

**THE ELECTORAL CODE
OF THE REPUBLIC OF ALBANIA**

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THE ELECTORAL CODE OF THE REPUBLIC OF ALBANIA

PART I GENERAL PROVISIONS

CHAPTER I PURPOSE, DEFINITIONS AND PRINCIPLES

Article 1 **Aim and purpose**

1. The aim of this Code is to specify rules for preparing, conducting, administering, and supervising elections to the Assembly of Albania, local government elections and referenda, as well as for declaring their results.

2. This Code regulates:

- a) the determination of electoral zones;
- b) the timelines, procedures and competencies for the registration of electoral subjects;
- c) the organization and functioning of the electoral administration and electoral commissions;
- ç) the timelines, procedures and competencies for the preparation of the voter list;
- d) the financing of electoral subjects;
- dh) the conduct of the electoral campaign;
- e) the voting procedure and the procedure for declaring the results;
- ë) the examination of complaints and the imposition of administrative and criminal sanctions;
- f) other rules related to elections.

Article 2 **Definitions**

For the purposes of this Code, the following terms shall have these meanings:

1. “Election date” is the voting date, as determined by a decree of the President of the Republic.
2. “Special institutions” are prisons, places of pre-trial detention, as well as hospitals or other healthcare institutions that accept patients for more than three days.
3. A “candidate presented by a group of voters” is a candidate for deputy or for mayor of a municipality or commune, or for a municipal or communal council, who is not supported by any political party and who is proposed by the voters in accordance with this Code.
4. A “candidate” is an Albanian citizen registered as a candidate for deputy or for mayor of a municipality or commune, or for a municipal or communal council, in accordance with this Code, who is to be voted on in the elections.

5. A “coalition” is a grouping of two or more political parties to run together in elections in accordance with the rules defined in this Code.

6. A “VCC” is a Voting Centre Commission.

7. The “CEC” is the Central Election Commission, which is the highest permanent state organ charged with the administration of elections in accordance with the rules defined in this Code.

8. A “CEAZ” is a Commission of an Electoral Administration Zone, which is established and functions in accordance with this Code for the elections to the Assembly of Albania and for local elections.

9. “Voter lists” are official documents of the voters which originate from the National Civil Status Register for each polling unit, compiled in accordance with this Code.

10. A “multi-name list” is a list of candidates for deputies or for councils of municipalities or communes, prepared and registered in accordance with this Code.

11. A “close relationship by marriage” is the relationship created by marriage between a commission member and a candidate, when one of them is the parent of the other’s spouse, or the sister or brother of the other’s spouse, or the spouse of the sister or brother of the spouse.

12. A “parliamentary party” is a political party that has obtained and holds at least one Assembly seat from the preceding elections.

13. A “political party” is a party registered in accordance with Law no. 8580, dated 17 February 2000, “On Political Parties”.

14. A “representative of an electoral subject” is a person authorized by an electoral subject to represent their interests and to participate in meetings of electoral commissions, in the name of and on behalf of the electoral subject.

15. An “electoral period” is the period of the year determined in this Code during which periodic elections are held for the Assembly of Albania and for local government organs.

16. A “voting centre” is the premises designated for conducting the vote in accordance with this Code.

17. The “National Electronic Civil Status Register” is the electronic database of citizens compiled in accordance with the provisions of the law on civil status.

18. The “final elections result” is the result declared by the CEC in accordance with this Code and includes:

a) the number of votes, the number of seats and the list of names of the deputies elected for each subject in the electoral zone as well as nationwide, in accordance with the rules of this Code;

b) the result of the vote for candidates for mayor of a municipality and commune who are directly elected in the respective electoral zone;

c) the number of votes obtained by each subject nationwide, based on the result of the votes obtained by each electoral subject during the vote for local government councils; and

ç) the result of the vote for each alternative in a referendum, in accordance with the provisions of this Code.

19. A “revision of the lists” is the process of deleting or adding names or of changing data on voter lists, in accordance with this Code.

20. “Electoral subjects” are political parties, coalitions and candidates proposed by the voters, as well as candidates for mayor of local government organs, who have registered in accordance with this Code.

21. “Voters in the Armed Forces or in the State Police Forces” are all voters who serve in the Armed Forces or in the State Police Forces and who temporarily reside on a military or police base.

22. “Partial elections” are the vote to fill the seat of a mayor of a municipality or commune, as well as for the election of a new local council in case of dissolution.

23. “Elections” are the vote for the Assembly, for local government organs and referenda.

24. A “polling unit” is a geographical zone within the territory of a municipality, commune, or electoral zone established in accordance with this Code.

25. An “electoral zone” is an administrative-territorial division of the region for the elections to the Assembly, and the municipality or the commune for local government elections.

Article 3

General principles

1. Elections are periodic.

2. Elections are conducted through free, secret, equal and direct voting, according to the rules provided for in this Code. Voters exercise their right to vote freely.

3. Every Albanian citizen, who has reached the age of 18, including on election day, without distinction according to race, ethnicity, gender, language, political conviction, religious belief, physical ability or economic condition, has the right to vote and to be elected in accordance with the rules provided in this Code.

4. Each voter has the right to only one vote for the election of an electoral subject.

5. Electoral subjects are free to present their electoral programmes in any lawful manner and form.

6. Electoral commissions provided for in this Code fulfil their functions in conformity with the law and in an impartial and transparent manner.

7. Except as otherwise provided for by law, it is prohibited to provide for the use of electoral subjects any means, funds or different materials that are public property, as well as human resources of the public administration of any level.

8. Institutions of public administration of any level shall not impair the conduct of the elections with their activity.

Article 4

Appointment and duties of the liaison officer

1. The administration of the Council of Ministers and of the Prime Minister’s Office, any ministry, the Prefect’s office and municipalities have the obligation, no later than 24 hours after the setting of the election date, to appoint a liaison officer responsible for the exchange of information with the CEC on activities that are related to the administration or conduct of free, fair and democratic elections.

2. A written notice of the appointment, including the liaison officer’s name, position or title, office address, as well as telephone and facsimile numbers is to be provided to the CEC concurrently with the appointment. If any of these institutions fails to appoint a liaison officer in accordance with the requirements of and within the time set in this article, then the head of the respective institution shall be deemed to have taken the function of the liaison officer.

3. The liaison officer is required to provide the CEC with complete written information on orders of the head of the institution for every activity that might affect or damage the administration or conduct of free, fair, democratic and transparent elections. This information shall be provided in writing to the CEC no later than 10 days before the activity is scheduled to begin.

4. The liaison officer is to have access to the highest level of the institution for the purpose of exchanging information with the CEC.

5. If the CEC determines that the activity of the institution is likely to damage or obstruct the administration or conduct of free, fair, democratic and transparent elections, then the CEC shall inform in writing the appropriate liaison officer no later than 5 days before the activity is scheduled to begin.

Article 5

Prohibition on the use of special forces and structures

1. Commando forces and other forces of the military are prohibited from being used during the entire electoral campaign, except in case the Minister in charge of public order and the Minister of Defence issue a written order when such forces are needed for guarding objects of particular importance, for replacing State Police officials or for meeting international obligations. A copy of the written order is to be provided to the CEC immediately.

2. The use of commando forces and other forces of the military for the guarding of objects related to the elections is prohibited.

3. During the entire electoral campaign, the armed forces are prohibited from conducting military exercises or manoeuvres outside their bases or places of deployment.

4. In all kinds of elections the use or participation of the employees or structures of the State Information Service is prohibited.

CHAPTER II

OBSERVERS

Article 6

The right to appoint observers

1. Each political party registered with the CEC as an electoral subject has the right to appoint an observer to the CEAZ, to the VCC and for every table of the Ballot Counting Centre after the registration of the candidate/s for the respective electoral zone or the submission of a multi-name list. If the political parties appear in the elections as a coalition, the right to appoint observers rests solely with the coalition. The candidates of the political parties do not have the right to appoint observers.

2. Albanian and foreign non-governmental organizations, as well as international organizations specialized or engaged in the area of good governance and democratization, representatives of foreign countries and of the media have the right to send observers to the elections.

3. Candidates presented by a group of voters in their respective zones are entitled to appoint an observer to the CEAZ, to the VCC and to the Ballot Counting Centre.

4. The accreditation of the observers to electoral commissions is made on the basis of individual data for each observer. The accreditation may include one or more voting centres, or one or more electoral zones. An Albanian non-governmental organisation or a coalition of such organisations, a political party, a coalition or a candidate proposed by voters, may not have more than one observer present in a voting centre at the same time. Any foreign non-governmental organisations and international organisations may not have more than two foreign observers at the same time in a voting centre.

5. Requests by Albanian observers for accreditation are to be submitted to the CEC not later than 15 days before the election date. The CEC approves the requests no later than 5 days after their submission. Requests by foreign observers are to be submitted not later than 72 hours before the election date. The CEC approves the requests of foreign observers within 24 hours from their submission. An appeal against a refusal or failure to grant accreditation may be filed according to the procedures provided in this Code.

6. The CEC has the right, by a special instruction, to delegate to the CEAZs the competency to grant accreditation to observers according to points 2 and 3 of this article.

Article 7

The rights and duties of observers

1. While performing their duties, observers have the following rights:

a) to observe without hindrance all aspects of the preparation and conduct of elections and all the phases of the electoral process;

b) to submit written comments to the election commissions for every kind of irregularity that they notice;

c) to look at or examine the documentation or materials of the electoral process;

ç) other rights provided for in this Code or in secondary legislation issued for its implementation.

2. Observers have the following duties:

a) to respect the requirements of this Code and the instructions of the CEC on election observation;

b) to act in an impartial manner and not to make propaganda for any candidate, party or coalition at the voting centres or at other places prohibited according to this Code;

c) to present themselves at the election commissions with the authorization issued by the CEC and an identification document accepted by the CEC;

ç) not to bear distinctive signs that serve as means of propaganda or that might influence the voters' will;

d) not to violate the right of the voter to a secret ballot and not to obstruct the voting process and the administration of the election.

CHAPTER III

THE ELECTORAL PERIOD AND ELECTION DATE

Article 8

The electoral period

General elections for the Assembly or for local government organs are conducted simultaneously, in the entire territory of the country, within the period lasting from 15 March until 30 June or from 15 September until 30 November. The cases provided in points 3, 4, 5 and 6 of article 9 of this Code are exempt from this rule.

Article 9

Setting the election date for the Assembly

1. The date of the elections for the Assembly is set by a decree of the President of the Republic according to the rules provided in article 65 of the Constitution. Elections for the Assembly are to be conducted on one of the last two Sundays within the electoral period determined in article 8 of this Code, and in any case no later than 30 days before the expiry date of the Assembly's mandate. In case the mandate of the Assembly ends earlier than 30 days from the beginning of the electoral period, elections are to be conducted in the preceding electoral period. For purposes of this Code, the mandate of the Assembly expires on the same date of the same month of the fourth year after the date of its first meeting.

2. The President of the Republic decrees the date of the elections for the Assembly no later than 9 months before the expiry of the Assembly's mandate. Upon the decision of the Assembly, the closing of the legislative session or the legislature's dissolution are to take place no sooner than 45 days before the date set for the elections and no later than 30 days prior to this date.

3. Pursuant to point 5 of article 87 of the Constitution, the President of the Republic decrees the date of the elections no later than 24 hours after the dissolution of the Assembly. The elections are to be conducted no earlier than 30 days and no later than 45 days after the dissolution of the Assembly. When the Assembly fails to elect a new President, the date of the dissolution of the Assembly is the date of the fifth voting pursuant to point 5 of article 87 of the Constitution.

4. Pursuant to point 4 of article 96 of the Constitution, when the Assembly fails to elect a new Prime Minister, no later than 24 hours after the vote provided in point 3 of the same article, the President of the Republic decrees the dissolution of the Assembly and sets the election date. The elections are to be conducted no earlier than 30 days and no later than 45 days after the dissolution of the Assembly.

5. Pursuant to point 2 of article 104 of the Constitution, the elections are to be conducted no earlier than 30 days and no later than 45 days after the dissolution of the Assembly.

6. When the Assembly dissolves itself for reasons other than those mentioned in points 2, 3, 4 and 5 of this article, the President of the Republic sets the election date no later than 24 hours after the dissolution of the Assembly. The Assembly is dissolved on the day it votes to dissolve itself. The elections are to be conducted no earlier than 30 days and no later than 45 days after the dissolution of the Assembly.

Article 10

Setting the election date for local government organs

1. The election date for local government organs is set by a decree of the President of the Republic. For setting the election date for the local government organs, the President complies with the rules provided in points 1 and 2 of article 9 of this Code.

