

Law
on
the Election of
Commune/Sangkat Councils

Only the Khmer version is authoritative



Royal Kram

NS/RKM/1215/015

We,

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

**Samanphoum Cheatsasna Rakhatkateya Khemrarotheas
Puthinthrea Thoreamohaksat**

**Khemreachnea Samohorpheas Kampuch
Ekreachroathboranaksanteh Sopheakmongkulea Sereyvibolar
Khemarasreypireas Preah Chao Krong Kampuchea Thipadey**

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Royal Decree *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 fifth legislature, and the legal form and spirit of which was totally approved by the Senate on 13 November, 2015 in the extraordinary session of the third legislature and declared conform to the Constitution by the Constitutional Council in its decision *No. 158/006/2015 KBTH.CH, dated 01 December 2015*, and the details of which are as follows:

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CHAPTER I GENERAL PROVISIONS

Article 1:

The purpose of this law is to determine the administration and conduct of the election of commune/sangkat councils.

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

Article 2:

Each commune/sangkat shall have a council elected by citizens of the commune/sangkat through general, universal, free, fair, just, equal, direct and secret election pursuant to the procedures stipulated in this law.

Article 3:

The election of all commune/sangkat councils shall be conducted once in every 05 (five) years.

The election of commune/sangkat councils shall be conducted on the same day.

The date of the election shall be determined by the Prime Minister, following the proposal of the Minister of Interior.

The Prime Minister shall announce the date of the election of commune/sangkat councils at least 09 (nine) months before polling day.

The election shall be conducted on a Sunday, in one day only.

Article 4:

A commune/sangkat council shall hold its office until a new commune/sangkat council is elected and takes office.

Article 5:

A commune/sangkat council is elected following a system of proportional representation, by voters who:

- Are registered in voter lists of that commune/sangkat;
- Are entitled to cast only one vote through a secret ballot; and
- Are entitled to vote for one commune/sangkat council only.

Article 6:

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

CHAPTER II

**ADMINISTRATION OF THE COMMUNE/SANGKAT
COUNCILS ELECTION**

Article 7:

The preparation and management of voter lists and the administration of the election of commune/sangkat councils shall be the competency of the National Election Committee (NEC).

Article 8:

The NEC shall issue regulations and procedures for the organization of the election of commune/sangkat councils in accordance with the provision of this law and of the Law on the Organization and Functioning of the NEC.

Article 9:

The NEC shall have the following authority, functions and duties:

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

- train electoral officers and provide guidance on the various procedures for the election, ballot counting, as well as on the provisions of this law to candidates, agents of political parties and observers;
- ensure that the public, in general, understands the purpose of the election;
- ensure that every person is entitled to participate in the electoral process safely, without fear or intimidation;
- prepare transparently polling and ballot counting procedures and open to the participation of observer and political party agents;
- ensure regular contact between the NEC and candidates, political party's agents and election observers;
- follow the Ministry of Economy and Finance's determination and procedures on financial monitoring and management;
- rule on appeals concerning the election of commune/sangkat Councils except those that fall under the jurisdiction of the court(s);
- report to the National Assembly and the Senate on the administration, conduct and result of the election within 90 (ninety) days after the poll; and
- implement other tasks in accordance with the relevant laws and regulations.

Article 10:

Authorities at all levels, in charge of security, public order and other related tasks, shall cooperate with the NEC and election commissions at all levels to maintain safety, security and public order during and after the electoral period.

Article 11:

The NEC has the authority to appoint Provincial/Capital Election Commissions (PECs) or Commune/Sangkat Election Commissions (CECs) or Polling Station Commissions (PSCs) for a fixed term any time after the election for the purpose of administering and organizing by-elections or a re-election.

CHAPTER III

VOTER REGISTRATION AND VOTER LISTS

Article 12:

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

To be eligible to vote, citizens shall have their names in the voter lists and have a Khmer National Identity Card.

To have their names in the voter lists, citizens shall meet the following requirements:

- be Khmer nationals;
- be at least 18 (eighteen) years old on polling day;
- have a permanent or temporary residence in the commune /sangkat where they are going to vote;
- not be serving prison term or deprived of their right to vote
- not be mentally impaired or under guardianship as certified by a competent ministry or institution.

Modalities and procedures for voter registration and the preparation of voter lists, as stated in the Law on the Election of Members of the National Assembly (LEMNA), shall apply for the election of commune/sangkat councils except its Article 47 of this Law.

Article 13:

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

CHAPTER IV

ELECTORAL SYSTEM AND ALLOCATION OF SEATS

Article 14:

The election of commune/sangkat councils shall be conducted under a proportional representation system where seats are allocated based on the highest average as stipulated in articles 16 and 20 of this law.

Commune/sangkat council members shall be selected from the political party candidate lists which won seats in that commune/sangkat.

Article 15:

The number of seats in any commune/sangkat shall equate the number of 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 the election results. The following steps shall apply:

Step one:

The total number of valid votes shall be divided by the total number of seats in the commune council to determine the Quota [*translation note: number of vote*] required for a candidate list to win a seat. The following formula shall be used:

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

Where:

Q = Quota, disregarding the remainder;

V = Represents the total number of valid votes cast 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 each political party's candidate list shall be divided by the Quota to determine the preliminary number of seats won by each candidate list. The following formula shall be used:

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

Where:

N_s = Quota, disregarding the remainder, represents the number of seats won by candidate list before further adjustment that may be necessary in step 3;

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

Q = Represents quota determined in step 1.

If no seats remain to be allocated after this calculation is made for all political party candidate lists in step 2, then the final number of seats *[is deemed to]* have been determined.

However, if any seat remains to be allocated after this calculation has been completed for all political party candidate lists, 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 cast 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 political party candidate lists, that seat shall be awarded to the candidate list with the 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 the political party candidate lists with the 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 the first time this formula was applied. Hence, a seat shall be allocated to the candidate list with the highest average when this formula is applied a second time. In case further seats remain to be allocated, the calculation shall be repeated until all remaining seats have been allocated.

Article 17:

All elected candidates shall be selected from the political party candidate lists [which won seats] 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 political party candidate list [*which won seats*] in a sequential manner from the top.

Article 18:

The election shall also be conducted in communes/sangkat where only one political party candidate list was approved for registration.

