

KINGDOM of CAMBODIA
Nation Religion King



LAW
on
Election of Members of
the National Assembly (LEMNA)
and
Amendments of Law on Election of
Members of
the National Assembly

LEMNA and its Amendments last revised in January 2013
Unofficial Translation

**Law on Election of Members of
the National Assembly (LEMNA)
and
Amendments of Law on Election of Members of
the National Assembly**

- The LEMNA initially adopted by the National Assembly on December 19, 1997 during the 8th plenary session of its 1st legislature and promulgated by Preah reach kram dated December 26, 1997.
- The Additional Law to the LEMNA adopted by the National Assembly on March 31, 1998 during the 8th plenary session of its 1st legislature and promulgated by Preah reach kram dated April 08, 1998.
- The 2nd Additional Law to the LEMNA adopted by the National Assembly on May 05, 1998 during the 8th plenary session of its 1st legislature and promulgated by Preah reach kram dated May 18, 1998.
- The 3rd Additional Law to the LEMNA adopted by the National Assembly on May 08, 1998 during the 8th plenary session of its 1st legislature and promulgated by Preah reach kram dated May 18, 1998.
- The Amended Law of the LEMNA adopted by the National Assembly on August 21, 2002 during the 8th plenary session of its 2nd legislature and promulgated by Preah reach kram dated September 17, 2002.
- The Amended Law on Article 13 (new) of the Amended Law on Election of the Members of the National Assembly adopted by the National Assembly on May 25, 2006 during the 4th plenary session of its 3rd legislature and promulgated by Preah reach kram dated June 27, 2006.
- The Amended Law of the LEMNA adopted by the National Assembly on December 15, 2006 during the 5th plenary session of its 3rd legislature and promulgated by Preah reach kram dated January 31st, 2007.
- The Amendment of the LEMNA adopted by the National Assembly on May 11, 2011 during the 6th plenary session of its 4rd legislature and promulgated by Preah reach kram dated July 04, 2011.

The following is an unofficial translation of the Law on Election of Members of the National Assembly including all amendments to date.

The Khmer text of this law and its amendments should be referred to as the official text.

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CHAPTER I

GENERAL PROVISIONS

Art. 1

The purpose of this Law is to establish the electoral organs, procedures, and the conduct of the Election of Members of the National Assembly of the Kingdom of Cambodia.

Art. 2

The Election of Members of the National Assembly shall be conducted in accordance with the principles of multi-party liberal democracy.

Art. 3 (new)

The Election of Members of the National Assembly shall be held every five (5) years.

The date of polling shall be determined and announced by the Prime Minister upon the request of the Minister of Interior.

The Election of Members of the National Assembly shall be held only one (1) day on Sunday except for the following circumstances:

- Force majeure, in which the Election Day shall be postponed;
- dissolution of the National Assembly before the end of its mandate; in this case the election shall be held within sixty (60) days of the dissolution of the National Assembly;
- Extension of the legislative term of the National Assembly pursuant to paragraph 5 of Article 78 of the Constitution.

Art. 4

The management of the Election of Members of the National Assembly shall be under the jurisdiction of the National Election Committee as defined in Chapter III of this Law.

CHAPTER II

ELECTORAL SYSTEM AND DETERMINATION OF SEATS

Art. 5

The Members of the National Assembly shall be elected by a general, universal, free, fair, just, equal, direct, and secret election by means of secret balloting.

The electoral system shall be proportional representation with provincial/municipal constituencies.

Art. 6

The National Assembly shall have at least one hundred and twenty (120) seats.

Art. 7

On the third year of every legislative term, the Council of Ministers shall form a Committee for the Determination of the National Assembly Seats to modify the number of seats and allocate seats to each province/municipality.

The Committee shall be composed of:

- A representative from each political party currently having seats in the National Assembly;
- Two (2) representatives of the Ministry of Interior;
- The Director of the National Institute of Statistics.

The Committee is headed by a Chairperson and assisted by a Vice-Chairperson, who shall be elected by an absolute majority of the members of the Committee.

Taking account of demographic, geographic, social and economic factors, the Committee shall report and recommend to the Royal Government whether to increase the number of seats or keep the same number of seats.

The Royal Government shall draft a law concerning the determination of the number of seats to be passed by the National Assembly.

Where there is no modification newly adopted, the number of seats of the last legislative term shall remain the same.

Art. 8

The number of seats of the National Assembly and the number of seats allocated to each province/municipality shall be published at least one (1) year before the Election Day.

Art. 9

The new number of seats shall be computed according to the following formula, disregarding the remainders:

$$\frac{PP}{NP} = Q \quad \frac{Pa}{Q} = NA$$

Where:

PP = represents the number of the Cambodian citizens in the last Election of the National Assembly;

NP = represents the current number of seats in the National Assembly;

Q = represents the quotient in whole numbers, disregarding the remainder;

Pa = represents the current number of the Cambodian citizens;

NA = represents the new number of seats, disregarding the remainder.

The number of seats allocated to each province/municipality shall be computed according to the following formula:

$$\frac{P}{Q} = N$$

Where:

P = represents the number of the Cambodian citizens in the province/municipality;

Q = represents the quotient obtained from the calculation above;

N = represents the new number of seats for the province/municipality, disregarding the remainder.

Art. 10

A province/municipality, for which the number of citizens is less than the quotient, shall be allocated one seat.

As for the remaining seats to be allocated after allocation in accordance with the above formula, the Commission may recommend to allocate them to any province/municipality, taking account of geographical, social and economic considerations.

CHAPTER III

ADMINISTRATION OF THE ELECTION

Art. 11

The Election of Members of the National Assembly shall be administered by the National Election Committee (NEC). The National Election Committee shall have Provincial/Municipal Election Commissions (PECs), Commune/Sangkat Election Commissions (CECs), and Polling Station Commissions (PSCs) to carry out its work.

Art. 12

The National Election Committee shall be an independent and neutral body in carrying out its duties.

The Members of the National Election Committee and those of the Election Commissions at all levels shall be neutral and impartial in the implementation of their electoral duties.

Art. 13 (new two)

The National Election Committee shall have the following composition:

- One (1) Khmer dignitary as Chairperson
- One (1) Khmer dignitary as Vice-Chairperson
- Seven (7) Khmer dignitaries as Members.

The Chairperson, Vice-Chairperson and Members of the National Election Committee shall be selected from among dignitaries who are competent in politics, have work experience and good reputation.

The Chairperson, Vice-Chairperson and Members of the National Election Committee shall be appointed by Royal-Decree at least seven (7) months prior to Election Day, at the request of the Council of Ministers upon approval by an absolute majority of Members of the National Assembly.

Before holding office, the Chairperson, Vice-Chairperson, and Members of the National Election Committee shall take an oath of office.

The Minister of Interior shall have the duty to submit to the Council of Ministers, the draft of the proposed composition of the National Election Committee at least nine (9) months prior to the Election Day.

The National Election Committee shall have the right to recruit staff as necessary to carry out the election processes and shall be assisted by a General Secretariat.

Art. 14

In the event of dissolution of the National Assembly before the end of its mandate, the National Election Committee shall organize the Election to elect the new National Assembly within sixty (60) days of the dissolution.

Art. 15 (new)

After being appointed as Chairperson, Vice- Chairperson and Members of the National Election Committee, those who are members of a political party and/or who are holding in the leading positions of a non governmental organization, a civil society, an association, a trade union and/or who are civil servants, shall resign definitely from the party and/or from the leading positions in the non governmental organization, civil society, association, trade union and/or shall apply to be on leave to work outside of their original service until the expiration of their mandates. The

Chairperson, Vice-Chairperson and Members of the Provincial/Municipal Election Commission and Commune/Sangkat Election Commissions, who are members of a political party and/or civil servants, after the appointment shall temporarily resign from the party and/or shall apply to be detached from the original service until the expiration of their duties.

The Chairperson or Vice-Chairperson or Members of National Election Committee, Provincial/Municipal Election Commissions and Commune/Sangkat Election Commissions, shall lose their position in one (1) of the following cases:

- He/she dies;
- He/she resigns in writing ;
- He/she lost his/her professional aptitude as certified by competent ministries/institutions;
- He/she acts in contravention of the internal rules regulated by the National Election Committee;

The decision to expel the Chairperson or the Vice- Chairperson or Members of the National Election Committee shall be the competence of the National Assembly.

The decision to expel the Chairperson or the Vice- Chairperson or Members of the Provincial/Municipal Commissions and Commune/Sangkat Election Commissions shall be the competence of the National Election Committee.

- He/she is condemned/ sentenced to a prison sentence for a felony or a misdemeanor.

In case the Chairperson or the Vice-Chairperson or Members of the National Election Committee lost their office, the Ministry of Interior must submit a new proposed candidate, no later than ten (10) days, to the Council of Ministers. This period can be extended up to thirty (30) days in case there is no election.

The Council of Ministers must submit the new proposed candidate, no later than five (5) days, to the National Assembly after receiving the proposal from the Ministry of Interior. This period can be extended up to fifteen (15) days in case there is no election.

The Chairperson or Vice-Chairperson or Members of the National Election Committee who is/are substituted to the vacancy shall take office as soon as possible.

In case the Chairperson or the Vice-Chairperson or Members of the Provincial/Municipal Election Commissions and Commune/Sangkat Election Commissions lost their office, the National Election Committee must recruit substitution in accordance with the provisions of paragraph (1) of Article 18 (new) and paragraph (1) of Article 20 (new) of this Law.