2. For the purposes of this Code, the mandate of local government organs shall end on the same date of the same month of the fourth year after the date the CEC declares its decision on the election results nationwide for local government organs.

3. In case of interruption of a mandate for causes provided in article 115 of the Constitution, elections are to be held no earlier than 30 days and no later than 45 days from the date of notification of the interruption of the mandate. In case of an appeal by the dissolved or discharged organ, elections are to be held no earlier than 30 days and no later than 45 days from the expiry of the time limit provided to the dissolved organ to appeal the decision of the Council of Ministers to the Constitutional Court when such a right has not been exercised, or the date of the decision of the Constitutional Court if the appeal has been made within the time limit provided in point 2 of article 115 of the Constitution. In any case,

the President of the Republic is to issue the decree no later than 48 hours from the notification of the interruption of the mandate.

Article 11
Voting hours

1. When the election date is set between 31 March and 15 October, the voting centres open at 7⁰⁰ and close at 19⁰⁰.
2. When the election date is set between 16 October and 30 March, the voting centres open at 7⁰⁰ and close at 18⁰⁰.
3. Nobody may vote after the closing time of the voting centres, except voters who are waiting to vote at the time of closing, in accordance with the procedures provided in this Code.

PART II

INSTITUTIONS FOR THE PREPARATION AND
ADMINISTRATION OF ELECTIONS

CHAPTER I

CENTRAL ELECTION COMMISSION (CEC)

Article 12
The composition of the CEC

1. The Central Election Commission is composed of 7 members.
2. Any Albanian citizen with the right to vote may be appointed a member of the CEC provided that he or she fulfils these criteria:
 - a) to be over 30 years old;
 - b) to have higher education;
 - c) to have a professional experience of no fewer than 5 years of work, in at least one of the following fields:
 - i. in the field of law;
 - ii. in public administration;
 - iii. in the administration of elections;
 - iv. as a director of non-profit organizations that have as an object of their activity the protection and promotion of human rights and freedoms, the conduct of democratic elections or public policy;
 - ç) not to have been convicted of a crime;
 - d) not to have been a member of any political party during the last 5 years;
 - dh) not to have been elected a deputy of the Assembly during the last 5 years;
 - e) not to have served in the State Police, in the Armed Forces and in the State Information Service during the last 5 years;

ë) not to have been dismissed from public administration or from any other public function for a breach of duty.

Article 13

Mandate and time of work of the CEC members

1. A member of the CEC has a 4-year mandate with the right to be re-elected.
2. The beginning and the end of the mandate of a CEC member is determined in this Code.
3. A member of the CEC exercises this duty full time. His function is incompatible with any other political, public or private duty or function, with the exception of teaching.
4. Before taking office, an elected member of the CEC takes an oath in front of the Assembly in a public ceremony. The text of the oath is: **"I swear on my honour that I shall commit myself with all my strength to the realization of fair, free and democratic elections in the Republic of Albania; I shall guarantee and protect the integrity and secrecy of the vote; I shall maintain impartiality in discharging my duty as a member of the Central Election Commission and shall demonstrate professionalism in this discharge"**.

Article 14

The election of CEC members

1. The Assembly of Albania elects the CEC members in accordance with the following procedure:

a) 2 members are proposed by the party that has the largest number of seats among the parties of the parliamentary majority and 2 members by the party of the parliamentary opposition which has the largest number of seats in the Assembly of Albania;

b) the proposing subjects, during the selection phase, present no fewer than two candidacies for each vacancy. Chairs of the parliamentary groups of the proposing subjects select, collegially, 4 candidacies in accordance with the criteria provided in letter (a) of this point. The proposing subjects of letter (a) select one candidacy of each gender;

c) candidacies selected in accordance with letter (b) of this point are submitted to the Assembly for approval;

ç) the fifth member of the CEC is elected from among the candidacies proposed by groupings of deputies of parliamentary majority parties other than the largest party of the majority grouping. The sixth member of the CEC is elected from among the candidacies proposed by groupings of deputies of the parliamentary opposition parties, with the exception of the largest party of the opposition. The proposing grouping presents a list with no fewer than two candidacies for the respective vacancy.

The list of candidates that has accumulated the highest number of supporting signatures from deputies of the respective parliamentary groups of the parliamentary majority and opposition, including also the deputies of the two largest parties from each grouping, is presented to the Assembly for a vote. If two or more lists have accumulated the same number of supporting signatures, all the candidacies included in these lists are presented for a vote.

2. Voting to elect the CEC members in accordance with this article is carried out on one single day.

Article 15

The election of the CEC Chairman

The seventh member and, at the same time, the CEC Chairman, is elected not later than 7 days after the completion of the procedure for the election of the CEC members according to article 14 of this Code, based on the following procedure:

a) The parliamentary group of the largest party of the parliamentary majority submits to the Assembly a list of no fewer than four candidacies. No candidacies proposed in accordance with letter (a) of point 1 of article 14 of this Code can be included in this list.

b) The parliamentary group of the largest party of the parliamentary opposition selects two of the candidacies proposed in accordance with letter (a) of this article. The selected candidacies are submitted to the Assembly for a vote.

c) The candidate who obtains more than half of the votes of the Assembly deputies is elected the CEC Chairman.

Article 16

The Deputy Chairman of the CEC

1. The CEC elects as its Deputy Chairman one of the CEC members, who is elected based on a proposal of the largest parliamentary opposition party, in accordance with letter (a) of point 1 of article 14 of this Code.

2. The election is conducted by secret voting according to the following procedure:

a) in accordance with point 1 of this article, the names of two CEC members are written on the ballot paper;

b) each of the members votes by marking one of the names written on the ballot paper;

c) a member who receives 5 votes is elected the CEC Deputy Chairman;

ç) if neither of the candidates receives the required number of votes, a second round of voting takes place. The member who receives more votes in the second round is elected the CEC Deputy Chairman. The voting is held on the same day.

3. The Deputy Chairman is elected until the end of his/her mandate.

4. When the Chairman is absent, the meeting for the election of the Deputy Chairman is chaired by the eldest CEC member and the election procedure is conducted in the presence of a notary.

Article 17

Rights and duties of a CEC member

1. The salary and privileges of a CEC member are the same as the salary and privileges of a High Court judge. The salary of a CEC Chairman is 10 percent higher than a CEC member's salary.

2. A CEC member is to exercise his function in an independent manner. He is to vote in compliance with the law.

3. A CEC member is not to participate in the examination of and voting on an issue when:

a) he has a close relationship by marriage, or family relations to the fourth degree, with any of the candidates who have submitted a complaint to the CEC; or

b) he has one of the impediments provided in article 37 of the Code of Administrative Procedures.

4. The withdrawal from examining and voting on an issue is to be declared in writing by a CEC member or may be requested by any representative of electoral subjects or by other members of the CEC. The withdrawal from the examination and voting on an issue or the decision of the CEC to exclude a member from the examination and the result of the vote is to be recorded in the official records.

5. Upon the end of his duty, the CEC member returns to his previous place of work, and if this is not possible, to another place of work of the same level in the organs of the public administration.

Article 18

The early termination of the mandate of a CEC member

1. The mandate of a CEC member and of the Chairman ends before its expiry when:
 - a) he engages in political activity at the same time he exercises the duties of a CEC member;
 - b) he reaches the age of retirement;
 - c) he dies;
 - ç) he resigns from office;
 - d) he is found guilty by a final court decision for the commitment of a crime;
 - dh) by acting or failing to act, he seriously places at risk the activity of the CEC concerning the preparation, supervision, direction and verification of all aspects that pertain to elections and referenda, as well as to the declaration of their results;
 - e) is absent, without a reasonable cause, at two consecutive CEC meetings or, in an election period, for more than 5 days.

2. The dismissal of a CEC member is made by a decision of the Assembly upon the proposal of the CEC for the reasons provided in letters (a) (d) (dh) and (e) of point 1 of this article. The CEC is required to start its procedure for a dismissal proposal no later than 5 days from having been informed of the cause. In other cases of point 1 of this article, the CEC member is released by a decision of the Assembly, after it has been notified by the CEC.

Article 19

Replacement of CEC members

1. The new members of the CEC are to be elected no later than 30 days from the date of the end of the mandate of the outgoing members. The new members assume their duty on the day following the end of the mandate of the outgoing members or after taking the oath, in case of the early termination of a mandate.

2. In case of the early termination of a mandate of a member of the CEC, the Assembly is to appoint a replacement member within 30 days from the date the vacancy was announced by the CEC in accordance with letters (b) (c) and (ç) of point 1 of article 18 of this Code, or from the moment of dismissal. The same political subject that had proposed the candidate whose mandate ended has the right to propose the candidacies, if this subject fulfils the criteria specified in point 1 of article 14 of this Code. Otherwise, the candidacies are proposed by the political party that meets the criteria of ranking and affiliation. In case the Chairman is replaced, the same voting procedure according to article 15 of this Code is carried out.

3. If the mandate of a member of the CEC ends prematurely during an electoral period, he is to be replaced by the Assembly as soon as possible, but no later than 48 hours after the creation of the vacancy.

4. The replacing member remains in office until the end of the deadline of the legal mandate enjoyed in accordance with the election act by the outgoing member whose mandate was prematurely terminated.

5. If the mandate of the CEC terminates in the 9 last months before the end of the Assembly mandate, then not later than 9 months before the termination of its mandate, the Assembly elects the new members of the CEC in accordance with the procedures provided in

articles 14 and 15 of this Code, maintaining at all times the equal proportions of political representation. The elected members take office no later than 24 hours after having taken their oath.

Article 20

Competencies of the Chairman and Deputy Chairman of the CEC

1. The CEC Chairman has the following competencies:
 - a) chairs the CEC meetings and represents the CEC in its relations with other institutions;
 - b) performs the duties of the administrative director of the institution. In carrying out the competencies according to this letter, the CEC Chairman issues internal orders only on the basis of and for the implementation of CEC decisions.
2. The CEC Deputy Chairman performs the duties of the Chairman when the latter is absent.
3. The Chairman exercises the competences under letter (a) of point 1 of this article together with the Deputy Chairman. All acts issued according to letter (b) of point 1 of this article are also to be signed by the Deputy Chairman; otherwise they are invalid. The cases when the Chairman or the Deputy Chairman do not exercise their functions for objective reasons are exempt from this rule.

Article 21

Competencies of the CEC

The CEC performs the following duties:

1. Issues decisions and instructions with general legal applicability throughout the entire territory of the Republic of Albania, based on the law and for the purpose of implementing it, within its sphere of jurisdiction.
2. Makes decisions to unify electoral practices.
3. Directs and supervises collegially, through each of its members or structures, the pre-electoral and electoral processes.
4. Approves the boundaries of Electoral Administration Zones in accordance with this Code.
5. Proposes the allocation of the number of seats for each electoral zone for Assembly elections.
6. Records the participation of electoral subjects for elections to the Assembly in accordance with the procedures of this Code.
7. Declares by decision the election result for each electoral zone, the winning candidates for Assembly elections and the winning candidates for the members of councils for local government organs.
8. Declares by decision the final result of elections nationwide, in accordance with this Code.
9. Conducts training courses at its own expense no later than 30 days after the appointment of members of CEAZs and, at the conclusion and upon completion of testing, issues them the respective certificate. For VCC members, the CEC conducts at its own expense qualification sessions on electoral legislation. The CEC takes measures and also organises voter education programmes for citizens.
10. Conducts training on election administration periodically outside the electoral period for all persons interested and distributes the respective certificates. Training may be general and specialized for particular functions of election administration.

11. Appoints and dismisses, in accordance with this Code, members of the CEAZ and supervises them in the fulfilment of their duties.

12. Publishes the election bulletin, which contains the results of elections for each electoral zone and voting centre, the report on electoral expenses, and also publishes the reports according to article 91 of this Code.

13. Presents to the Assembly, by the month of February of each year, an annual report on the activity of the previous year.

14. Prepares, according to the respective law, the annual draft budget for the functioning of the institution and, after the approval by law of the budget, defines the structure of the budget expenses.

15. Exercises control over electoral campaign financing in accordance with this Code.

16. Prepares the draft budget for anticipated elections and administers funds allocated from the State Budget and from other lawful sources for the purpose of the elections, while deciding on the structure of budget expenses and various donations for the elections.

17. In accordance with the rules of this Code, examines and resolves claims of electoral subjects on the conduct of the electoral process.

18. Drafts and distributes electoral complaint forms, in accordance with the rules of this Code.

19. Determines the amount of remuneration for members of the CEAZs, VCCs and members of the Counting Teams.

20. Imposes administrative sanctions against persons who commit administrative infractions related to elections, as well as filing criminal charges for criminal offences related to the elections.

