representative of a list submitter shall receive a copy of the minutes.

Article 95

The Regional Election Commission shall submit the minutes of its work and the entire election material to the State Election Commission within 8 hours following the receipt of the election material.

7. Determining the voting results in the election districts

Article 96

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

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

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

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

(5) Having established the total number of votes cast for that number of candidates in the election district (so called electorate), each individual list is divided by the sequence of divisors 1, 2, 3, 4, etc. until all seats in the election district are allocated according to the determined principle.¹³

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

¹³ Translators' note: A previous law states the principle more clearly. It states: "Having established the total number of votes cast for each list of candidates (what we call electorate) each one separately is divided by the sequence of quotients 1, 2, 3, 4, etc., until all 35 seats are allocated according to the determined principle".

(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.¹⁴

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

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

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

Article 97

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

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

- the total number of polling units;
- the total number of voters registered in the excerpts of the Voters' List for the election district;
- 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 98

(1) The State Election Commission shall announce the initial results of the elections for Members of Parliament within 24 hours following the completion of the election.

(2) The State Election Commission shall announce the total results of the elections for Members of Parliament, within 3 days following Election Day.

¹⁴ Translators' note: The language in the Macedonian version is unclear.

Article 99

- (1) The elections shall be considered completed when the results of the election of 120 Members of Parliament become final.
- (2) The State Election Commission shall issue an election certificate to the Members of Parliament elected.

VII. ANNULING AND REPEATING THE VOTING

Article 100

(1) The State Election Commission shall, with a decision, annul the voting at the polling station in the following cases:

- if the secrecy of voting has been violated;
- if there is a voting disruption of longer than 3 hours;
- if the police do not respond to the intervention request by the Electoral Board, pursuant to Articles 74, 76 and 77 of this Law, while there was a need for that and it influenced the conduct of the voting at the polling station.

(2) The State Election Commission shall, with a decision, annul the voting at the polling station also in the following cases:

- if the number of ballots in the ballot box is larger than the number of voters who voted, and that number affects the results of the voting on the election district level;
- if some person or persons vote for other person(s), and that number affects the results of the voting on the election district level.

(3) A complaint against the decision of paragraphs (1) and (2) of this Article may be lodged with the Supreme Court of the Republic of Macedonia through the State Election Commission within 24 hours.

(4) The Supreme Court of the Republic of Macedonia shall be obliged to act upon the complaint within 48 hours following its receipt.

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

VIII. TERMINATION OF THE MANDATE AND BY-ELECTIONS

Article 101

(1) The Member of Parliament's mandate shall terminate before the period for which he has been elected:

- if he resigns;
- if sentenced for a criminal offence for which a sentence of at least five years is prescribed;
- in case of incompatibility with the office of Member of Parliament;
- in the case that his membership in the party is terminated by personal request;
- if he declares that he is joining another political party;
- in case of death; and
- if he has been deprived of his working capacity by a final decision.

(2) If the Member of Parliament resigns, the Parliament at its next session shall conclude that his mandate terminates from the day of holding that session.

(3) The Member of Parliament's mandate shall terminate on the day of occurrence of the terms referred to in paragraph (1), lines 2, 3, 4, 5, 6 and 7 of this Article, which the Parliament concludes on the first following session.

Article 102

(1) If the mandate of the candidate elected from the list of candidates terminates, pursuant to one of the grounds defined in Article 101 of this Law, the next candidate on the list shall become a Member of Parliament for the rest of the mandate.

(2) The State Election Commission shall notify the next candidate on the list in the cases referred to in paragraph (1) of this Article within three days of the termination of a Member of Parliament's 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 if he accepts the mandate, this right shall be transferred to the next candidate on the list.

(4) In case the list is exhausted in accordance with the provisions in paragraphs (1), (2) and (3) of this Article, the exercising of this right starts again from the top of the candidates' list, if there are still candidates on the list.

Article 103

If there are no candidates left on the list of candidates and if the bases for acquiring a Member of Parliament mandate, set forth in Article 102 of this Law have been exhausted, by-elections in the election district in which the Member of Parliament was elected, shall be announced.

IX. FUNDS FOR CONDUCTING ELECTIONS

Article 104

(1) The Parliament upon a proposal of the State Election Commission, prior to the announcement of the elections, shall pass a Financial Plan, which shall determine the expenses for the conduct of the elections and the compensations for the members of the bodies for the conduct of the elections.