Art. 16 (new)

The National Election Committee shall be responsible for planning, organizing and managing the election in the whole country. The National Election Committee shall have full right to implement its duties. The rights, authority, duties and responsibilities regarding planning, organizing, managing, and supervising the election are as follows:

1. Taking all necessary measures to ensure that the elections are free, fair just and by means of secret vote;
2. Preparing work plans, budget and the materials and equipment for the election, and publicizing the election calendar;
3. Appointing Provincial/Municipal Election Commissions, Commune/Sangkat Election Commissions, and Polling Station Commissions;
4. Developing regulations, procedures and directives for the election processes within the framework of the laws in effect;
5. Proposing and enforcing measures to maintain security and public order during the time of the election;
6. Supervising the work of Election Commissions at all levels;
7. Establishing the jurisdiction of the polling stations;
8. Issuing decisions regarding the locations of the voter registration stations and polling stations;
9. Producing and allocating the electoral materials and equipment;
10. Recruiting and appointing officials to help the Revision of Voters' Lists and Voter Registration in accordance with the laws and regulations;
11. Preparing the voters' lists and the register of voters;
12. Reviewing and validating the voters' lists;
13. Receiving and deciding on the applications of the political parties' registration and political parties' candidates who run for the National Assembly [Election];
14. Monitoring and facilitating the organization of the electoral campaign;
15. Organizing and managing the voting, counting of ballots, consolidation of the result of the poll, and announcement of the results of the election;
16. Temporarily remove the right to vote or to restore the right to vote;
 - Register the political party running in the election competition or delete the political party from the [competition] list.
 - Delete the candidacy of the candidates who stand for the Election of the National Assembly or to restore their candidacy.
17. Auditing the income and financial expenses incurred by candidates and political parties during the election campaigns;
18. Taking measures and providing coordination to ensure the use of the public media based on equal principle;

19. Providing information on the progress of the electoral processes to political parties and candidates and receiving suggestions related to the election;
Ensuring regular information exchanges and constant coordination on the electoral processes between the National Election Committee/Election Commissions at all levels and the political parties, candidates and stakeholders;
20. Producing and disseminating publications on the election matters;
21. Promoting the public awareness on electoral matters through voters education and public dissemination programs and by other means;
22. Preparing documents, programs and training for the electoral officers;
23. Approving and issuing identification cards to political party representatives and national and international observers;
24. Overseeing the legality aspect of the implementation of regulations and procedures when operating the election;
25. Deciding on all complaints and appeals relating to the election through public hearing, except complaints which fall under the jurisdiction of the courts;
26. Preventing and monitoring the electoral irregularities;
27. Establishing a committee to destroy the ballot papers used during each Election of Members of the National Assembly after these ballot papers had been stored in a safe place for four (4) years counting from the polling day for each mandate, with the participation of the political parties' representatives that have seat(s) in the National Assembly;
28. Implementing other tasks as permitted or required by laws and regulations.

Art. 17 (new)

The working modalities of the National Election Committee shall be determined by the Internal Rules (by-laws) of the National Election Committee in accordance with the provisions in this Law and regulations. In case of the absence of the Chairperson of the National Election Committee, delegation of power shall be made in writing based on hierarchal ranking among Members of the National Election Committee. The meetings of the National Election Committee shall be valid if there is a quorum of 2/3 of the Members of the National Election Committee. If it does not meet the above quorum for a meeting, another meeting shall be convened immediately for the next day and the quorum for this second meeting shall be the majority of the number of Members of the National Election Committee. All decisions of the National Election Committee shall not be deemed valid unless made by an absolute majority.

Art. 18 (new)

The composition of the Provincial/Municipal Election Commissions shall be appointed by the National Election Committee among population, civil servants and/or officials of the province/municipality who are eligible to vote, except for

members of the Royal Cambodian Armed Forces, National Police, court officials, religious priests, provincial/municipal governor and deputy governor, chief and deputy chief of district/khan, members of the commune/sangkat council, village chief, village deputy chief and village member.

This Provincial/Municipal Election Commission shall consist of a Chairperson, a Vice-Chairperson and three (3) to five (5) Members. This Provincial/Municipal Election Commission shall establish a Secretariat as assistant.

Between elections, the National Election Committee shall designate one (1) or two (2) officials of the Secretariat to maintain the continuity of the electoral work in the province/municipality.

Art. 19

The Provincial/Municipal Election Commissions shall have the following duties and responsibilities:

1. To perform duties permitted or required by law, regulations, and other legal norms;
2. To perform other duties and exercise rights assigned and vested in them by the National Election Committee.

Art. 20 (new)

The Members of the Commune/Sangkat Election Commissions, upon request of Provincial/Municipal Election Commissions, shall be appointed by the National Election Committee from among population, civil servants and/or officials in the district/khan, commune/sangkat who are eligible to vote, except for members of the Royal Cambodian Armed Forces, National Police, court officials, religious priests, chief and deputy chief of district/khan, members of the commune/sangkat council, village chief, village deputy chief and village member.

A Commune/Sangkat Election Commission shall consist of a Chairperson, a Vice-Chairperson and three (3) Members.

Art. 21

The Commune/Sangkat Election Commission shall have the following duties and responsibilities:

1. To perform duties permitted or required by law, regulations, and other legal norms;
2. To perform other duties and exercise rights assigned and vested in them by the National Election Committee.

Art. 22- (new)

The Members of the Polling Station Commissions shall, upon request of the Provincial/Municipal Election Commissions, be appointed by the National Election Committee among population and civil servants in the district/khan or commune/sangkat who are eligible to vote, except for members of the Royal Cambodian

Armed Forces, National Police, court officials, religious priests, chief and deputy chief of district/khan, members of commune/sangkat council, administrative officials working for the commune/sangkat office, village chief, village deputy chief and village member.

A Polling Station Commission shall consist of a Chairperson, a Vice-Chairperson, a Secretary, and two (2) Members as it deemed appropriate and as determined by the National Election Committee.

Art. 23-

A Polling Station Commission shall have the following duties and responsibilities:

1. To perform duties permitted or required by the laws, regulations, and other statutory norms;
2. To perform other duties and exercise rights assigned and vested in it by the National Election Committee.

Art. 24-

The National Election Committee may delegate its authority to Provincial/Municipal Election Commissions, Commune/Sangkat Election Commissions, Polling Station Commissions, or electoral officers or agents to conduct the election.

Art. 25-

Candidates running for the Election of Members of the National Assembly or members of the executive committee of a political party shall not be in the composition Members of the National Election Committee or Election Commissions.

Art. 26- (new)

Each political party running in the election may send two (2) of its representatives, one (1) “full-right” representative and one (1) reserved representative among eligible voters, to observe polling activities at each polling station.

The “full-right” representative shall be authorized to enter in the polling and counting stations.

The reserved representative shall be permitted to replace the “full-right” representative in case he/she is absent.

Each political party is entitled to shift its representatives.

Art. 27

The national and international non-governmental organizations, foreign countries and international organizations may send their representatives to participate in the election as an observer.

Art. 28

The representatives of the political parties registered in the election, national and international non-governmental organizations and foreign countries who observe the electoral processes shall be accredited by the National Election Committee.

Art. 29 (new)

The authorities at all levels who are responsible for maintaining security, public orders, and other assignments, shall absolutely cooperate with the National Election Committee and other Election Commissions at all levels to maintain safety, security and public orders during the election time, electoral campaign, polling and counting, upon the request of the National Election Committee or other Election Commissions.

Art. 30

The Chairperson of the National Election Committee shall have the same rank and privileges as a Deputy-Prime Minister. The Deputy-Chairperson of the National Election Committee shall have the same rank and privileges as a Minister. The Members of the National Election Committee shall have the same rank and privileges as a Secretary of State. The Secretary General of the National Election Committee shall have the same rank and privileges as a General Director of a Ministry.

Art. 31

The Members of other Election Commissions at all levels and staff of the General Secretariat and Secretariats shall receive remuneration as determined by the National Election Committee.

Art. 32 (new two)

The Commune/Sangkat Election Commissions shall perform their functions until the announcement of the final results of the Election.

The Provincial/Municipal Election Commissions shall perform their functions until the sixtieth (60th) day after the announcement of the final result of the Election of Members of the National Assembly.

The Chairperson, Vice-Chairperson and Members of the National Election Committee shall continue their functions until new appointments are made.

In case of failure to appoint the composition of the National Election Committee in time as set forth in the paragraph (3) of the Article 13 (new two) of this Law, the existing composition of the National Election Committee shall continue their work and competence in organizing the Election of Members of the National Assembly and other elections as required by the laws.

CHAPTER IV

REGISTRATION OF POLITICAL PARTIES AND LISTS OF CANDIDATES RUNNING IN THE ELECTION

Art. 33 (new)

A Khmer citizen who has the right and willingness to stand as a candidate in the Election of Members of the National Assembly shall meet the following requirements:

1. Be Khmer national by birth;
2. Be at least twenty-five (25) years of age on the date of the Election;
3. Have the right to vote and has name registered in the voters' list;
4. Have a residence in the Kingdom of Cambodia;
5. Be nominated by a registered political party running in the Election.

Art. 34 (new)

The following persons shall not have the right to stand as a candidate in the Election of Members of the National Assembly:

1. Civil servants, court officials, members of the armed forces and members of the national police in holding office, and religious priests; or
2. Persons who are convicted a felony or misdemeanor punishment by the courts and who have not yet been rehabilitated; or
3. Persons condemned to be deprived of their right to vote; or
4. Insane persons or persons under guardianship, certified as such by a competent institution; or
5. Person whose rights to vote is temporary revoked or his/her name is deleted from the voters' lists by the National Election Committee; or
6. Members of the National Election Committee and Election Commissions for the Election of Members of the National Assembly; or
7. Members of the Supreme Council for Magistracy; or
8. Members of the Constitutional Council.

Art. 35 (new)

Civil servants, court officials, members of the armed forces, members of the national police, members of the Supreme Council for Magistracy, members of the Constitutional Council, and religious priests, who wish to stand as a candidate running for Election of Members of the National Assembly, shall resign from their functions or renounce their priesthood at least seven (7) days prior to the date of the electoral campaign.

If elected, any such person shall, through hierarchal rankings, apply to the relevant ministry or institution to be released from duties for the duration of his/her mandate. During his/her mandate, he/she shall automatically retain his/her rights for promotion and upgrading and maintain his/her seniority for the retirement purposes;

At the end of his/her mandate, he/she shall be entitled to return to his/her previous ministry or institution, but his/her position shall be determined by the concerned ministry or institution.