21. Approves the structure, personnel needs and salary structure of the full-time and part-time administration of the CEC.

22. Establishes permanent or temporary regional offices for the purpose of implementing the duties deriving from this Code and secondary legislation issued for its implementation.

23. Maintains and updates the electoral administration register, which includes training and disciplinary measures taken against them.

24. Appoints, in accordance with the procedures of this Code, the Secretary General of the CEC.

25. Approves the Rules on the Organization and Functioning of the CEC, including the manner in which meetings are to be conducted.

26. Performs other duties deriving from this Code or from other laws.

Article 22 **CEC meetings**

1. CEC meetings are called by the Chairman or by at least two members of the CEC. In any case, the notice of a meeting is not subject to a vote and must include the agenda of the meeting. Each request that comes from at least two CEC members is to be included on the agenda.

2. During the period from the setting of the election date until the declaration of the final election result, the CEC meets regularly every day, whereas during the remaining period of the year, at least once a month. CEC meetings end with the setting of the agenda for the following meeting.

3. The notice for the meeting together with the agenda is to be posted publicly, at least 24 hours prior to the time set for the meeting, at the entrance of the main CEC office and at the main offices of the CEAZs interested in the matter. The notice for the meeting is to be sent to all parliamentary parties and also to be published on the website of the CEC.

4. At the beginning of each meeting, each electoral subject registered to participate in the elections or other interested persons have the right to speak only once and for a period of no longer than 5 minutes about issues not included on the agenda for that day.

5. CEC meetings are valid when no fewer than 4 of its members participate, except cases when, in accordance with article 24 of this Code, a qualified majority is required for making a decision.

6. Each meeting of the CEC starts according to the specifications made in point 4 of this article. Only members of the CEC, representatives of electoral subjects according to article 26 of this Code as well as other persons connected to the preparation and administration of elections, have the right to discuss and give opinions at CEC meetings. At the beginning of each meeting, the CEC determines by decision the time to speak allocated to each interested person.

7. Meetings of the CEC are at all times open to the public.

Article 23

CEC acts and their entry into force

1. Based on and for the implementation of the law, the CEC can issue only these acts:

- a) decisions;
- b) instructions.

2. CEC acts with a normative nature are applicable over the entire territory of the country and are binding for all.

3. Every normative act of the CEC is voted on three times, in the following order:

- a) it is voted on in principle;
- b) it is voted on article by article or, as the case may be, part by part;
- c) at the end, it is voted on in its entirety.

4. Normative acts of the CEC have a permanent nature, and, as a rule, are applicable for all elections. These acts are reviewed in case the law is changed or for other reasons that legitimate their change. Acts for the preparation of elections, as a rule, are approved or changed not later than 60 days from the election date.

5. Normative acts of the CEC enter into force after their publication in the Official Journal, except for those cases when the circumstances require their immediate entry into force, while other acts enter into force immediately. Normative acts which enter into force immediately are announced not later than 24 hours on Public Radio and Television as well as on the official website of the CEC.

Article 24

CEC decision-making

1. Decisions related to:

a) the distribution of seats for each electoral zone in accordance with articles 162, 163 and point 3 of article 166 of this Code;

b) the acceptance of a complaint against a decision for the approval of an Aggregate Table of the Elections Result of an electoral zone, in accordance with article 123 of this Code, and decisions related to complaints against a CEAZ decision on the election results for local government;

c) requests for declaring the invalidation of elections in one or several voting centres, in accordance with article 160 of this Code;

ç) the declaration invalidity of elections in an electoral zone or in the entire country, and their repetition;

- d) acts of a normative nature that aim to regulate issues related to elections;
 - dh) a proposal for the dismissal of a CEC member, in accordance with point 2 of article 18 of this Code;
 - e) the approval of the CEC organizational structure, as well as the Rules on the Functioning of the CEC;
 - ë) allocation of seats for each electoral zone in accordance with article 76 of this Code;
 - f) division of Electoral Administration Zones in accordance with article 27 of this Code,
- are considered to be approved when no fewer than 5 CEC members have voted in their favour.

Other decisions are approved by a majority of votes of all CEC members.

2. CEC decisions are to be signed by all members who participated in the vote. Each of the CEC members puts in writing alongside his signature how he has voted, as the case may be, “in favour” or “against”. Members in the minority must file their dissenting or concurring opinion not later than 24 hours after the decision has been made. The minority opinion is to be attached to the respective decision.

3. Each CEC decision is transcribed in final form within 24 hours after it has been reached. No fewer than two original copies of the decision, or, as the case may be, of the CEC instruction, are to be retained in the CEC archive. Decisions are to be published immediately on the official website of the CEC.

4. During the electoral period, the Secretary General of the CEC, upon the request of any electoral subject, is to provide certified copies of CEC decisions free of charge and within 24 hours of the request having been submitted. Outside the electoral period, as well as upon request of any other interested person, copies of CEC acts are provided for payment in accordance with the relevant legal acts in effect.

Article 25

The Secretary General and administration of the CEC

1. For the functioning and fulfilment of duties arising out of this Code, the CEC has its own administration composed of civil servants. The procedures for the recruitment, transfer, promotion, parallel movement and dismissal from duty are carried out in compliance with the provisions for independent institutions in Law no. 8549, dated 11 November 1999, “On the Status of the Civil Servant”.

2. The Secretary General of the CEC is the highest-ranking civil servant in the administration of the CEC and is appointed in accordance with the law on the status of the civil servant. In any case, the CEC is required to nominate one of the three successful candidates of the test for the recruitment of the Secretary General.

3. The Secretary General of the CEC should fulfil the criteria defined in article 12 of this Code and should have no fewer than 5 years of work experience in the area of law or of public administration.

4. The Secretary General of the CEC performs the following duties:

- a) takes measures for the organization of CEC meetings, prepares materials for these meetings and makes relevant notifications;
- b) takes measures to publish CEC acts and to make them available to the public;
- c) takes measures, in compliance with this law and the secondary legislation issued by the CEC, for providing working conditions for CEC members according to their requests;
- ç) is responsible for, directs and organises the work for the implementation of the CEC decisions or of the orders of the CEC Chairman, according to article 20 of this Code.

- d) follows the implementation of the budget and takes the necessary measures for it;
- dh) proposes for approval at the CEC the Rules for the Internal Organisation and Functioning of the CEC Administration; and
- e) performs other tasks as provided in this Code.

Article 26

Electoral subjects representatives to the CEC

1. Any political party or coalition of political parties, through its highest-ranking leader, may appoint by authorization one representative to the CEC and one substitute for that representative.

2. The representatives of the parliamentary parties that have participated in elections enjoy a permanent status at the CEC. They are entitled to participate in all meetings organized by the CEC. Representatives of non-parliamentary parties or of parties established during the Assembly's legislative session are entitled to participate only in CEC meetings that are held during the electoral period.

3. Party representatives at the CEC have no right to vote. According to the rules provided in this Code, as well as in other acts, they have the following rights:

- a) to speak and to participate in discussions at CEC meetings;
- b) to submit requests and proposals to the CEC;
- c) to obtain copies of CEC acts;
- ç) to become acquainted with and obtain copies of election documentation approved by the CEC;
- d) to become acquainted and obtain information on all aspects of the electoral process, provided there is no obstruction of the activity of the CEC or of other electoral structures.

4. All actions made by representatives of parliamentary or non-parliamentary parties are considered as if they were made by the respective parties themselves, in their capacity as electoral subjects.

5. Representatives are obliged to respect the Regulations of the CEC and the ethical norms of meetings and communication. In case of a breach, measures as provided in the CEC internal regulations will be taken.

CHAPTER II

ELECTORAL ADMINISTRATION ZONES (EAZ) AND COMMISSIONS OF ELECTORAL ADMINISTRATION ZONES (CEAZ)

Article 27

Electoral Administration Zones

1. Electoral Administration Zones (EAZ) are established and function in accordance with this Code for every kind of election and referendum.

2. The territorial jurisdiction of an EAZ, as a rule, is the same as the administrative district according to the law regulating the territorial organization of the Republic of Albania. Districts that have more than 70 000 citizens with the right to vote are divided by the CEC into more than one Electoral Administration Zone based on the following criteria:

- a) the inseparability of the territory of a commune and municipality;

b) the contiguity and compactness of the territory, while avoiding the geographical barriers;

c) good possibilities for transport within the territory;

ç) approximate number of voters.

3. No Electoral Administration Zone may geographically expand into two or more regions or different districts within the same region.

4. Municipalities that have more than 40 000 citizens with the right to vote constitute a EAZ of their own if the total number of the citizens with the right to vote at the district level is greater than 70 000. In municipalities that have more than 100 000 citizens with the right to vote, the CEC may establish two EAZs with the same number of voters while also maintaining the contiguity and compactness of the territory of the polling units. For the Municipality of Tirana, each of the boroughs constitutes an EAZ of its own.

5. Not later than 9 months before the end of the Assembly mandate, EAZs are approved by the CEC on the basis of the number of citizens with the right to vote on the last date of the electoral period for setting the election date, according to the information given by the General Directorate of Civil Status. Not later than 10 months before the end of the Assembly mandate, the General Directorate of Civil Status sends the data to the CEC, divided by local government units.

6. The CEC, not later than 5 months before the election date, may change the boundaries of an EAZ in accordance with the requirements of this article only if there is a change in the criteria for their establishment according to points 2, 3 and 4 of this article.

Article 28

Establishment of the Commissions of Electoral Administration Zones

1. The decision to establish a Commission of an Electoral Administration Zone (CEAZ) is to be taken by the CEC not later than 90 days before the date of elections.

2. The political parties are to propose their respective candidacies for the CEAZ members not later than 15 days before the time limit provided in point 1 of this article.

Article 29

Composition of the CEAZ

1. The CEAZ is composed of 7 members and a secretary, who are appointed by the CEC by the following procedure:

a) two members are proposed by the main party of the parliamentary majority, two members are proposed by the main party of the parliamentary opposition, one member is proposed by the second party of the parliamentary majority and one member is proposed by the second party of the parliamentary opposition. If political balance is not reached in accordance with this letter, the respective group is compensated with the candidacies of the main party until a political balance between the majority and opposition has been reached;

b) in half of the CEAZs, the seventh member is proposed by the largest party of the parliamentary majority, while in the other half this member is proposed by the largest party of the parliamentary opposition, according to objective criteria based on:

i) random selection;

ii) equal distribution in the electoral territory;

c) the secretary of the CEAZ shall be a jurist and shall be proposed by the party that proposes the deputy chairman of the CEAZ.

ç) 30 percent of the members proposed respectively by the largest party of the majority and by the largest party of the opposition nationwide must be from each gender.

2. The chairman and deputy chairman of the CEAZ are appointed by the CEC upon the proposal of the CEAZ. In those CEAZs where the seventh member belongs to the main party of the parliamentary majority, one of the CEAZ members representing the main party of the parliamentary majority is elected chairman, while for the other half, one of the members of the CEAZ representing the main party of the parliamentary opposition is elected chairman. The deputy chairman is of the opposite political affiliation to that of the chairman.

3. CEAZ members do not work full-time. The CEC determines the working hours of the CEAZ during the election period and outside the election period. For the work performed, the members receive remuneration in an amount provided by a CEC decision.

4. The ranking of the parties for the purpose of allocating the seats on the CEAZ, in accordance with the specifications of this article, is done based on the number of seats won by the political party in the previous elections to the Assembly. In case of local elections, the ranking is determined in accordance with the number of votes won nationwide for local councils in the previous elections by the parliamentary parties.

If two or more parties have the same number of seats and it is impossible to decide the party to be given an advantage, their ranking is determined based on the number of votes won nationwide. If two or more parties have the same number of votes, their ranking will be determined by lot drawn by the CEC.

5. If the political parties of the parliamentary majority and the parliamentary opposition that have the right to submit their candidacies for CEAZs do not exercise this right within the time limit provided in point 2 of article 28 of this Code, this right automatically will be transferred to the next parties in rank according to the number of seats in the Assembly, within the respective grouping. When this is not possible, the proposals will be made according to letter (a) of point 1 of this article.

6. In case of partial or early elections, the CEAZ is to be established not later than 10 days after the date the President issues a decree setting the election date.

7. When the seat of a member of the CEAZ becomes vacant, it is to be filled, in compliance with the rules provided in this article, within 15 days from the date the vacancy was created. During the election period, vacant seats are to be filled within 3 days.

