

The Law
on
the Election of
Commune/Sangkat Councils

Only the Khmer text is authoritative



Royal Kram

NS/RKM/1215/015

We,

**Preahkaruna Preah Bath Samdech Preah Boromneath
Norodom Sihamoni**

**SamanphoumCheatsasna Rakhatkateya Khemrarotheas
Puthinthrea Thoreamohaksat**

**KhemreachneaSamohorpheas Kampuch
Ekreachroathboranaksanteh Sopheakmongkulea Sereyvibolar
Khemarasreypireas Preah Chao Krong Kampuchea Thipadey**

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Royal Degree *No. NS/RKT/0913/903, dated 24 September 2013* on the Appointment of the Royal Government of Cambodia;
- Having seen the Royal Kram *No. 02/NS/94, dated 20 July 1994*, promulgated the Law on Organization and Functions of Council of Ministers;
- Having seen the Royal Kram *No. CHS/RKM/0498/06, dated 08 April 1998*, promulgated the Law on Organization and Functions of Constitutional Council;
- Having seen the Royal Kram *No. NS/RKM/0107/005, dated 31 January 2007*, promulgated the Law on Amended Law on Organization and Functions of Constitutional Council;
- Having seen the Proposal of Samdech Akka Moha Sena Padei Techo Hun Sen, the Prime Minister of the Kingdom of Cambodia.

PROMULGATE

The Law on the Election of Commune/Sangkat Councils adopted by the National Assembly on 30 October 2015 in the fifth session of the National Assembly of the fifth legislature, totally checked on modalities and legal document by the Senate on 13 November 2015 in the extra-ordinary session of the third legislature and declared by Constitutional Council that this law is pursuant to the Constitution in the decision *No. 158/006/2015 KBTH.CH, dated 01 December 2015* with the whole content as follows:

CONTENT

page

Chapter I	General Provisions	1
Chapter II	Administration of Commune/Sangkat Council Election ..	2
Chapter III	Voter Registration and Voter Lists	4
Chapter IV	Electoral System and Allocation of Seats.....	5
Chapter V	Polling Stations and Ballot Counting Stations.....	11
Chapter VI	Registration of the Lists of Candidates of Political Parties Running for the Election of Commune/Sangkat Councils.....	15
Chapter VII	The Electoral Campaign	25
Chapter VIII	Political Party's Agents and Electoral Observers	31
Chapter IX	Organization, Administration and Conduct of Election ..	35
Chapter X	Closing the Poll, Ballot Counting, and Collecting, Delivering and Receiving Electoral Materials.....	42
Chapter XI	Provisional Election Results and the Objection to Election Results	52
Chapter XII	Closing the Polling Station in case of Emergency	60
Chapter XIII	Re-election	62
Chapter XIV	Penalties.....	63
Chapter XV	Transitional Provisions	70
Chapter XVI	Final Provisions.....	70

CHAPTER I GENERAL PROVISIONS

Article 1:

The purpose of this law is to determine administration and conduct of the Election of Commune/Sangkat Councils.

This law shall apply to all communes/sangkat in the Kingdom of Cambodia.

Article 2:

Each commune/sangkat shall have a council elected by its citizens therein his/her commune/sangkat through general, universal, free, fair, just, equal, direct, secret election pursuant to the procedures as prescribed in this law.

Article 3:

The Election of all Commune/Sangkat Councils shall be conducted once every 05 (five) years. The Election of Commune/Sangkat Councils shall be conducted on the same day. The date of election shall be determined by the Prime Minister, following the proposal of Minister of Interior.

Prime Minister shall announce the date of the Election of Commune/Sangkat Councils at least 09 (nine) months prior to the polling day.

The election shall be conducted on Sunday within one day only.

Article 4:

A commune/sangkat council shall hold its office until a new commune/sangkat council is elected and takes office^{002E}

Article 5:

A commune/sangkat council is elected in accordance with a system of proportional representation by a voter who:

- is registered in voter lists therein commune/sangkat;
- is entitled to cast only one vote through a secret ballot; and
- each voter is entitled to vote for one commune/sangkat only.

Article 6:

The numbers of each commune/sangkat members, as prescribed in Article 12 of the Law on Commune/Sangkat Administration, shall be determined by sub-decree at least 09 (nine) months before the polling day.

CHAPTER II**ADMINISTRATION OF COMMUNE/SANGKAT
COUNCILS ELECTION****Article 7:**

Arrangement, organization and management of voter lists and administration of the Election of Commune/Sangkat Councils shall be under competence of the National Election Committee (NEC).

Article 8:

NEC shall deliver the regulations and procedures to organize the Election of Commune/Sangkat Councils based on the terms as mentioned in this law and the Law on Organization and Functions of NEC.

Article 9:

NEC shall have the following powers, functions and duties:

- prepare and validate voter lists;
- annually review and prepare voter lists;
- secure and maintain voter lists;
- make decision on registration of the list of candidates;
- monitor electoral campaigns;
- administer election procedures inside polling stations;
- administer ballot counting procedures and organize ballot counting;
- proclaim the election results;
- maintain security during electoral process, ballot counting process and secure electoral materials, equipment, and furniture for the whole electoral process;

- train electoral officers and give guidance on various procedures for election, ballot counting, and the provisions of this law to candidates, agents of political parties and observers;
- ensure that the public, in general, understood the purposes of the election;
- ensure that every person is entitled to participate in the electoral process safely, without fears or intimidation;
- make procedures of polling and ballot counting with transparency and participation from observers and agents of political parties;
- ensure regular contact between NEC and the candidates, agents of political parties and electoral observers;
- follow the determinations and procedures as regards financial monitoring and management, prepared by the Ministry of Economy and Finance;
- rule on appeals concerning the Election of Commune/Sangkat Councils except any appeals that are subject to the court competency;
- report to the National Assembly and the Senate on Administration, Conduct and Election Result within 90 (ninety) days after the polling day; and
- implement other tasks in accordance with the relevant laws and legislatives.

Article 10:

Authorities, at all levels, who are responsible for security, public order and other tasks, shall make collaboration with NEC and Election Commissions at all levels to maintain safety, security and public orders during and after electoral process.

Article 11:

NEC is entitled to appoint Provincial/Capital Election Commissions (PECs) or Commune/Sangkat Election Commissions (CECs) or Polling Station Commissions (PSCs) within a fixed term at any time after the election with the purpose of administering and organizing election once again or organizing re-election.

CHAPTER III

VOTER REGISTRATION AND VOTER LISTS

Article 12:

NEC shall ensure the existence of voter lists for each polling station pursuant to the provisions as stipulated in Article 22 and 23 of this law.

To be eligible to vote, citizens shall have his/her name in voter lists and have Khmer National Identity Card.

To have his/her name in voter lists, citizen shall meet the following requirements:

- be a Khmer Nationality;
- be at least 18 (eighteen) years old on the polling day;
- has a residence or domicile in the commune/sangkat where he/she is going to vote;
- not be in a situation of serving prison term; and
- not be insane or under guardianship as certified by a competent ministry or institution.

Regulations and procedures of voter registration and preparation of voter lists, as prescribed in the Law on the Election of Members of the National Assembly, shall be implemented by NEC in the process of the Election of Commune/Sangkat Councils except Article 47 of the Law on Election of Members of the National Assembly.

Article 13:

NEC shall validate and disseminate official voter lists of Commune/Sangkat Councils Election at least 90 (ninety) days prior to the polling day.

CHAPTER IV

ELECTORAL SYSTEM AND ALLOCATION OF SEATS

Article 14:

The Election of Commune/Sangkat Councils shall be conducted under a system of proportional representation where seats are all allocated based on the highest average as stipulated in Article 16 and 20 of this law.

Commune/sangkat council members shall be elected from the lists of candidates of political parties, which are elected in that commune/sangkat.

Article 15:

The number of seats in any commune/sangkat shall be equivalent to the number of commune/sangkat council members determined by sub-decree pursuant to the Law on Commune/Sangkat Administration.

Article 16:

The seats of any commune/sangkat council shall be allocated based on the number of the seats and election result. The following steps shall be followed:

Step one:

The total valid votes shall be divided by the total number of seats of the Commune Councils to determine the number of quota that are required by a candidate list to win a seat. The following formula shall be used:

$$Q = \frac{V}{S}$$

Where:

Q = Quotient, disregarding the remainder, represents the quota;

V = Represents the total number of valid votes casted for all candidate lists participating in the Election of Commune/ Sangkat Councils; and

S = Represents the total number of seats in Commune/ Sangkat Council

Step two:

The total number of valid votes received by candidate list of each political party shall be divided by quota in order to determine the preliminary number of seats to which each candidate list is entitled. The following formula shall be used:

$$N_s = \frac{V_v}{Q}$$

Where:

N_s = Quotient, disregarding the remainder, represents the number of seats to which a candidate list is entitled before any adjustment that may be necessary in step 3;

V_v = Represents the total number of valid votes casted for a candidate list of political party; and

Q = Represents quota determined in step 1.

If no seats remain to be allocated after the calculation of all candidate lists of political party in step 2, then the final number of seats has been determined.

However, if any seat remains to be allocated after this calculation has been completed for the candidate lists of political party, these remaining seats shall be awarded in the manner set out in step 3.

Step 3:

The remaining seats shall be allocated by determining the highest average in accordance with the following formula:

$$Ha = \frac{Vv}{Ns + 1}$$

Where:

Ha = Represents the highest average;

Vv = Represent the total number of valid votes casted for a candidate list of political party; and

Ns = Represents the number of seats allocated to a candidate list.

In case one seat remains to be allocated after the calculation of the formula in step 3 has been completed for all eligible candidate lists of political party, that seat shall be awarded to a candidate list of political party with highest average.

In case more than one seat remains to be allocated, then the formula in Step 3 shall be applied, and one seat must be awarded to any candidate list of political party with highest average. This formula shall then be applied again by augmenting the value of "Ns" by 1 (Ns+1) for any candidate list that was allocated a seat in the first application of this formula. Therefore, a seat shall be allocated to any candidate list with highest average in during the second application of this formula. In case further seats remain to be allocated, then the calculation shall be repeated until all remaining seats have been taken up.

Article 17:

All elected candidates shall be taken from the elected candidate lists of political party and their number shall be equal to the number of seats to which the candidate list is entitled in accordance with the calculation in the Article 16 of this law.

The elected candidates shall be selected from each candidate list of elected political party in a sequence from the top.