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

Article 19:

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

Article 20:

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

Step one:

The total number of valid votes cast for all candidate lists that were awarded seats in the election of commune/sangkat councils, excluding the total number of valid votes for the candidate list that has abandoned its seat(s), shall be divided by the number of abandoned seat(s) in order to determine the quota [*translation note: number of vote*] required for a candidate list to be awarded a seat. The following formula shall be used:

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

Where:

Q' = Quota, disregarding the remainder;

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

S' = Represents the number of abandoned seats.

Step 2:

The number of valid votes received by each political party candidate list 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 quota established in step 1.

In case no seat remains to be further allocated after the calculation has been completed in Step 2 for all political party candidate lists, then the final number of seats *[is deemed to]* have been determined, except for the candidate list that has abandoned the seat(s).

In case seats remain to be further allocated after the calculation in step 2 has been completed for all political party candidate lists, these remaining seats shall be awarded in the manner set out in Step 3.

Step 3:

The remaining seats shall be allocated by calculating 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 described 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 made following the formula in articles 16 and 20 of this law results in an equality between political party candidate lists and it is impossible to determine which is entitled to be allocated a seat, the PEC shall conduct a drawing lot to determine the name of the successful candidate list.

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

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

Each polling station shall cover a designated area.

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

Each polling station shall be available to a maximum of 750 (seven hundred and fifty) eligible voters.

Each polling station shall cover a village in its entirety and shall make convenient for all members of a family in that village to vote at that polling station.

In case any polling station is about to be allocated 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 if necessary.

Article 23

NEC is entitled to choose a single location 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 in the same premises or building shall be separated from each other.

Each polling station in the same premises or building shall be administered separately from each other in accordance with NEC regulations and procedures.

Article 24

The NEC shall post a notice displaying the location name of each polling station at these stations and at Commune/Sangkat Election Commission (CEC) offices from the date of registration of the candidate until the closing of the polling station on Polling Day.

Article 25

Ballot counting shall be done at the polling station.

A polling station is *[also]* a ballot counting station.

A ballot counting station is a place where ballots are counted and where the provisional results of 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 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 marked by the NEC.

The outer perimeter is an area surrounding these stations with a diameter of 100 (one hundred) meters, or with a different form or smaller diameter depending on the actual situation of the outer perimeter of these stations.

Article 28

It is prohibited to bring any weapon, explosive or other dangerous object and to wear a military uniform inside the outer and inner perimeter of the polling and ballot counting stations except in

case when any individual is making troubles inside the outer or inner perimeters of the station, the NEC chairperson and chairpersons of electoral commissions at all levels have the duty to request the intervention of competent authorities 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 its inner perimeter:

- electoral officials designated by NEC;
- authorized agents of the political parties that have *[registered]* a list of candidates for the election, and observers with accreditations provided by the NEC;
- Eligible voters who must vote at that polling station;
- persons who accompany disabled voters in compliance with the conditions mentioned in Article 116 of this law; and
- security agents and rescue personnel who are requested to enter by the chairperson of the polling station during an emergency.

No person is allowed to enter the polling station before 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 its inner perimeter:

- ballot counting officials designated by NEC;
- authorized agents of political parties that have *[registered]* a list of candidates for the election, and observers with accreditations provided by NEC; and
- security agents and rescued agents who are requested to enter by the chairperson of the ballot counting station during an emergency.

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

Article 31

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

The NEC, electoral commissions at all levels, polling station and ballot counting station commissions may apply the provisions of articles 29 and 30 of this law to all or a part of the outer perimeter during an emergency in order to ensure that polling and ballot counting are conducted safely.

Article 32

The following activities are prohibited in a polling station and its inner and outer perimeters:

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

Article 33

The following activities are prohibited in a ballot counting station and its inner and outer perimeters:

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

of or against the candidate list of political party or any candidates.

Article 34

Every person who is present at the polling and ballot counting station, and in the inner perimeter of these stations shall be subject to the administrative authority and instructions of the 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

Khmer citizens of both sex who wish to run as candidates in the election of commune/sangkat councils shall fulfill the following requirements:

- be Khmer nationals by birth;
- be able to read and write in Khmer;
- have registered in the voter lists of the commune/sangkat where they wish to run for the election; and
- be at least 25 years old on the date of the election of commune/sangkat councils.

Article 36

The following persons are prohibited to run as candidates in the election of commune/sangkat councils:

- members of the National Assembly, the Senate, the Constitutional Council, the Supreme Council of Magistracy, the Royal Government and judges;
- governors and deputy governors of a Capital or a province, governor and deputy governors of a municipality, a district or a Khan;

- members of the NEC, PECs, CECs, PSCs, as well as employees working at the NEC or in electoral commissions at all levels;
- civil servants, court officials, members of the Royal Cambodian Armed Forces or of the National Police in position;
- monks or priest of any religion; and
- clerks of any commune/sangkat.

Article 37

A civil servant, court official, member of the Royal Cambodian Armed Forces or of the 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 start of the electoral campaign until the day of proclamation of the official election results.

If elected, the concerned individual shall submit an application through hierarchical channels 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 concerned individual 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, the NEC shall publicize it in each commune/sangkat as well as the date of the election of the commune/sangkat councils and location for the registration of the candidate lists.

Article 39

Every person who intends to stand as a candidate in the election of commune/sangkat councils shall have his/her name included in any political party candidate list.

Candidate lists shall be made by political parties that have been duly registered under the provisions of the Law on Political Parties.

Each political party candidate list shall contain the names of candidates in sequential order.

Article 40

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

Article 41

To stand for the election of commune/sangkat councils, political parties shall submit applications for the registration of candidate lists to CECs at least 90 (ninety) days before polling day, in compliance with the procedures established by the NEC.

Application for registration shall be signed by the leader of the political party leader or a representative duly authorized by him in written form.

Article 42

Applications for the registration of candidates shall enclose the following:

- a copy of the certificate of the party registration with the Ministry of the Interior;
- the address of the political party's headquarters, the 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 containing at least twice the number of commune/sangkat council members;

- the family name, first name, address *[of each candidate]*, 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 biography written 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

The NEC shall set the dates for the reception of applications for the registration of candidate lists in each commune/sangkat.