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

(3) Two thirds of the resources intended for the elections shall be used to cover the expenses related to the election activities of the bodies in charge of conducting the elections.

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

X. PROTECTION OF THE RIGHT TO VOTE

Article 105

(1) The procedure for the protection of the right to vote shall be considered urgent.

(2) Submissions (objections and complaints) for the protection of the right to vote shall be submitted to the competent bodies through the organs that have made previous decisions.

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

Article 106

(1) Each submitter of a list of candidates in the procedure for voting, summing up and determining the results of the voting, has the right to file an objection with the State Election Commission.

(2) An objection referred to in paragraph (1) of this Article shall be submitted within 48 hours of the time the irregularities have been found.

(3) The State Election Commission is obliged to reach a decision within 48 hours after it has received an objection.

(4) A complaint may be lodged against the decision of the State Election Commission before the Supreme Court of the Republic of Macedonia within 48 hours following the receipt of the decision.

(5) The complaint shall be lodged through the State Election Commission.

Article 107

(1) If any voter or submitter of a list of candidates notices irregularities in the election procedure, he may lodge an objection with the Regional Election Commission within 48 hours.

(2) The Regional Election Commission is obliged to reach a decision within 48 hours after the receipt of the objection.

(3) A complaint against the decision of the Regional Election Commission may be lodged before the competent Court of Appeals within 48 hours after the receipt of the decision through the Regional Election Commission.

Article 108

(1) The Supreme Court of the Republic of Macedonia and the Courts of Appeals will decide on the complaints in a Council of 5 judges, selected by drawing lots.

(2) The Supreme Court of the Republic of Macedonia and the Courts of Appeals are obliged to reach a decision within 48 hours after the receipt of a complaint.

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

XI. OBSERVING THE ELECTIONS

Article 109

The elections and the election procedure may be observed by:

- registered domestic and foreign associations of citizens of the Republic of Macedonia and the registered associations of foreign countries, the statute of which includes the principles of democracy and the protection of human rights;
- international organizations; and
- representatives of foreign countries.

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

Article 110

(1) The organizations and persons referred to in Article 109 of this Law may observe after obtaining accreditations from the State Election Commission.

(2) The requests for observation shall be submitted to the State Election Commission together with the necessary identification documents from the day the elections are announced until 10 days before voting day.

(3) The State Election Commission shall issue identification documents to the observers no later than 7 days after the receipt of the request.

(4) If the observers start to support some candidate or party, the State Election Commission may revoke the authorization to observe from the entities referred to in Article 109 of this Law.

XII. PENALTY PROVISIONS

Article 111

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 112

A person committing the offence of participating in the election campaigns in his uniform will be fined from 20,000 to 50,000 denars (Article 7 of this Law).

Article 113

(1) A political party committing the offence of not complying with the deadline referred to in Article 48, paragraph 1 of the this Law shall be fined from 200,000 to 300,000 denars.

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

Article 114

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

Article 115

A fine of 200,000 to 300,000 denars shall be paid by the public medium that:

- does not provide equal presentation of the candidates for Members of Parliament, political parties, voters' groups and their programs referred to in Article 51, paragraph (1) of this Law;
- does not accept and announce in a timely manner the rules of paragraph (2) of Article 51 of this Law;
- publishes public opinion polls in a period of 5 days prior to the Election Day referred to in Article 52, 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 53 of this Law.

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

Article 116

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

- for the editor in chief of the medium publishing a public opinion poll for a candidate without stating the information referred to in Article 52, paragraph (2);
- for the editor in chief of the medium if he publishes an election propaganda announcement without publishing the person who ordered it. (Article 52, paragraph (2) of this Law).

Article 117

The person responsible for 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 55 of this Law).

Article 118

The organizer of the electoral campaign shall be fined from 40,000 to 50,000 denars for the offence of failing to remove the waste of the posters within the deadline determined in Article 56, paragraph (2) of this Law.

Article 119

A natural person destroying or putting up election posters over other election campaign organizer's posters on places designated for their display shall be fined from 20,000 to 50,000 denars for the offence (Article 56, paragraph (1) of this Law).