Article 18:

The election shall be conducted in any commune/sangkat that has only one candidate list of a political party approved for registration.

All candidate names shall be selected from only one candidate list of a political party in a sequence from the top of the list until all seats in the commune/sangkat council are allocated.

Article 19:

The name of any candidate, selected from a candidate list of a political party, elected in a commune/sangkat and already appointed as a member of commune/sangkat council shall be deleted from the candidate list of the political party concerned.

Article 20:

In case any political party abandons the seat or seats, NEC shall allocate the abandoned seat or seats not later than 14 (fourteen) days to other candidate lists of other political parties that have been allocated seats in the council. The following steps shall be followed:

Step one:

The total number of valid votes casted for all candidate lists that were awarded seats in the Election of Commune/Sangkat Council, excluding the total number of valid votes for the candidate that abandoned the seat or seats shall be divided by the number of abandoned seats in order to determine the number of quota, requiring a candidate list to be awarded a seat. The following formula shall be used:

$$Q' = \frac{V'}{S'}$$

Where:

Q' = Quotient, disregarding the remainder, represents the quota;

V'v = Represents the total number of valid votes casted for all candidate lists that were awarded seats in the election of the council, excluding the number of valid votes for the candidate that abandoned the seat or seats; and

S' = Represents the number of abandoned seats.

Step 2:

The number of valid votes received by each candidate list of political party shall be divided by the quota established in step 1 in order to determine the preliminary number of seats to which each candidate list is entitled. The following formula shall be used:

$$N's = \frac{V'v}{Q'}$$

Where:

N's = Represents the number of seats to which a candidate list is entitled before any adjustment that may be necessary in step 3.

V'v = Represents the total number of valid votes casted for a candidate list of a political party;

Q' = Represents the quota established in step 1.

In case of no seats remain to be further allocated after the calculation has been completed in Step 2 for candidate lists of all political parties, then the final number of seats has been determined, except for the candidate list that abandons the seat or seats.

In case the seats remain to be further allocated after the calculation in step 2 has been completed for candidate lists of all

political parties, these remaining seats shall be awarded in the manner set out in Step 3.

Step 3:

The remaining seats shall be allocated by determining the highest average in accordance with the following formula:

$$H'a = \frac{V'v}{N's + 1}$$

Where:

H'a = Represents the highest average;

V'v = Represents the total number of valid votes cast for a candidate list; and

N's = Represents the number of seats allocated to a candidate list of a political party.

The method prescribed in paragraphs 7 and 8 of Article 16 shall apply for the calculation in Step 3 and any subsequent calculations.

Article 21

In case the calculations following the formula in Articles 16 and 20 of this law resulting in an equality between the candidate lists of some political parties and it is not possible to determine which candidate list is entitled to be allocated a seat, PEC shall direct drawing lots to determine the name of the successful candidate list by lots.

Drawing lots shall be conducted in accordance with the procedures prescribed by NEC regulations and procedures.

CHAPTER V

POLLING STATIONS AND BALLOT COUNTING STATIONS

Article 22

NEC shall establish one or more polling stations in each commune/sangkat in accordance with its regulations and procedures.

Each polling station shall be in charge of a designated area.

Each polling station and the area that it is in charge shall be inside the boundary of its commune/sangkat.

Each polling station shall be available to at most 750 (seven hundred and fifty) enfranchised citizens.

Each polling station shall have the coverage of the whole village and shall facilitate the conveniences for all members of the families inside that village being able to go to vote at that polling station.

In case there is any polling station about to receive more than 750 (seven hundred and fifty) voters, NEC shall transfer the names of the extra voters to another closest polling station in the same commune/sangkat or shall establish a new polling station as necessary.

Article 23

NEC is entitled to choose only one premise or building for two or more polling stations if it does not affect the regularity in the administration and conduct of the election.

Those polling stations located together in one premise or building shall be located separately from each other.

Those polling stations located together in one premise or building shall be administered separately from each other in accordance with NEC regulations and procedures.

Article 24

NEC shall publicize a notice that shows the name and location of each polling station at the polling station and at Commune/Sangkat Election Commission (CEC) office from the date of registration of the candidate lists until the closure of the polling station in the Polling Day.

Article 25

Ballot counting shall be done at the polling stations.

A polling station is a ballot counting station.

A ballot counting station is a place where the ballots are counted, and it is a place where the provisional results of the ballot counting are proclaimed.

A Polling Station Commission (PSC) becomes a Ballot Counting Commission while counting the ballots.

Article 26

Every polling station and every ballot counting station shall have an inner perimeter that is marked by the NEC.

The inner perimeter is an area surrounding the polling station or ballot counting station with a diameter of at least 15 (fifteen) meters.

The inner perimeter shall have one entrance and one exit.

Article 27

Every polling station and every ballot counting station shall have an outer perimeter that is marked by the NEC.

The outer perimeter is an area surrounding those stations with a diameter of 100 (one hundred) meters or a different form or a smaller diameter in accordance with the actual situation of the outer perimeter of each station.

Article 28

It is prohibited to bring any weapon, explosive or other dangerous substance and object as well as wear uniform of military

forces inside the outer perimeter, the inner perimeter, the polling stations and the ballot counting stations except in the case that individual is making troubles inside the outer perimeter, the inner perimeter, the polling stations and the ballot counting stations. Moreover, the chairpersons of the PSC and the chairpersons of the Election Commissions at all levels have the duty to request for intervention from a competent authority in accordance with the condition mentioned in Article 10 of this law.

Article 29

The following persons are allowed to enter the polling station and the inner perimeter of that station:

- electoral officials designated by NEC;
- agents of the political parties that have a list of candidates for the election and have received the permission, and observers that have ID cards provided by the NEC;
- enfranchised citizens that need to vote at that polling station;
- those who accompany disabled voters in compliance with the conditions mentioned in Article 116 of this law; and
- security agents and rescued agents when they are requested by the chairperson of the polling station during an emergency.

No person is allowed to enter the polling station prior to the commencement of the poll or after the closure of the poll without a written authorization from NEC.

Article 30

The following persons are allowed to enter the ballot counting station and the inner perimeter of that station:

- ballot counting officials designated by NEC;
- agents of political parties that have a list of candidates for the election and have received a permission, and observers that have ID cards provided by NEC; and
- security agents and rescued agents when they are requested by the chairperson of the ballot counting station during an emergency.

No person is allowed to enter a ballot counting station prior to the commencement of the ballot counting or after the ballot counting without a written authorization from NEC.

Article 31

NEC and the election commissions at all levels, the polling station commission and the ballot counting station commission shall take necessary measures to protect those who are inside the polling station and the ballot counting station, and those who are inside the inner perimeter of those stations from injury, disturbance, threat or intimidation, and shall safeguard all electoral materials and equipment in those stations.

NEC and the election commissions at all levels, the polling station and the ballot counting station may apply the conditions set out in Article 29 and 30 of this law to the whole or parts of the outer perimeter during an emergency in order to ensure that the polling and ballot counting are conducted safely.

Article 32

The following activities are prohibited in a polling station, and in the inner and the outer perimeter:

- wearing or showing anything related to a political party or a list of candidates of a political party or a candidate of a list;
- disseminating or saying anything that may influence a person to vote for any list of candidates of political party; and
- showing support for or opposition against any political party or any list of candidates of a political party or a candidate of a list.

Article 33

The following activities are prohibited in a ballot counting station, and within the inner and the outer perimeter of that station:

- wearing or showing anything related to any political party or any list of candidates of a political party or a candidate of a list; and
- disseminating or saying anything that may influence the ballot counting officials to count the mark on the ballots in favor of or against any list of candidates of a political party or a candidate of a list;

Article 34

Every person who is present at the polling station, the ballot counting station, and the inner perimeter of those stations shall be subject to the administrative authority and instructions of NEC in conformity with this law.

CHAPTER VI

REGISTRATION OF THE LISTS OF CANDIDATES OF POLITICAL PARTIES RUNNING FOR THE ELECTION OF COMMUNE/SANGKAT COUNCILS

Article 35

Either sex of Khmer citizens who wish to run as a candidate in the Election of Commune/Sangkat Councils shall fulfill the following requirements:

- be Khmer National from birth;
- be able to read and write in Khmer;
- has registered in voter lists of commune/sangkat therein he/she wishes to run for the election; and
- is at least 25 years of age on the date of the Election of Commune/Sangkat Councils.

Article 36

It is prohibited to run as a candidate in the Election of Commune/Sangkat Councils for any person who is:

- a member of the National Assembly, the Senate, the Constitutional Council, the Supreme Council of Magistracy, the Royal Government and a judge;
- a governor or deputy governor of a province or municipality, a governor or deputy governor of a district or Khan;
- a member of NEC, PEC, CEC, PSC, an employee working in NEC and in the Election Commissions at all levels;
- a civil servant, a court official, a member of the Royal Cambodian Armed Forces or National Police in position;
- a monk or priest of a religion; and
- a clerk of any commune/sangkat.

Article 37

A civil servant, a court official, a member of the Royal Cambodian Armed Forces and National Police who wishes to stand as a candidate for the Election of Commune/Sangkat Councils shall apply for a special leave at least 07 (seven) days before the day of the electoral campaign until the day of proclamation of the official election results.

If elected, individual concerned shall submit an application based on his/her hierarchical order to the concerned ministry or institution to be released from his/her duties for the duration of his/her term. In this regard, the individual concerned shall be entitled to the ranks and status promotion and to maintain his/her seniority for pension benefits.

Upon the completion of his/her term as a member of commune/sangkat council, the person concerned shall be entitled to return to work in his/her ministry or institution of origins but his/her functions shall be determined by his/her concerned ministry or institution.

Article 38

After the Prime Minister has fixed the date for the Election of Commune/Sangkat Councils under the conditions laid down in Article 3 of this law, NEC shall publicize in each commune/sangkat the date

for the Election of Commune/Sangkat Councils and the date and location for the registration of the list of candidates.

Article 39

Every person who intends to stand as a candidate in the Election of Commune/Sangkat Councils shall have his/her name appeared on any list of candidates of the political party.

Each list of candidates shall be made by any political party, which has been properly registered under conditions as stipulated in the Law on Political Parties.

Each list of candidates of any political party shall contain the names of candidates in chronological order.

Article 40

Each candidate shall have his/her name appeared in only one list of candidates of the political party.

Article 41

In order to stand as a candidate for the Election of Commune/Sangkat Councils, each political party shall file for an application for registration of the lists of candidate running for the election pursuant to the determination of NEC and CECs at least 90 (ninety) days before the polling day.