The NEC shall publicize, at all CEC offices, the dates and duration for the reception of applications for the registration of candidate lists. The reception of applications for registration of candidate lists lasts only 03 (three) days.

CECs shall issue a receipt indicating the reception of the application for the registration of a candidate list to each political party submitting the lists and retain the stub of the receipt for its files.

The receipt indicating the reception of an application shall indicate the number of documents received, the date of delivery and reception with the signatures or thumbprints of the person who delivered and of the person who received it.

Article 44

After the date of reception for registration of the candidate lists ends, 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 filed for registration no 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 has the right to comment to CECs on any political party candidate list publicized as outlined above.

Article 45

In case a political party candidate list duly meets the conditions specified in articles 35, 36, 37, 39, 40, 41 and 42 of this law, the CEC shall decide to approve the application for registration and issue a certificate of registration for the list of candidates to the political party that submitted it no later than 07 (seven) days after receiving the application.

Article 46

In case a political party candidate list does not duly meet the conditions specified in articles 35, 36, 37, 39, 40, 41 and 42 of this law, the CEC shall provide a written notification and instruct the political party that submitted it to make the adequate adjustments in accordance with the conditions specified by this law, and provide this party with the opportunity to correct any shortcoming no later than 05 (five) days after that political party receives the notification.

Article 47

In cases a political party receives a written notification requesting him to correct any shortcoming and does so as requested on time, then the CEC shall accept that political party's application for registration of a candidate list and issue a certificate of registration of the candidate list to that political party.

Article 48

In case a political party submitting a candidate list fails to make the adjustments on time regarding any shortcoming as specified in article 46 of this law, the CEC shall reject that political party's application for registration of its candidate list.

The CEC shall:

- fill in a prescribed Rejection Form indicating the reasons for the rejection, then sign and date it, and give a copy of that form 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 the PEC and retain a copy for its files.

Article 49

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

Article 50

The PEC shall hold a public hearing no later than 03 (three) days after receiving the appeal form.

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

Article 51

In case the PEC accepts the appeal, it shall approve and sign on the appeal form and give a copy of the form to the complainant, and sends a copy to concerned CEC.

The CEC shall approve the application for registration of the political party’s candidate list, register that candidate list and issue a certificate of the registration of the candidate list to that political party.

Article 52

If the PEC rejects the appeal, it shall:

- fill in a prescribed Rejection Form indicating the reasons for the rejection. Then, put a signature and 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 political party which submitted the candidate list for appealing to the NEC;
- send a copy of the Rejection Form to the NEC for information, and retain a copy for its files.

Article 53

Any political party whose candidate list was rejected by the PEC is entitled to file an appeal in written form to the NEC no later than 05 (five) days after receiving notice of the Rejection Form.

Article 54

The NEC shall hold a public hearing no later than 03 (three) days after receiving the Appeal Form.

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

The NEC's decision shall be final.

Article 55

In case the NEC accepts the appeal, it shall approve and sign on the appeal form and give a copy to the complainant, send a copy to the concerned PEC, a copy to the concerned CEC and retain a copy for its files.

The CEC shall approve the application for registration of the political party's candidate list, register it and issue a certificate of registration of the candidate list to the concerned political party.

Article 56

In case the NEC rejects the appeal, it shall:

- fill in a prescribed Rejection Form, then sign and date it;
- provide a copy of the Rejection Form to the concerned political party or its representative, send a copy to the concerned PEC, a copy to the concerned CEC, and retain a copy for its files; and

- notify the political party filing the appeal or their representatives that the NEC's decision shall be final.

Article 57

After the period for the registration of political party candidates lists ends and all appeals are definitively settled, the NEC shall direct the CECs to post the preliminary lists of candidates at each CEC office within 03 (three) days.

Article 58

Eligible voters in the commune/sangkat are entitled to lodge a written complaint to the NEC against candidates or against the preliminary lists of candidates mentioned in Article 57 of this law not later than 03 (three) days after these lists are posted in public.

Article 59

An objection may be filed against any candidate or candidate list 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 objection shall designate a candidate or a candidate list of a particular political party by indicating the actual shortcoming of that candidate or candidate list and the reason for requesting their rejection.

Article 60

The NEC shall hold a public hearing no later than 03 (three) days after it receives the objection.

NEC shall inform the political party having submitted the candidate list against which the objection was filed or its representative, inform the complainant and publicize the place, date and time of its hearing.

Article 61

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

- fill in a prescribed form indicating the reasons for the approval or rejection of the complaint. Then, sign date it;
- provide a copy of that form to the complainant, a copy to the political party having submitted the candidate list against which the complaint was lodged, or its representative, a copy to the concerned PEC, a copy to the concerned CEC, and retain a copy for its files; and
- notify the complainant and the political party or its representative that the NEC's decision shall be final.

Article 62

In case the complaint is upheld, the CEC shall reject the candidacy of the candidate or candidate list of the political party against which the complaint was filed. Then, delete the candidacy of that candidate or candidate list, and withhold and rescind the certificate of registration of that candidate list.

Article 63

The preliminary list of candidates becomes the official list of candidates if there is no complaint against it within the time limit specified in article 58 of this law, or when complaints are fully settled as prescribed in article 60, 61, and 62 of this law.

Article 64

Based on the official lists of candidates mentioned in article 63 of this law, CECs shall conduct drawing lots to determine the order in which candidate lists shall be placed on the ballot and shall make a report of the result of the drawing lots to the NEC through PECs.

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

Article 65

The CEC shall post in public at its office the official lists of candidates and the names of the candidates in each list within 07 (seven) days.

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

Article 66

The political parties and candidates in each political party's candidate lists which have been officially registered, shall comply with the Code of Conduct established by the NEC.

CHAPTER VII

THE ELECTORAL CAMPAIGN

Article 67

The electoral campaign aims to enable all political parties that have been allowed to register candidate lists and candidates to disseminate to the electorate their policy and political platforms with regards to the development of the commune/sangkat.