Article 120

A political party that:

- fails to report an election rally at least 48 hours prior to its holding; and
- organizes a rally contrary to Articles 58 and 59 of this Law,

shall be fined from 200,000 to 300,000 denars for the offence.

Article 121

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 59 of this Law, shall be fined from 20,000 to 50,000 denars for the offence.

Article 122

(1) A political party failing to submit a report on the election campaign's financing referred to in Article 61 of this Law, and/or when for the purposes of financing the election campaign, and/or using funds as described in Article 62 of this Law, shall be fined from 200,000 to 300,000 denars for the offence.

(2) During the election campaign, should a political party spend more funds than the amount defined in Article 63 of this Law, it shall be fined from 200,000 to 300,000 denars for the offence.

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

Article 123

A person referred to in Article 79, 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 124

(1) A natural 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 74, 76, 77 and 80 of this Law), shall be fined from 40,000 to 50,000 denars for the offence.

(2) An official person (police officer) who abuses his or her position and causes disorder at the polling station (Articles 74 and 77) shall be fined from 40,000 to 50,000 denars for the offence.

XIII. FINAL AND TRANSITIONAL PROVISIONS

Article 125

(1) In the next elections, the candidates for members of the State Election Commission, Regional Election Commissions, Municipal Election Commissions and Electoral Boards and their deputies referred to in Article 13, paragraphs (1) and (4); Article 17, paragraphs (2) and (5); Article 21, paragraphs (2) and (5); and Article 25, paragraph (4) of this Law shall be proposed by the political parties in opposition.

(2) Political parties in opposition shall be considered to be the two political parties, that did not have members in the Government until the election of the Government of the Republic of Macedonia on May 13, 2001 and who joined the Government of the Republic of Macedonia, as elected on May 13, 2001, and which in the last elections for Members of Parliament won the largest number of votes on the proportional list according to the State Election Commission Report on determining the results adopted by the Parliament.

(3) In the next elections, the candidates for members of the State Election Commission, Regional Election Commissions, Municipal Election Commissions and Electoral Boards and their deputies referred to in Article 13, paragraphs (2) and (5); Article 17, paragraphs (3) and (6); Article 21, paragraphs (3) and (6); and Article 25, paragraph (5) of this Law shall be proposed by the ruling political parties.

(4) Ruling political parties shall be considered to be the two political parties that had members in the Government before the election of the Government of the Republic of Macedonia on May 13, 2001 and who joined the Government of the Republic of Macedonia, as elected on May 13, 2001, and which in the last elections for Members of Parliament won the largest number of votes on the proportional list according to the State Election Commission Report on determining the results adopted by the Parliament.

Article 126

(1) In the next elections for Members of Parliament, the internally displaced persons in the country shall vote according to the rules determined in Article 86 of this Law.

(2) The appointment of the president, members of the State Election Commission, and their deputies shall be done no later than 30 days following the day this Law becomes effective.

(3) The appointment of the president, members of the Regional Election Commissions, and their deputies shall be done no later than 50 days before Election Day.

(4) The appointment of the president, members of the Municipal Election Commissions, and their deputies shall be done no later than 40 days before Election Day.

(5) The political parties referred to in Article 21 of this Law shall determine and submit the proposals for members of the Municipal Election Commissions and their deputies referred to in paragraphs (2), (3), (5) and (6) to the Regional Election Commission within 5 hours following the receipt of the notification from the Regional Election Commission.

Article 127

The Law on Election of Members of Parliament ("Official Gazette of the Republic of Macedonia" No. 24/98 and 50/99) shall become invalid on the day this Law enters into force.

Article 128

This Law shall enter into force on the eighth day following the day of its publishing in the "Official Gazette of the Republic of Macedonia".

LAW ON VOTERS' LIST

I. BASIC PROVISIONS

Article 1

This Law stipulates the manner and procedure for recording the electoral right and maintaining the Voters' List.

Article 2

(1) The citizens of the Republic of Macedonia (hereinafter: citizens) who have the right to vote shall be registered in the Voters' List.

(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 on magnetic medium.

Article 3

(1) The Voters' List shall be considered a public document.

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

Article 4

(1) The Voters' List shall be kept for the whole territory of the Republic of Macedonia.

(2) 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.

(3) It is obligatory for the Voters' List to be updated.