The application for registration shall be signed by the political party leader or by his/her representative to whom proper authority has been transferred in written form by the political party leader.

Article 42

Application to register the lists of candidates shall be enclosed with:

- a copy of the certificate of the party registration with the Ministry of the Interior;
- address of the political party's head office, address of its office in the commune/sangkat, and the name of its

- representative stationed in its office in the commune/sangkat where the party proposes its lists of candidates;
- a name list of candidates in at least twice the number of members of commune/sangkat councils;
 - family name and first name, address, and a certificate proving that he/she has actually been registered and his/her name appears on the voter lists of the commune/sangkat where he/she wishes to run for the election;
 - a brief personal history personally completed by each candidate and 03 (three) photos, sized 4 x 6, of each candidate taken from the front in conformity with the sample determined by NEC; and
 - the name of the political party in full and in acronym, and the logo of the political party.

Article 43

NEC shall fix the date for the acceptance of an application for registration of the list of candidates in each commune/sangkat.

NEC shall publicize the date and duration for the acceptance of an application for registration of the lists of candidates at all CECs' offices.

The acceptance of an application for registration of the lists of candidates lasts only 03 (three) days.

CECs shall issue a receipt indicating the acceptance of the application for the registration of the lists of candidates to each political party proposing the list of candidates and retain the stub of the receipt for its files.

A receipt indicating the acceptance of an application shall indicate the number of documents received the date of delivery and acceptance and the signatures or thumbprints of the person who delivers and of the receiver.

Article 44

After the date for its files for registration of the lists of candidates expires, CECs shall examine all applications for registration of the lists of candidates within 01 (one) day.

CECs shall publicize at their office all lists of candidates, which have been properly filed for registration and accepted by it not later than 03 (three) days after the date of review of the lists of candidates.

Any citizen in the commune/sangkat who is eligible to vote may have a recommendation to CECs about any list of candidates of political party while such list is publicized as outlined above.

Article 45

In case any list of candidates which properly meets the conditions specified in Article 35, 36, 37, 39, 40, 41 and 42 of this law, CECs shall decide and approve the application for registration and issue a note certifying such registration of the list of candidates to the political party, which proposes such list not later than 07 (seven) days after it received the application for registration of list of candidates.

Article 46

In case the list of candidates of any political party which does not properly meets the conditions specified in Article 35, 36, 37, 39, 40, 41 and 42 of this law, CECs shall provide written notification and instruct the political party which proposes the list of candidates to make proper adjustment in accordance with the conditions specified by this law and provide opportunity for that political party to undertake adjustment as regards any deficiency not later than 05 (five) days after that political party received the notification.

Article 47

In case the political party received the written notification of the deficiencies for which it is requested to make proper adjustment and the political party did it well and on time as it was requested, then CECs shall accept that political party's application for registration of the list

of candidates and issue a note certifying the registration of the list of candidates to that political party.

Article 48

In case the political party, which proposes the list of the candidates failed to make adjustment on time as regards any deficiencies as specified by Article 46 of this law, CECs shall reject that political party's application for registration of the list of candidates.

CECs shall:

- fill in a prescribed Rejection Form indicating the reasons for the rejection, then put a signature and date on that form, give a copy thereof to the concerned political party or its representative;
- provide an Appeal Form to the concerned political party or its representative; and
- send a copy of the Rejection Form to PECs and retain a copy for its files.

Article 49

Any political party which proposed the list of candidates and the list of candidates was rejected by CEC, political party or its representative is eligible to file written appeal to PEC within 05 (five) days of notification of its rejection.

Article 50

PEC shall hold a public hearing not later than 03 (three) days after receiving the appeal form.

PEC shall post the place, date and time of its hearing in public at its office.

Article 51

In case PEC agrees with the appeal, it shall endorse and approve and sign on the appeal form and give a copy thereof the appeal to the person who appeals, and send a copy to concerned CEC.

CEC shall approve the application for registration of the list of candidates of the political party and shall register that list of candidates and issue a note certifying the registration of the list to that political party.

Article 52

If PEC rejects the appeal, it shall:

- fill in a prescribed Rejection Form indicating the reasons for the rejection. Then, put a signature and the date on that form;
- provide a copy of the Rejection Form to the concerned political party or its representative and send a copy to the concerned CEC.
- provide an Appeal Form to the concerned political party, which proposes the list of candidates in order to appeal to NEC; and
- send a copy of a Rejection Form to NEC for information and retain a copy for its files.

Article 53

Any political party, which filed for registration of the list of candidates, and such list is rejected by PEC, the concerned political party or its representative is eligible to make a written appeal to NEC not later than 05 (five) days after receiving a notice of the Rejection Form.

Article 54

NEC shall hold a public hearing not later than 03 (three) days after receiving the Appeal Form.

NEC shall publicize the place, date and time of its hearing at its office.

NEC decision shall be final.

Article 55

In case, NEC agrees with the appeal, it shall endorse and approve and sign on the appeal form and give a copy to the person who brought the appeal, and send a copy to concerned PEC, a copy to the relevant CEC and retain a copy for its files.

NEC shall approve the application for registration of the list of candidates and shall register that list of candidates of the political party and issue a note certifying the registration of the list of candidates to concerned political party.

Article 56

In case NEC rejects the appeal, it shall:

- fill in a prescribed Rejection Form, then put a signature and date on that form;
- provide a copy of the Rejection Form to the concerned political party or its representative, send a copy to the relevant PEC, a copy to the relevant CEC, and retain a copy for its files; and
- notify the political party filing the appeal or their representatives that NEC decision shall be final.

Article 57

After the period of registration of the political party's candidates lists expires and all appeals are definitely settled, NEC shall direct CECs to post the preliminary lists of candidates at each CEC office not later than 03 (three) days.

Article 58

The enfranchised citizens therein the commune/sangkat are entitled to lodge a written complaint to NEC against the candidates or the preliminary lists of candidates as outlined in Article 57 of this law not later than 03 (three) days after these lists were posted in public.

Article 59

A complaint shall be lodged against any candidate or list of candidates of a political party that did not meet the requirements specified in Articles 35, 36, 37, 39, 40, 41 and 42 of this law.

The complaint shall delineate a candidate or a list of candidates of a particular political party by indicating the actual deficiency of that candidate or list of candidates and the reason requesting to reject that candidate or the list of candidates.

Article 60

NEC shall hold a public hearing not later than 03 (three) days after it received the complaint.

NEC shall inform the political party proposing the list of candidates to which the complaint was brought or the representative informing the complaining person and publicize the place, date and time of its hearing.

Article 61

In case NEC upholds or rejects the complaint, it shall:

- fill a prescribed form indicating the reasons for the approval or rejection of the complaint. Then, put a signature and date on that form;
- provide a copy of that form to the complaining person, a copy to the political party proposing the list of candidates and to which the complaint was brought or its representative, a copy to concerned PEC, a copy to concerned CEC, and retain a copy for its files; and
- notify the complaining person and the political party proposing the list of candidates or its representative that NEC decision shall be final.

Article 62

In case, the complaint is upheld, CEC shall reject candidacy or the list of candidates of the political party to which the complaint was

made. Then, delete the candidacy or the list of candidates, and withhold and rescind the note certifying the registration of that list of candidates.

Article 63

A preliminary list of candidates will become an official list of candidates if there is no complaint against it within a time limit as specified in Article 58 of this law or if such complaint is completely settled under the requirements as specified in Article 60, 61, and 62 of this law.

Article 64

Based on the official lists of candidates as outlined in Article 63 of this law, CECs shall direct drawing lots in order to determine the order of the lists of candidates which shall be placed on the ballot and shall make a report of the result of drawing lots to NEC through PEC.

The procedure under which the drawing lots are conducted shall be determined by NEC regulations and procedures.

Article 65

CEC shall post in public at its office the official lists of candidates and the names of the candidates in each list not later than 07 (seven) days.

The official lists of candidates, their names and order in each list may not be modified.

Article 66

The political parties and candidates in the list of candidates of each political party, which have been properly registered, shall comply with the Code of Conduct determined by NEC.

CHAPTER VII

THE ELECTORAL CAMPAIGN

Article 67

The electoral campaign aims to enable any political party, which has been allowed to register the list of candidates and its candidates to disseminate the electorate its policy and political platforms as regards the development of the commune/sangkat.

Article 68

The electoral campaign refers to the specific activities which are publicly conducted to convince the electorate to vote in favor any candidate or political party. These activities include as follows:

- Public meeting of a political party or a candidate;
- Any rally or preparation of march or procession either on foots or by transporting means of all kinds at the commune/ sangkat not more than 02 (two) times during the electoral campaign;
- House by house meeting or propaganda;
- Broadcasting on radios, televisions or newspapers;
- Broadcasting via air-wave or loud speakers or playing video cassette or VCD or DVD in a public video shop or at public places;
- Posting of posters of slogan or political platforms or various propaganda pictures;
- Distribution political party's leaflet;
- Distributing signs of a political party or caps, clothes or other materials printed or painted, or produced with the signs of a political party or candidate to voters;
- Putting up of banners at any public place or/and a notice board;
- Orchestrating a concert at any place or singing a propaganda song or orchestrating election propaganda music; and
- Organizing sport matches.

Article 69

The signs of political party can be installed at public place with the coordination of commune/sangkat authorities, based on the principle of equality, security and public orders.

Party signs and propaganda materials of political party must never be permitted to be installed or posted in the State perimeter, buildings, or offices.

The political parties are prohibited from installing or posting party signs, propaganda banner, logo, slogan, and leaflet at the house of people if there is no prior consent of the house owner. The house owner is entitled to decide whether to install/post or not to install/post signs, propaganda banner, logo, slogan, leaflet of any political party.

With the exception of signs on permanent offices of a political party, any party signs or propaganda material for political party located within 100 (a hundred) meters of a polling station must be removed by the last day of the electoral campaign.

Political party shall remove their notice boards or banners and all campaign documents from the public places within 15 (fifteen) days after the polling day.

Article 70

The duration of the electoral campaign is 14 (fourteen) days and all campaign activities shall terminate within 24 (twenty-four) hours before the polling day.

Opinion polls and publication of opinion polls related to the electoral process shall comply with the provisions set out in the Law on the Election of Members of the National Assembly.

Article 71

During the electoral campaign, all political parties and candidates shall avoid committing an act of threat, intimidation or violence against the citizens, other political parties or candidates.