Art. 36 (new)

The modalities for implementing of Articles 33 (new) and 34 (new) of this Law shall be determined by regulations and procedures of the National Election Committee.

Art. 37 (new)

The opening of the registration of political parties running for the Election shall begin ninety (90) days before the polling day.

To officially register the political party running for the Election, a political party shall submit, to the National Election Committee, an application in a form approved by the National Election Committee, no later than seventy (70) days before the polling day, and shall provide the following documents:

1. A copy of the certificate of registration of the political party issued by the Ministry of Interior;
2. The name of the political party in full, together with its acronym and logo;
3. The address of the headquarters of the political party;
4. A list of all candidates throughout the country. The list shall include a number of “full-right” candidates equal to at least one-third (1/3) of the seats in the National Assembly, and number of alternate candidates equal to that of “full-right” candidates;
5. The names of the constituencies corresponding to those constituencies where the party wishes to run and the corresponding lists of candidates. The number of the candidates on list for a constituency shall be the same as the number of the [parliamentary] seats allocated for that constituency and shall conform with the form provided by the National Election Committee.

There shall be at least three (3) alternate candidates for any constituency that has only one (1) or two (2) seats.

6. A bank statement indicating the party's bank account in which revenue, including contributions from whatever sources, has been deposited by the political party in any bank in the Kingdom of Cambodia accredited by the National Bank of Cambodia;
7. The statute of the political party and other documents certifying the creation of the political party;

8. A statement of the political party's commitment to participate in and accept the result of the Election conducted in the manner of free, fair and just as well as participate in complying with the Law on Election of Members of the National Assembly, the Code of Conduct, and the Law on Political Parties;
9. A list of members of the Party Executive Committee or Permanent Committee or a equivalent organ of the political party;
10. A receipt for deposit of fifteen million (15,000,000) riels issued by the National Treasury. This deposit shall be returned to the concerned political party if it receives at least 3 % of the valid votes or it wins one (1) seat in the National Assembly.

In the event of the dissolution of the National Assembly before the end of its mandate, the registration of political parties running in the Election shall accomplish in ten (10) days of the its dissolution.

Art. 38 (new)

The list of candidates for each constituency shall contain:

1. Names of the candidates listed in descending order of priority as determined by the political party;
2. A certification of voter registration issued by the commune/sangkat authority in which a concerned candidate has been registered;
3. A declaration by each candidate accepting his/her nomination in the relevant constituency by the political party that runs in the Election.

Art. 39

Each candidate shall have his/her names appeared on the candidate list of only one (1) constituency.

A candidate whose name appears on the candidate lists of more than one (1) constituency shall be declared by the National Election Committee as having lost his/her rights to be a candidate in the Election, even if he/her seeks to be a candidate of another political party.

Art. 40 (new)

The National Election Committee shall decide on a political party's application running in the Election within seven (7) days of receiving its application.

In the event of the dissolution of the National Assembly before the end of its mandate, the National Election Committee shall immediately examine and decide upon the applications of the political parties running in the Election.

If the National Election Committee accepts the application, it shall issue to the concerned party a letter certifying the registration of that party.

If the National Election Committee examined that the party does not fulfill the requirements as set out in Articles 33 (new), 34(new), 35 (new), 36 (new), 37 (new)

and 38 (new) of this Law, the National Election Committee shall notify the concerned party accordingly so that it can take appropriate steps to complete the requirement.

The concerned party shall complete the lacking point as stated in the criteria within five (5) days from the date receiving the notice.

In the event of the dissolution of the National Assembly before the end of its mandate, the concerned party shall complete the requirement before the closure of the registration of political parties running in the Election.

If the political party fails to meet the requirements at the expiration of this period, the National Election Committee shall consider that the political party has abandoned its registration for running in the Election.

Art. 41 (new)

If a candidacy or list of candidates is rejected pursuant to the provisions stated in Articles 33 (new) or 34 (new) or 35 (new) or 39 of the Law on the Election of Members of the National Assembly, the National Election Committee shall:

- complete a rejection form, indicating the reasons for the rejection and the date of the rejection;
- provide a copy of the rejection form to the candidate and concerned political party ;
- inform the candidate and the concerned political party that, in accordance with Article 42 of this Law, they may appeal in writing to the Constitutional Council within five (5) days after receiving the notification of the rejection; in the event of dissolution of the National Assembly before the end of its mandate, the candidate or concerned political party may immediately appeal in writing to the Constitutional Council;
- send a copy of the rejection form to the Constitutional Council for information and retain a copy for its file.

Art. 42 (new)

Any candidacy or list of candidates of a political party that is rejected by the National Election Committee, that candidate or concerned political party shall have their right to appeal in writing to the Constitutional Council within five (5) days after the date receiving the rejection notice.

In the event of dissolution of the National Assembly before the end of its mandate, the candidate or concerned political party may appeal in writing with the Constitutional Council immediately.

The Constitutional Council shall examine and decide on the appeal within ten (10) days after the date receiving the appeal.

In the event of dissolution of the National Assembly before the end of its mandate, the Constitutional Council shall immediately examine and decide on the appeal.

Art. 43

A hearing or a partial hearing conducted by the Constitutional Council to rule on the appeal shall be public.

The Constitutional Council shall post the date, place and time of the hearing on the appeal.

Art. 44

After the end of the period of political parties registration running in the Election or/and after the final decision on all complaints and appeals, the National Election Committee shall post the list of registered political parties running in the Election and their list of candidates for each province/municipality, in accordance with the regulations and procedures.

CHAPTER V

POLLING STATIONS

Art.45 (new)

The National Election Committee shall establish one (1) or more polling stations in each commune/sangkat in accordance with the regulations and procedures of the NEC.

Each polling station shall serve for a specific determined area.

Each polling station and its coverage areas must locate within their commune/sangkat boundary.

Art. 46 (new)

A) Each polling station shall have no more than seven hundred (700) registered voters.

Each polling station shall consist of the whole village and shall make it accessible to all household members in that village to cast their vote at that polling station.

In case a polling station has registered more than seven hundreds (700) voters, the National Election Committee shall integrate these exceeding names into the list of voters of the nearest polling station in the same commune/sangkat.

B) The National Election Committee shall have the right to select a compound building to establish two (2) or more polling stations, provided it does not affect the regularity of the management and the functioning of the Election.

More polling stations of which located in the same compound or building must be arranged separately.

Each polling station located in the same compound or building must be administered separately and differently, in accordance with the regulations and procedures determined by the National Election Committee.

Art. 47 (new)

The names and locations of the polling stations once established shall be posted to the public.

Political parties that have been registered for running in the Election may request for the list of the names and locations list of the polling stations by paying a fee.

Such fee shall not exceed the cost of production.

The National Election Committee shall send a copy of the names and locations list of polling stations of each constituency to the Constitutional Council.

CHAPTER VI

VOTER REGISTRATION AND VOTERS' LISTS

Art. 48 (new)

The National Election Committee shall ensure that voters' list is available at each polling station established in accordance with the provisions prescribed in Articles 45 (new) and 46 (new) of this Law.

The voters' list for each polling station must be recorded into a register of voters and be retained permanently at the commune/sangkat office in accordance with the regulations and procedures prescribed by the National Election Committee.

The National Election Committee must validate and disseminate the official voters' lists at least ninety (90) days before the polling day.

In the event of dissolution of the National Assembly before the end of its mandate, the last valid voters' lists shall be used as official voters' lists for the Election and shall disseminate these voters' lists at least fifty (50) days before the polling day.

Art. 49 (new three)

This register of voters shall be kept permanently at the commune/sangkat office and one (1) copy shall be officially photocopied and kept at the Headquarters of the National Election Committee. The period of reviewing the voters' lists, the voter registration and providing validity to the voters' lists shall begin from October 1st to December 31st of every year.

In the year of organizing the universal Election, the National Election Committee may decide on the date and duration of the Voters' Lists Revision, Voter Registration and providing validity to the voters' lists differently from the above. The National Election Committee may prolong the period of reviewing the voters' lists and voter registration no longer than thirty (30) days.

In the event of dissolution of the National Assembly during the voters' lists revision and voter registration or force majeure or insecurity, the National Election Committee may decide on the duration of the voters' lists revision and voter registration period other than the above.

The voters' lists revision and voter registration and providing validity of the voters' lists in the newly created commune/sangkats and the communes/sangkats that have changed their boundaries based on the conditions determined in the Law on Administration of Communes/Sangkats shall comply with the provisions and the conditions described in this Law and the regulations and procedures of the National Election Committee.

Art. 50 (new)

To be eligible to vote, every citizen must have his/her name in the voters' lists and must have documents to certify his/her identity during the polling.

To have his/her name in the voters' lists, every citizen shall meet the following conditions:

- Be a Khmer national;
- Be eighteen (18) years old or over counting up to the polling day;
- Have a residence in the commune/sangkat where he/she is going to cast his/her vote;
- Not be in a situation of serving prison term;
- Not be insane or under guardianship as certified by a competent ministry or institution.

The National Election Committee shall issue regulations and procedures to actually implement the paragraph (1) of this Article.

Art. 51 (new)

Candidates running for the Election and their spouse and children may cast their vote in the constituency for which the candidates run for the Election.

A candidate who has his/her name in the candidate lists of an approved political party to run in the Election by the National Election Committee, including his/her spouse and children who have been registered as voters in a constituency other than the one he/she runs for, this candidate may request to the National Election Committee to register his/her name and the name of his/her spouse and children, provided the spouse and children agree to do so, in any polling station at the constituency where he/she is running for.

The National Election Committee shall order to delete that candidate's name and his/her spouse's and children's names from the voters' lists in the commune/sangkat where they have previously registered and then order to register the candidate's name and his/her spouse's and children's names in the voters' lists of a polling station in the constituency where he/she is running upon the request [of the candidate].

Art. 52 (new)

Each Khmer citizen shall be registered under one (1) name and for one (1) polling station only.

Any Khmer citizen, who has more than one (1) residence in the Kingdom of Cambodia, shall choose only one (1) residence to register as a voter.