Article 5

The Elections for Members of the Parliament of the Republic of Macedonia, for President of the Republic of Macedonia, the Local Elections, as well as referendum voting on the local and national level shall be conducted based on the Voters' List.

Article 6

(1) 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.

(2) 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.

(3) Citizens who have been deprived of their working capacity¹⁵ by a final¹⁶ court decision shall not be registered in the Voters' List.

II. VOTERS' LIST

1. Maintaining the Voters' List

Article 7

The Voters' List shall be maintained by the Ministry of Justice.

Article 8

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

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

Article 9

In order to conduct voting in military camps, organizations, institutions, units and penitentiary institutions, special excerpts of the Voters' List shall be prepared as follows:

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

¹⁵ Translators' note: The "working capacity" is defined in the Law on Non-contentious Procedure, Article 34.

¹⁶ Translators' note: "Final" means that no further legal remedies are available to challenge such a decision.

Article 10

(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.

Article 11

(1) The Ministry of Internal Affairs shall submit data to the Ministry of Justice for citizens who:

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

(2) The Primary 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 February 1st to 10th and July 1st to 10th. 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.

Article 12

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

Article 13

The data referred to in Articles 11 and 12 of this Law shall be submitted on a magnetic medium and shall obligatorily contain the unique registration number of the citizen (EMBG).

Article 14

(1) The Voters' List shall contain the following data: the unique registration 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 added data.

(2) Printed excerpts of the Voters' List, referred to in Article 8, paragraph 2 of this Law, and the special excerpts of the Voters' List, referred to in Article 9 of this Law, shall be kept in alphabetical order according to the last name of the citizen and shall contain the following columns of data: ordinal number, surname and name, sex, date of birth, address (settlement, street, house number, entrance and apartment), signature or fingerprint of the voter and notes.

Article 15

The special excerpts from the Voters' List, referred to in Article 9 of this Law, shall be prepared in two copies, as follows:

1. For citizens who are on military drill or serving military duty during the elections, one copy is systematized according to the polling unit or municipality and under notes, the number of the military camp, organization, institution, unit and the municipality in which that military camp, organization, institution and unit is located. The second copy is systematized according to the number of the military camp, organization, institution, unit and the municipality in which that military camp, organization, institution and unit is located and under notes, the number of the polling unit and the municipality to which that polling unit belongs;
2. For citizens that are under custody or sentenced to jail during the elections, one copy is systematized according to polling unit or municipality, and under notes, the municipality in which the penitentiary institution is located. The second copy is systematized according to the penitentiary institution and the municipality in which it is located, and under notes, the number of the polling unit, and the municipality to which that polling unit belongs.

Article 16

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

(2) If during the inspection, the citizen sees that either he or another citizen has not been registered in the Voters' List, or determines that data should be entered, added or deleted, he shall have the right to submit a request to enter, add or delete data to the District Ministry of Justice. Adequate documentation shall be submitted along with the request.

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

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

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

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

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

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

2. State Election Commission

Article 17

The State Election Commission shall do the following:

- confirm the Voters' List and its excerpts referred to in Article 8, paragraph (2) of this Law, 20 days prior to Election Day;
- decide upon requests for entering, adding or deleting data in the Voters' List;
- see to the protection of the personal data of the citizens contained in the Voters' List;

- check the integrity of the database of the Voters' List;
- establish contacts about matters concerning the Voters' List, with the international associations and organizations, which are authorized to monitor the elections, or referendum at the state level;
- submit information to the media regarding the number of voters registered in the confirmed Voters' List and its excerpts;
- submit reports on its work regarding the Voters' List to the Parliament of the Republic of Macedonia; and
- perform other duties determined by this Law.

3. Preparation of the Voters' List for Voting

Article 18

(1) In the months of February and July, the Ministry of Justice shall prepare an analysis of the condition of the Voters' List.

(2) The Ministry of Justice shall prepare the Voters' List for inspection no later than 10 days after the announcement of the elections and shall submit a report on the condition of the Voters' List to the State Election Commission.

Article 19

(1) The Ministry of Justice shall, no later than 15 days after the announcement of the elections, place the Voters' List on public inspection in its District Ministries and local offices under its authority, as well as in the settlements outside the local offices that they cover, provided there are conditions for that, with the following data:

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

(2) Immediately after placing 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 inspection shall last 15 days.