All political parties and candidates shall not incite their supporters or voters to commit any act of abuse, threat, violence, or intimidation against other individuals or political parties.

All political parties, candidates or representatives shall not either speak or write directly or indirectly in the sense to surpass morality, contemn and look down on any candidate, supporter and individual.

All political parties, candidates or supporters shall not threaten, intimidate and persuade any individual to affix thumbprint or swear or promise to vote for any political party.

All political parties, candidates or representatives shall not provide a gift in the form of finance or materials as a reward regardless of any means or forms for an institution, organization or individual in order to buy the heart of voters.

Article 72

Civil servants, local authorities at all levels, members of Royal Cambodian Armed Forces, National Police and court officials shall not:

- use power of its roles to influence the electoral process directly or indirectly such as direct or indirect verbal or a piece of writing meaning a threat to life, physical body or an attempt of destruction of property, display or use of weapons for the purpose of intimidation;
- use State buildings or offices for electoral campaign to garner votes; and
- participate in the electoral campaign for any political party or candidate.

Prohibited participation in the electoral campaign for civil servants, local authorities at all levels, members of Royal Cambodian Armed Forces, National Police and court officials, who are on duty shall include as follows:

- being a member of Permanent Committee for Information and Media or Commission for Electoral Campaign of any political party;

- participating in a meeting, procession, or matches to support any political party or/and candidate;
- conducting civic opinion polls for any political party or candidate;
- driving any vehicle of any political party or candidate;
- distributing campaign materials to voters in order to support any political party or candidate;
- making a public statement to support any political party or candidate; and
- participating in orchestration of music and/or singing a song and/or disseminating various political messages through loudspeakers to support any political party or candidate.

Article 73

After having completed their working hours, beside working hour or when being out of duty, civil servants, all authorities at all levels, Royal Cambodian Armed Forces, National Police, court officials can participate in the electoral campaign activities in support of any political party or candidate as long as they do not wear uniform, carry their weapons and do anything leading to threats.

Article 74

NGOs, or local and international associations or organizations operating in the Kingdom of Cambodia or abroad shall have neutral, impartial position during the Election of Commune/Sangkat Councils.

NGOs, or local and international associations or organizations operating in the Kingdom of Cambodia or abroad shall not either directly or indirectly:

- initiate or participate in the electoral campaign conducted by any political party or candidate. Campaign initiation or participation include as follows:
 - persuading or gathering people to participate in the campaign to support any political party or candidate;
 - participating in a parade or meeting of any political party or candidate;
 - participating in dissemination of political platform or campaign materials of any political party or candidate; and

- being a member of campaign activities commission of any political party.
- release the statement or any act in order to support or show partiality to or against any political party or candidate. Such release of statement, action in support or showing partiality include as follows:
 - conducting a survey in order to serve any political party or candidate;
 - writing in words or providing interview to media to support any political party or candidate;
 - saying directly or indirectly or writing in words in order to condemn and stigmatize any political party or candidate; and
 - showing or posting pictures or other documents with their vehicles or organizations or within their workplace compound in support of any political party or candidate.
- provide means of finance, materials, kits, human resources or other means to support any political party or candidate as follows:
 - providing all kinds of vehicles as a campaign mean for any political party or candidate;
 - providing finance, materials, and other kits for the people to participate in the campaign to support any political party or candidate; and
 - directly or indirectly providing finance, materials and kits for campaign parade, public gathering, art performance and printing of campaign materials in support of any political party or candidate.

Article 75

Expatriates living in the Kingdom of Cambodia are prohibited from conducting campaign activities directly or indirectly to support or against any political party or candidate.

Article 76

During the electoral campaign and election, all political parties, candidates, members of political parties, supporters shall comply with the rules, provisions and principles stipulated in the Law of the Election of Commune/Sangkat Councils and Code of Conducts, NEC regulations and procedures, principles of human rights and liberal multi-party democracy as prescribed in the Constitution of the Kingdom of Cambodia.

The way and form to file a complaint or an appeal during the electoral campaign and complaint resolution shall be determined by NEC regulations and procedures.

Article 77

State newspapers, radios and televisions shall broadcast all information as requested by NEC free of charge to disseminate the election progress and management of voters' education.

NEC shall take measures to broadcast the propaganda articles upon the request of political parties, which have been registered to run the election in accordance with the principle of equality and in time order.

Article 78

The managers in charge of the theatres, sport centers, parks or public places/hall shall provide their place to any candidate or contesting political party that requested for rent to conduct the electoral campaign based on principle of equality and first come first serve basis of the request.

Any political party or candidates who is willing to rent the theatres, sport centers, parks or public places/hall shall submit a request to the managers of these places at least 03 (three) days prior to the day of campaign meeting and shall send a copy of a request to CEC.

The managers in charge of these places shall respond to such request not later than 24 (twenty-four) hours after receiving the request.

Article 79

It is prohibited from using finance, materials and mean of transports, which are the State property to conduct the electoral campaign for any political party, candidate, or individual and use the transports, which are the State property to transport voters to the polling stations.

Article 80

A political party with the candidate list running for the election or candidate cannot conduct a campaign at private places unless the managers of those places agree and shall notify CEC the date of the electoral campaign in advance.

Article 81

Political parties, candidates or supporters shall neither interfere nor obstruct the activities undertaken by other political parties, candidates or their supporters.

Article 82

The authorities at all levels shall be responsible for security, public orders related tasks and the tasks in other fields, and shall provide cooperation for NEC and Election Commissions at all levels to maintain safety, security, public orders, and orders during the whole electoral process, registration of political parties, electoral campaign, polling, ballot counting, and election result upon the request of NEC and Election Commissions at all levels.

CHAPTER VIII

POLITICAL PARTY'S AGENTS AND ELECTORAL OBSERVERS

Article 83

Any political party that has a list of candidates running for the Election of Commune/Sangkat Councils is eligible to appoint 02 (two) representatives of its party including 01 (one) authorized agent and 01

(one) reserved agent whose name is registered in voter lists, namely the political party agent in each polling station and ballot counting station therein the commune/sangkat he/she runs for the election.

The political party agent at each polling station and ballot counting station shall have his/her name registered in voter lists at any polling station in that commune/sangkat.

The only one political party agent shall be allowed to enter the polling station and ballot counting station.

The reserved political party agent shall be allowed to replace the authorized agent in case of the authorized agent's absence.

Article 84

Any political party that has a list of candidates running for the Election of Commune/Sangkat Councils shall file an application for registration of its agents and reserved agents to CEC not later than 07 (seven) days before the date of posting the list of candidates in accordance with the requirement as outlined in Article 65 of this law.

The application for registration of an agent of a political party shall indicate the family name, first name, date of birth, address and a certificate proving voters registration at a polling station in that commune/sangkat and the polling station where the agent needs to perform his/her work.

Article 85

CEC shall register and provide I.D cards for political party agents who meet the requirements under Article 83 and Article 84 of this law.

In case any political party agent or reserved agent does not meet the requirements under Article 83 and Article 84 of this law, CEC shall reject his/her name in writing to the concerned political party not later than 03 (three) days after the day the application is received.

The concerned political party has the right to file an application for the registration of its agents and reserved agents once again with

CEC to replace the ones rejected by the CEC not later than 03 (three) days after the day it received written notification of such rejection.

Article 86

Associations and NGOs shall have the right to participate in the whole electoral process as observers.

Article 87

NEC shall determine through the regulations and procedures as follows:

- the number of observers of associations and NGOs for each polling station and ballot counting station and
- the qualification of observers of the associations and NGOs.

Article 88

Associations and NGOs shall apply to register as observers of the associations and NGOs to NEC pursuant to the timeframe and regulations and procedures as determined by NEC.

Article 89

NEC shall register and provide I.D cards for observers who meet the qualification determined in the regulations and procedures of NEC.

Article 90

In case any observer does not meet the qualifications, NEC shall reject the person's name in writing to the concerned association and NGO, which applied to register as an electoral observer not later than 05 (five) days after the day the application is received.

Article 91

Associations and NGOs shall have the right to apply once again to register their observers replacing the name of any observer rejected by NEC not later than 03 (three) days after receiving the written notification of such rejection.

Article 92

Each political party agent who has been authorized shall have the right to be present at the polling station and ballot counting station pursuant to the regulations and procedures of NEC.

Article 93

During their observation in the polling and ballot counting process, the political party agents are entitled to complain or appeal any violation of this law or the regulations and procedures of polling, which the agents directly eyewitness it.

Article 94

Any complaint and appeal as outlined in Article 93 of this law shall be filed to the Chairperson of the Polling Station Commission or the Chairperson of the Ballot Counting Station in case of violation or after the violation.

Article 95

The way and form of the complaint and appeal as outline in Article 93 and 94 of this law shall be determined by the regulations and procedures of NEC.

Article 96

During their observation in the polling and ballot counting process, the political party agents shall not:

- give instructions or rebuke the electoral officers and the ballot counting officers;
- disturb or interfere in the polling and ballot counting process;
- raise any complaint or appeal to a person other than the Chairperson of the Polling Station Commission or the Chairperson of the Ballot Counting Station; and
- violate the provisions of this law or the regulations and procedures of the NEC.

Article 97

During their observation in the polling and ballot counting process, the observers shall not:

- give instructions or rebuke the electoral officers and the ballot counting officers;
- disturb or interfere in the polling and ballot counting process; and
- violate the provisions of this law or the regulations and procedures of the NEC.

Article 98

NEC shall publicize the political parties and the associations and NGOs that are responsible for the electoral observation the administration and the conduct of the Election of Commune/Sangkat Councils, the important provisions of the Commune/Sangkat Administration Law as well as its regulations and procedures.

Article 99

NEC shall invite the international NGOs representatives, the countries representatives and the international organizations representatives to participate in the electoral observation.

Article 100

NEC shall make regulations for political party agents and electoral observers under the provisions of this law.

CHAPTER IX

ORGANIZATION, ADMINISTRATION AND CONDUCT OF ELECTION

Article 101

Each commune/sangkat shall have its distinctive ballots provided by NEC.

Article 102

NEC shall ensure the publication of sufficient number of ballots for each commune/sangkat on the blank papers.

Article 103

Each ballot shall contain its stub.

Serial numbers shall be placed on the stub of each ballot.

Article 104

Each ballot shall bear the logo of each political party and its full name and acronym.