Art. 53 (new)

The National Election Committee shall delegate its power to the Commune/Sangkat Council to perform functions on its behalf in order to implement the voters' lists revision, the voter registration, and the register of voters for each commune/sangkat.

To carry out the functions mentioned above, the Commune/Sangkat Council shall deliver these tasks to its commune/sangkat clerk who will act as an officer in charge of the voters' lists revision and the voter registration and the register of voters for each commune/sangkat.

The Commune/Sangkat Council shall lead its commune/sangkat clerk to conduct the task properly in accordance with the election law, regulations and procedures prescribed by the National Election Committee.

The Commune/Sangkat Council shall assign one (1) of its council members for the commune/sangkat that has five (5) council members, and two (2) of its members, for commune/sangkat that has from seven (7) council members and up, to supervise and be responsible on a permanent basis for works accomplished by the commune/sangkat clerk during the period of the voters' lists revision and voter registration. The Member of the Commune/Sangkat Council assigned on this permanent basis duty shall not receive any additional remuneration.

The National Election Committee shall consult with the Ministry of Interior on the delegation of authority as appropriated to the capacity and resources of Commune/Sangkat Council and shall provide appropriate training, capacity building, means, supplies and materials, and budget to the Commune/Sangkat Council and the clerk to enable them implementing their responsibilities.

Art. 54 (new two)

A) In order to register to vote, Khmer citizens shall appear themselves in person at their commune/sangkat office or at any place in the commune/sangkat where they are living, as determined by the National Election Committee.

When appearing in person, Khmer citizens shall:

- show their identity to the commune/sangkat clerk;
- have their right to vote as prescribed in the Article 50 (new) of this Law;
- have not yet been registered to vote or have already registered at any other commune/sangkat or have not yet been registered at any place in the commune/sangkat.

In case, a citizen dies or his/her rights to vote have been temporarily removed or, his/her name is deleted from the voters' lists or has changed his/her residence to another commune/sangkat, the commune/sangkat clerk shall record the names of those citizens in a separate list. During the voters' lists revision and the voter registration, the commune/sangkat clerk shall delete the names of [those] citizens from the voters' lists and the register of voters of his/her commune/sangkat as stipulated in the Art. 49 (new three) of this Law.

For citizens who have not previously registered because they just reach the voting age, and just have newly moved in the commune/sangkat, the commune/sangkat clerk shall record the names of those citizens in a separate list. During the voters' lists revision and the voter registration, those citizens shall fulfill the registration requirements as described in the paragraphs (1) and (2) of this Article.

When necessary, the Commune/Sangkat Council may manage to conduct a mobile registration in accordance with the regulations and procedures of the National Election Committee.

B) In order to prove his/her identity, a citizen shall show any of the following documents:

- A passport of the Kingdom of Cambodia;
- An Identity Card issued by the Royal Government of Cambodia, with a photo.
- A family book.

A citizen who appears in person may certify his/her identity by having a guaranteed statement of two (2) eligible voters in that commune/sangkat, made in front the Chief of the Commune/Sangkat or the Commune/Sangkat's Deputy Chief, (in the absence of the Commune/Sangkat Chief); this is to ensure that the declaration of the applicant for registration is certainly true. Then, he/she shall immediately bring that letter of testimony to show to the commune/sangkat clerk in order to fulfill the voter registration requirement.

C) In order to prove that he/she is a Khmer citizen, a citizen shall show any of the following documents:

- A Passport of the Kingdom of Cambodia;
- An identification Card issued in accordance to the Law on the Nationality of the Kingdom of Cambodia and the Sub-Decree (Anukret) n^o 36, dated on July 26, 1996, regarding the Khmer Identity Card.

- An Identification Card of the Civil Servant or of the Royal Cambodian Armed Forces or of the National Police of the Kingdom of Cambodia;
 - An identification Card of the Buddhist Monk;
 - An evidence proving that the name of the applicant for voter registration exists in the last voters' lists, and in the register of voters of the commune/sangkat;
 - A birth certificate justifying the Khmer nationality;
 - A letter issued by the Royal Government of Cambodia certifying that he/she is a Khmer citizen;
 - A letter of certification, a document or a court warrant proving that the mother or father of the applicant is a Khmer citizen, and a document proving that the applicant for voter registration is the child of that father or mother.
 - An official document proving that the applicant for voter registration was born in Cambodia and that the alien father and mother of that applicant were also born and legally lived in Cambodia, and an official document proving that the applicant for voter registration is the child of that father and mother.
- D) In order to prove that his /her age is at least 18 years old counting up to the date of the Election of Members of the National Assembly, a citizen shall show one (1) of the following documents:
- Any document as stated in (B) and (C) of the Article 54 (new two) of this Law which mentioned about the age or the day, month and year of birth of the applicant for voter registration or a letter of testimony made by two (2) persons who have the right to vote in the commune/sangkat, testified in front of the Commune/Sangkat Chief to guarantee that the applicant for voter registration is certainly at least 18 years old counting up to the date of the Election of Members of the National Assembly.
- E) In order to prove that he/she truly has a residence in the commune/sangkat, a citizen shall show one (1) of the following documents:
- any document as stated in (B), (C), and (D) of the Article 54 (new two) of this Law and which specifies that the applicant for voter registration is certainly having a residence in that commune/sangkat; or a letter of certification made the commune/sangkat authority certified that the concerned person certainly has a residence in that commune/sangkat.
- F) In case a citizen has sufficient documents as described in (B), (C), (D) and (E) of the Article 54 (new two) of this Law, the commune/sangkat clerk shall:
- register the name of that citizen in the voters' lists;
 - record the name of that citizen in the register of voters;
 - issue a receipt of the voter registration to the concerned person;

- tell the concerned citizen about the polling station where he/she shall go to cast his/her vote.

For any citizen who already has his/her name in the register of voters, the commune/sangkat clerk shall simply examine the registration evidence of that person; if that person is not under any of the cases stipulated in (A) subparagraph (3) of the Article 54 (new two) of this Law, the commune/sangkat clerk shall update the name of that person in the voters' lists.

Art. 55 (new)

During the period of the voters' lists revision and voter registration, it is prohibited to bring in weapons, explosives and ammunitions, and other dangerous objects into the commune/sangkat office or into any determined place for the voters' lists revision and the voter registration, except when a person causes disturbance, then the Commune/Sangkat Chief may request for an intervention from the competent authority.

The National Election Committee shall ensure that the process of the voters' lists revision and the voter registration be conducted safely without any fear or intimidation.

Art. 56 (new two)

The commune/sangkat clerk, after getting the advice from the Member(s) of the Commune/Sangkat Council on permanent duty in supervising his/her work, may reject the request to register of any person when there is evidence proving that such person does not sufficiently meet the requirements stated the Article 50 (new), and in (A), (B), (C), (D) and (E) of Article 54 (new two) of this Law.

In the case when the commune/sangkat clerk refuses to register a citizen, the commune/sangkat clerk shall:

- fill out a rejection form by indicating the reasons and date of the rejection;
- provide a copy of the rejection to the concerned person;
- inform the concerned person that referring to the Article 57 (new) of this Law, he/she or his/her representative may file an appeal in writing to his/her Commune/Sangkat Council within three (3) days , after the date receiving the rejection notice.
- send a copy receiving of the rejection to the NEC through the secretariat of the Provincial/Municipal Election Commission for information and keep one (1) copy for filing.

Art. 57- (new)

Any person, whose registration is rejected by the commune/sangkat clerk, or his/her representative, may file an appeal in writing to his/her Commune/Sangkat Council, within three (3) days after the date of receiving the rejection notice.

Art. 58 (new)

The Commune/Sangkat Council shall hold a decision meeting open to public on the appeal by using an absolute majority votes of the entire Commune/Sangkat Council within three (3) days , after the date of receiving the appeal.

Art. 59 (new two)

If the Commune/Sangkat Council decides in favor of the complainant, the Commune/Sangkat Council shall order the commune/sangkat clerk to proceed the registration in accordance to the provision stated in (F) of the Article 54 (new two) of this Law.

If the Commune/Sangkat Council rules out the appeal, the Commune/Sangkat Council shall:

- fill out the rejection form by indicating the reasons and date of the rejection.
- provide a copy of the rejection to the concerned person;
- inform the concerned person that referring to the Article 60 (new) of this Law, he/she or his/her representative may file an appeal to the National Election Committee within five (5) days , from the date receiving the rejection notice;
- send a copy of the rejected file to the NEC, through the secretariat of the Provincial/Municipal Election Commission for information and keep one (1) copy for filing.

Art. 60 (new)

Any person, whose complaint is rejected by the Commune/Sangkat Council, or his/her representative may appeal in writing to the National Election Committee, within five (5) days, after the date of receiving the rejection notice.

Art. 61 (new two)

The National Election Committee shall, through an open public hearing, decide on this appeal within five (5) days, from the date receiving the appeal.

If the NEC rules in favor of the request of the complainant, the NEC shall issue a decision to the Commune/Sangkat Council to order the commune/sangkat clerk to register the name of the rejected person in accordance with the registration provision described in (F) of the Article 54 (new two) of this Law.

If the NEC rules out the appeal of the complainant, the NEC shall:

- fill out a rejection form by indicating the reasons and date of the rejection;
- provide a copy of the rejection to the complainant;
- inform the concerned person that referring to the Article 62 (new two) of this Law, he/she or his/her representative may file an appeal in writing to

the Constitutional Council within five (5) days , after the date receiving the rejection notice.

- send a copy of the rejection file to the Constitutional Council for information and keep one (1) copy for filing.

Art. 62 (new two)

Any person whose registration is rejected by the National Election Committee, that person or representative may file a contested complaint in writing to the Constitutional Council within five (5) days, after the date receiving the rejection notice.

The Constitutional Council shall, through an open public hearing, decides on the appeal within ten (10) days after the date receiving the complaint.