Article 68

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

- Public meeting of a political party or a candidate;
- The organization of marches or processions either by foot or by any transportation mean in the commune/sangkat no more than 02 (two) times during the electoral campaign;
- Door-to-door canvassing;
- 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 theater or in public places;
- Posting of posters of slogan or political platforms or various campaign pictures;
- Distribution of political party leaflets;

- Distribution of political party signs, caps, clothes, other printed or painted materials, or products with political party or candidate signs to voters;
- Putting up banners and/or notice boards in public places;
- Performing a concert, singing a campaign song or playing campaigning tunes in any place; and
- Organizing sport matches.

Article 69

Political party signs can be installed in public places upon coordination with commune/sangkat authorities, based on the principles of equality, security, public orders and the *[preservation of]* public beauty.

political party signs and campaign material shall never be permitted to install or post in the perimeter of State buildings or offices.

Political parties are prohibited from installing or posting party signs, campaign banners, logos, slogans or leaflets on private houses without prior consent of the owner. The latter is entitled to decide whether or not to install or post signs, campaign banners, logos, slogans, leaflets of any political party.

Any political party sign or campaign material located within 100 (a hundred) meters of a polling station must be removed by the last day of the electoral campaign with the exception of signs on permanent offices of a political party.

Political parties shall remove their posters or banners and all campaign material from public places within 15 (fifteen) days after polling day.

Article 70

The duration of the electoral campaign is 14 (fourteen) days and all campaign activities shall end 24 (twenty-four) hours before 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

Political parties and candidates shall avoid committing threats, acts of intimidation or violence against citizens, other political parties or candidates.

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.

Political parties, candidates or representatives shall not express directly or indirectly, verbally or in writing, immoral messages, insult or contempt of candidates, supporters of political party or other people.

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

Political parties, candidates or their representatives shall not provide gifts in the form of financial or material reward of any kind to any institution, organization or individual in order to buy the will of voters.

Article 72

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

- use the authority of their function to influence the electoral process directly or indirectly through direct or indirect, verbal or written threats to life, physical integrity or attempt to destroy property, display or use weapons for the purpose of intimidation;
- use State-own buildings or offices for electoral campaign to garner votes for any political party or candidate; and
- participate actively in the electoral campaign for any political party or candidate.

Prohibition from active participation in the electoral campaign for civil servants, local authorities at all levels, members of the Royal Cambodian Armed Forces, and of the National Police and Court officials on duty shall include the following:

- acting as a permanent member of a party's information and dissemination committee or electoral campaign committee;
- participating in a meeting, procession, or march in support to any political party and/or candidate;
- conducting public opinion polls for any political party or candidate;
- driving a vehicle of any political party or candidate;
- distributing campaign material to voters in support of any political party or candidate;
- making any public statement in support of any political party or candidate; and
- participating in any music performance, singing a song or disseminating political messages through loudspeakers in support of any political party or candidate.

Article 73

After having completed their working hours, outside working hours or when not on duty, civil servants, authorities at all levels, *[members of]* the Royal Cambodian Armed Forces the National Police, and Court officials can participate in campaign activities in support of any political party or candidate as long as they do not wear uniform, carry their weapons and do anything that would amount to threats.

Article 74

NGOs, local and international associations and organizations operating in the Kingdom of Cambodia and foreigners shall maintain neutrality and impartiality during the election of commune/sangkat councils.

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

- initiate or participate in the electoral campaign conducted by any political party or candidate. Campaign initiative or participation therein include as follows:
 - gathering people or persuading them 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 the dissemination of political platform or campaign materials of any political party or candidate; and
 - being a member of campaign commission of any political party.

- Issue a statement or commit any action in support or showing bias in favor or against any political party or candidate. Such statements or action in support or showing bias include the following:
 - conducting a survey in favour of any political party or candidate;
 - making a written statement or providing an interview to the media in support of any political party or candidate;
 - expressing, directly or indirectly, verbally or in writing, insult or contempt for a party or a candidate; and
 - Display or post pictures or materials on his/her own vehicle or present in own working place to support a party or candidate.

- provide financial, material means, equipment, human resources or other means to support any political party or candidate as follows:
 - providing all kinds of vehicles as a campaign means for any political party or candidate;
 - providing finance, material and other equipment for 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

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

Article 76

During the electoral campaign and the election, all political parties, candidates, political party members and 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 modalities for the submission and settlement of complaints and appeals during the electoral campaign shall be determined by NEC regulations and procedures.

Article 77

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

The NEC shall take measures to broadcast propaganda items upon the request of political parties registered to run in the election in accordance with the principle of equality and an orderly “first come first serve” basis.

Article 78

The managers in charge of theatres, sport centres, parks and public places/hall shall make their premises available to any candidate or contesting political party that requests to rent them for conducting

their electoral campaign, based on the principles of equality and an orderly “first come first serve” basis.

Any political party or candidate who is willing to rent the theatres, sport centres, 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 the campaign event and shall send a copy of the request to the CEC.

The managers of these places shall respond to such request no later than 24 (twenty-four) hours after receiving the request.

Article 79

It is prohibited to use State finance, material and transportation means to conduct the electoral campaign for any political party, candidate and use State-owned transportation means to transport voters to the polling stations.

Article 80

Candidates or political parties having candidate lists running for the election shall not conduct their campaign at private places, unless the owners of these places agree. They shall notify the CEC of the date of these campaign event in advance.

Article 81

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

Article 82

Authorities at all levels that are responsible for security, public order and tasks in other areas shall provide cooperation to the NEC and electoral commissions at all levels to maintain safety, security, and public order during the entire electoral process, the registration of political parties, the electoral campaign, polling, ballot counting, and the election results upon the request of the NEC and electoral commissions at all levels.

CHAPTER VIII
POLITICAL PARTY'S AGENTS AND
ELECTION OBSERVERS

Article 83

Any political party that has a list of candidates running for the election of commune/sangkat councils is entitled to appoint 02 (two) representatives including 01 (one) authorized representative and 01 (one) alternate representative whose names are registered in the voter lists, to be considered as political party agent in each polling station and ballot counting station of the commune/sangkat where it runs for the election.

Political party agents in each polling station and ballot counting station shall have their names registered in the voter lists of any polling station of that commune/sangkat.

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

The reserve political party agent shall be allowed to replace the authorized agent in case of the latter'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 alternate agents to the CEC no later than 07 (seven) days after the posting of the list of candidates as outlined in article 65 of this law.