The logo of political party and its full name and acronym, which shall be placed on the ballot shall be placed following the order determined by drawing lots result as prescribed in Article 64 of this law.

Article 105

NEC shall guarantee to provide sufficient ballot boxes for each commune/sangkat.

All ballot boxes shall:

- have an inherent lid;
- secure that no ballots will be sneaked out of the box if the lid is not taken off the box;
- be equipped with a key or other tools for closing the box with its lid;
- bear clear number or other indicative sign on its outer side which cannot be easily changed or
- deleted, and there shall be only one number or indicative sign for each ballot box and shall indicate that ballot box is related to any commune/sangkat.

Article 106

NEC shall guarantee to have sufficient number of distinctively secret and official seals for the polling stations of each commune/sangkat.

Each polling station shall have a secret official seal for affixing on the back of each ballot.

NEC shall make the regulations and procedures for delivery, receipt and the delivery back of the seals and shall ensure its secrecy.

Article 107

CEC shall deliver all necessary electoral materials to each polling station not later than 36 (thirty-six) hours prior to the polling day.

Each polling station shall examine and sign the receipt of all electoral materials delivered to it.

NEC shall make the regulations on the electoral materials and the procedures for delivery, receipt and the delivery back of those materials and secure secrecy and security of the ballots.

Article 108

NEC shall guarantee to have the following necessary materials and equipment in each polling station:

- 1- voter lists;
- 2- ballot papers that haven't been used yet;
- 3- ballot boxes;
- 4- polling booths;
- 5- secret seal for affixing on the back of each ballot paper;
- 6- ink to confirm that the voter has already casted a vote;
- 7- key and key compact;
- 8- forms for filling the minutes and recording the results;
- 9- good quality pens;
- 10- envelops that are affixed with seal;
- 11- plastic bags and
- 12- other necessary materials and equipment.

Article 109

24 (twenty-four) hours before the polling day, the chairperson of each polling station shall meet all electoral officials in order to check their presence and examine the location of each polling station, and the materials and equipment serving the election.

In case any electoral official is absent, he/she shall be substituted by a new electoral official, who has been chosen in conformity with the provisions outlined in NEC regulations and the procedures.

The Chairperson of the Polling Station Commission shall direct to ensure that the polling station will have all necessary electoral materials, equipment and furniture.

The Chairperson of the Polling Station Commission shall inspect the security situation at the polling station and take necessary measures to secure if needed.

Article 110

On the polling day, all electoral officials who have been properly assigned to work at each polling station shall be present at the polling station at 6: 00 AM by bringing with them all necessary electoral materials and equipment.

The political party agents and election observers shall be allowed to enter the polling station at 6: 00 AM.

Article 111

On the polling day between 6:00 to 6: 30 AM, the electoral officials shall manage the following tasks:

- properly check each ballot box provided and its number or indicative sign;
- show each ballot box to the people in the polling station that there is nothing in it;
- close each box with its inner lid, lock it with the key compact;
- put the number or indicative sign on each ballot box and put a seal of the polling station on them;
- allow political party agents and election observers to see the ballot boxes and various indicative signs on these boxes.

In case the electoral materials and equipment have been delivered to the polling station after 6: 30 AM, the Chairperson of the

Polling Station Commission shall carry out the procedure mentioned above when receiving them. In such a case, the Chairperson of the Polling Station Commission may temporarily suspend the polls at that polling station until the procedure mentioned above is fully completed.

After the number and indicative sign is placed on each ballot box, all of these ballot boxes may not be opened, except for the purpose of counting the votes as outlined in this law, and it may also not allowed to take them out of the polling station, except for transportation to another place for counting the votes where the law or regulations require to do so in other places.

Article 112

Between 6:30 to 7: 30 AM, the Chairperson of the Polling Station Commission shall direct to open the envelope in which contains a secret seal for affixing on the back of the ballots, the votes are counted and recorded, as well as the serial numbers on the stubs of the ballots under conditions determined by NEC.

Article 113

The Chairperson of the Polling Station Commission shall open the polling station at 7: 00 AM.

Article 114

Those who have the right to enter the inner perimeter and the polling station are those whose name appears in the voter lists and those who have Khmer I.D Card and who have not casted their vote.

Each voter is provided with a ballot within the polling station in case he/she meets the following conditions:

- his/her name appears in the voter list of the polling station that he/she needs to vote;
- he/she has Khmer I.D Card; and
- he/she has not yet casted his/her vote and allows the electoral official to examine his/her thumbs.

Each voter shall make a mark by himself/herself on a ballot in a separate polling booth and inserts the marked ballot into the ballot box in the polling station, and then allows the electoral official to soak his/her finger with the indelible ink under the prescribed procedures.

The way the ballot is marked and inserted into the ballot box shall be determined by NEC regulations and procedures.

NEC shall make regulations and procedures to actually carry out this article and shall determine the management and electoral procedures in the polling station.

Article 115

Any voter who unintentionally spoils a ballot shall deliver it to the electoral official of the polling station, and the electoral official shall give him/her a new ballot to replace the previous one under a procedure determined by NEC.

Article 116

Any voter who is a handicapped and is not able to vote by him/herself has the right to choose an adult to help him/her or has the right to seek help from the Chairperson of the Polling Station Commission.

Article 117

NEC shall make regulations to protect the right of any voter who is physically handicapped and is not able to soak his/her finger in the indelible ink.

Article 118

Any person is not allowed to interfere or help any voter when that voter remains within the inner perimeter or in the polling station, except proper authority is obtained under the provisions of this law.

Article 119

A polling station official or a political party agent has the right to lodge a complaint against the presence of any individual in the

polling station in case he/she fails to meet one of the requirements specified in Article 114 of this law.

The complaint shall be made to the Chairperson of the Polling Station Commission.

In case the Chairperson of the Polling Station Commission finds out that such individual does not meet one of the requirements specified in Article 114 of this law, that individual is not allowed to vote and is escorted out of the polling station and the inner perimeter by a polling station official.

In case the Chairperson of the Polling Station Commission decides that such individual meets the requirements specified in Article 114 of this law, that individual is allowed to vote.

The decision made by the Chairperson of the Polling Station Commission shall be final.

NEC shall determine the way which the complaint about the case above is made, handled and recorded under regulations and procedures.

Article 120

In case a political party agent has found any irregularity during the election, he/she can object or complain to the Chairperson of the Polling Station Commission.

The way to object and complain shall be determined by NEC regulations and procedures.

The polling station commission shall handle this objection or complaint.

The decision of the Polling Station Commission shall be final under its capacity if the election proceeds properly.

If the political party agent still complains or appeal, the Polling Station Commission shall record this complaint or appeal into the minute by instructing the complainant or appealing person to sign with the commission.

CHAPTER X

CLOSING THE POLL, BALLOT COUNTING, AND COLLECTING, DELIVERING AND RECEIVING ELECTORAL MATERIALS

Article 121

The Chairperson of the Polling Station Commission shall declare to close the polls at 15: 00 PM.

Any person who is willing to vote is not allowed to enter the inner perimeter of the polling station after 15: 00 PM.

Any person who is eligible to vote and remains in the polling station or the inner perimeter of that station at 15: 00 PM is allowed to vote.

Article 122.

Immediately after declaring to close the polls and after all voters have already casted their votes before the presence of agents of political parties and electoral observers, the Chairperson of the Polling Station shall:

- close the hole of all the ballot boxes, through which a ballot is inserted, with a paper signed by the Chairperson of the Polling Station and the agent of political party and then close the outer cover and lock it and allow the political party agents and electoral observers to examine all of the ballot boxes;
- record in the minutes the number of people who have already voted;
- complete and sign the form indicating the number of ballots received, provided to the voters, spoiled ballots or ballots confiscated in the polling station;
- separate the stubs of used ballots from those of unused ballots; and
- show the above form, which has been completed and signed to political party agents and electoral observers for inspection.

Political party agents may participate in signing or thumb-printing on the above-mentioned minutes.

Article 123

The ballots shall be counted at each polling station therein the commune/sangkat.

NEC shall give particular instructions for any polling station, which is unable to count the ballots at its polling station due to a force majeure or insecurity.

NEC shall organize and administer the ballot counting stations under the provisions of this law.

Article 124

The electoral officials at each polling station are responsible for counting the ballots at their station. In this regard, a polling station shall become a ballot counting station.

In case the ballots are counted elsewhere other than the polling stations in accordance with the conditions as specified in the Second Paragraph of Article 123 of this law, NEC shall assign the polling station officials to count the ballots or may appoint other officials to count the ballots in case of absence of the polling station officials.

Article 125

Every person remaining at the ballot counting station and in the inner perimeter of that station are subject to the management and control by the Chairperson of Ballot Counting Station Commission following instruction of NEC.

Article 126

NEC shall guarantee the availability of necessary materials and equipment at each ballot counting station, including sufficient desks and chairs for the ballot counting officials.

The ballots counting shall be conducted only at one place for a polling station.

Political party agents and electoral observers shall remain at a reasonable distance enabling them to observe all ballot counting activities.

Article 127

The Polling Station Commission shall verify the number of the ballots in the ballot boxes with the number of voters who have already casted the vote as counted in the voter lists.

In case the number of the ballots is different from the number of the voters, the Chairperson of the Polling Station Commission shall give instruction to re-count the ballots.

If the number of the ballots remains different from the number of the voters, the Chairperson of the Polling Station Commission shall make a minute.

Before starting ballot counting, the Chairperson of the Polling Station Commission shall pierce or cut all unused ballots to nullify the remaining ballots, which haven't been used and then put the nullified ballots and the stubs of the unused ballots into a plastic bag and close it firmly.

Afterwards, the Chairperson of the Polling Station Commission shall direct to count the ballots in conformity with NEC's regulations and procedures.

After meeting the conditions required in Article 122, 123, and 124 of this law, the Chairperson of the Polling Station Commission shall direct to open the ballot boxes, and pour the ballots out of each box and shall:

- separate objects, if any, that are not ballots;
- unfold the ballots that bear the official secret stamp on the back by putting them facedown to form the first pile;
- in case there are voted ballots that bear no official secret stamp on the back, they shall be piled up separately to form the second pile; and
- count the number of the facedown ballots in these two piles, record it and show it to the political party agents and electoral observers.

The Chairperson of the Polling Station Commission shall verify the number of the ballots poured out of the ballot boxes with the number recorded in the form completed as required by Article 122 of this law, and then show the result of such verification to the political party agents and electoral observers so that they may scrutinize and evaluate the result.