8. When the seat of a member or secretary of the CEAZ becomes vacant on Election Day, the proposal to the CEC must be submitted no later than 3 hours from the moment the vacancy was created. If the subjects entitled to propose do not propose candidacies to the CEC, this right is transferred to the political parties of the same grouping that are ranked after them in the Assembly based on the number of seats won in the Assembly in the previous elections. If these parties also do not propose members, the CEC on its own initiative names the members of the CEAZ until the number required for decision making has been reached.

Article 30

Incompatibilities with the office of a member and of a secretary of the CEAZ

A member and a secretary of a CEAZ may not be:

- a) deputies or candidates for deputy to the Assembly;
- b) mayors of municipalities or communes;
- c) military personnel, members of structures of the State Police or of the State Information Service; or
- ç) members or secretaries of another election commission.

Article 31

Requirements for being appointed a member and a secretary of a CEAZ

Any person who meets the following requirements may be appointed a member and a secretary of the CEAZ:

- a) he or she has the right to be a voter;
- b) he or she has completed higher education and, in the case of the secretary, has a degree in law;
- c) he or she has a residence within the respective electoral zone;
- ç) he or she has not been convicted by a final court decision of committing a crime.
- d) no disciplinary measure has been taken against him or her in previous electoral processes.

Article 32

Dismissal and discharge from duty of members and of a secretary of a CEAZ

1. A CEAZ member and a secretary are to be dismissed from duty by a CEC decision when they:

- a) violate the provisions of this Code or of secondary legislation enacted pursuant to this Code, concerning CEAZ duties;
- b) are convicted by a final court decision of committing a crime;
- c) are absent without a reasonable cause for more than three consecutive CEAZ meetings, or are not present without cause for more than two consecutive days during the electoral period; or
- ç) do not participate in the training or do not pass the tests organized by the CEC.

2. The members and the secretary of the CEAZ are discharged from duty by a CEC decision when:

- a) they have a close relationship by marriage, or family relations to the fourth degree, with any of the candidates running in that zone;
- b) they have employment relations with any of the candidates included in the multi-name list of a party or a coalition running in that zone;
- c) they no longer meet the criteria of being a voter;
- ç) they no longer have their residence in the electoral zone;
- d) the electoral subject that has proposed them requests their substitution.

3. A member and the secretary of the CEAZ is discharged from duty by the CEC, upon its own initiative or upon the proposal of the electoral subjects, only for the reasons provided in this article. In any case, the request for dismissal or discharge from duty should also contain the arguments and facts concerning the alleged violation. In the case provided in letter (d) of point 2 of this article, this rule is not applicable and the request is accepted in any case.

Article 33

Duties of the CEAZ

The CEAZ performs these duties:

- a) it is responsible for the administration and conduct of elections in the EAZ, in accordance with the provisions of this Code and the secondary legislation issued by the CEC;
- b) it appoints the chairman, deputy chairman, members, secretaries of the VCCs and members of the counting teams included in the jurisdiction of the EAZ, in accordance with this Code;
- c) it registers information or claims from electoral subjects in the zone in the Meeting Record Book, and as the case may be, verifies them;
- ç) it posts in a visible place the final voter lists, the decree setting the election date and other data related to the conduct of elections in the zone;
- d) it administers the budget allocated by the CEC;

- dh) it ensures the timely distribution of voting materials;
- e) it receives the voting materials and ballot boxes submitted by VCCs;
- ë) it prepares and approves the Aggregate Table of the Elections Result for each electoral subject in the EAZ and sends it together with other necessary materials to the CEC, in accordance with article 122 of this Code.
- f) it registers the electoral subjects and candidates for the elections to local government organs;
- g) it declares the winning candidates for mayor of the local unit;

Article 34
Duties of the CEAZ secretary

The secretary of the CEAZ performs these duties:

- a) he or she is responsible for the technical administration and the working conditions of the CEAZ;
- b) he or she keeps a register of the requests, complaints and notices submitted to the CEAZ;
- c) he or she retains the archived election documentation;
- ç) he or she prepares, in accordance with the chairman's instructions, materials for CEAZ meeting and distributes them to the members;
- d) he or she keeps the official records of CEAZ meetings;
- dh) he or she transcribes the decisions of the CEAZ and stamps them;
- e) he or she registers the decisions of the CEAZ in the official records and forwards them immediately to the interested subjects;
- ë) he or she gives certified copies of CEAZ decisions or of the official records of its meetings to the electoral subjects or to third persons, free of charge and within 24 hours of the submission of their request;
- f) he or she records in a register the receipt of the election materials sent by the CEC in accordance with article 99 of this Code and is responsible for administering and retaining them in conformity with the requirements of this Code;
- g) upon a request from voters, he or she issues a certification on whether a voter's name is or is not found on the final voter lists of the respective Electoral Administration Zone;
- gj) he or she records in the register the remarks that observers submit to the commission.

Article 35
Meetings and decisions of the CEAZ

1. The meetings of a CEAZ are public.
2. The meetings of a CEAZ are valid when the majority of all CEAZ members participate. Decisions of a CEAZ are made by a majority vote of all the CEAZ members. The secretary does not have the right to vote.
3. The decisions of the CEAZ are to be signed by all members who took part in the vote. Beside his signature, each of the members of the commission declares his vote "in favour" or "against" and the respective reasoning.
4. The vote of members who have a conflict of interest as provided by point 2 of article 32 of this Code, and who have not been discharged from duty in compliance with that article, is invalid and is not taken into account in determining a quorum.

5. If the CEAZ fails to reach a decision within the respective time limit, the case is to be sent within 24 hours to the CEC for examination by the CEAZ chairman, or by at least two of its members, or it may be appealed to the CEC by an interested electoral subject.

CHAPTER III

THE VOTING CENTRE COMMISSION (VCC)

Article 36

Composition of the VCC

1. The VCC is composed of seven members and a secretary and is established in accordance with the manner and the criteria provided by article 29 of this Code for all kinds of elections, except for letter (ç) of point 1 of article 29 of this Code.

2. The members and the secretary of the VCC are appointed only for the period of the elections. Proposals for the members and the secretary of the VCC are to be submitted no later than 45 days prior to the election date and, in case of partial or early elections, 20 days before the election date. The CEAZ appoints the VCC members no later than 5 days after the submission of the proposals, when it finds that the proposal is in compliance with the requirements of articles 37 and 38 of this Code. In any case, their appointment is made not later than 20 days prior to the election date.

3. In case of partial or early elections, the VCC is to be established no later than 15 days after the President issues his decree setting the election date.

4. When the seat of a member or of the secretary of the VCC becomes vacant, it is to be filled within 3 days, but not later than 24 hours prior to the opening of the voting process. The replacement of a member leaving on Election Day is to be completed no later than 2 hours from the notification of departure.

5. As a rule, the replacement of the members and of the secretary of the VCC is carried out with persons who have been trained in electoral legislation.

Article 37

Incompatibilities with the office of a member and of a secretary of the VCC

A member and a secretary of the VCC may not be:

- a) deputies or candidates for deputy to the Assembly;
- b) candidates or elected persons in elected local government organs;
- c) military personnel, members of the State Police or of the State Information Service structures; or
- ç) members or secretaries of another election commission.

Article 38

Requirements for being appointed a member and a secretary of the VCC

1. Any person who meets the following requirements can be appointed a member and a secretary of a VCC:

- a) he or she has the right to be a voter;

- b) he or she has completed at least secondary education;
 - c) he or she has a residence within the respective electoral zone;
 - ç) he or she has not been sentenced by a final court decision for committing a crime;
- and
- d) no disciplinary measure has been taken against him in previous electoral processes.
2. The secretary of the VCC, as a rule, has completed higher education.

Article 39

Dismissal and discharge from duty of members and of a secretary of the VCC

1. A VCC member and a secretary are to be dismissed from duty by the CEAZ when they:
- a) violate the provisions of this Code or of secondary legislation enacted pursuant to this Code, concerning VCC duties;
 - b) are sentenced by a final court decision for committing a crime;
 - c) are absent for more than 2 consecutive days without a reasonable cause; or
 - ç) do not participate in the training or do not pass the tests organised by the CEC.
2. The members and the secretary of a VCC are relieved of duty by a decision of the CEAZ when:
- a) they have a close relationship by marriage, or family relations to the second degree, with any of the candidates running in that electoral zone for the local government organs;
 - b) they have employment relations with any of the candidates running in that zone;
 - c) the electoral subject that has proposed them requests their replacement;
 - ç) they no longer meet the criteria of being a voter.

Article 40

Duties of the VCC

1. VCCs are set up and function for every kind of election.
2. Members of the VCC are responsible for the conduct of elections in the voting centre, by performing the duties prescribed in this Code and secondary legislation enacted on the basis of and for the implementation of this Code.

Article 41

The duties of the secretary of the VCC

The secretary of the VCC performs these duties:

- a) he or she is responsible for the technical administration and working conditions of the VCC;
- b) he or she keeps a register of the requests, complaints and notices submitted to the VCC;
- c) he or she retains the archived election documentation;
- ç) he or she prepares, in accordance with the chairman's instructions, the materials for the VCC meeting and distributes them to the members;
- d) he or she keeps the minutes of the VCC meetings;
- dh) he or she transcribes the decisions of the VCC and stamps them;
- e) he or she registers the decisions of the VCC in the Meeting Record Book and forwards them immediately to interested subjects;

è) he or she provides certified copies of VCC decisions and of minutes of its meetings to electoral subjects or to third persons, free of charge and within 24 hours of the submission of their request;

f) he or she records, in the register, receipt of election materials from the CEAZ, according to article 100 of this Code, and is responsible for administering and retaining them in conformity with the requirements of this Code;

g) he or she records in the register the remarks that observers submit to the VCC;

gj) he or she is responsible for enclosing the election materials in the Box of Voting Materials and for sealing the box with seals with security codes.

Article 42

Meetings and decisions of the VCC

1. The meetings of a VCC are public.

2. Decisions of a VCC are made by a majority vote of all VCC members. The secretary does not have the right to vote.

3. The decisions of the VCC are to be signed by all members who took part in the vote. Beside his signature, each of the members of the commission declares his vote “in favour” or “against” and the respective reasoning.

4. The VCC makes decisions on:

a) the opening of the voting;

b) the suspension of the voting;

c) the request of assistance from the State Police to restore order at the voting centre;

ç) the removal of the police forces after order has been restored at the voting centre;

d) the removal of certain persons from the premises of the voting centre, according to article 110 of this Code;

dh) the determination of the number of persons who have voted in the voting centre in case of an objection in accordance with point 2 of article 113 of this Code.

e) the closing of the polls.

5. If the VCC fails to reach a decision within the respective time limit, the case is sent immediately for examination to the CEAZ by the chairman or by at least two members of the VCC, or it may be appealed to the CEAZ by an interested subject. The decision of the CEAZ is to be implemented by the VCC.

Article 43

The composition and responsibilities of special VCCs

In accordance with this Code and the instructions of the CEC, the CEAZ proposes that the CEC establishes special VCCs in special institutions. These commissions have the same composition and the same responsibilities as a VCC.

PART III

VOTERS AND THE COMPILATION OF VOTER LISTS

CHAPTER I

CONTENT, COMPILATION AND APPROVAL OF VOTER LISTS

Article 44

Conditions for being a voter

1. Every Albanian citizen who has reached the age of 18 on the election date and who meets the conditions provided in this Code has the right to vote in elections for the Assembly and for local government organs.

2. Citizens declared by final court decision to lack the capacity to act are excluded from the right to vote.

Article 45

Place where voters vote

Voters vote in the voting centre in the zone where they are registered on the voter list, unless otherwise specified in this Code.

Article 46

Registration of voters on voter lists

1. The voter list is compiled for each polling unit on the basis of the electronic data of the National Civil Status Register.

2. The voter list contains all the voters who, based on the electronic data of the National Civil Status Register of citizens, have a residence in the polling unit of the local government unit or voters according to Chapter III of this Part.

3. A voter is to be registered only on one voter list. Inclusion on the voter list as specified in Chapter III of this Part causes the removal of the voter from the voter list compiled based on the National Civil Status Register.

Article 47

Content of the voter list

1. The voter list shall indicate the local government unit that has compiled and approved the voter list, the name of the electoral zone, the type and date of the elections, as well as the number of the voting centre.

2. The voter list shall indicate for each voter: the ordinal number on the voter list of the respective voting centre, the name, the patronymic, the surname, the date of birth and the residence code. The list used by the VCC during the voting process also contains the personal identification number of the voter.

3. The name, the patronymic, the surname, the date of birth, the residence code, citizenship and the personal identification number constitute the electoral components for the purpose of this Code.