The application for the registration of a political party agent shall indicate his/her family name, first name, date of birth, address and a certificate proving his/her registration in a polling station of the commune/sangkat, and mention the polling station where he will perform his/her work.

Article 85

The CEC shall register and provide accreditations to political party agents who meet the requirements under articles 83 and 84 of this law.

In case a political party agent or alternate agent does not meet the requirements under articles 83 and 84 of this law, the CEC shall reject his/her name by written notice 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 again an application to the CEC for the registration of agents and alternate agents to replace the ones rejected by the CEC no later than 03 (three) days after the day it received the written notification of such rejection.

Article 86

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

Article 87

The NEC shall determine 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 associations and NGOs.

Article 88

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

Article 89

The NEC shall register and provide accreditations for observers who meet the qualification determined in the NEC regulations and procedures.

Article 90

In case an observer does not meet the qualifications, the NEC shall reject its name in a written notice to the concerned association or NGO [*that applied to register him/her as an observer*] no 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 in replacement of any observer rejected by the NEC no 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 the NEC.

Article 93

During their observation of the polling and ballot counting process, the political party agents are entitled to complain about any violation of this law or of the election regulations and procedures that they directly witness.

Article 94

Any complaint or objection as mentioned in article 93 of this law shall be filed immediately to the Chairperson of the Polling Station Commission or the Chairperson of the Ballot Counting Station when the violation occurs.

Article 95

The modalities of the complaint and objection as mentioned in articles 93 and 94 of this law shall be determined by the regulations and procedures of the NEC.

Article 96

During their observation of 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 objection 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 of the NEC regulations and procedures.

Article 97

During their observation of 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 of the NEC regulations and procedures.

Article 98

The NEC shall inform the political parties, associations and NGOs in charge of observing the conduct of the election of commune/sangkat councils, of the key provisions of the Commune/Sangkat Administration Law and of its regulations and procedures.

Article 99

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

Article 100

The NEC shall issue regulations for political party agents and election observers under the provisions of this law.

CHAPTER IX

ORGANIZATION, ADMINISTRATION AND CONDUCT OF ELECTION

Article 101

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

Article 102

The NEC shall ensure the printing of sufficient numbers of ballots for each commune/sangkat on quality white papers.

Article 103

Each ballot shall have a 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, full name and acronym of each political party shall be put on the ballot in the order determined by drawing lots as prescribed in article 64 of this law.

Article 105

The NEC shall make sure to provide a sufficient number of ballot boxes for each commune/sangkat.

All ballot boxes shall:

- have a lid cover;

- ensure that no ballots can be taken out of the box if the lid is not open;
- be equipped with a key or other mean for closing it with its lid;
- clearly bear a number or other identification on its outer side which cannot be easily changed or deleted; there shall be only one number or identification for each ballot box and it shall indicate the commune/sangkat to which that ballot box is related.

Article 106

The NEC shall make sure to have sufficient numbers of distinct, and secret official seals for each polling stations of each commune/sangkat.

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

The NEC shall issue regulations and procedures for the delivery, receipt and the retrieval of the seals, and shall ensure their secrecy.

Article 107

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

Each polling station shall examine and sign the receipt for all the electoral material delivered to it.

The NEC shall issue regulations on the electoral material and on the procedures for delivery, receipt and the retrieval of this material, and to ensure the secrecy and the security of the ballots.

Article 108

The NEC shall make sure each polling station has the following necessary material:

- 1- voter lists;
- 2- ballot papers still unused;
- 3- ballot boxes;

- 4- polling booths;
- 5- secret seal for stamping on the back of each ballot paper;
- 6- Ink to confirm that the voter has already cast a vote;
- 7- key and padlock;
- 8- forms for filling the minutes and recording the results;
- 9- good quality pens;
- 10- envelopes marked with name of the other form;
- 11- plastic bags and
- 12- other necessary material and equipment.

Article 109

24 (twenty-four) hours before 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, as well as the material and equipment for the election.

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

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

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

Article 110

On polling day, all electoral officials who have been duly assigned to work at the polling station shall be present at that station at 06:00 am, bringing with them all necessary electoral material and equipment.

Political party agents and election observers shall be allowed to enter the polling station at 06:00 am.

Article 111

On polling day between 06:00 and 06:30 am, the electoral officials shall perform the following tasks:

- properly check each ballot box provided as well as its number or identification;
- present each ballot box to the people in the polling station, showing that there is nothing in it;
- close each box with its inner lid, lock it with the padlock;
- affix the number or identification on each ballot box and stamp a seal of the polling station on them;
- allow political party agents and election observers to see the ballot boxes and the identification signs on these boxes.

In case the electoral material and equipment have been delivered to the polling station after 06:30 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 vote at that polling station until the above-mentioned procedure is fully completed.

Once the number and identification are placed on each of them, the ballot box shall not be opened, except for the purpose of counting the votes as outlined in this law, and they shall not be taken out of the polling station, except where the law and regulations require their transportation for ballot counting in another place.

Article 112

Between 06:30 and 07:00 am, the Chairperson of the Polling Station Commission shall direct *[someone]* to open the envelope that contains the secret seal for marking the back of the ballots, count the ballot, record their number 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 07:00 am.

Article 114

The persons allowed to enter the polling station and its inner perimeter are those whose names appear in the voter lists, who have a Khmer I.D. Card and who have not cast their vote yet.

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 where he/she is going to vote;
- he/she has Khmer I.D Card; and
- he/she has not yet cast his/her vote and allows the electoral official to examine his/her finger.

Each voter shall personally make a mark on a ballot in a separate polling booth, and insert the marked ballot into the ballot box at the polling station, then allow the electoral official to dip his/her finger with the indelible ink following the prescribed procedures.

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

The NEC shall make regulations and procedures to implement the provisions of this article and shall determine the management and electoral procedures in the polling station.

Article 115

Any voter who unintentionally spoils a ballot paper shall give it back to the polling station agent official who shall give him/her a new ballot paper in replacement of the spoiled one under a procedure determined by the NEC.

Article 116

Any handicapped voter who is unable to cast a vote by himself/herself has the right to choose a person to help him/her or seek assistance from the Chairperson of the Polling Station Commission.

Article 117

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

Article 118

No one is allowed to interfere with or help any voter when the latter remains in the polling station or within its inner perimeter, unless provided due authority under the provisions of this law.