Article 20

(1) A request for entering, adding or deleting data in the Voters' List excerpts that are open for inspection, within the deadline referred to in paragraph 3 of Article 19 of this Law, may be submitted by each citizen if:

- he 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 there;
- his 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 District Ministry of Justice or to the local office where the person resides.

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

Article 21

(1) The Ministry of Justice shall decide upon the requests of the citizens, referred to in Article 20 of this Law, within 24 hours of the day of receiving the request and if it determines that the request is well founded, it will enter, add or delete data, and if not, it will reject the request with a decision.

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

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

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

(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.

Article 22

The Ministry of Justice shall conclude the Voters' List, with all the changes resulting from the inspection, printed as excerpts, no later than 15 days after the ending of the public inspection.

Article 23

(1) The Voters' List and its excerpts shall be concluded by noting the following: number of pages of the List or excerpt, number of recorded voters (marked with number and letters), the critical moment¹⁷ for the data determined in Article 19, paragraph (1) of this Law, concluding date, signature of the authorized person and stamp.

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

(3) The Ministry of Justice shall submit the concluded Voters' List to the State Election Commission for confirmation.

(4) The Ministry of Justice, together with the concluded Voters' List, shall submit a report on the data deleted, entered and changed during the public inspection.

Article 24

(1) The concluded Voters' List shall be confirmed by the State Election Commission within 5 days of the day of its reception.

(2) In the procedure for confirmation, 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.

(3) 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.

Article 25

For elections that are held concurrently, there shall be as many confirmed excerpts of the Voters' List issued for each polling unit, as there are elections and/or election rounds.

Article 26

The contents of the Voters' List and its excerpts on Election Day (first round) may not be changed until the end of elections.

¹⁷ Translators' note: "Critical moment" is a literal translation.

Article 27

(1) To determine the scope of activities, the necessary financial means and the dynamics of their use in the next year, the Ministry of Justice shall provide a Program.

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

III. PROTECTION OF PERSONAL DATA IN THE VOTERS' LIST

Article 28

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

(2) The Ministry of Justice shall issue, in hard copy or electronic form on CD-ROM to the registered political parties and to the independent candidates, upon their written request, data from the verified or previously prepared excerpt of the Voters' List and an excerpt from the Voters' List for each polling unit, containing the data referred to in Article 14, paragraph (2) of this Law, for participation in the elections.

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

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

Article 29

An authorized employee or any other person, body or organ, acquainted with the personal data contained in the Voters' List, shall be obliged to secure and protect them, as regulated in Article 28 of this Law.

IV. TRANSITIONAL AND FINAL PROVISIONS

Article 30

(1) The effectiveness of entering personal data in accordance with Article 4, paragraph (2) of this Law shall be applied after creating conditions for that purpose.

(2) The State Bureau of Statistics shall continue to perform the organizational, technical and methodological processing of the data from the Voters' List until the final takeover by the Ministry of Justice, but no longer than two years following the day this Law becomes effective.

(3) The data of Articles 11 and 12 of this Law shall continue to be submitted to the State Bureau of Statistics according to the deadline determined in paragraph (2) of this Article.

(4) For the voting of internally displaced persons, the Ministry of Justice shall prepare separate excerpts of the Voters' List, based on the records of the competent bodies.

Article 31

The Law on Voters' Lists and Voter ID Card (Official Gazette of RM no. 49/96 and 9/98) shall cease to be effective on the day this Law becomes effective.

Article 32

This Law shall enter into force on the day of its publishing in the "Official Gazette of the Republic of Macedonia".

LAW
ON ELECTION DISTRICTS FOR ELECTION OF MEMBERS OF
PARLIAMENT OF THE REPUBLIC OF MACEDONIA

Article 1

This Law hereby determines the territories of the election districts for election of 120 Members of Parliament of the Republic of Macedonia, according to the proportional principle.

Article 2

The election districts shall include (encompass) the polling units within the boundaries of the municipalities where citizens exercise their right to vote.