4. The voters on the voter list are to be placed in order according to their surname.

Article 48

The organ that compiles and approves the lists

1. Voter lists are extracted from the electronic database of the National Civil Status Register by the civil status office of the local government unit, pursuant to the order of the mayor of the respective local government unit. The list that is posted is signed by the mayor and the responsible official of the civil status office.

2. The civil status office, under the authority of the mayor of the local government unit, is responsible for the compilation and accuracy of the data on lists that are based on the information in the database of the National Civil Status Register. The mayor of the local government unit signs the voter list in compliance with the provisions of this Code and the secondary legislation issued for its implementation by the Minister in charge of local government.

3. Changes to the voter list are based on changes in the database of the National Civil Status Register and are performed by the civil status offices in accordance with the provision of the law on the civil status and are made upon the approval of the mayor of the local government unit.

4. The database of the National Civil Status Register must contain updated electoral components for all citizens with the right to vote.

The electronic system of the National Civil Status Register must perform an automatic update of the electoral components any time the electoral components change in the database of the National Civil Status Register, and also must enable their extraction from the database at any time.

5. The Minister responsible for local government is to issue secondary legislation for the administration and update of electoral components in the National Civil Status Register.

CHAPTER II

THE PROCESS OF COMPILING VOTER LISTS

Article 49

The compilation of preliminary voter lists

1. The preliminary voter list is compiled as follows:

a) No later than 15 days from the decree of the election date, the civil status offices, under the authority of the mayor of the local government unit and in accordance with the instructions of the Minister in charge of local government, compile the preliminary voter list for each polling unit by extracting from the electronic database of the National Civil Status Register of the respective unit all citizens who will turn 18 by the date the elections are held;

b) Within 30 days from issuing and submitting the voter lists in accordance with letter (a) of this point, the mayor of the local government unit divides or merges the list if the conditions provided in article 62 of this Code exist. The mayor of the local government unit specifies the exact location, the full address of the voting centres, prepares the map of the local government unit on which the polling unit boundaries are also marked and makes it public in places having free access that are within the local government unit. The mayor of the respective local government unit keeps unchanged the location, the existing address and the polling unit boundaries, except in the case provided in point 2 of article 62 of this Code. He may not change the location of the voting centre during the last 10 days before the election date, except in cases of *force majeure*.

c) Within 5 days from the end of the timeline provided for in letter (b) of this article, the mayor of the local government unit issues the preliminary voter list. The lists are posted at the premises of the respective unit and at each voting centre, placing them in public areas where citizens have free access.

2. The CEC creates and updates the map of voting centre locations based on the information obtained from the mayors of the local government units pursuant to letter (b) of point 1 of this article. One copy of the map is given to each electoral subject in exchange for a fee that covers the cost of reproduction.

Article 50

Written notification of voters

1. Within 30 days from the posting of the preliminary voter lists, the mayor of the local government unit notifies in writing every voter included on the preliminary lists of the respective local government unit voting centres.

2. The written notification contains the voting centre, its location and address, as well as the voter's ordinal number on the voter list of his voting centre.

3. The mayor of the local government unit assigns the responsibility for carrying out the notification to the neighbourhood administrators or to the heads of the villages that are located in the respective local government unit and, when necessary, also to other officials of the local government unit administration.

4. The persons assigned to notify voters are to deliver the notification to the voter in person or, in the absence of the voter, to an adult member of his family who is present at the voter's home, and who signs to certify that he has received the notification.

Article 51

Causes for changes in the preliminary lists

1. Changes in the data of the preliminary lists are made by changing, adding or deleting one or more electoral components in case a voter:

- a) dies;
- b) has lost the right to vote by a court decision;
- c) is registered on more than one list;
- ç) has transferred his/her civil status;
- d) proves that his electoral components in the voter list are not accurate;
- dh) is registered in the wrong voting centre;
- e) is not on the preliminary list of any voting centre;
- ë) does not meet the age criteria to be a voter on the decreed election date; or
- f) is not an Albanian citizen.

2. The preliminary voter list is also to be changed for causes and procedures provided in article 53 of this Code.

Article 52

The procedure for the revision of and changes to the preliminary lists

1. With the exception of requests for changes to the preliminary voter list in compliance with article 53 of this Code, requests for changes to the preliminary voter list may not be submitted later than 60 days prior to the date of elections.

2. A request for changes to the preliminary voter list is to be made by the voter himself or, in his absence, by a member of his family stock, except for cases provided by letters (a) and

(b) of point 1 of article 51 of this Code, in which case the request may be submitted by any third person. In the case of letters (c) and (f) of point 1 of article 51 of this Code, the change to the preliminary voter list may also be made by the mayor of the local government unit on his own initiative, on the basis of the information received from the General Directorate of Civil Status.

3. The request for changes to the preliminary list is made through a special application form which is submitted to the civil status office. One copy of the application form is kept by the person making a request after a notation on the date its acceptance is made and after it is signed by the official who has accepted the application. The civil status office submits one copy to the mayor of the local government unit. The application form contains:

- a) the full name and address of the applicant;
- b) the reason for requesting the changes to the list;
- c) the documents that prove the cause for which the change is being requested.

4. Upon submission of the request, the civil status office carries out the respective verifications and, not later than 5 days from the submission of the application form, proposes to the mayor of the local government unit whether to change the data or not. The mayor takes a decision on the request not later than 24 hours from receiving the civil status office proposal. The decision is to be drafted in no fewer than three copies, of which one is to be sent no later than 3 days from the date the decision is taken to the person who made the request, one is to be sent to the General Directorate of Civil Status at the Ministry in charge of local government at the end of the revision period, and the third copy is to be kept by the decision-making organ.

5. The person who made the request can file an appeal against the decision of the mayor of the municipality, commune or borough, or in case the mayor does not take a decision, at the district court covering that local government unit no later than 5 days after receiving a notification of the decision or after the expiry of the time limit for making a decision.

6. The Court is to examine the case and reach a decision within 5 days from the submission of the claim. If the plaintiff or his legal representative is not present during the court proceedings, the court closes the case. If the defendant does not appear before court, then the case proceeds *in absentia*. The court must notify the absent party of the decision in conformity with the respective provisions of the Code of Civil Procedure within 24 hours from date the decision is announced. The mayor of the respective local government unit is obliged to enforce the decision of the district court within 5 days of receiving the notification, without any need for the plaintiff to request the issuance of an enforcement order. In any case, the court must make available to the parties its reasoned written decision on the same day the decision is announced.

Article 53

Changes to the preliminary list on the request of the General Directorate of Civil Status

Changes to the preliminary list according to article 52 of this Code are made on the request of the General Directorate of Civil Status when:

- a) voters are included on the voter lists of special institutions and, in compliance with article 59 of this Code, their deletion from the voter list of their residence has been requested;
- b) voters are included on the voter lists of barracks of the armed forces and public order forces and, in compliance with article 60 of this Code, their deletion from the voter list of their residence has been requested;

c) voters are included on the voter lists in more than one voting centre. In such a case, the voter remains only on the voter list of the voting centre where his or her current residence is.

Article 54

Preparation and posting of the final voter list

1. The civil status office, under the authority of the mayor of the local government unit, compiles the final voter list for each polling unit by extracting from the electronic data of the National Civil Status Register of the respective unit all citizens who will reach the age of 18 by the last day for holding elections. The list reflects the changes of the electoral components based on administrative and court decisions for changes to the preliminary list in accordance with the procedures in article 52 of this Code.

2. The final voter list, with its full components in compliance with article 47 of this Code, is to be sent printed, no later than 30 days before election day, to the CEAZ in three formats as follows:

a) a voter list divided according to voting centres, which is to be posted at each voting centre in a public place with free access no later than 25 days prior to election date. No later than 30 days after the completion of the voting process, the General Directorate of Civil Status is to send a printed copy of all the voter lists to the State Central Archive for storage;

b) a voter list divided according to voting centres, which is to be delivered to the respective VCC together with other voting materials from the CEAZ, to be used by the latter on election date. This format also contains a place for the voter's signature;

c) a voter list on the level of the electoral zone or local government unit, listed in alphabetical order according to the voter's surname. This format is to be retained by the CEAZ and to be used for informing the voters.

3. If the competences provided in this article are not exercised by the mayor of the local government unit, obligations deriving from this article are to be fulfilled immediately by the General Directorate of the Civil Status.

Article 55

Changes to the list after the posting of the final list

1. When a voter discovers that he has not been registered on the final voter list of the polling unit of his residence, he has the right to submit a request to the respective district court until 24 hours before the election date.

2. If the voter changes his residence after the posting of the final voter list, the voter is to vote in the voting centre where his name appears on the voter list.

3. District courts review and decide on requests according to point 1 of this article on the last day before the elections as well as on election day, but not later than 6 hours before the closing of the voting process. The decision approving the request includes the permission of the requester to vote in the respective elections as well as the number of the voting centre where the voter who presented the request is allowed to vote.

4. The name of the voter who comes to vote with a court decision is to be written by the VCC in a special register, to which the court decision is to be attached. The number of the identification document used for voting shall also be registered in this register.

Article 56

The list for partial or early elections

1. In case of partial or early elections, the civil status offices under the authority of the mayor of the local government unit and in co-operation with the General Directorate of Civil

Status, compile the voter lists no later than five days from the issuance of the decree setting the election date.

2. In prisons and pre-trial detention centres, barracks of the armed forces and public order forces, voter lists are compiled and sent to the mayors of the respective local government units through the General Directorate of Civil Status within 10 days of the issuance of the decree setting the election date.

3. The civil status offices are to complete the updating of the voter list within 10 days of receiving them. Within 24 hours after the conclusion of the updating, the mayors of the local government units approve and make public the final voter lists in accordance with article 48 of this Code.

4. Changes to the final voter list are to be made in conformity with article 55 of this Code.

Article 57

Making voter lists available to electoral subjects and the public

1. Voter lists are to be made available by the mayor of the respective local government unit or by the General Directorate of Civil Status to electoral subjects upon their request and free of charge.

2. The electoral subjects registered with the CEC, upon their request and free of charge, may receive one electronic copy of voter lists nationwide from the General Directorate of Civil Status.

3. Voter lists are to be made available to the above electoral subjects no later than 3 days after the date of the submission of the request.

4. In case the electoral subjects request more than one copy of the voter lists, they are made available against the payment of a fee. In this case, the payment for the voter list may cover only the administrative expenses necessary for their reproduction.

5. The preliminary and final voter lists are to be posted electronically on the official website of the CEC and the Ministry covering local government. The electronic format should make it possible for any interested person to use the internet to search the voter list by multiple components. The CEC and the Ministry covering local government are charged with issuing the respective instructions.

CHAPTER III

SPECIAL VOTERS

Article 58

Special voters

1. VCC members and secretaries vote at the voting centre where they have been appointed commission members, whether or not their name appears on the voter list of that voting centre.

2. CEAZ members and secretaries vote at the nearest voting centre assigned by a decision of the CEAZ, whether or not their name appears on the voter list of that voting centre.

3. When the names of the persons mentioned in points 1 and 2 of this article do not appear on the list, their names are registered in the special register that is kept in accordance with point 4 of article 55 of this Code.

Article 59

Special institutions

1. Special institutions comprise a separate polling unit. The voting centre in these institutions is to be established even when they house 15 to 100 voters.

2. In prisons and places of pre-trial detention, for elections to the Assembly, 40 days prior to the voting date, the director of the institution prepares the voter list and delivers it to the mayor of the local government unit in whose territory the special institution is located.

3. In prisons and places of pre-trial detention, for elections for local government units, 40 days prior to the election date, the director of the institution prepares a list of voters with residence in the electoral unit where the institution is located and delivers it to the mayor of the respective local government unit.

4. The mayor of the local government unit, within 5 days of receiving the list according to point 2 or 3 of this article, includes on the voter list of his unit the names of the voters in prisons and places of pre-trial detention and sends them to the General Directorate of Civil Status, which within 5 days of receiving them, is to notify the respective local government units of the residence of these voters to delete their names from the voter list of their residence.

5. In hospitals and other healthcare institutions that accept patients for more than 10 days, the procedures provided in points 2 and 3 of this article are completed 30 days prior to the election date.

Article 60

Voters in the Armed Forces and in the State Police Forces

1. No later than 60 days prior to the date of elections for the Assembly, the Minister of Defence and other competent central institutions, at the request of the Minister in charge of the local government, order the commanding officers of the respective bases to prepare a list of voters who will be located at those bases on election day. The base commanders should specify the presence of the voters in the respective bases, as well as the local government unit where the voters have their residence. The list is to be sent no later than 15 days after receiving the order to the local government unit where the base is located.