Article 119

A polling station official or a political party agent has the right to lodge a complaint challenging the presence in the polling station of any individual who 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 that the concerned individual fails to meet any of the requirements specified in article 114 of this law, that individual shall not be allowed to vote and shall be escorted out of the polling station and its inner perimeter by a polling station official.

In case the Chairperson of the Polling Station Commission decides that the concerned individual meets the requirements specified in article 114 of this law, that individual shall be allowed to vote.

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

The NEC shall determine the modalities for making, handling and recording complaints about under the regulations and procedures.

Article 120

In case a political party agent has found any irregularity during polling operations, 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 maintains his complaint or objection, the Polling Station Commission shall record it in the minute and instruct the complainant to countersign that record.

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 the poll closed at 15:00.

Any person willing to vote shall not be allowed to enter the inner perimeter of the polling station after 15:00.

Any eligible voter presents in the polling station or its the inner perimeter at 15:00 shall be allowed to vote.

Article 122.

Immediately after declaring to the poll closed and after all voters have already cast their votes in the presence of political party agents and election observers, the Chairperson of the Polling Station shall:

- seal the hole [through which ballots are inserted] of all the ballot boxes with a paper signed by the Chairperson of the Polling Station and polling station agents, then close and lock the outer cover, and allow political party agents and election observers to examine all of the ballot boxes;

- record in the minutes the number of people who have cast a vote;
- complete and sign the form indicating the number of ballots received, provided to the voters, spoiled and confiscated in the polling station;
- separate the stubs of used ballots from those of unused ballots; and
- show the above-mentioned form, once completed and signed, to political party agents and election observers for inspection.

Political party agents may also sign or thumb-print on the above-mentioned minutes.

Article 123

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

The NEC shall give specific instructions for polling station that are unable to count the ballots at [*the same place*] due to force majeure or insecurity.

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

Article 124

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

In case the ballots are counted in a location other than the polling stations under the conditions specified in the second paragraph of article 123 of this law, the NEC shall direct 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 its inner perimeter is subject to the management and control of the Chairperson of the Ballot Counting Station Commission along the instructions of the NEC.

Article 126

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

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

Political party agents and election observers shall be remained at a reasonable distance to observe all ballot counting activities.

Article 127

The Polling Station Commission shall verify if the number of ballots in the ballot boxes matches with the number of persons who have cast a vote as counted in the voter lists.

In case the number of ballots *[found]* in the ballot box is different from the number of person who have cast a vote, the Chairperson of the Polling Station Commission shall instruct to re-count the ballots.

If the number of ballots remains different from the number of persons who have cast a vote, the Chairperson of the Polling Station Commission shall record this in the minutes.

Before starting ballot counting, the Chairperson of the Polling Station Commission shall pierce or cut all remaining, unused ballots to nullify them. He shall 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 regulations and procedures.

Once the conditions stipulated in article 122, 123, and 124 of this law are met, 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 the items, if any, that are not ballots;
- unfold the ballots that bear the official secret seal on the back and place them face down to form the first pile;
- if any, ballots that bear no official secret seal on the back shall be piled up separately to form a second pile; and
- count the number of ballots face down in these two piles, record them and show them to the political party agents and election observers.

The Chairperson of the Polling Station Commission shall verify whether the number of the ballots poured out of the ballot boxes match with the number recorded in the form completed as stipulated in article 122 of this law, and then show the result of this verification to the political party agents and election observers so that they may scrutinize and evaluate it.

Article 128

Ballot counting station officials shall turn the ballots bearing a seal on the back in the first pile mentioned in article 127 of this law, and then distinguish them as valid and invalid ballots.

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

Shall be deemed invalid any ballot:

1. that is not an official ballot; or
2. that is not marked, or marked but *[in a manner]* the Ballot Counting Commission cannot determine for which political party the voter has cast his/her vote; 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 seal.

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

After this, ballot-counting officials shall count the valid ballots that bear a mark for each political party.

Ballots shall be counted in a way that enables political party agents and observers to see the marks of all of them.

Article 129

When there is an objection to any ballot counted in accordance with the provisions of article 128 of this law, the disputed ballot shall be placed separately, and the objection shall be resolved under the modalities described in article 130 of this law.

Article 130

The ballot counting station officials shall examine all invalid ballots and disputed ballots mentioned in articles 128 and 129 of this law.

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

After considering all 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 political party candidate list;
- that has no mark;
- that is marked but is invalid because ballot-counting officials are unable to determine for which political party the voter has cast his/her vote;
- that bears a sign that allows 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 provisions of the second and third paragraph of article 128 of this law, whether or not there are objections 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 prepare the minutes on the provisional results of ballot counting of his/her respective station in accordance with the regulations and the procedures determined by the NEC, and then send them to the CEC, attached with the voter lists, the valid ballots, the invalid ballots, the unused ballots, the complaints or appeal, if any, and other documents. Minutes on the provisional results of ballot counting shall be posted and given to the political party agents and observers who are present.

The political party agents may also sign or thumb-print on the above-mentioned minutes.

The minutes on the provisional results of ballot counting shall record the number of ballots poured out of the ballot boxes, the number of invalidated ballots, the number of valid ballots, the number of spoiled ballots, the number of remaining ballots and the number of ballots cast for each list of candidates placed in sequential order on the ballot paper.

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

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

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

Article 133

NEC shall further determine:

- ballot counting procedure;
- instructions for preparing the ballot counting minutes at the ballot counting station;
- modalities for properly collecting, packaging and recording the electoral materials for the delivery to and reception by the CEC and for reporting to the CEC; and
- procedures for CECs to review the ballot counting minutes, to consolidate 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 the NEC decides to count the ballots at a location other than the polling stations, ballot counting at that location shall be conducted under provisions of articles 127, 128, 129, 130, 131, 132, and 133 of this law.

Article 135

After the ballot counting minutes are prepared and the electoral material is collected, ballot counting station officials shall deliver the ballot counting minutes and the electoral materials to CEC.

Political party agents and election observers shall be allowed to participate in the transport, delivery and reception of the ballot counting minutes and electoral material mentioned above.

Article 136

The 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 until it receives the ballot counting minutes and electoral materials from all ballot-counting stations in its commune/sangkat.