Article 3

In the Republic of Macedonia 6 election districts are hereby determined, as follows:

ELECTION DISTRICT NUMBER 1

Polling units from number 2654 to number 2795 municipality Kisela Voda

Polling units from number 2796 to number 2898 municipality Centar

Polling units from number 2592 to number 2653 municipality Karposh

Polling units from number 2428 to number 2450 municipality Saraj

Polling units from number 2341 to number 2361 municipality Studenichani

Polling units from number 2451 to number 2461 municipality Kondovo

Polling units from number 2412 to number 2427 municipality Sopsishte

Polling units from number 0224 to number 0249 municipality Makedonski Brod

Polling units from number 0250 to number 0274 municipality Samokov

ELECTION DISTRICT NUMBER 2

Polling units from number 0995 to number 1104 municipality Kumanovo

Polling units from number 2476 to number 2552 municipality Gazi Baba

Polling units from number 2899 to number 2956 municipality Chair

Polling units from number 2553 to number 2591 municipality Gjorche Petrov
Polling units from number 1105 to number 1130 municipality Lipkovo
Polling units from number 2957 to number 2973 municipality Shuto Orizari
Polling units from number 2332 to number 2340 municipality Arachinovo
Polling units from number 2462 to number 2475 municipality Chucher Sandevo
Polling units from number 1156 to number 1186 municipality Staro Nagorichane

ELECTION DISTRICT NUMBER 3

Polling units from number 2135 to number 2210 municipality Veles
Polling units from number 2247 to number 2315 municipality Shtip
Polling units from number 0830 to number 0874 municipality Kochani
Polling units from number 0938 to number 0981 municipality Kriva Palanka
Polling units from number 1671 to number 1703 municipality Sveti Nikole
Polling units from number 0303 to number 0329 municipality Vinica
Polling units from number 0572 to number 0604 municipality Delchevo
Polling units from number 2393 to number 2411 municipality Ilinden
Polling units from number 0001 to number 0016 municipality Berovo
Polling units from number 1530 to number 1563 municipality Probishtip
Polling units from number 0903 to number 0937 municipality Kratovo
Polling units from number 0605 to number 0618 municipality Makedonska Kamenica
Polling units from number 2377 to number 2392 municipality Petrovec
Polling units from number 0017 to number 0025 municipality Pehchevo
Polling units from number 0880 to number 0887 municipality Obleshevo
Polling units from number 0892 to number 0902 municipality Orizari
Polling units from number 0982 to number 0994 municipality Rankovce
Polling units from number 2316 to number 2331 municipality Karbinci
Polling units from number 2362 to number 2376 municipality Zelenikovo
Polling units from number 2217 to number 2226 municipality Gradsko
Polling units from number 1564 to number 1573 municipality Zletovo
Polling units from number 0888 to number 0891 municipality Zrnovci
Polling units from number 2227 to number 2240 municipality Chashka
Polling units from number 1704 to number 1712 municipality Lozovo
Polling units from number 0875 to number 0879 municipality Cheshinovo

Polling units from number 1142 to number 1155 municipality Klechovce
Polling units from number 0330 to number 0332 municipality Blatec
Polling units from number 1131 to number 1141 municipality Orashec
Polling units from number 2211 to number 2216 municipality Bogomila
Polling units from number 2241 to number 2246 municipality Izvor

ELECTION DISTRICT 4

Polling units from number 1350 to number 1457 municipality Prilep
Polling units from number 1713 to number 1773 municipality Strumica
Polling units from number 0659 to number 0703 municipality Kavadarci
Polling units from number 1574 to number 1607 municipality Radovish
Polling units from number 0333 to number 0360 municipality Gevgelija
Polling units from number 1213 to number 1237 municipality Negotino
Polling units from number 1774 to number 1793 municipality Novo Selo
Polling units from number 1811 to number 1826 municipality Bosilovo
Polling units from number 0280 to number 0302 municipality Valandovo
Polling units from number 1794 to number 1810 municipality Vasilevo
Polling units from number 0368 to number 0377 municipality Bogdanci
Polling units from number 1508 to number 1519 municipality Krivogashtani
Polling units from number 1837 to number 1843 municipality Murtino
Polling units from number 0181 to number 0193 municipality Mogila
Polling units from number 1827 to number 1836 municipality Kuklish
Polling units from number 1238 to number 1248 municipality Demir Kapija
Polling units from number 0713 to number 0722 municipality Rosoman
Polling units from number 1618 to number 1623 municipality Podaresh
Polling units from number 1494 to number 1507 municipality Topolchani
Polling units from number 1608 to number 1617 municipality Konche
Polling units from number 0378 to number 0385 municipality Star Dojran
Polling units from number 0194 to number 0204 municipality Kukurechani
Polling units from number 0158 to number 0168 municipality Novaci
Polling units from number 0361 to number 0367 municipality Miravci
Polling units from number 0214 to number 0223 municipality Dobrushevo
Polling units from number 0169 to number 0174 municipality Bach