Article 128

The officials of the ballot counting station shall overturn the ballots bearing the stamp on the back in the first pile as mentioned in Article 127 of this law, and then shall distinguish them as valid and invalid ballots.

It shall be deemed valid for any ballot that is marked to support only one political party on the ballot provided by the Polling Station Commission.

It shall be deemed invalid for any ballot:

1. that is not official; or
2. that is not marked or is marked but the Ballot Counting Commission cannot conclude for which political party the voter has voted for; or
3. that bears a mark that causes the voter to be identified; or
4. that is torn or spoiled; or
5. that bears no official secret stamp.

The ballots that is deemed invalid under points 1, 2, 3, 4 and 5 above shall be determined by the NEC regulations and procedures.

After this, the ballot-counting officer shall count the valid ballots, which bear the supporting votes for each political party.

Ballots shall be counted in a way that the political party agents and observers can see the marks of all ballots.

Article 129

When there is any objection to any ballot counted in accordance with the conditions as specified under Article 128 of this law, the

objected ballot shall be put separately, and the objection shall be resolved under the conditions prescribed in Article 130 of this law.

Article 130

The officials of the ballot counting station shall examine all invalid ballots and the objected ballots pursuant to the conditions as prescribed in Articles 128 and 129 of this law.

The examination of these ballots shall be done openly in front of the political party agents and observers, and these people shall be asked to provide their opinions.

After considering all of the opinions, the appointed ballot-counting officials shall decide to refuse to count any ballot:

- that is not provided by the polling station;
- that bears no official secret stamp;
- that is marked for more than one list of candidates;
- that has no mark;
- that is marked but it's invalid because the ballot-counting officials are unable to determine for which political party the voter has voted;
- that bears a sign that causes the voter to be identified; and
- that is torn or spoiled, which cannot be deemed valid.

Any ballot that is accepted in regard of this article shall be counted in addition to the valid ballots, which were counted in accordance with the conditions as required in the Second and Third Paragraph of Article 128 of this law, even if there is or is not any objection made against such decision to accept the ballot.

Article 131

After fulfilling the requirements under Articles 127, 128, 129 and 130 of this law, the Chairperson of Ballot-Counting Station Commission shall make minutes on the provisional results of the ballot counting of his/her respective station in accordance with the regulations and the procedures determined by NEC, and then send to CEC, attached with voter lists, the valid ballots, the invalid ballots, the unused ballots, the application of complaint or appeal if any and other

documents posting at the polling station and shall give the minutes to the political party agents and observers who are present.

The political party agents may participate in signing or thumb-printing on the above-mentioned minutes.

The minutes on the provisional results of the ballot counting shall record the number of the ballots poured out of the ballot boxes, the number of ballots rejected without being counted, the number of the counted valid-ballots, the number of the spoiled ballots, the number of the remaining ballots and the number of the ballots voted for each list of candidates, which were orderly placed on the ballot paper.

The minutes on the provisional results of the ballot counting at each polling station shall be reviewed by the superior election commissions and NEC.

Article 132

The minutes on the ballot counting as mentioned in Article 131 of this law shall be made in 03 (three) copies:

- A copy shall be sent to the CEC, attached with the voter lists, the stubs of used ballots, the unused ballots, the valid and invalid ballots, the spoiled ballots, the ballot boxes, the secret stamp for the polling station, complaints or appeals if any, and other necessary documents, materials and equipment as determined by NEC.

The above-mentioned materials, equipment and documents shall be separately packed or put in separate envelopes in compliance with NEC's instructions.

- another copy shall be publicly posted at the ballot counting station until the day the official election results is proclaimed and
- another copy shall be publicized at the CEC' office until the day the official election results is proclaimed.

Article 133

NEC shall more actually determine:

- The ballot counting procedure;

- Instructions for making ballot counting minutes at the ballot counting station;
- The way to collect, wrap, and record the electoral materials properly for the delivery to and receipt by and to report to CEC; and
- procedures for CEC to review the ballot counting minutes, compute the election results from each ballot counting station, and inspect the electoral materials and equipment received from all ballot counting stations.

Article 134

In case NEC decides to count the ballots at another place other than the ballot counting stations, the ballot counting at such other places must be conducted under provisions specified in Articles 127, 128, 129, 130, 131, 132, and 133 of this law.

Article 135

After making the ballot counting minutes and the electoral materials are collected, the officials of the ballot counting station shall refer the ballot counting minutes and the electoral materials to CEC.

The political party agents and electoral observers shall be allowed to participate in the transport, delivery and receipt of the ballot counting minutes as well as the electoral materials mentioned above.

Article 136

CEC shall be present at its office waiting for receiving the ballot counting minutes and electoral materials from all ballot-counting stations from 15: 00 PM until it receives the ballot counting minutes and electoral materials from all ballot-counting stations therein its commune/sangkat.

When CEC receives the ballot counting minutes and electoral materials, it shall sign on a delivery-receipt form and then give a copy of it to the Chairperson of the Ballot Counting Station Commission and retain a copy for its files.

In regard to the delivery-receipt form outlined above, the political party agents may join in signing or thumb-printing on such form as witnesses.

Article 137

CEC shall review and compute provisional results of ballot counting from all ballot-counting stations not later than 03 (three) days after it receives the electoral minutes and electoral materials from all ballot-counting stations.

In reviewing and computing the provisional results of ballot counting, CEC may not open any envelope containing the ballots and may not count this ballot-from any ballot counting station for which there was no complaint or appeal against the provisional election results.

Political party's agents and observers shall be allowed to participate in the review and computation of the provisional results of ballot counting as well as the electoral materials collected from all ballot-counting stations in each commune/sangkat.

Article 138

The ballot counting records and electoral materials received from each ballot counting station shall be recorded and kept separately for each ballot counting station.

CEC shall make a minute of computation of provisional election results in its commune/sangkat in accordance with the conditions determined by NEC regulations and procedures.

The minute as mentioned above shall be made in 03 (three) copies:

- a copy shall be referred to PEC, attached with voter lists, the stubs of used ballots, unused ballots, valid ballots, invalid ballots, spoiled ballots, the secret stamp for affixing on the back of ballots at each polling station, the complaint or appeal if any, and other documents, materials and equipment;
- a copy is posted at CEC office until the official election results are proclaimed; and
- retain a copy for its files.

Article 139

In case complaints or appeals are filed against any serious irregularity that may affect the provisional election results at any polling station, CEC shall review provisional election results of that polling station before the presence of political party agents and electoral observers by:

- Examining the serial numbers of the stubs of ballots delivered to the polling station by checking against the serial numbers of the stubs of ballots received from that polling station;
- Examining the voter lists who have come to vote;
- Examining and counting valid ballots received by each list of candidates of the political party;
- Examining invalid ballots;
- Counting the number of spoiled ballots;
- Counting the number of unused ballots;
- Examining the official secret stamp delivered to that polling station; and
- Examining each ballot box and its indicative sign or indicative number of that polling station by checking against the indicative sign or indicative number of the ballot boxes delivered to that polling station.

The valid ballots, invalid ballots, and spoiled ballots shall be tied up in accordance with NEC instructions.

After the review as mentioned above is made, CEC shall make reports and raise suggestions together with the minutes of the computation of provisional election results to PEC for revision and decision.

Article 140

When PEC receives the minutes of the computation of provisional election results from each commune/sangkat, it shall put a signature on a delivery-receipt form and give a copy to CEC and retain a copy for its files.

Article 141

NEC shall make regulations and procedures in order to more actually apply regarding the proper administration and conduct of ballot counting under provisions of this law.

Article 142

PEC shall review provisional election results of all Communes/Sangkat under its jurisdiction not later than 05 (five) days after it receives the minutes of the computation of provisional election results from each commune/sangkat.

In reviewing the provisional election results of each commune/sangkat, PEC may not open the ballot envelopes of any commune/sangkat or of any polling station if the commune/sangkat or polling station doesn't have any complaint or appeal against its provisional election results.

For any commune/sangkat or polling station that has any complaint or appeal, PEC may open and examine all electoral materials and may recount the votes if necessary.

In case where a commune/sangkat has 0.5% at most of discrepancy of votes between two or more lists of candidates and that commune/sangkat has a complaint or an appeal that is proper in accordance with the conditions prescribed in Article 149 of this law, PEC shall open and examine all electoral materials and recount the votes.

The concerned CEC, political party agents, observers of that commune/sangkat and the complaining person as mentioned in Article 149 of this law may participate in the process of reviewing the provisional election results of that commune/sangkat conducted by PEC.

After the review of provisional election results of each commune/sangkat has been completed, PEC shall determine the seats to be received by the list of candidates of each political party, and shall select the names of the candidates being elected as members of Commune/Sangkat Councils under the conditions specified in Article 17 of this law, and shall determine the name of elected candidates to become the Chief of Commune/Sangkat Councils, Chief of Commune/Sangkat and Deputy Chief of Commune/Sangkat in accordance with the conditions outlined in Articles 32, 33, 34 and 35 of the Law on Commune/Sangkat Administration, and then it shall report immediately to the NEC using the prescribed form.

In determining the elected candidates to assume the role as the Chief of Commune/Sangkat Councils, Chief of Commune/Sangkat and Deputy Chief of Commune/Sangkat, PEC shall conduct a drawing lot in conformity with the procedures established by the NEC if the list of candidates of two or more political parties received equal votes.

CHAPTER XI

PROVISIONAL ELECTION RESULTS AND THE OBJECTION TO ELECTION RESULTS

Article 143

In reviewing the election results of each commune/sangkat, in case PEC finds out an irregularity that does not affect the election results, then it shall fill in a form of approval and put a signature on that form and show its approval of provisional election results of that commune/sangkat to the political party agents and electoral observers.

Article 144

In case of a serious irregularity that might lead to a change in the provisional election results, PEC shall suspend provisional results of concerned commune/sangkat and then reject the provisional election results of that commune/sangkat or at that polling station and shall:

- declare that the provisional election results in that commune/sangkat or at that polling station are rejected;
- fill in a prescribed notice form of the decision on the complaint indicating the reasons of rejection of the provisional election results, then put a signature and date on that form;
- declare that PEC's decision is subject to the review by NEC; and
- send a copy of a prescribed notice form of the decision on that complaint to NEC, a copy to concerned CEC, a copy to the complaining person, a copy to all representatives of the political party that has the lists of candidates in that commune/sangkat, and retain a copy for its files.