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

The political party agents may also sign or thumb-print on the above-mentioned handover form as witnesses.

Article 137

CECs shall review and consolidate the provisional results of ballot counting from all ballot-counting stations no later than 03 (three) days after it receives the minutes and electoral materials from all ballot-counting stations.

In reviewing and consolidating the provisional results of ballot counting, CECs may not open any envelope containing the ballots and may not recount them from any ballot counting station for which there is no complaint or appeal against the provisional election results.

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

Article 138

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

The CEC shall make a minute of the consolidation 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 send to the PEC, attached with the voter lists, the stubs of used ballots, unused ballots, valid ballots, invalid ballots, spoiled ballots, the secret seal for stamping

- on the back of the ballots at each polling station, complaint or appeal if any, and other documents, material and equipment;
- a copy shall be posted at the 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, the CEC shall review the provisional election results of the concerned polling station in the presence of political party agents and election 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 list of voters who have cast a vote;
- Examining and counting valid votes cast for each political party candidate list;
- Examining invalid ballots;
- Counting the number of spoiled ballots;
- Counting the number of unused ballots;
- Examining the official secret stamp provided to that polling station; and
- Examining each ballot box and its identification sign or number by checking against the indicative sign or indicative number of the ballot boxes provided to that polling station.

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

After the above-mentioned review is completed, the CEC shall prepare a report and recommendations together with the minutes of the consolidation of provisional election results for the PEC for revision and decision.

Article 140

When the PEC receives the minutes of the consolidation of provisional election results from each commune/sangkat, it shall sign a handover form, give a copy to the CEC and retain a copy for its files.

Article 141

The NEC shall issue additional regulations and procedures for the proper administration and conduct of ballot counting under provisions of this law.

Article 142

PECs shall review the provisional election results of all communes/sangkat under their jurisdiction no later than 05 (five) days after it receives the minutes of the consolidation of provisional election results from each commune/sangkat.

In reviewing the provisional election results of each commune/sangkat, PECs may not open the ballot envelopes of any commune/sangkat or of any polling station if where no complaint or appeal has been lodged against the provisional election results.

PECs may open and examine all electoral materials, and recount the votes if necessary, in any commune/sangkat or polling station for which complaints or appeals have been lodged.

In case the difference between the number of votes cast for two or more lists is inferior or equal to 0,5% [*of the total valid votes*] in a commune/sangkat, and a proper complaint or appeal has been lodged for that commune in accordance with the provisions of article 149 of this law, the PEC shall open and examine all electoral material [*of that commune*] and recount the votes.

The concerned CEC, political party agents, observers and the complainant 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 the PEC.

After the review of provisional election results of each commune/sangkat has been completed, the PEC shall determine the *[number of]* seats received by each political party candidate list, select the names of the candidates elected as members of the commune/sangkat councils under the conditions specified in article 17 of this law, and determine the name of elected candidates to become Chiefs of Commune/Sangkat Councils, Chiefs of Commune/Sangkat and Deputy Chiefs of Commune/Sangkat in accordance with the provisions of articles 32, 33, 34 and 35 of the Law on Commune/Sangkat Administration. It shall then report immediately to the NEC, using the prescribed form.

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

CHAPTER XI

PROVISIONAL ELECTION RESULTS, OFFICIAL ELECTION RESULTS AND CHALLENGES AGAINST THE ELECTION RESULTS

Article 143

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

Article 144

In case of a serious irregularity that might change the provisional election results, the PEC shall suspend the provisional

results of the concerned commune/sangkat, then reject them for that commune/sangkat or at that polling station, and:

- declare that the provisional election results in that commune/sangkat or at that polling station are rejected;
- fill in a prescribed notification form on *[its]* decision on the complaint indicating the reasons for rejecting the provisional election results, then sign and date it;
- declare that the PEC's decision is subject to the review by NEC; and
- send a copy of the prescribed notification form on *[its]* decision on that complaint to the NEC, a copy to the concerned CEC, a copy to the complainant, a copy to the representatives of all the political party having a candidate list in that commune/sangkat, and retain a copy for its files.

Article 145

The 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.

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

Article 146

In case the NEC does not uphold the PEC's decision to reject the provisional election results, it shall:

- declare that the provisional election results of that commune/sangkat or the *[concerned]* polling station of that commune are proper;
- fill in a prescribed form indicating the reasons for disapproving the PEC decision; sign it and date it; and date on that form; and

- send a copy of that form to the concerned PEC, a copy to the concerned CEC, a copy to the complainant, a copy to the representatives of all political parties that have a candidate list in that commune/sangkat, and retain a copy for its files.

Article 147

In case the NEC upholds the PEC's decision to reject the provisional election results, it shall:

- declare that the provisional election results of that commune/sangkat or of the [*concerned*] polling station of that commune/sangkat are rejected;
- fill in a prescribed form indicating the reasons for the rejection of provisional election results, then sign and date it; and
- send a copy of that form to the concerned PEC, a copy to the relevant CEC, a copy to the complainant, a copy to the representatives of all political parties that have a candidate list in that commune/sangkat, and retain a copy for its files.

Article 148

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

A re-election shall be conducted at the same polling station(s) with the same voter lists, and the same political party candidate lists as in the previous election.

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

Article 149

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

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

The complaint shall be based on any irregularity in the electoral process that might change the election results.

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

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

Article 150

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

- inform the complainant that his or her complaint is rejected;
- fill in a prescribed rejection form indicating the reasons for the rejection, then sign and date it;
- notify the complainant that he/she or his/her representative is entitled to appeal the PEC decision to the NEC no later than 04 (four) days after he/she received the rejection form;
- provide the complainant or representative an appeal form to make an appeal;
- send a copy of the rejection form to the NEC, a copy to the concerned CEC, a copy to the complainant, a copy to the

- representatives of all political parties having submitted candidate lists in that commune/sangkat; and
- retain a copy for its files.

Article 151

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

- inform the complainant that his/her complaint is accepted;
- declare that the provisional election results of that commune/sangkat or of the [*concerned*] polling station of that commune/sangkat are rejected;
- fill in a prescribed rejection form of the provisional election results indicating the reasons for the rejection, then sign and date it;
- declare that the PEC's decision is subject to NEC review; and
- send a copy of the form rejecting the provisional election results to the NEC, a copy to the CEC, a copy to the complainant, a copy to the representative of all political parties that have a candidate list in that commune/sangkat, and retain a copy for its files.