2. The mayor of the local government unit includes these voters on the final list of the voting centre in the territory of which the base is located. The order of their appearance on the list will be made according to the general rules for the compilation of the voter list.

3. Within 5 days of receiving the list from the commander of the respective base, the mayor of the local government unit is to send a copy of the list to General Directorate of Civil Status, which, no later than five days after receiving the list, requests that the respective local government units of the residence of these voters remove them from the voter list of their residence, in compliance with the procedures and time limit established by the CEC.

4. For the municipality of Tirana, the rights and duties specified in article 59 of this Code and in this article, are to be exercised by the mayors of the boroughs.

Article 61

Voter list in re-elections

In case of repetitions of elections, according to article 161 of this Code, the final voter lists shall not change.

CHAPTER IV

POLLING UNIT

Article 62

Establishment of polling units

1. A polling unit should be part of a compact and contiguous geographic territory and the number of voters in each voting centre must not be lower than 150 and larger than 1000 voters, with the exception of cases provided in point 1 of article 59 of this Code.

2. No later than the time limit established in letter (b) of point 1 of article 49, of this Code:

a) if a polling unit has more than 1 000 voters, the mayor of the local government unit decides to establish an additional voting centre within the same unit. The mayor of the respective unit, in accordance with the instructions issued by the Minister in charge of local government, divides the voter list into two parts with an approximately equal number of voters, where the members of one family are to be assigned to the same voting centre. In this case, the new voting centre is to be established, when possible, in the same building as the existing voting centre and is numbered according to the unique national system of numbering the voting centres;

b) if a polling unit has fewer than 150 voters, the mayor of the local government unit decides that it is to be attached to the nearest polling unit accessible by road. As a rule, the new voting centre should not be farther than 5 km away from the voters' residence.

If it is not possible to meet both of the above criteria, then the criterion of the minimal number of voters prevails. The number of the suppressed voting centre is suspended, and this suspension does not affect the existing numbering of the other voting centres.

3. The existing boundaries of the polling unit also shall be retained for the succeeding elections, except when a change is necessary as a result of a failure to meet the requirements provided by point 2 of this article. The CEC, upon special instruction, numbers the polling units in a unique manner nationwide.

4. The location of the voting centre is to be established at the same address as in previous elections, except when, for objective reasons, this is not possible.

5. *For the Municipality of Tirana, the responsibilities specified in this article are exercised by the Tirana borough mayors.*

PART IV

REGISTRATION OF ELECTORAL SUBJECTS

Article 63

Electoral subjects and candidates

1. An electoral subject is a political party or a coalition of political parties that submit multi-name lists of candidates according to the rules provided in this Code.

2. An electoral subject can also be an Albanian citizen with the right to vote who is proposed as a candidate for deputy or for local government organs by a group of voters according to the rules of this Code.

3. A candidate is a citizen who fulfils the criteria provided in article 45 and article 69 of the Constitution and who is registered as a candidate for deputy with the CEC, or as a candidate for mayor of a commune or municipality or for local councils with the CEAZ.

Article 64

Registration of political parties as electoral subjects

1. Each political party should submit a request to register as an electoral subject to the CEC no later than 60 days before the election day.

2. To register as an electoral subject for any kind of elections, a political party must submit to the CEC:

- a) a verification that the party has been registered with the District Court of Tirana;
- b) the name, surname and address of the chairman of the party, who is the person authorized to present candidates;
- c) the official name, initials and address of the party;
- ç) a copy of the party's stamp;
- d) the name, surname and address of the finance officer of the party; and
- dh) the name, surname and address of the person responsible for communication with the CEC.

Article 65

Registration of electoral coalitions

1. Not later than 45 days before the election date, two or more political parties registered as electoral subjects with the CEC according to article 64 of this Code may register with the CEC as an electoral coalition nationwide.

2. A political party that participates in a coalition cannot participate in another coalition, nor can it submit a multi-name list of candidates outside the coalition of which it is a part.

Article 66

Identification of electoral subjects

If two political parties or coalitions have names or logos that are the same, or similar to an extent that may create confusion or mislead the voters, then the CEC decides which party or coalition has the right to use the respective name or logo for electoral purposes, taking into consideration the date of the legal foundation of parties or that of the first registration of a coalition with the CEC. In order to establish the date of the first registration of coalitions, the CEC also shall refer to past elections.

Article 67

The list of candidates of parties and of party coalitions

1. A political party that is registered with the CEC as an electoral subject for the elections to the Assembly is to submit to the CEC its multi-name list of candidates for each electoral zone no later than 40 days before the election date. For elections of local government organs, the candidates for mayor of a municipality or commune, as well as lists of candidates for local councils, are to be registered with the CEAZ that covers the local government unit. A copy of the list is to be submitted by the CEAZ to the CEC.

2. No later than 40 days before the election date, a political party participating in a coalition is to submit to the CEC its multi-name list of candidates. For elections of local government organs, the list of candidates is registered with the CEAZ. A copy of the list is submitted by the CEAZ to the CEC.

3. A candidate for deputy registered on a multi-name list in one electoral zone or a candidate for municipal or communal council cannot be registered as such for another

electoral zone, either as a candidate of another party or coalition or as a candidate proposed by a group of voters. The chairmen of political parties that are running either on their own or as part of a coalition are exempt from this rule, as they may run in one or more electoral zones for elections to the Assembly.

4. Names on the party list appear listed in numerical order, starting with number one. The number of the candidates on the multi-name list of a political party registered as an electoral subject on its own or part of a coalition should not be less than the number of seats assigned to the respective electoral zone. For parties composing a coalition, the number of candidates per party should not be less than half of the number of seats assigned to the respective electoral zone. The same rule applies to the multi-name lists for municipal or communal councils.

5. For each electoral zone, at least thirty percent of the multi-name list and/or one of the first three names on the multi-name list must be from each gender. For elections of local government organs, one in every three names on the list must belong to each gender.

6. Failure to comply with any of the conditions provided in this article related to the composition of a multi-name list for elections to the Assembly brings as a result the rejection of the list by the CEC. Failure to comply with the condition provided in point 5 of this article for the elections of local government organs is penalised in accordance with article 175 of this Code.

Article 68

Supporting lists of political parties and coalitions

Lists of candidates for the Assembly submitted by political parties that do not have any seats in the Assembly must be supported by no fewer than 10 000 voters. In case of an electoral coalition, the lists must be supported by no fewer than 15 000 voters. A coalition in which the participating parties together hold a number of seats in the Assembly that is not smaller than the number of parties participating in the coalition are exempt from this rule.

Article 69

Candidates proposed by voters for elections to the Assembly

1. No later than 40 days from the election date, a group of voters in one electoral zone have the right to propose for that electoral zone a candidate who meets the criteria provided in article 45 and 69 of the Constitution and those provided in this Code.

2. A candidate proposed by a group of voters cannot be part of any party or coalition that is running in the elections, nor can he openly or indirectly support any other subject or candidate running in the elections.

3. For the submission of a candidate by the voters, an initiating committee is established, which is composed of no fewer than 9 voters from the respective electoral zone, who are charged with organizing the work of gathering the supporting signatures for the candidate in accordance with this Code. No later than 60 days before the election date, the initiating committee is to register with the CEC by submitting the names of the committee's members. The committee can register a candidate for deputy only if it has gathered support from a number of voters that corresponds to no less than 1% of the voter list of that electoral zone, according to the procedures provided in this Code.

Article 70

Candidates proposed by voters for elections to local government organs

1. A group of voters with the residence in an electoral zone have the right to propose a candidate for mayor of a municipality or commune and/or a candidate for local council not later than 40 days before the election date.

2. A candidate proposed by a group of voters cannot be part of any party or coalition that is running in that electoral zone, nor can he openly or indirectly support any other subject or candidate running in that electoral zone.

3. For the submission of a candidate by the voters, an initiating committee is established, which is composed of no fewer than 9 voters from the respective electoral zone, who are charged with organizing the work of gathering the supporting signatures for the candidate. No later than 60 days before the election date, the initiating committee is to register with the CEAZ by submitting the names of the committee's members. The committee can register a candidate for mayor of a municipality or commune only if it has gathered support from a number of voters that corresponds to no less than 1% of the voter list of that electoral zone, according to the procedures provided in this Code.

4. Candidates of political parties for mayors of a local government unit or multi-name lists of parties for local councils are exempt from the obligation provided in point 3 of this article if at least one member of the respective party has a seat in the Assembly or on the council for which the political party is running in the elections. For purposes of this Code, a political party submits a written certification signed by the institution of the Assembly or by the local government unit certifying the holding of the seat.

5. Candidates proposed by voters are exempt from the obligation provided in point 3 of this article if they are mayors of a municipality or commune.

6. Political parties are exempt from the obligation provided in point 3 of this article if at least one member of the respective party has a seat in the Assembly or on the council for which the political party is running in the elections. For purposes of this Code, the political party submits a written certification signed by the institution of the Assembly or by the local government unit certifying the holding of the seat.

Article 71

The procedure for collecting signatures

1. Voters individually deposit their signatures in support of a candidate proposed by a group of voters or for the parties and coalitions provided in article 68 and 69 of this Code with the CEC or before a notary. For elections to local government organs, signatures are deposited before a CEAZ employee or a notary.

2. A signature is to be accompanied by complete voter data including the name and surname, permanent residence and identification document number. The voter should be registered in the respective electoral zone and cannot support more than one candidate, party or coalition.

3. No later than 90 days before Election Day, the CEC approves and makes available the form for depositing individual signatures.

Article 72

Candidacy documents

1. Candidacy documents should be in compliance with the requirements of this Code and in the format specified in CEC instructions.

2. Candidacy documents should contain the following information:

a) a full list of candidates with the respective ranking, signed by the chairman of the party, or the proposal from the initiating committee of a group of voters;

b) the name, patronymic, surname, date of birth, gender, and address of the candidate, as well as a copy of his or her identification document;

c) a declaration from the candidate that he has the right and the will to be a candidate;

ç) a declaration from the candidate proposed by a group of voters that he/she will not be supported or support any electoral subject during the elections;

d) a list signed by the voters of the respective zone who support the candidate or party in accordance with articles 69, 70 and 71 of this Code.

3. For elections to local government organs, the requirement in letter (a) of point 2 of this article can also be signed by a person authorized by the party chairman.

Article 73

Verification of documentation

1. The CEC or, as the case may be, the CEAZ, verifies the regularity of candidacy documentation and if it notices irregularities or failure to comply with requirements of the Electoral Code, returns them to the electoral subjects for correction not later than 35 days before the elections.

2. The corrected documentation is to be submitted not later than 32 days before the election date. The decision for the approval or rejection of the final documentation is taken within 48 hours from their submission.

3. The CEC publishes the full list of candidates in the three newspapers with the largest national circulation, in the electronic media, and on its official website. A copy of the list for each electoral zone is to be sent to the Prefect, Regional Council and CEAZs, which publish it in the local media and post it in public areas in their zone, in accordance with the instructions received from the CEC.

4. Names on the multi-name lists and their order cannot be changed after their final approval by the CEC or, as the case may be, by the CEAZ, in accordance with point 2 of this article.

5. No later than 24 hours from the final approval of the list, the CEAZ submits one copy of the list for the councils of municipalities and communes to the CEC.

6. No later than 90 days from the election date, the CEC determines by special instruction the rules for the verification of the candidacy documentation and the time limits for the implementation of point 3 of this article.

PART V

ELECTORAL ZONE AND NUMBER OF SEATS FOR EACH ZONE

Article 74

The electoral zone for the Assembly

1. The electoral zone corresponds to the territory of the region and serves as an electoral unit for the election of a specified number of seats in accordance with the rules set in this Code.

2. Administrative boundaries of the regions are decided by the law on the administrative and territorial division of the Republic of Albania.

Article 75

Criteria and procedure for determining the number of seats

1. The number of seats for each electoral zone is determined in proportion to the number of citizens in each electoral zone. Each seat represents an approximately equal number of citizens.

2. The total number of citizens according to the National Civil Status Register is divided by the number 140 of the Assembly seats, thus determining the average number of citizens for each assembly seat.

3. The number of seats for each electoral zone is determined by dividing the number of citizens with a residence in the electoral zone by the average number obtained according to point 2 of this article.

4. Each electoral zone is initially allocated a number of seats equal to the full number obtained through the division in accordance with point 3 of this article.

5. If, upon the conclusion of the calculation made in accordance with point 4 of this article, one or more seats remain unallocated, these seats are allocated to the zones based on the largest decimal remainder obtained from the division under point 3 of this article. Allocation of the remaining seats is carried out in descending order, starting from the zone with the largest decimal remainder.