Article 145

PEC shall send a notice of the decision on the rejection of the provisional election results of any commune/sangkat or any polling station not later than 24 (twenty-four) hours to NEC for revision.

NEC shall review and decide on PEC's decision on the rejection of the provisional election results not later than 04 (four) days after it receives a prescribed notice form of the decision on the complaint.

Article 146

In case NEC does not uphold PEC's decision on the rejection of the provisional election results, NEC shall:

- declare that provisional election results of that commune/sangkat or at any polling station of that commune are proper;
- fill in a prescribed form indicating the reasons for disapproving with PEC decision;
- then put a signature and date on that form; and
- send a copy of that form to concerned PEC, a copy to the concerned CEC, a copy to the complaining person, a copy to all representatives of the political party that has the lists of candidates in that commune, and retain a copy for its files.

Article 147

In case NEC upholds PEC's decision on the rejection of the provisional election results, it shall:

- declare that provisional election results of that commune/sangkat or at any polling station of that commune/sangkat are rejected;
- fill in a prescribed form indicating the reasons for the rejection of provisional election results, then put a signature and date on that form; and
- send a copy of that form to concerned PEC, a copy to the relevant CEC, a copy to the complaining person, a copy to all representatives of the political party that has the list of candidates in that commune/sangkat, and retain a copy for filing.

Article 148

In case NEC rejects the provisional election results of any commune/sangkat or of any polling station, it shall direct a new election not later than 30 (thirty) days after provisional election results were rejected.

A new election shall be conducted at the same polling station(s) for the same voter lists, and the same lists of candidates of the political parties as the previous election.

The provisions as specified in Chapter 7, 8, 9, 10 and Chapter 11 of this law shall be applied to a new election, except the ballots, which shall be published with a different colour from the colour used for the previous ballots.

Article 149

Any person who has been registered in voter lists of that commune/sangkat or the political party that has the list of candidates is eligible to complaint against the provisional election results of that

commune/sangkat or at any polling station of that commune/sangkat to PEC.

The complaint shall be made in a written form to PEC not later than 03 (three) days after CEC has posted the provisional election results of that commune/sangkat.

The complaint shall base on any irregularity in the electoral process that might seriously affect the election results.

The complaint shall be based on reasonable grounds by indicating the place and time such irregularity occurred, the names and addresses of witnesses and other justifiable supports or other evidence.

PEC shall rule on the complaint not later than 05 (five) days after it received the complaint.

Article 150

In case PEC finds out that the complaint is not bases on any reasonable grounds or does not affect the election results, it shall reject the complaint and shall:

- inform the complaining person that his or her complaint is rejected;
- fill in a prescribed rejection form indicating the reasons of rejection, then put a signature and date on that form;
- notify the complaining person that he/she or his/her representative is entitled to appeal against PEC's decision to NEC not later than 04 (four) days after he/she received the rejection form;
- provide the complaining person or representative an appeal form to make an appeal;
- send a copy of a rejection form to NEC, a copy to concerned CEC, a copy to the complaining person, a copy to representatives of the political party proposing the list of candidates in that commune/sangkat; and
- retain a copy for its files.

Article 151

In case PEC upholds the complaint, it shall reject the provisional election results in that commune/sangkat and then shall:

- inform the complaining person that his/her complaint is accepted;
- declare that provisional election results in that commune/sangkat or in any polling station of that commune/sangkat are rejected;
- fill in a prescribed rejection form of provisional election results indicating the reasons of rejection, then put a signature and date on that form;
- declare that PEC's decision is subject to NEC review; and
- send a copy of form rejecting provisional election results to NEC, a copy to CEC, a copy to the complaining person, a copy to the representative of the political party that has the list of candidates in that commune/sangkat, and retain a copy for its files.

Article 152

NEC shall review the provisional election results of any commune/sangkat or of any polling station that has a complaint not later than 04 (four) days after it receives the appeal application as mentioned in Article 150 of this law or the form rejecting the provisional election results outlined in Article 151 of this law.

In reviewing the provisional election results of a commune/sangkat or of a polling station that has a complaint, NEC may open to examine all electoral materials and may recount the ballots of that commune/sangkat or that polling station if necessary.

In case any commune/sangkat has 0.5% at most of discrepancy of votes between two or more lists of candidates and that commune/sangkat has a complaint or an appeal that is proper in accordance with

the conditions prescribed in Article 149 of this law, the NEC shall open to examine all electoral materials and recount the ballots.

The process of reviewing the provisional election results as mentioned above shall be made before the presence of the political party agents, observers and concerned complaining person.

Article 153

In case NEC finds out that the complaint against the provisional election results of any commune/sangkat or at any polling station of that commune/sangkat is not based on any reasonable grounds or does not affect the election results, it shall reject the complaint and shall:

- notify the complaining person or his/her representative that his/her complaint is rejected;
- declare that the provisional election results of that commune/sangkat or at any polling station of that commune/sangkat are proper;
- fill in a prescribed rejection form indicating the reasons of the rejection, then put a signature and date on that form;
- notify the complaining person or his or her representative that NEC decision shall be final; and
- send a copy of a rejection form to concerned PEC, a copy to concerned CEC, a copy to the complaining person, a copy to the representative of the political party that has the list of candidates in that commune/sangkat, and retain a copy for its files.

Article 154

In case NEC upholds the complaint against the provisional election results of any commune/sangkat or at any polling station in that commune/sangkat, it shall:

- notify the complaining person or his/her representative that his/her complaint is accepted;

- declare that the provisional election results in that commune/sangkat or at any polling station of that commune/sangkat are rejected;
- fill in a prescribed form indicating the reasons of the rejection of provisional election results, then put a signature and date on that form; and
- send a copy of a form to the relevant PEC, a copy to the relevant CEC, a copy to the representative of the political party that has the list of candidates in that commune/ sangkat, a copy to the complaining person, and retain a copy for its files.

NEC decision shall be final.

Article 155

In case NEC rejects the provisional election results of any commune/sangkat or of any polling station, it shall apply the provisions prescribed in Article 148 of this law.

Article 156

After all provisional election results of each commune/sangkat have been reviewed and found proper, NEC shall promptly proclaim the official results of the Election of Commune/Sangkat Councils in those communes/sangkat.

For any commune/sangkat, which the complaint or appeal has been filed against the provisional election results, the proclamation of official election results of that commune/Sangkat shall be made when all complaints or appeals have been definitely settled under the procedure outlined in this law.

NEC shall provide a copy of the official election result of each commune/sangkat to the Prime Minister, a copy to the Interior Minister, and shall post these results in public at concerned PEC office, CEC office, and retain a copy for its files.

Article 157

The NEC shall keep all electoral documents used in the Election of Commune/Sangkat Councils safely as follows:

- the minutes of computation of the election results of the Election of Commune/Sangkat Councils, the document of complaints and appeals and the decisions on such complaints or appeals resolution by all levels of the electoral authorities shall be safely kept forever and
- all ballots used in the Election of Commune/Sangkat Councils for each mandate shall be stored safely for a period of 03 (three) years after the polling day. When this time limit expires, the NEC shall set up a commission to destroy these ballots.

Article 158

Any candidate elected to the Commune/Sangkat Councils under this law will become a Commune/Sangkat Council member for a mandate of 05 (five) years from the date he/she takes office and shall terminate his or her mandate under conditions specified by Article 11 of the Commune/Sangkat Administration Law.

Article 159

While polling, counting the ballots and proclaiming the election results, local NGOs or associations and the international NGOs and associations functioning in the Kingdom of Cambodia or expatriates shall have neutral and impartial position pursuant to the provisions as prescribed in Article 74 of this law.

Provision of the First Paragraph mentioned above shall not impede freedom of expression compliant to the applicable laws.

CHAPTER XII

CLOSING THE POLLING STATION IN CASE OF EMERGENCY

Article 160

NEC is eligible to decide not to open and is eligible to close any polling station or some polling stations in case of emergency leading to a danger or a threat to the safety of the electoral officials, and the voters who remain in the inner perimeter.

Cases of emergency may include one of the following:

- public insecurity;
- flood, storm, earthquake or other natural disasters;
- collapse of a building for the election due to any reason, fire or similar damage leading to a danger; and
- administrative deadlock rendering the conduct of election to become impossible.

Any polling station which does not open or which close under this Article shall be closed all day long.

Article 161

NEC shall immediately inform the Prime Minister in case any polling station closes.

Article 162

In case a polling station closes, the election at that polling station shall be conducted anew not later than 30 (thirty) days at any proper place determined by NEC.

All electorates at that polling station shall be allowed to vote although they have casted their ballots already or have not casted their ballots yet.

NEC shall guarantee sufficient number of ballots, which are published in different color from the ones used in the previous election.

Article 163

The ballots voted at a polling station that was closed pursuant to Article 160 of this law shall not be counted; yet, only the ballots voted during the polling day of a re-election shall be counted.

For the ballots that shall not be counted, the polling station officials shall make minutes and retain them in accordance to the regulations and procedures determined by the NEC.

The ballots voted in all polling stations that have not closed shall be counted and recorded on the polling day.

All ballots shall be counted and recorded under the procedure stipulated in this law.

After a re-election is conducted, NEC shall assign to compute the election results in the whole commune/sangkat and to proclaim the results pursuant to the procedure specified in this law.

Article 164

NEC shall make additional regulations and procedures for the actual implementation of the conditions outlined in Article 160, 162 and 163 of this law, in which they include:

- safety of electoral officials, voters, political party agents and observers;
- role of political party agents and observers;
- delivery, maintenance, receipt and safety of all electoral materials;
- closure of polling stations and reopening of polling stations;
- process of a re-election;
- ballots counting; and
- proclamation of election results.

CHAPTER XIII

RE-ELECTION

Article 165

A re-election as specified by Article 17 of the Commune/Sangat Administration Law shall be conducted not later than 120 (one hundred twenty) days.

The Interior Minister shall determine the date for conducting a re-election not later than 07 (seven) days after the occurrence of an event requiring such re-election.

A re-election shall be conducted from 7: 00 AM to 15: 00 PM on the same day.

Article 166

Citizens are eligible to vote in a re-election only if their names appear on the voter lists, and they have a document and hold Khmer I.D Card.

The voter list shall be the last voter list.

Each registered voter is eligible to cast only one vote through a secret ballot.

Article 167

A re-election shall be conducted and administered by NEC in accordance with provisions of this law.

Article 168

NEC shall be held responsible for any re-election.