Polling units from number 1520 to number 1529 municipality Vitolishte
Polling units from number 0175 to number 0180 municipality Staravina
Polling units from number 0704 to number 0712 municipality Konopishte

ELECTION DISTRICT NUMBER 5

Polling units from number 0026 to number 0138 municipality Bitola
Polling units from number 1249 to number 1313 municipality Ohrid
Polling units from number 1844 to number 1885 municipality Struga
Polling units from number 0723 to number 0757 municipality Kichevo
Polling units from number 1624 to number 1670 municipality Resen
Polling units from number 1458 to number 1493 municipality Dolneni
Polling units from number 1187 to number 1208 municipality Krushevo
Polling units from number 1904 to number 1912 municipality Labunishta
Polling units from number 0619 to number 0640 municipality Demir Hisar
Polling units from number 1913 to number 1920 municipality Veleshta
Polling units from number 0139 to number 0157 municipality Bistrica
Polling units from number 1894 to number 1903 municipality Delogozdi
Polling units from number 0275 to number 0279 municipality Plasnica
Polling units from number 1314 to number 1334 municipality Belchishta
Polling units from number 1343 to number 1349 municipality Mesheishta
Polling units from number 0758 to number 0781 municipality Drugovo
Polling units from number 0641 to number 0658 municipality Sopotnica
Polling units from number 1335 to number 1342 municipality Kosel
Polling units from number 1921 to number 1923 municipality Vevchani
Polling units from number 1886 to number 1893 municipality Lukovo
Polling units from number 0802 to number 0813 municipality Vraneshtica
Polling units from number 1209 to number 1212 municipality Zitoshe
Polling units from number 0205 to number 0213 municipality Capari

ELECTION DISTRICT NUMBER 6

Polling units from number 1924 to number 1998 municipality Tetovo
Polling units from number 0386 to number 0435 municipality Gostivar
Polling units from number 2007 to number 2031 municipality Tearce

Polling units from number 2089 to number 2114 municipality Zelino
Polling units from number 0534 to number 0557 municipality Debar
Polling units from number 2032 to number 2049 municipality Brvenica
Polling units from number 0436 to number 0452 municipality Negotino Poloshko
Polling units from number 2066 to number 2079 municipality Bogovinje
Polling units from number 2050 to number 2065 municipality Kamenjane
Polling units from number 0499 to number 0509 municipality Chegrane
Polling units from number 0814 to number 0829 municipality Zajas
Polling units from number 0463 to number 0477 municipality Rostusha
Polling units from number 0782 to number 0801 municipality Oslomej
Polling units from number 0453 to number 0462 municipality Vrapchishte
Polling units from number 0510 to number 0519 municipality Dolna Banjica
Polling units from number 2115 to number 2126 municipality Jegunovce
Polling units from number 2080 to number 2088 municipality Shipkovic
Polling units from number 1999 to number 2006 municipality Dzepchishte
Polling units from number 0558 to number 0571 municipality Centar Zupa
Polling units from number 0526 to number 0533 municipality Vrutok
Polling units from number 2127 to number 2134 municipality Vratnica
Polling units from number 0520 to number 0525 municipality Srbinovo
Polling units from number 0478 to number 0498 municipality Mavrovi Anovi

Article 4

20 Members of Parliament shall be elected from each election district determined by Article 3 of this Law.

Article 5

If some polling unit undergoes changes in accordance with Article 11 from the Law on Polling Units, the voters from the new polling unit shall exercise their right to vote in the election district in which that polling unit belonged.

Article 6

The State Election Commission shall announce the descriptions of the election districts determined by this Law no later than 30 days prior to Election Day.

Article 7

Upon the day of entering into force of this Law, the Law on Election Districts for Election of Members of Parliament of the Republic of Macedonia ("Official Gazette of the Republic of Macedonia" no. 36/98) shall no longer be valid.

Article 8

This law shall enter into force on the eighth day following the day of its publishing in the "Official Gazette of the Republic of Macedonia".

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