6. If even after the application of point 5 of this article the decimal remainder of two or more zones is the same, the last seat is allocated to the zone that, according to the calculations of point 3 of this article, has the largest remaining number of citizens who have not produced a full seat.

7. If, even after the application of point 6 of this article, two or more zones have the same number of citizens who have not produced a full seat, the seats are allocated by a lot drawn by the CEC. The drawing of the lot is always made public and is carried out in the presence of the subjects who have permanent representatives to the CEC.

Article 76

The procedure and the period for the allocation of seats

1. As a rule, 4 months before the starting date of the electoral period that precedes the end of the Assembly's mandate, the General Directorate of Civil Status on the request of the CEC sends the total number of citizens as well as the number of citizens for each region, based on the National Civil Status Register.

2. No later than 15 days from receiving the data, the CEC makes the calculations for the allocation of seats for each electoral zone, according to the criteria and procedures provided in article 75 of this Code and sends them immediately to the Assembly. The Assembly, through an accelerated procedure, approves the allocation of seats.

3. In any case, the number of seats for each electoral zone is to be approved not later than 6 months before the end of the Assembly's mandate. The number of seats for each electoral zone is not revised in case of early elections.

PART VI

THE ELECTORAL CAMPAIGN AND THE MEDIA

Article 77

The period of the campaign and of electoral silence

1. The electoral campaign begins 30 days before the election date and ends 24 hours before the election date.

2. The day prior to the election date and the election date until the hour of the closing of the polls constitute the period of electoral silence. During the period of electoral silence no electoral campaign by the electoral subjects through media outlets, as well as rallies or other electoral activities, is allowed.

Article 78

The rights and obligations of electoral subjects during the campaign

1. During the election campaign, every electoral subject has the right to make electoral propaganda in any lawful manner.
2. The results of electoral opinion polls may not be made public during the last 5 days before election date and on election date until poll closing time.
3. The publication of electoral opinion poll results must also include the name of the pollster, his/her sponsor, the number of persons interviewed, the margin of error and the time period during which the poll was taken.
4. The conduct of electoral campaigns in public institutions is prohibited.

Article 79

Propaganda materials

1. The mayor of the local government unit designates, in a fair and impartial manner, public places for posting propaganda materials.
2. The CEC approves by special instruction the criteria for the selection of these places.
3. Any posting of propaganda materials outside the authorized public places brings about their removal by the law enforcement authorities under the local government unit.

Article 80

The electoral campaign on Public Radio and Television

1. During the electoral campaign, Public Radio and Television provides free airtime to registered political parties and to the CEC, which is allocated according to the following rules:
 - a) a total of two hours are set aside for the CEC according to the time slots it requests. At least two-thirds of this time is to be between 18⁰⁰ and 22⁰⁰;
 - b) for parliamentary parties that received more than 20 percent of the seats in parliament in the last parliamentary elections, the CEC allocates airtime of not less than 30 minutes on Public Television and the same amount on Public Radio, whereas for other parliamentary parties, this time is to be not less than 15 minutes. The increase of broadcasting time for one party or within the respective coalition proportionally increases the time allotted to another party or coalition.
 - c) each party not represented in the Assembly that participates is allocated 10 minutes of airtime on Public Television and 10 minutes of airtime on Public Radio.
 - ç) the respective electoral subject must be clearly identified on any television or radio programme or advertisement for purposes of electoral propaganda.
2. Public Radio and Television covers the electoral campaign through news or informative programming in compliance with the principles of impartiality, completeness, truthfulness and pluralism of information set forth in the legislation that regulates the field of electronic media. The free airtime allocated to political parties in accordance with point 1 of this article may not be allocated as part of news or information programming.
3. Public Radio and Television broadcasts free political advertising by calculating the broadcasting time within the airtime in accordance with point 1 of this article.

Article 81

News broadcasts of Public Radio and Television

1. During the political airtime of news broadcasts, Public Radio and Television must apply an equal time ratio for all parliamentary parties that in the previous parliamentary elections obtained up to 20 percent of the seats in the Assembly. The parties that obtained more than 20 percent of the seats in the Assembly are entitled to airtime that is allocated equally among them. Each of these parties is entitled double the amount of airtime of a party that has obtained up to 20 percent of the seats in the Assembly.

2. In case of violation of the ratio of coverage in favour of one party or coalition, the Central Election Commission orders the reduction by the same measure of the airtime at the disposal of that political party or coalition, or the compensation of other political parties or coalitions with additional airtime within 48 hours.

3. The time for covering government activities that are related to the electoral campaign is included in the time of the party to which the head of the institution that organizes the activity belongs.

4. For coverage of the activities of the non-parliamentary parties, Public Radio and Television applies professional criteria for news, under the condition that the airtime at their disposal be no greater than the time applied for the parliamentary parties.

5. Propaganda, political comments or political stances by journalists of Public Radio and Television are prohibited during the news programmes.

6. In case of violation of the requirements specified by this article, the CEC according to the case and the level of responsibility, fines the reporter who has prepared the report ALL 20 000, the responsible editor ALL 30 000, the News Director ALL 35 000 and the Director General ALL 60 000.

7. This CEC decision constitutes an executive title and is implemented by the Finance Directorate of the Public Radio and Television. An appeal against the decision does not suspend its execution.

Article 82

Free airtime for the CEC

In addition to the time provided under letter (a) of point 1 of article 80 of this Code, the CEC is to be provided with a total of 90 minutes of free time for voter information by Public Radio and Television each year. This airtime is to be determined in accordance with letter (a) of point 1 of this Code.

Article 83

Broadcasting schedule

1. No later than 30 days before the election date, the Steering Council of Public Radio and Television, based on the information on registered parties provided by the CEC, determines the time available for each party and, under the supervision of the CEC, organizes a lottery for the allocation of time slots to each registered party.

2. The airtime provided to political parties is allotted in the time slot between from 18⁰⁰ - 22⁰⁰ each day of the electoral campaign until 24 hours before the beginning of the voting.

Article 84

The electoral campaign on private radio and television stations

1. Private radio and television broadcasters cover the electoral campaign only during normal and special news programmes. Private radio and television broadcasters do not put airtime at the disposal of political subjects for covering their electoral campaign.

2. During normal and special news programmes, private radio and television broadcasters must respect the following conditions:

a) the political airtime of the news programmes of private radio and television broadcasters is distributed in the time proportions established by point 1 of article 81 of this Code. In case of a violation coverage proportions in favour of one party, the CEC, on its own initiative or upon the proposal of the CEAZ, fines a local radio/television broadcaster ALL 1 500 000 and a national broadcaster ALL 3 000 000. The CEC decision constitutes an executive title and is executed by the bailiff's office. An appeal against the decision does not suspend its execution. In case of a repetition of the violation, the CEC orders the NCRT [National Council of Radio and Television] to block the transmission of the radio/television broadcaster for 48 hours. The transmission is blocked not later than 18⁰⁰ of the following day;

b) airtime for government activities that are related to the electoral campaign is included in the time of the party to which the head of the institution that organizes the activity belongs;

c) in covering the activities of non-parliamentary parties and candidates proposed by voters, private radio and television broadcasters apply professional criteria for news, with the condition that the time at their disposal be no greater than the time allocated to the parliamentary parties.

ç) propaganda, political comments or stances by journalists are prohibited during news programmes. In case of a violation, the CEC fines the local radio/television broadcaster ALL 1 000 000 and the national radio/television broadcaster ALL 2 500 000. The decision of the CEC constitutes an executive title and is executed by the bailiff's office. An appeal against the decision does not suspend its execution. In case of a repetition of the violation, the CEC orders the NCRT to block the transmission of the radio/television broadcaster for 48 hours. The transmission is blocked no later than 18⁰⁰ of the following day.

3. Private radio and television broadcasters have the right to organize electoral debates between competing political parties or candidates. In organizing and holding the debate, private radio and television broadcasters are obliged to keep a balance between political parties in the debate.

In case of a violation, the CEC orders the NCRT to block the transmission of the radio/television broadcaster for 48 hours. The transmission is blocked not later than 18⁰⁰ of the following day.

4. Only those electoral subjects registered for elections are entitled to broadcast political advertisements during the electoral period on private radio, television or audiovisual media, be they digital, cable, analogue, satellite or any other form or method of signal transmission. Political advertisements of electoral coalitions are measured within the time of the political parties that are members of the coalition according to an individual agreement between each party and the radio or television operator.

5. The total airtime for political advertisements during the entire election campaign on each private radio and television station may not be more than 45 minutes for each party that has obtained up to 20 percent of the seats in the Assembly and 90 minutes for each party that has obtained more than 20 percent of the seats in the Assembly. In any case, radio and television operators are to apply the same fees for the same time slot.

6. For elections to the Assembly, private national and satellite radio and television broadcasters that accept paid advertisements in accordance with this article are obliged to make available free of charge to the electoral subjects half of the total airtime for advertising provided in point 5 of this article. The cost for making the free airtime available to the electoral subjects by private radio and television broadcasters, is calculated as a deductible expense for tax purposes. The CEC, the NCRT and the Minister of Finance are in charge for issuing the respective instructions.

7. Political advertisements of electoral subjects are broadcasted between the time intervals from 15⁰⁰ until 18⁰⁰ and from 21⁰⁰ until 24⁰⁰ of the daily programme.

8. Advertisements for candidates for mayor of local government units are included in the time of the political subject they represent.

Advertisements of public institutions are included in the time of the political subject to which the head of the institution belongs.

9. Private radio and television broadcasters make available extra airtime for the advertisements of non-parliamentary parties and candidates proposed by the voters, in addition to the airtime applied according to point 5 of this article. The airtime for the advertisements of each non-parliamentary party and candidates proposed by voters must not exceed 10 minutes for the entire electoral campaign. For non-parliamentary parties and for candidates proposed by the voters, the same rates as for parliamentary parties as well as the same criteria for the free time in accordance with point 6 of this article are to be applied. In case of a violation, the CEC fines a local broadcaster ALL 2 000 000 and a national broadcaster ALL 3 500 000. The decision of CEC constitutes an executive title and is executed by the bailiff's office. An appeal against the decision does not suspend its execution.

In case a violation, the CEC orders the NCRT to block the transmission of the radio/television broadcaster for 48 hours. The transmission is blocked not later than 18⁰⁰ of the following day.

Article 85

Electoral campaign monitoring

1. Ten days before the starting of the electoral campaign, the CEC establishes the Media Monitoring Board, which has the duty of monitoring the implementation of the provisions of this Code on the electoral campaign by public and private radio and television broadcasters. The Media Monitoring Board exercises its activity in the entire electoral territory. In order to perform its monitoring, the Board uses the NCRT's technical capacities. For local broadcasters that cannot be covered by the monitoring tools of the National Council of Radio and Television, local monitors are appointed. Local monitors are placed at the CEAZ where the radio/television broadcaster to be monitored has its broadcasting station. No later than three months prior to the election date, the CEC and the NCRT sign a memorandum of understanding on the rules, modalities and time limits for the use of the technical capacities of the NCRT for the purposes of monitoring.

2. The Board presents its report on its monitoring conclusions for the previous day to the CEC on a daily basis. The report is to be accompanied, as appropriate, by proposals for administrative sanctions. The Board as a collegial organ or each of its members has the right to propose the imposition of administrative sanctions. Local monitors report to the CEAZ where they are located. A copy of the report, together with the opinion of the CEAZ, is sent immediately to the Media Monitoring Board and becomes part of the daily report to the CEC.

3. Complaints of electoral subjects are examined together with the report of the Media Monitoring Board.

4. The CEC examines the reports of the Media Monitoring Board not less than once a week. The CEC adopts a decision on the reports every time administrative sanctions are proposed. CEC decisions can be appealed in accordance with the procedures provided in this Code.

5. The Board is composed of 7 members. Each of the CEC members appoints one Board member. The Board members are to be journalists by profession or work experience, or they are to be media analysts or scholars.

6. Public and private radio and television broadcasters are required to register all their broadcasts during the period of the electoral campaign. These registrations are retained for a period of three months after the conclusion of elections and are made immediately available to the Commission on the request of the CEC.