The provisions for the Election of Commune/Sangkat Councils as specified by this law shall be applied to a re-election in order to elect a new commune/sangkat council.

NEC is eligible to make regulations and procedures to guarantee that a re-election will be conducted in free, fair and just manner.

CHAPTER XIV

PENALTIES

Article 169

Regardless any other criminal penalties, any person who intentionally commits the following violations shall be fined from 5,000,000 (five million) Riels to 10,000,000 (ten million) Riels by NEC:

- issues a registration confirmation card; yet, refuses to register that citizen into the voter lists and voter lists book; and
- register the citizen who doesn't meet all requirements to vote.

Article 170

Regardless any other criminal penalties, any person who falsifies identity confirmation letter related to the election shall be fined from 1,000,000 (one million) Riels to 5,000,000 (five million) Riels by NEC.

Article 171

Regardless any other criminal penalties, any person who commits the following violations by all dishonest means shall be fined from 5,000,000 (five million) Riels to 20,000,000 (twenty million) Riels by NEC:

- prevents an eligible citizen from going to register or prevent from registering an enfranchised citizen into the voter lists and voter lists book;
- provokes chaos or prevents regular activities taken place in voter lists revision area and voter registration area during voter registration and voter lists revision;
- encourages the supporters or voters to commit violations, threats, and violence against another candidate or political party;
- prevent an enfranchised citizen from going to vote;
- prevent a candidate or supporters of political party from undertaking electoral campaign activities in accordance with what has been determined;

- undermines the credibility of the secrecy of voting;
- causes confusion undermining the credibility of voting;
- disrupts the polling process;
- disrupts the ballot counting process;
- cause disorders during the election; and
- buy votes with materials or cash.

The name shall be removed from voter lists or the candidacy of the individual shall be cancelled by NEC in addition to the penalties mentioned in the First Paragraph above for any person who commits the violations prescribed in the First Paragraph above.

Article 172

The candidacy to contest in the election of the political party shall be cancelled by NEC or/and a fine from 10,000,000 (ten million) Riels to 30,000,000 (thirty million) Riels shall be imposed by NEC, regardless other criminal penalties, for any political party that commits the violations set out in Article 171 above.

Article 173

A fine from 10,000 (ten thousand) Riels to 100,000 (a hundred thousand) Riels shall be imposed by NEC for any person who tries to be registered into the voter lists more than once except being permitted by this law.

Article 174

Regardless any other criminal penalties, any member of PECs, CECs and PSCs that falsifies documents, fabricates ballot papers or uses other tricks to falsify the election results shall be fined from 10,000,000 (ten million) Riels to 25,000,000 (twenty-five million) Riels by NEC or/shall have his/her name removed from the voter lists for 05 (five) years by NEC.

Article 175

Regardless other criminal penalties, any person who brings all types of weapons, explosives, and ammunitions or any weapon shall be fined from 5,000,000 (five million) Riels to 10,000,000 (ten million) Riels by NEC under the scope of Article 489 (production or trafficking of other assault weapons) of Criminal Code, violating the provision of Article 28 of this law, without any permission from the competent authority or any reason to be allowed by the law.

In case the violator is an agent and a staff of NEC or is an agent, a staff or a member of Election Commissions at all levels, NEC shall dismiss and bar him/her from further employment with NEC or Election Commissions at all levels for 10 (ten) years, commencing from the current election in addition to the penalties prescribed in the First Paragraph of this article.

Article 176

Any official or responsible person who violates Article 10 of this law, NEC shall remove his/her name from the voter lists for 05 (five) years and shall request the head of his/her institution to impose administrative sanctions on him/her ranging from suspension without pay to dismissal.

Article 177

Regardless other criminal penalties, any person who directs, induces, deceives or commits illegal acts by other means to instruct any voter to vote for a political party against his/her will shall be fined from 5,000,000 (five million) Riels to 10,000,000 (ten million) Riels or/and his/her name shall be removed from the voter lists for 05 (five) years by NEC.

In case, the violator is an agent or a staff of NEC or Election Commissions at all levels, NEC shall dismiss and bar him/her from further employment with NEC or Election Commissions at all levels for 10 (ten) years, commencing from the current election.

In case the violator is a candidate running for the election, NEC shall cancel his/her candidacy in addition to the penalties stipulated in the First Paragraph of this article.

Article 178

Any person who intentionally causes the ballot boxes to be broken, destroyed or causes the ballot box or material used to maintain the safety of ballot box to be deteriorated or causes the ballot box to be lost or confiscated, stolen, fights for the ballot box or destroys the ballot box containing ballot papers; regardless other criminal penalties, shall be fined from 10,000,000 (ten million) Riels to 25,000,000 (twenty-five million) Riels or/and his/her name shall be removed from the voter lists for 05 (five) years by NEC.

In case the violator is an agent, staff member, or member of NEC or Election Commissions at all levels, NEC shall dismiss and bar him/her from further employment with NEC or Election Commissions at all levels for 10 (ten) years, commencing from the current election.

In case the violator is a candidate running for the election, NEC shall cancel his/her candidacy in addition to the penalties stipulated in the First Paragraph of this article.

Article 179

Any local and international NGO or association that works in the territory of the Kingdom of Cambodia, directly or indirectly commits the violations of the aforementioned provision of Article 74 of this law, shall be fined from 10,000,000 (ten million) Riels to 20,000,000 (twenty-million) Riels by NEC.

The above responsibility doesn't exclude natural person's responsibility for the violations mentioned above or other penalties prescribed in the Criminal Code.

Article 180

Any expatriate present in the territory of the Kingdom of Cambodia, directly or indirectly conducts the activities with the attempt to undertake campaign activities to support or oppose any political party or any candidate shall be fined from 5,000,000 (five million) Riel to 10,000,000 (ten million) Riels by NEC.

Any person who commits the acts above might be deported from the Kingdom of Cambodia pursuant to the conditions stipulated in the Immigration Law.

Article 181

Regardless other criminal penalties, any person who publicly contemns any political party or a candidate running for the election by all means or incites discrimination against members of any ethnicity, nationality and race or any religion as determined during the electoral campaign and the election shall be fined from 5,000,000 (five million) Riels to 10,000,000 (ten million) Riels and written warning shall be made to him/her by NEC.

In case of failure to comply with the written warning mentioned above, NEC shall remove the name of the violator from the voter lists for 05 (five) years and his/her candidacy shall be cancelled from the lists of candidates for election in case he/she is a candidate for election.

Article 182

Any political party that commits the violations outlined in Article 181 above, regardless other criminal penalties, shall be fined from 10,000,000 (ten million) Riels to 30,000,000 (thirty million) Riels or/and his/her candidacy of political party shall be cancelled by NEC.

Article 183

A written warning shall be made by NEC to any person who commits the violations mentioned in the First Paragraph and the Third Paragraph of Article 78 of this law.

In case of failure to comply with the written warning mentioned above, his/her name shall be removed from the voter lists for 05 (five) years or/and he/she shall be fined from 1,000,000 (one million) Riels to 2,000,000 (two million) Riels by NEC.

Article 184

A written warning shall be made by NEC to any person who commits the violations mentioned in Article 68 for participating in procession of electoral campaign or commits the violations mentioned in the First Paragraph of Article 70 of this law.

In case of failure to comply with the written warning mentioned above, the violator shall be fined from 5,000,000 (five million) Riels to 10,000,000 (ten million) Riels or/and his/her name shall be removed from the voter lists for 05 (five) years or his/her candidacy shall be cancelled if he/she is a candidate for election.

Article 185

Any political party that commits the violations prescribed in Article 184 above shall be fined from 10,000,000 (ten million) Riels to 20,000,000 (twenty million) Riels or/and the candidacy of political party shall be cancelled by NEC.

Article 186

A written warning shall be made by NEC to any person who uses the materials/means of transports which are the State property to undertake campaign activities for any political party or any candidate.

In case of failure to comply with the written warning mentioned above, he/she shall be fined from 5,000,000 (five million) Riels to 10,000,000 (ten million) Riels by NEC.

Article 187

Any local and international NGO or association that works in the Kingdom of Cambodia, commits the violations mentioned in

Article 159 of this law shall be fined from 10,000,000 (ten million) Riels to 20,000,000 (twenty-million) Riels by NEC.

The above responsibility doesn't exclude natural person's responsibility for the violations mentioned above or other penalties prescribed in the Criminal Code.

Article 188

A written warning shall be made by NEC to any political party agent or observer who instructs or blames the polling officers or ballot counting officers.

In case of failure to comply with the written warning mentioned above, he/she shall be fined from 1,000,000 (one million) Riels to 10,000,000 (ten million) Riels by NEC.

Article 189

Pursuant to NEC request, the competent authorities, in accordance with the applicable laws and relevant legal documents, can make decision to impose penalties upon any public official or any citizen, publicly mandated by the election in the framework of function or during fulfilling the function for violating the provision of this law.

Article 190

The violation committed by the political party is a violation committed by its organization or representative entitled to make the decision on behalf of the political party pursuant to the statute of that political party.

Article 191

The decision made by NEC as stipulated in this chapter shall be final without recourse.

Regulations and procedures for issuing NEC decision on implementation of the provision of this chapter shall be determined by NEC.

Article 192

The procedures for proceeding the NEC decision shall not impede criminal proceedings as regulated in the Criminal Law in case of violation of the provision mentioned in this chapter.

Article 193

The provisions of unitary chapter (general provisions) of title 1 (general provision), unitary chapter (imprisonment in lieu of payment) of title 3 (imprisonment in lieu of payment) of book 8 of Criminal Procedure Code shall be enforced in case the decision on monetary fine entered into force.

CHAPTER XV TRANSITIONAL PROVISIONS

Article 194

NEC shall prepare new voter lists to use in the Election of Commune/Sangkat Councils in the Fourth Mandate pursuant to the provision of Article 167, 168 and 169 of the Law on the Election of Member of the National Assembly.

CHAPTER XVI FINAL PROVISIONS

Article 195

Any provision that is in conflict with this law shall be null and void.

Article 196

This law shall be immediately promulgated.

Royal Palace, 11 December 2015

[Signature and Seal]

NORODOM SIHAMONI

No.: 1512.1123

Submitted to His Majesty King

For signature

Prime Minister

[Signature]

Samdech Akka Moha Sena Padei Techo Hun Sen

No.: 1134

For Distribution

Phnom Penh, 15 December 2015

Secretary General of the Royal Government

[Signature and Seal]

SOY SOKHA