Article 152

The NEC shall review the provisional election results of any commune/sangkat or of any polling station for which a complaint was lodged no later than 04 (four) days after it receives the appeal 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 for which a complaint was lodged, the NEC may open and examine all electoral materials and may recount the ballots of that commune/sangkat or that polling station if necessary.

In case the difference between the number of votes cast for two or more lists is inferior or equal to 0,5% [*of the total valid votes*] in a commune/sangkat, and a proper complaint or appeal has been lodged for that commune in accordance with the provisions 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 in the presence of the concerned political party agents, observers and complainants.

Article 153

In case the NEC finds out that the complaint against the provisional election results of any commune/sangkat or of any polling station in 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 complainant or his/her representative that his/her complaint is rejected;
- declare that the provisional election results of that commune/sangkat or of the [*concerned*] polling station of that commune/sangkat are proper;
- fill in a prescribed rejection form indicating the reasons for rejecting [*the complaint*], then sign and date it;
- notify the complainant or his or her representative that the NEC decision shall be final; and
- send a copy of the rejection form to the concerned PEC, a copy to the concerned CEC, a copy to the complainant, a copy to the representative of political parties that have a candidate list in that commune/sangkat, and retain a copy for its files.

Article 154

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

- notify the complainant or his/her representative that his/her complaint is accepted;
- declare that the provisional election results in that commune/sangkat or in the concerned polling station of that commune/sangkat are rejected;
- fill in a prescribed form indicating the reasons for the rejection of the provisional election results, then sign and date it;
- send a copy of the form to the concerned PEC, a copy to the concerned CEC, a copy to the representatives of the political parties that have candidate lists in that commune/sangkat, a copy to the complainant, and retain a copy for its files.

The NEC decision shall be final.

Article 155

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

Article 156

After the provisional election results of each communes/sangkats have been reviewed and found proper, the NEC shall publicly proclaim the official results of the election of commune/sangkat Councils in these communes/sangkat.

For any commune/sangkat which provisional results have been challenged by a complaint or appeal, the proclamation of the official election results shall be made when all complaints or appeals have been completely settled under the procedure outlined in this law.

The NEC shall provide a copy of the official election result of each commune/sangkat to the Prime Minister, a copy to the Minister of Interior, and shall post these results in public at the concerned PEC offices, CEC offices, 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 the consolidation of the election results of the election of commune/sangkat councils, complaints and appeals documents and related decisions by electoral authorities at all levels shall be safely kept indefinitely 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 polling day. When this period 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 the conditions specified in article 11 of the Commune/Sangkat Administration Law.

Article 159

During polling, ballot counting and the proclamation of the election results, local NGOs and, associations, international NGOs and associations functioning in the Kingdom of Cambodia and expatriates shall maintain neutrality and impartiality pursuant to the provisions of article 74 of this law.

Provision of the above first paragraph shall not impede on freedom of expression under applicable laws.

CHAPTER XII

CLOSING THE POLLING STATION IN CASE OF EMERGENCY

Article 160

The NEC is entitled to decide not to open or to close any polling station(s) in case of an emergency leading to a danger or a threat to the safety of electoral officials and 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 that did not open or was closed under this article shall be closed all day long.

Article 161

The 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 no later than 30 (thirty) days at any proper location determined by NEC.

All registered voters at that polling station shall be allowed to vote whether or not they had already cast their vote.

The NEC shall guarantee sufficient numbers of ballots, printed in a different colour from the one used in the previous election.

Article 163

The ballots cast at a polling station that was closed pursuant to article 160 of this law shall not be counted; only the ballots cast during the re-election shall be counted.

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

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

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

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

Article 164

The NEC shall issue additional regulations and procedures for the actual implementation of the situations outlined in articles 160,162 and 163 of this law, in which they include:

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

CHAPTER XIII

BY-ELECTION

Article 165

A by-election as specified in article 17 of the Commune/Sangkat Administration Law shall be conducted within 120 (one hundred twenty) days.

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

The re-election shall be conducted from 07:00 to 15:00 on the same day.

Article 166

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

The voter list *[used]* shall be the latest voter list.

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

Article 167

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

Article 168

The NEC shall be 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 to elect a new commune/sangkat council.

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

CHAPTER XIV

PENALTIES

Article 169

Regardless of 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 the NEC:

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

Article 170

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

Article 171

Regardless of 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 eligible voter 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 eligible voter 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 by the 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 the NEC or/and a fine from 10,000,000 (ten million) Riels to 30,000,000 (thirty million) Riels shall be imposed by the NEC, regardless of 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 the 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 of 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 the NEC and/or shall have his/her name removed from the voter lists for 05 (five) years by the NEC.

Article 175

Regardless of other criminal penalties, any person who brings any type 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 the 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 the NEC or is an agent, a staff or a member of Election Commissions at all levels, the NEC shall dismiss and bar him/her from further employment with the NEC or electoral 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, the 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 of 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 the NEC or electoral commissions at all levels, the NEC shall dismiss and bar him/her from further employment with the 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, the 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 the NEC.

In case the violator is an agent, staff member, or member of the NEC or an electoral commission at any level, the NEC shall dismiss and bar him/her from further employment with NEC or electoral commissions at any level for 10 (ten) years, commencing from the current election.

In case the violator is a candidate running for the election, the 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 the NEC.

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

Article 180

Any foreigner presents on 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 the 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 of other criminal penalties, any person who publicly insult, by all means, a political party or a candidate running for the election, 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 the NEC.

In case of failure to comply with the written warning mentioned above, the 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 of 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 the NEC.

Article 183

A written warning shall be made by the 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 the NEC.

Article 184

A written warning shall be made by the 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 the 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 the 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 the NEC.

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

Article 188

A written warning shall be made by Chairperson of the Polling Station Commission or Chairperson of the Ballot Counting Commission 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 the 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 for the interests of that political party.

Organization or its representative refers to any 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 the 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 the NEC.

Article 192

The procedures to proceed 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

The NEC shall prepare new voter lists to be used 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