Whether the Constitutional Council agrees or disagrees with the complaint, the Constitutional Council shall:

- issue a decision to the National Election Committee to register or reject the registration of the person in question;
- send a copy of the decision of registration or rejection to the complainant or his/her representative;

If the decision of the Constitutional Council order to register the name of the person in question, NEC shall order the Commune/Sangkat Council to register the name of that person in question in accordance to the registration requirement prescribed in (F) of the Article 54 (new two) of this Law, then send a copy of the newly modified voters' lists to the Constitutional Council.

Art. 63 (new)

After the closing date of the voters' lists revision and voter registration, and after all complaints related to the registration have been totally resolved, NEC shall post the preliminary voters' lists at the commune/sangkat office, and at a designated location in the commune/sangkat as determined by the National Election Committee.

The political parties that have been registered in accordance to the Law on Political Parties have the rights to request for a copy of this voters' lists by paying a fee. This fee shall cover only the production cost.

Art. 64 (new two)

Any person may, within five (5) days after the posting of the preliminary voters' lists, file a complaint in writing to his/her Commune/Sangkat Council, regarding the disappearance of name [from the voters' lists] or object to registration or the retention of names of another person in the voters' lists, provided he/she has the evidence proving that :

- that person does not meet the proper requirements as stated in the Article 50 (new) and the Article 54 (new two) of this Law.

- that person has name registered in the voters' lists in more than one (1) place;
- that person came to register and has a registration receipt proving his/her registration, but he/she does not have his/her name in the voters' lists and in the register of voters.
- that person has name in the voters' lists, but the recording is unclear.

The appellant shall provide any document as evidence to the Commune/Sangkat Council.

The person filing objection must provide additional information, upon the request of the Commune/Sangkat Council.

In the year of organizing the universal Election, the filing of complaints stipulated in the paragraph (1) of this Article last for ten (10) days, after the posting of the preliminary voters' lists.

Art. 65 (new two)

The Commune/Sangkat Council shall make decision, as open to public, on any appeal or objection within three (3) days, after the date receiving the complaint.

If the appeal or the objection is sustained, the Commune/Sangkat Council shall order the commune/sangkat clerk to register the person in question or delete the name of the person in question from the voters' lists.

If the person who lodged the appeal or the objection does not agree with the decision of the Commune/Sangkat Council, he/she or his/her representative may appeal in writing to the National Election Committee within five (5) days after the date receiving the notice of the Commune/Sangkat Council.

The National Election Committee shall, in an open public hearing, decide on the appeal or objection within five (5) days after the date of receipt of the complaint.

If the National Election Committee rules that the complaint or objection is justifiable, the NEC shall order the Commune/Sangkat Council to register the concerned person in the voters' lists in accordance with the requirement stated in (F) of the Article 54 (new two) of this Law, or to delete the name of the person in question from the voters' lists and the register of voters.

If the person who files complaint or objection is not satisfied with the decision of the National Election Committee, he/she or his/her representative may file an appeal in writing to the Constitutional Council within five (5) days, after the date of receiving the notice of the National Election Committee.

Art. 66 (new two)

The Constitutional Council shall rule on the complaint or objection in an open public hearing within ten (10) days, after receiving the complaint.

If the contested or objection complaint is sustained, the Constitutional Council shall:

- issue a decision to the National Election Committee to register or reject the name of the complainant of the appeal or of the objection complaint, or of the person in question;
- send a copy of its decision in favor or not in favor of the complaint, to the complainant of the appeal or the objection , or to the person in question.

If the decision of the Constitutional Council is ordering to register the name of complainant or the person in question, the National Election Committee shall order the Commune/Sangkat Council to register the name of the concerned person in compliance with the requirement stated in (F) of the Article 54 (new two) of this Law, then send a copy of the newly modified voters' lists to the Constitutional Council.

Art. 67 (new)

When all appeals or objection complaints are definitely resolved, the National Election Committee shall order to send the official annual voters' lists to the commune/sangkat office to be kept as in official document.

The citizen, who has the right to vote in the commune/sangkat, has the right to review his/her name in this official voters' lists.

The Political Party that has been legally registered in accordance with the Law on Political Parties has the right to request for a copy of this official voters' lists by paying a fee. This fee shall not exceed the production cost.

Art. 68 (new)

The National Election Committee shall order to post the official voters' lists to the public at each polling station in the commune/sangkat, at the office of Commune/Sangkat Election Commissions and at the Provincial/Municipal Election Commissions, as scheduled by the National Election Committee.

Art. 69 (new)

Political parties or national and foreign non-governmental organizations, international organizations, and other countries, may send their representatives as observers, during the voters' lists revision and voter registration period every year.

All representatives shall be accredited by the National Election Committee.

CHAPTER VII

ELECTORAL CAMPAIGN

Art. 70

The goal of the electoral campaign is to allow political parties and candidates competing in the Election to convey their political platforms to voters.

Art. 71

All political parties and candidates shall avoid using threats, intimidation or violence against citizens, other political parties or candidates.

All political parties and candidates shall not incite their supporters or voters to use threats, intimidation or violence against individual or other political parties.

Art. 72

The electoral campaign period shall last thirty (30) days and all activities of the electoral campaign shall end twenty four (24) hours before the polling day.

Art. 73 (new)

During the electoral campaign period and on the polling day, all political parties and all candidates, all members and all supporters of political parties shall comply with the measure, provisions and principles set out in this Law and with the Code of Conduct, Regulations and Procedures of the National Election Committee, and shall respect the principles of human rights and democracy described in the Constitution of the Kingdom of Cambodia.

The procedures and modality of filing appeal or objection complaint during the electoral campaign and the complaint resolution shall be determined by Regulations and Procedures. The Constitutional Council is the highest competent body in issuing final decisions [of relevant complaints].

Art. 74

All media outlets, including state-run press, television and radio, shall disseminate all information upon the request of the National Election Committee, at no cost, for the purpose of publicizing the work related to the Election, and of educating voters.

Art. 75

The National Election Committee shall undertake measures to publicize the political messages at the request of the political parties that have registered for running in the Election, based on an equal principle and an orderly “first come first serve” basis.

Art. 76

In exercising their rights to publicize, all political parties and candidates shall avoid using violence, abuse, or contemptuous language, causing fear [and] confusion, and causing a loss of confidence in the secrecy of voting.

Art. 77

The manager of the theaters, stadiums, public parks and halls shall make their own facilities available to all candidates or political parties that have registered for running in the Election and have request to rent them for their electoral campaign, based on an equal principle and an orderly access "first come first serve" basis.

Art. 78

During the electoral campaign of the Member of the National Assembly Election, the political parties and candidates who wish to rent the public theaters, stadiums, public parks and halls described in Article 77 of this Law, shall submit an application to the manager(s) of these facilities at least three (3) days before their scheduled campaign meeting; and shall make a copy of this application to be sent to the Commune/Sangkat Electoral Commission.

The manager of the facility shall respond to the applicant within twenty-four (24) hours after receiving the application.

Art. 79

The political parties or candidates may conduct their campaign activities in private areas or private halls, with the consent of the owners, but the political parties or candidates must inform the Commune/Sangkat Electoral Commission.

Art. 80

All political parties and candidates shall not interfere with or obstruct the activities of other political parties or candidates.

Art. 81

All expenses for the electoral campaign incurred by a political party and each candidate shall be covered by that political party or candidate [as its own expenses].

Art. 82

Every political party that has registered for running in the Election shall have an account book to record the incomes, the source of income and the expenses for the electoral campaign.

The National Election Committee may examine the account book, when there is a necessity.

Art. 83

All contributions received by the political party shall be deposited in a bank account and all electoral campaign expenses shall be debited from the same account.

CHAPTER VIII

**POLLING, VOTE COUNTING, AND CONSOLIDATION
OF THE ELECTION RESULTS**

Art. 84 (new)

The polling stations shall be organized as described in the Articles 45 (new) and 46 (new) of this Law.

Art. 85 (new)

The Polling shall be conducted in one (1) day.

The polling shall start from seven (7:00) o'clock in the morning until three (15:00) o'clock in the afternoon, unless otherwise decided by the National Election Committee.

If all voters who have names in the voters' lists of a polling station have already cast their ballots, the Polling Station Commission may declare to close the polling before 3:00 p.m.

The chairperson of the polling station shall declare to close the polling at 3:00 p.m.

Any person who wishes to cast his/her vote shall not be permitted to enter into the inner perimeter [of the polling station] after 3:00 p.m.

Eligible voters who have the rights to vote after 3:00 p.m. and shall be allowed to vote are the persons being inside the polling station or the inner perimeter of the polling station at 3:00 p.m.

Art. 86

The National Election Committee shall publicize the lists of names and location of all polling stations and post them at all polling stations at least thirty (30) days before the polling day.

Art. 87

The registered political parties running in the Election shall be entitled to obtain a copy of the lists of names and locations of the polling station by paying charge. Such charge shall not exceed the cost of production.

Art. 88 (new)

One (1) day before the polling day, the National Election Committee shall provide each polling station with an appropriate quantity of the following polling materials:

1. voters' lists;
2. ballot papers still unused ;
3. ballot box;
4. voting booths;
5. secret seal to stamp on the ballot papers;
6. indelible ink to indicate as having cast the ballots;
7. padlocks and safety fasteners;
8. forms for recording the polling minutes and the vote tally;
9. ball-point pens with good quality.
10. pre-printed envelopes;
11. plastic bags;
12. other necessary materials and equipment.

Art. 89

One (1) day before the polling day, the Chairperson of the Polling Station Commission shall call a meeting to verify the presence of its members, examine the location of the polling station and check the polling materials and equipment to be used for polling.

If any member of the Polling Station Commission is absent, such member shall be replaced by a new member recruited as described in the regulations and procedures.

The Chairperson of the Polling Station Commission shall take action to ensure that the polling station has material, equipment and furniture necessary for the conduct of the polling.

The Chairperson of the Polling Station Commission shall inspect the security situation at the polling station and, if necessary, shall take appropriate measures to maintain the safety as needed.

Art. 90

On polling day, the members of the Polling Station Commission shall arrive at the polling station at least one (1) hour before the polling start, in order to make appropriate preparations.

The Polling Station Commission shall verify the credentials of the political parties' agents and of the electoral observers, before allowing them to enter into the polling station.

Art. 91 (new)

Before the polling starts, the Chairperson of the Polling Station Commission shall open and show the ballot box in the presence of all members of the Commission, the representatives of political parties and all observers to witness that there is nothing inside the ballot box, then shall lock the box and shall record the lock serial numbers in the polling minute [form], and after that shall examine and count the number of the unused ballot papers that have been actually received , and then shall open the envelope containing a secret seal to be used to stamp on the back of [each] ballot paper.

Art. 92 (new)

Each citizen [voter] shall cast his/her vote only at the polling station where his/her name is on the list of voters [for that polling station] and shall have an evidence document proving his/her identity.

Art. 93

The Members of the Polling Station Commission shall entitle to cast their votes first, followed by the political parties' agents and the electoral observers whose names are on the voters' list of that polling station.

Art. 94

Each voter shall have the right to cast only one (1) vote and one (1) time only, by casting the vote in person.

Each voter shall vote by placing a mark on the ballot paper of only one (1) political party of his/her choice, without making any modification or addition or substitution [to the existing political parties on the ballot paper]. The manner of voting shall be determined by the National Election Committee.

Art. 95

Voting shall be secret.

Any attempt to discover or to reveal the secrecy of voting shall be prohibited.

Art. 96

To maintain the order inside of the polling station, each person shall respect the electoral Regulations of the National Election Committee.

Art. 97 (new)

Any handicapped voter who is unable to vote by him/herself, shall has the rights to bring along an assisted adult or to seek for assistance from the Chairperson of the Polling Station.

Art. 98 (new)

Any person who has only document proving his/her identity, but his/her name is not on the voters' lists, shall not be allowed to vote.

Art. 99

Only voters who must cast their ballots are allowed to enter into the polling station, except the person authorized by the National Election Committee.

Art. 100

Entering into the security perimeter of a polling station with a weapon or any type of explosives and entering into the polling station in armed forces uniform shall be prohibited, except it is authorized by a special permission of the Chairperson of the National Election Committee.

The area of the polling station shall be 2,000 squared meters, and the security range shall be set at 200 meters around the polling station, unless otherwise decided by the National Electoral Committee.

Art. 101

If a political party agent finds that the polling is irregular, he/she may object or complain to the Chairperson of the Polling Station Commission.

The procedures of bringing objection or complaint shall be determined by the Regulations and Procedures.

The Polling Station Commission shall settle the objection or complaint.

The decision of the Polling Station Commission is valid within its jurisdiction provided the polling proceeds on a regular basis.

If the party agent persists in objecting or complaining, the Polling Station Commission shall record the objection or complaint in the minutes form, which shall be co-signed by the objecting or complaining person.

Art. 102-

After the announcement of the closing of the polling, the Polling Station Commission shall record in the minutes form, the number of voters who have cast their votes and the number of the unused ballots, and shall arrange for the counting of the ballots on the spot, in accordance with the Regulations and Procedures.

If the counting of ballots at a given polling station cannot be conducted due to force majeure or insecurity, the National Election Committee shall issue particular directives regarding the case.

The national and international observers and the political parties' agents may participate as witnesses of the ballot counting.

Art. 103

The Polling Station Commission shall be responsible for the ballot counting. Before opening ballot box, the Chairperson shall invite members of the polling station, political parties' agents, and electoral observers to examine the sealed lock, and then open the box in their presence.

Art. 104

The Polling Station Commission shall count the number of ballots placed inside of the ballot box and shall check this number against the number of voters who have cast their votes as have been marked on the list of voters.

Where the number of ballots in the ballot box is different from that of the marked voters, the Chairperson of the Polling Station Commission shall order a recount.

If the [two] numbers still differ, the Chairperson of the Polling Station Commission shall record this difference in the minutes form.

Then, the Chairperson of the Polling Station Commission shall direct to count the ballot in accordance with the Regulations and Procedures.

Art. 105 (new)

Any ballot paper provided by the Polling Station Commission that is ticked for only one (1) political party shall be deemed valid. Any ballot paper shall be deemed invalid if:

- 1) it is not an official ballot paper; or
- 2) it is not marked or marked but the Polling Station Commission is unable to determine for which political party it is marked for; or
- 3) It bears a mark by which the voter can be identified ; or
- 4) it is torn or damaged; or
- 5) it does not have the stamp of the secret seal on its back.

The invalid ballots as described in (1), (2), (3), (4), and (5) above shall be determined by the Regulations and Procedures of the National Election Committee.

Art. 106

After the ballot counting is finished, the Polling Station Commission shall prepare a report regarding the ballot counting in two (2) copies; one (1) of which shall be sent to the Commune/Sangkat Election Commission by enclosing the list of

voters, the valid and invalid ballots , the unused ballots the objections or complaints, if any, and other documents; and another copy shall be posted at the polling station.

The valid, invalid and unused ballots, the objection complaints, if any, and other documents shall be packed in separate supplied envelopes.

The Chairperson and Members of the Polling Station Commission shall sign the report of the ballot counting. The representatives of political parties may sign the ballot counting report as witnesses.

Art. 107

The method of sending, delivering and receiving the report shall be determined by the Regulations and Procedures.

Art. 108

The political parties' agents and the national and international observers may participate as witnesses in the delivery or the receipt of the polling report.

Art. 109-(new)

The Commune/Sangkat Election Commissions shall collect the minute and other documents from all Polling Station Commission and make a report of consolidation of the election results in their commune/sangkat. This report of consolidation shall be made in four (4) copies, one (1) of which shall be sent to the National Election Committee, one (1) copy to be sent to the concerned Provincial/Municipal Election Commission, one (1) copy to be posted at the Commune/Sangkat Election Commission's office and the last one to be kept for filing.

If there are complaints against the election results or irregularities at any polling station, the Commune/ Sangkat Election Commission shall immediately hold a decision-making meeting open to public to solve those complaints.

In case, a complainant is not satisfied with the Commune/Sangkat Commission's decision, he/she or his/her representative has the right to appeal to the Provincial/Municipal Election Commission immediately.

Art. 110

The Provincial/Municipal Election Commissions shall collect all reports from the Commune/Sangkat Election Commissions and make a consolidated report of polling results in their concerned province or municipality. The consolidated report shall be made in three (3) copies; one of which shall be sent to the National Election Committee, with the enclose of the voters' lists, the valid, invalid and unused ballots, the objections or complaints, if any, and other documents; and another copy shall be posted at the office of the Provincial/Municipal Election Commission and the last copy shall be retained for filing.

Art. 111 (new)

If there is contested complaint against the result of the election or against serious irregularity, the Provincial/Municipal Electoral Commission shall immediately hold a hearing open to public to decide on such complaint and shall send its decision with the attachment of the report of the consolidated results of the election to the National Election Committee.

If the complainant is not satisfied with the decision of the Provincial/Municipal Electoral Commission, he/she or representative shall file a contested complaint immediately to the National Election Committee.

The National Election Committee shall examine and decide whether to accept the election result as valid or to organize a re-election.

The re-election shall be organized within eight (8) days, after this decision [of the NEC].

Art. 112 (new)

The National Election Committee shall collect all election results, examine then decide on [the validity of] the results.

If there are no serious irregularities, the National Election Committee shall announce its recognition of the election results.

If there are serious irregularities that affect the results of the election, the National Election Committee shall deny the results of the election of that one concerned polling station or of all those concerned polling stations and inform the political parties accordingly. In these cases, a re-election of that particular polling station or of those concerned polling stations shall be organized within eight (8) days after its decision.

Art. 113

After examining and deciding on the results of the elections, the National Election Committee shall publicize the provisional results of the Election of Members of the National Assembly.

A copy of the provisional results shall be sent to the King and one (1) copy to the Constitutional Council. The political parties that have registered for running in the Election shall have the right to request a copy of the provisional election results.

Art. 114

After the announcement of the provisional results of the Election, , all political party registered for running in the Election may file a complaint against all or part of the election results within seventy two (72) hours to the National Election Committee or directly to the Constitutional Council by indicating irregularities caused by the Commissions or Members of the Commissions, the date and the place where

irregularities have taken place, the names and addresses of witnesses, including other documents or evidences.

Art. 115 (new)

The National Election Committee shall rule on the complaint within forty eight (48) hours after receiving the complaint.

If the National Election Committee finds that the complaint is unacceptable, the National Election Committee shall:

- fill out the rejection form by indicating the reasons and the date of the rejection;
- provide a copy of the rejection to the complainant or/and the political party;
- inform the complainant or/and the political party that pursuant to the Article 117 (new) of this Law, he/she or the political party has the right to appeal in writing to the Constitutional Council within seventy two (72) hours after receiving the objection notice;
- send a copy of the rejection to the Constitutional Council for information and keep one copy for filing.

Art. 116 (new)

If the National Election Committee finds that the appeal has reasonable ground, the National Election Committee shall open a public hearing to decide on the appeal. In such case, the National Election Committee shall publicize the date and place of the hearing and inform the appellant or/and the political party, and the Constitutional Council.

The appellant and/or the political party and the Members of Election Commissions or/and the relevant Election Commissions shall appear at the hearing.

If the National Election Committee holds the appeal justifiable, it shall:

- reject the election results of that particular polling station or those concerned polling stations and organize the re-election at that polling station or those concerned polling stations within eight (8) days from its decision;
- complete an approval form, indicating the reasons and the date of approval;
- send a copy of the approval form to the appellant or/and the political party;
- send a copy of the approval to the Constitutional Council for information, and retain a copy for filing.

If the National Election Committee rejects the appeal, it shall:

- complete the rejection form, indicating the reasons and the date of rejection;
- send a copy of the rejection to the appellant or/and the political party;
- inform the appellant or/and the political party that, in accordance with the Article 117 (new) of this Law, the concerned person or the political party has the right to appeal in writing to the Constitutional Council within seventy two (72) hours after receiving the appeal's rejection;
- send a copy of the rejection to the Constitutional Council for information, and retain a copy for filing.

Art. 117 (new)

Any person or/and political party whose appeal is rejected by the National Election Committee, he she or/and the political party may appeal in writing to the Constitutional Council within seventy two (72) hours after the date of receiving the rejection notice.

The Constitutional Council shall open a public hearing to rule on the appeal within ten (10) to twenty (20) days after receiving the appeal.

The decision of the Constitutional Council shall be final.

If the Constitutional Council finds that the appeal is unacceptable, it shall:

- complete the appeal's rejection form, indicating the reasons and the date of rejection;
- send a copy of the rejection to the appellant or/and the concerned political party and to the National Election Committee;
- publicize the decision and retain one copy for filing.

If the Constitutional Council finds that the appeal has reasonable ground, it shall open a public hearing to review and decide on the appeal within ten (10) to twenty (20) days after receiving the appeal.

A) If the Constitutional Council upholds the appeal, it shall:

- complete the approval form, indicating the reasons and the date of approval;
- send a copy of the approval to the appellant or/and the political party ;
- issue a decision instructing the National Election Committee to reject the election results of that polling station or those polling stations and to organize the re-election at that polling station or those polling stations within eight (8) days from its decision;
- publicize its decision and retain a copy for filing.

B) If the Constitutional Council rejects the appeal, it shall:

- complete the rejection form, indicating of the reasons and the date of rejection;

- send a copy of the rejection to the appellant or/and the concerned political party, and to the National Election Committee;
- publicize its decision and retain a copy for filing.

Art. 118 (new)

A) After having resolved all complaints and after receiving all results of the Election, including the results of the re-election, if any, the National Election Committee shall officially proclaim the results of the Election and allocate the number of seats for each political party per each constituency based on the number of valid votes received by each political party.

Allocation of seats [to each political party] in the province or municipality shall be made in accordance with the highest average formula based on the number of seats and the result of the election in the province or municipality by applying the steps described below.

Step 1: determines the electoral quota required for a political party to gain a seat, by dividing the total of the valid votes in the province/municipality with the total number of seats allocated to the province/municipality under the following formula; and [the quota formula] shall be applied separately for each individual province/municipality:

$$Q_t = \frac{V_v}{S_s}$$

Where:

Q_t = the electoral quota, irrespective of the remaining decimal;

V_v = the total number of the valid votes received by all political parties running in the Election in the province/municipality;

S_s = the total number of seats allocated to each provincial/municipal constituency.

Step 2: determine the preliminary number of seat(s) that each political party would obtain in the province/municipality.

The following formula shall be applied separately for each individual political party running in the Election in the province/municipality:

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

Where:

Ns = Quotient irrespective the remaining decimal, representing the number of seat(s) that each political party is entitled to receive prior any necessary calculation indicated in Step 3.

Vv = the number of the valid votes received by each political party in the province/municipality;

Q_t = the electoral quota determined in Step 1.

After the apportionment of seats in step 2 for all political parties running in the Election in the province/municipality is done, and if there is no seat left for further apportionment, therefore, the number of seats [attributed to each party] is considered final.

In case when step 2 is complete in allocating the seats for all political parties running in the Election in the province/municipality, and there is seat(s) left; thus the remaining seat(s) shall be apportioned by applying the formula set out in Step 3.

Step 3: the remaining seat(s) shall be apportioned to each legitimated political party in the province/municipality by a highest average. The following formula shall be applied separately for each political party running in the Election in the province/municipality:

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

Where:

Ha = the highest average;

Vv = the number of valid votes received by a political party;

Ns = the number of seats allocated to a political party [in step 2].

If after the apportion to all qualified political parties by using step 3 is complete, and there is still one (1) seat left , that seat shall be apportioned to the political party that has attained the highest average.

If there are more than one (1) seat left to be allocated, the formula in Step 3 shall be applied and one (1) seat left shall be apportioned to the political party that has attained the highest average. Then, this formula shall be applied again by increasing the value of Ns to (Ns + 1) for the political party that received one seat during the first application of the formula [step 3]. Thus, one (1) seat will be apportioned to the political party that attained the highest average resulted from the second application of this formula. if there are still more seat(s) left repeat the same computation apportioning one (1) seat at a time successively until there is no seat left.

B) The declaration of the elected Members for the National Assembly shall be made in accordance to the party's list of candidates and in a priority descending order from the top ranking down as stipulated in Article 38 (new) of this Law.

C) If, an elected candidate in the party's candidate list dies, resigns or loses his/her parliamentary candidacy, the next candidate listed on the same party's candidate list shall be declared to be elected as a parliamentary member of the concerned party.

D) If a party's list of candidates does not have enough candidates due to reasons as mentioned in (C) of this Article, the National Election Committee shall request in writing to the concerned party to provide more names of candidates to be added to its own party's list within fourteen (14) days after the receipt of the request.

The review and approval of the added candidates to the list shall be based on the provisions stipulated in Articles 33 (new), 34 (new), 35 (new), 36 (new), 38 (new), 41 (new), 42 (new) and Article 43 of the Law on the Election of Members of the National Assembly.

If the concerned political party fails to meet such request within the time frame mentioned above or is unable to fulfill the requirement needed for completing the vacant seat(s), thus, it is considered that the concerned political party has abandoned the vacant seat(s).

E) In case a political party received one (1) seat or more in the National Assembly, but this party declares to abandon its seat(s) in the National Assembly or has its [candidacy] stripped of from the list of political party's list in accordance with the Law on the Political Parties, the party's list or the candidate on such party's list that has been declared elected, is no longer valid or qualified.

In such a case, the National Election Committee shall apportion the vacant seat within seven (7) days to other political parties that have received seat(s) in the same province/municipality, excluding the political party that has abandoned its seat(s), by applying the following steps:

Step 1: Determine the electoral quota required for a political party to gain one (1) seat, by using the formula below:

$$Q_t = \frac{V'v}{S's}$$

Where:

Q_t = the electoral quota irrespective the remaining decimal;

$V'v$ = the total number of valid votes received by all political parties receiving the seat(s) in the province/municipality, deducted the valid votes of the political party that has abandoned its seat(s) in the province/municipality;

$S's$ = the number of the abandoned seat(s) in the province/municipality.

Step 2: Determine the preliminary number of seat(s) that each political party would receive by applying the following formula:

$$Ns' = \frac{V'v}{Q'_t}$$

Where:

Ns' = the number of seat(s) that each political party in the province/municipality to receive prior to any necessary calculation made in Step 3.

$V'v$ = the total number of valid votes cast for each political party in the province/municipality;

Q_t = the electoral quota determined in Step 1.

After the apportion of seats in Step 2 is made and there are no more seats to be further allocated, the number of seat(s) that all political parties attained in the province/municipality, except the political party that has abandoned its seat(s) in the province/municipality, shall be finalized as determined in this step.

After the Step 2 has achieved and there are still seat (s) left for further apportion, the remained seats shall be apportioned as indicated in Step 3.

Step 3: The remaining seat(s) shall be apportioned based on the highest average by using the following formula:

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

Where:

$H'a$ = the highest average;

$V'v$ = the total number of valid votes received by each political party in the province/municipality;

N'_s = the number of seats a political party receive [in step 2];

The method outlined in (A) in paragraph (9) and paragraph (10) of this Article shall be applied for the computation in Step 3 and the further computation.

F) If after the computation using the formula mentioned above, there are two (2) or more political parties having the same highest average making it unable to allocate the remaining seat to any political parties, that seat shall be allocated to the political party receiving the highest number of valid votes. If the political parties received the same number of the valid votes, the remaining seat shall be allocated based on a lucky draw, determined by the Regulations and Procedures of the National Election Committee.

G) If a political party receives one (1) or more additional seats, but its list of candidates does not have enough number of candidates to fill in the seats, the procedure stated in (D) of this Article shall be applied.

H) Based on the result of the election as stated in (A) of this Article, the National Election Committee may proclaim consecutively the result of the Election of each constituency.

I) Prior to the announcement of the official result of the Election, the National Election Committee shall report to all parties' representatives running in the Election the number of the printed ballot papers, the number of the used ballots and that of the remaining ballots.

Art. 119

The period allowed for lodging and resolving complaints as stipulated in Chapters IV, VI and VIII of this Law shall not include the official holidays.

CHAPTER IX

REPLACEMENT OF MEMBERS OF THE NATIONAL ASSEMBLY

Art. 120 (new)

The Members of the National Assembly shall lose his/her membership in the following events:

- He/she dies;
- He/she loses his/her professional capacity as certified by the competent ministry;
- He/she resigns from the National Assembly Membership in writing;
- He/she is convicted of criminal or misdemeanor act;
- He/she loses his/her membership from his/her political party.

If a National Assembly Member loses his/her membership at least six (6) months before the ending of the legislative term, the concerned political party may propose an appointing replacement by choosing another candidate whose name appears on the same party's list, in the next descending order without holding a by-election.

CHAPTER X

BUDGET

Art. 121

Pursuant to the Law on Finance, a special account shall be established at the National Treasury, known as "Trust Fund Account for Election", for the National Election Committee's use to conduct the Election of the National Assembly Members.

The electoral Fund obtained from various contributions of the Royal Government, foreign governments, the international organizations, the charitable individuals, the non-governmental organizations, and any other legal revenues shall be integrated into the national budget to be directly credited to this special account.

Some kinds of foreign financing for the electoral purposes may be made without passing through the National Treasury.

CHAPTER XI

PENALTIES

Art. 122 (new)

Excluding any other possible criminal penalties, a commune/sangkat clerk, or an official, or a member of the Commune/Sangkat Council, who has committed any of the following violations described below, shall be furnished up to the expulsion from service, in accordance with the Law on the Administration of the Commune/Sangkat Council and the Law on the Statute of Civil Servants of the Kingdom of Cambodia:

- Having issued a registration receipt but intentionally refused to record that citizen's name in the voters' list and the register of voters;
- Having intentionally registered a person who is under the voting age, or who does not substantially meet the voting requirements;
- Having intentionally registered or issued a registration receipt to a person who has been deprived of the right to vote;
- Preventing citizen of 18 years old and older from registering to vote.

Art. 123 (new)

A request to be a candidate running for the Election shall be rejected if he/she violates Article 33 (new) or Article 34 (new) of this Law.

Art. 124 (new)

Without considering any other possible criminal penalties, his/her name shall be deleted from the voters' list and from the list of candidates of the political parties running in the Election, and his/her candidacy shall be cancelled by the National Election Committee, and/or shall be fined from five millions (5,000,000.00) to the twenty-five millions (25,000,000.00) riels, any person or political party that:

- using force or violence or intimidation against citizen having right to vote, with the aim to prevent him/her from registering to vote or to deter [the

- registration officer] to register the eligible voter in the voters' list and the register of voters;
- inciting the supporters or voters to commit offenses, threats, or violence against another candidate or political party;
 - using duress, threats or coercion to secure a promise to vote for his/her own political party or for his/her preferred political party;
 - using force or violence to deter eligible voters from voting or standing as a candidate;
 - preventing the candidate and political supporters from conducting the electoral campaign activities as scheduled;
 - using force or violence or intimidation by using contemptuous language to frighten, to create confusion, that undermine the credibility of the secrecy of voting;
 - disrupting the polling process;
 - disrupting the ballot counting process;
 - disrupting the order during the polling;
 - buying votes by offering material or monetary incentives.

Art. 125 (new)

Any Member of the National Election Committee, or of the Provincial/Municipal Commissions, the Commune/Sangkat and Polling Station Commissions who falsifies any electoral documents, ballot papers, or uses any other tricks to distort the election result, shall be fined from ten millions (10,000,000.00) to twenty-five millions (25,000,000.00) riels excluding any other criminal penalties, or/and shall have his/her name deleted from the voters' list for a period of five (5) years.

Art. 126 (new)

Any official or staff member of the National Election Committee, or officials or staff of the Election Commissions who violates the provisions in paragraph(2) of Article 12 of the Law on the Election of Members of the National Assembly shall be fined from ten millions (10,000,000.00) riels to fifty millions (50,000,000.00) riels, and shall be expelled from the electoral jobs forever.

Art. 127 (new)

Any person who violates Article 55 (new) or Article 100 of the Law on the Election of Members of the National Assembly shall be subject to a warning. If he/she fails to comply with the warning, he/she shall be arrested and have his/her weapon confiscated for forty eight (48) hours by competent authorities and shall be fined from ten millions (10, 000,000.00) to fifty millions (50,000,000.00) riels.

If the violator is a civil servant or member of the military or police forces, the National Election Committee shall:

- request the head of the violator's institution to impose administrative sanctions, ranging from suspension without pay to expulsion from employment, depending on the seriousness of the violation;
- delete his/her name from the voters' list.

If the violator is an official or staff member of the National Election Committee or of the Provincial/Municipal Election Commissions and the Commune/Sangkat Election Commissions, the National Election Committee, in addition to sanctions provided in paragraph (1) of this Article, shall immediately expel and bar him from further employment with the National Election Committee or with other Election Commissions at all levels for ten (10) years starting from the current election.

Art. 128 (new)

The National Election Committee shall delete the name of any government official or responsible person who violates Article 29 (new) of this Law from the voters' list for a period of five (5) years; and the National Election Committee shall request the head of his/her institution to impose administrative sanctions on him/her ranging from suspension without pay to expulsion from service.

Art. 129 (new)

Any person who instructs or induces to deceive voter to vote for a particular political party as directed by him/her, or by using other means during the polling shall be fined from five millions (5,000,000.00) to ten millions (10,000,000.00) riels, or/and shall have his/her name deleted from the voters' list for a period of five (5) years.

If the offender is an official or staff member of the National Election Committee or of any Election Commissions at all levels, the National Election Committee shall immediately expel and bar him/her from further employment with the Election Commissions at all levels for ten (10) years starting from the current election.

If the offender is a candidate running for the Election, his/her candidacy shall be revoked in addition to the penalties stipulated in paragraph (1) of this Article.

Art. 130 (new)

Any person who intentionally causes the ballot boxes to be opened, the safety locks or devices to be broken, or torn, or detached, or intentionally causes the loss of, or steals, or exchanges, or forcedly takes away, or destroys a ballot box containing the ballots shall be fined from ten millions (10,000,000.00) to twenty-five millions (25,000,000.00) riels excluding any other possible criminal penalties; or/and shall have his/her name deleted from the voters' list for a period of five (5) years.

If the offender is an official, staff member, or member of the National Election Committee or of any Election Commissions at all levels, the National Election Committee shall immediately expel and bar him/her from further employment with any Election Commissions at all levels for ten (10) years starting from the current election.

If the offender is a candidate running for the Election, the National Election Committee shall revoke his/her candidacy, in addition to the penalties outlined in paragraph (1) of this Article.

Art. 131 (new)

Any person or political party who violates Article 73 (new) or Article 76 of this Law, excluding any other possible criminal penalties, shall be fined from five millions (5,000,000.00) to ten millions (10,000,000.00) riels, or/and shall have his/her name deleted from the voters' list for a period of five (5) years.

Art. 132 (new)

A warning shall be imposed upon any person who violates Article 77 or paragraph (2) of the Article 78 of the Law on the Election of Members of the National Assembly.

In case of failure to comply with the warning, his/her name shall be deleted from the voters' list for a period of five (5) years; and there shall be a proposition to the head of the relevant institution to impose an administrative sanction ranging from suspension without pay to expulsion from employment; or/and shall be fined from one million (1,000,000.00) riels to two millions (2,000,000.00) riels.

Art. 133

Any person who violates Article 72 of this Law, Shall be warned.

In case of failure to comply with the warning, the person concerned shall have his/her name be deleted from the voters' list for a period of five (5) years, shall have his/her candidacy or his/her candidature running for the political party' in the Election be revoked; or/and shall be fined from five millions (5,000,000.00) riels to ten millions (10,000,000.00) riels.

CHAPTER XII

TRANSITIONAL PROVISIONS

Art. 134 (new)

Once this Law comes into effect, for the purpose of [organizing] the Election of the 3rd Legislative Term of the National Assembly, to review the voters' lists and conduct the voter registration in accordance to the provisions of this Law, the last voters' lists that has been used for the Commune/Sangkat Council Election on February 3rd, 2002 shall be taken as a basis.

Art. 135 (new)

After this Law comes into effect, the established polling stations used for the Commune/Sangkat Election held on February 3rd, 2002, shall be used as polling stations serving for the Election of Members of the National Assembly for its third mandate to be held on July 27, 2003.

In case the National Election Committee makes an adjustment or establishes new polling stations, the NEC shall comply with the provisions stated in Articles 45 (new) and in (A) and (B) of the Article 46 (new) of this Law; and shall publicly post the adjusted and newly established polling stations at least thirty (30) days before the polling day.

Art. 136 (new)

A) To review the voters' lists and conduct of the voter registration for the 3rd legislative term of the National Assembly Election, any citizen whose name was not on the last voters' lists, or who has moved his/her residence, that citizen shall appear in person at the commune/sangkat office or at any other locations in the commune/sangkat in which he/she is living, at a date determined by the National Election Committee, in order to fill in a voter registration form, in accordance to the provisions stated in this Law.

The National Election Committee can adjust the time frame of the review of the voters' lists and the voter registration as stipulated in paragraph (1) of Article 49 (new) of this Law, and shall send staff and take necessary measures to assist the Commune/Sangkat Council and the commune/sangkat clerk while performing the voters' lists revision and the voter registration for National Assembly Election 3rd mandate.

B) Once this Law comes into effect, for the National Assembly Election 3rd mandate, citizens shall be allowed to use the voter card or other available certificates that could replace the existing voter card as a document to be used during the voter registration and during the polling, in addition to other documents stipulated in paragraph (1) of Article 50 (new) and in (A), (B), (C), (D) and (E) of Article 54 (new) of this Law, as determined by the National Election Committee.

During the period of the voters' lists revision and the voter registration, on the basis of updating the voters' lists to be used during the Commune/Sangkat Council Election on February 3rd, 2002, any person shall have the right to object against a person holding the voter card or the replacement of the voter card, or having name in the voters' lists, provided the complainant has enough evidence to prove that the person in question having a voter card, or a replacement certificate, or having his/her name in the voters' lists without sufficient requirements as stipulated in paragraph (1) of the Article 50 (new) and in (A), (B), (C), (D) and (E) of the Article 54 (new) of this Law.

The objection shall be done as stated in the Articles 64 (new), 65 (new) and 66 (new) of this Law.

Art. 137 (new)

For the purpose of organizing the Election of Members of the National Assembly on Sunday July 27th, 2003, the vote counting process stipulated in Article 102, Article 103, Article 104 and Article 106 of the Law on the Election of Members of the National Assembly shall be conducted at the office of the Commune/Sangkat Election Commissions of the Kingdom of Cambodia, or at any other safe location as determined by the National Election Committee.

The National Election Committee shall issue detailed Regulations and Procedures on the transportation of the ballot boxes and on the vote counting, to ensure that the counting process is conducted with transparency, safety, without threat and intimidation and to ensure that it is free, fair and just.

The party's representatives and observers shall be placed at a reasonable distance that allow them to clearly see all counting activities.

CHAPTER XIII

FINAL PROVISIONS

Art. 138

Any provision that is in contrast with the provisions of this Law shall be abrogated.

Art. 139

This Law shall be promulgated as urgent.

Phnom Penh, December 26, 1997
Norodom Sihanouk

Art. 2

This Law shall be promulgated as urgent.

Royal Palace, Phnom Penh, September 17, 2002
On behalf of King Order
Acting Head of State
Chea Sim

Art. 2

This Law shall be promulgated as urgent.

Royal Palace, Phnom Penh, June 27, 2006

Signature and Stamp

Norodom Sihamoni

Art. 2

This Law shall be promulgated as urgent.

Royal Palace, Phnom Penh, January 31, 2007
Signature and Stamp
Norodom Sihamoni

Art. 2

This Law shall be promulgated as urgent.

Royal Palace, Phnom Penh, July 04, 2011
Signature and Stamp
Norodom Sihamoni