PART VII

CAMPAIGN AND ELECTION FINANCING

CHAPTER I

ELECTION FINANCING

Article 86

Funds for the preparation and conduct of elections

1. The budget of the CEC constitutes a separate line in the state budget.
2. The Assembly makes available to the CEC and other relevant institutions, in the budget of an election year, funds for the preparation, conduct, supervision, as well as for any other aspect of the electoral process.
3. In a case when the budget year is not an electoral year, sufficient funds are made available to the CEC for the functioning of this institution and for the exercise of its responsibilities in accordance with the law.
4. The CEC administers the funds designated for the conduct of elections according to the rules provided in this Code.
5. In case of early elections, the Council of Ministers makes available to the CEC the funds in accordance with point 1 of this article not later than 5 days from the day of the dissolution of the Assembly or of the respective local government organ.
6. The funds accorded by the State Budget for the election campaign of the electoral subjects consist of funds for financing the campaign, which are allocated according to letters (a) and (b) of point 2 of article 87 of this Code, as well as a supplementary sum for the campaign finance funds that is used by the CEC to provide compensatory amounts in accordance with point 5 of article 87 of this Code. The funds for financing the campaign may not be less than the total amount distributed to political parties in the preceding elections.

CHAPTER II

FINANCING OF ELECTORAL SUBJECTS

Article 87

Allocation and re-allocation of public funds for electoral subjects

1. Electoral subjects benefit financing from the public funds in accordance with the rules provided in this Code. The amount of public funds to be allocated to electoral subjects is determined by an Assembly decision together with the election budget, in accordance with article 86 of this Code.

2. The amount of public funds that is allocated to each of the electoral subjects is determined by a CEC decision in accordance with the following rules:

a) 50 percent of the amount is to be distributed among political parties that are registered as electoral subjects and that have seats in the Assembly, which is determined according to the CEC decision that declares the final result of the preceding elections. This sum is given to these political parties by the CEC no later than 5 days after their registration as electoral subjects and the submission of the multi-name list for each electoral zone.

b) 50 percent of the total amount is to be distributed among political parties that are registered as electoral subjects and that have obtained not less than 2 seats in the Assembly in the preceding elections for the Assembly, in proportion with the votes they obtained nationwide according to the CEC decision for the announcement of the final result of the preceding elections.

3. A party that has received public funds in accordance with letter (b) of point 1 of this article and does not win any seats in the forthcoming elections must return the respective amount received. These amounts are to be deposited to the CEC bank account. The return of funds is to be done no later than 30 days after the announcement of the final election result. In case of failure to fulfil this obligation without reasonable cause, the CEC requests that the Minister of Finance order the Treasury Office to retain these amounts from other budgetary funds that these parties receive and transfer them to the CEC budget.

4. A party that according to point 3 of this article does not return the respective funds loses the right to further financing from public funds for a period of time of not less than 5 years, as well as not being registered as an electoral subject either on its own or as part of any coalition in the subsequent elections, regardless of what kind.

5. Funds returned in accordance with point 3 of this article are re-allocated by a decision of the CEC to the political parties that have obtained seats in the Assembly. Distribution is made according to the same percentage as the percentage of seats obtained in the current elections. The decision is taken by the CEC no later than 30 days after the announcement of the final election result.

6. If the fund according to point 4 of this article is not fully returned by the electoral subjects, the CEC is compensated this fund from the state budget.

7. The CEC issues the respective instructions for the implementation of this article.

Article 88

Prohibition of the use of public resources for the support of electoral subjects

1. Except for the cases provided by law, resources of public organs or entities of a central or local level, or of any other entity where the state owns capital or shares or/and appoints the majority of the supervisory or administrative body of the entity, regardless of the source of the capital or ownership, cannot be used or made available for the support of candidates, political parties or coalitions in elections.

2. For purposes of this article, movable and immovable assets provided in article 142 of the Civil Code, as well as any human resource of the institution, are considered “resources”. The use of “human resources” is understood as the use of the administration of the institution during working hours for election purposes. Even hiring, dismissing from work, release, movement and transfer of duty, with the exception of motivated cases, are considered to be activities of the public institution.

Article 89

Financing of electoral subjects through non-public funds

1. Electoral subjects can obtain funds for the purposes of their electoral campaigns only from domestic physical or legal persons. For the purpose of this Code, an Albanian citizen

who resides outside the territory of the Republic of Albania shall also be considered a domestic physical person.

2. The amount that each physical or legal person can give to an electoral subject cannot be greater than ALL 1 million or the equivalent value in objects or services.

3. It is prohibited for a legal person or any of its shareholders to donate funds if one of the following conditions applies:

- a) it has received public funds, public contracts or concessions during the last 2 years that have a value above ALL 10 million;
- b) it exercises activity in the media field;
- c) it has been a partner with public funds in different projects;
- ç) it has monetary obligations towards the state budget or any public institution;

This obligation is not applicable if the shareholder owns these shares as a result of a public offer.

Article 90

Registration of non-public funds

1. Each electoral subject must register the amount of funds received for each physical or legal person, as well as other data that relate to the clear identification of the donor, in a special register, a model of which is approved by a decision of the CEC. At the moment of donation, the donor is to sign a declaration where he affirms that none of the circumstances specified in article 89 applies to him and that he bears personal responsibility for any false declaration. The form and content of the declaration is approved by the CEC and signing it is obligatory in all cases of donation. The list of persons who donate amounts of not less than ALL 100 thousand, along with respective values, must always be made public.

2. A donation of non-public funds with a value greater than ALL 100 thousand must be made only through a special account opened at a bank by the electoral subject. No later than three days from the beginning of the electoral campaign, the finance officer of the electoral subject declares the number of the bank account opened for this purpose. The bank account number for each political subject is to be published on the official website of the CEC.

3. The total expense made by a political party, including their candidates, for an electoral campaign must not exceed 10 times the highest amount that an electoral subject has received from public funds according to article 87 of this Code. Every expense for the electoral campaign is to be documented and is to be made while respecting the fiscal legislation in force.

4. Obligations provided in this article are also applicable to candidates proposed by voters who have registered in accordance with articles 69 and 70 of this Code. The total expense that a candidate proposed by voters can make may not be more than 50% of the highest amount an electoral subject has obtained from public funds according to article 87 of this Code.

Article 91

Auditing of electoral campaign funds and expenses

1. Not later than 45 days after the announcement of the final result of elections for each electoral subject, the CEC appoints by lot one or more certified accounting experts, selected in accordance with article 92 of this Code, to perform an audit of the funds obtained and those spent for the electoral campaign. The auditing report is submitted to the CEC by the deadline provided in the appointment decision. The report may not include personal data of donors under the value provided in point 1 of article 90 of this Code.

2. Electoral subjects must make available to the expert appointed by the CEC any information, documents or data that are related to the financing and expenses of the electoral campaign in accordance with this Code.

3. The CEC can carry out verifications of the report's data. The verification may even include questioning different persons and subjects, examining documents related to this issue at the respective offices of the electoral subject that has submitted the report, as well as obtaining any information from banks or third persons who can provide information on the data presented in the report.

4. The CEC publishes the auditing reports for electoral subjects not later than 30 days from the date of the report's submission, or as appropriate, from the date the respective verifications have been completed.

5. Failure to comply with the rules provided in this Chapter by the electoral subjects or donors, in case it does not constitute a criminal offence, is an administrative offence and is sanctioned according to the provisions of Part XIII of this Code.

Article 92

Selection of auditors by the CEC

1. At the beginning of the electoral year, the CEC selects by competition a list of licensed accounting experts.*

2. The list should contain at least 20 experts who have been exercising this profession in the last 5 years.

3. Procedures, criteria for the selection of the preliminary list and their appointment are determined by instruction of the CEC. In any case, one auditor may not audit the same electoral subject for two consecutive elections.

4. The budget for elections should also envisage the fund needed for auditing the electoral subjects.

PART VIII

PREPARATION OF THE ELECTION INFRASTRUCTURE AND OF THE COUNTING TEAMS

CHAPTER I

LOCATION OF THE VOTING CENTRES, CEAZ HEADQUARTERS, BALLOT COUNTING CENTRES AND THE COUNTING TEAMS

Article 93

Location of the Voting Centres, CEAZ headquarters and Ballot Counting Centres

1. Voting centres, CEAZ headquarters and the Ballot Counting Centre are to be established, to the extent possible, in public buildings with free access.

2. Voting centres, CEAZ headquarters and Ballot Counting Centres may not be set up:

* Translator's note: The Albanian text literally says: "The CEC selects by competition a list of accounting experts licensed at the beginning of the electoral year".

- a) in private buildings, without a special CEC authorization;
- b) in buildings used by the public administration, except for educational, cultural and healthcare institutions; or
- c) in buildings used or owned, partially or totally, by a political party or a candidate or his relatives.

Article 94

Location and preparation of the Ballot Counting Centres

1. No later than 60 days prior to the election date, the prefect of the region submits to the CEC a complete list of buildings within the territory of the region that meet the conditions provided in points 1 and 2 of article 93 and of this article. No later than 30 days from the date of elections, the CEC designates, by a decision, the Ballot Counting Centre. In designating the Ballot Counting Centre, the CEC may select the municipality that is the centre of the district even if it is located outside the territorial jurisdiction of the EAZ, or a municipality within the territory of the EAZ, or even the largest administrative unit if the municipalities do not meet the conditions provided in article 93 and in this article. While selecting the location of the BCC, the CEC gives priority to the logistical facilities related to road transportation, the distance from the voting centres and the space of the potential premises. As a rule, the Ballot Counting Centre does not change from one election to another.

The Ballot Counting Centre is designated in large rooms or in gymnasiums. The Ballot Counting Centres are to be placed at the disposal of the CEAZs no later than 10 days prior to the election date. The CEAZ, no later than 5 days before the election date, is to invite the electoral subjects and VCC members to get to know the Ballot Counting Centre. In selecting the location, the CEC should also take into consideration the possibility of applying supporting technology for counting the votes in accordance with point 4 of this article.

2. Before introducing the Ballot Counting Centre to the relevant electoral subjects and respective VCCs, the CEC prepares the necessary logistical infrastructure for the counting centre, including uninterrupted lighting for the beginning and successful execution of the vote counting process according to a model of arrangement approved by the CEC and according to the respective instructions of the CEC. For this purpose, the CEC arranges work tables for each Counting Team, ensuring that they have sufficient space for conducting the vote counting process. The work tables are arranged in such a way that they are visible for the CEAZ members and observers, candidates or media representatives, and that they allow the application of the supporting technology in accordance with point 4 of this article. Observers are to remain in front of the Counting Teams at a short distance from the work table, or if the technology in accordance with point 4 of this article is used, in front of the television monitors. The observers must not have physical contact with the voting materials. The work tables of the Counting Teams, as well as the seats of the CEAZ members, must be in the same room where the vote counting process takes place. A Ballot Counting Centre cannot have fewer than 5 and more than 10 work tables.

3. The logistical equipment necessary for the vote counting process is provided by the CEC in co-operation with other central or local organs.

4. The CEC decides on the use of registration cameras and television monitors for displaying the ballot papers before their evaluation. High resolution cameras are installed above the work table in such a way as to make possible the recording of the evaluation of each ballot paper. The film recording is transmitted in real time on monitors placed in front of the observers of electoral subjects. The filming of the process is recorded electronically and is delivered to the CEC together with the other election materials. The CEC or, when it is possible, the CEAZ as well, should make reproduction copies of them and put them at the

disposal of the electoral subjects in exchange for payment of a tariff that covers the reproduction cost.

Article 95

Establishment of Counting Teams

1. For the purpose of counting the votes on the level of the EAZ, by a decision of the CEAZ, Counting Teams are established 2 days prior to Election Day. There are two Counting Teams for each work table, in accordance with point 2 of article 94 of this Code. The members of the Counting Teams must meet the criteria provided by articles 30 and 31 of this Code. The proposals for the appointment of their members should be submitted to the CEAZ at least four days before the election date.

2. Counting Teams are composed of four members, where in any case one member is appointed on the proposal of the party to which the chairman of the CEAZ belongs, one member is appointed on the proposal of the political party to which the deputy chairman belongs, whereas the third member is proposed by the parties of the ruling majority and the fourth member is appointed on the proposal of the opposition parties that have the right to propose members of the Counting Teams for the respective EAZs according to the procedure specified in article 96 of this Code.

In its decision to appoint the Counting Teams, the CEAZ appoints one of the members as the First Counter and one member as the secretary. In half of the Counting Teams, the First Counter shall be proposed by the largest party of the majority and in the other half by the largest party of the opposition. The secretary of the Counting Team shall belong to the political party opposite to the party that proposes the First Counter. The CEC defines through an instruction the procedure for drawing the lots.

3. In case an electoral subject does not submit its proposals within the timeline specified in point 1 of this article, the CEAZ determines the replacement members by lot among the members of the VCC who belong to the same electoral subject at the level of the electoral zone. If it is not possible to complete the number of Counting Team members, it functions with no fewer than two members.

4. A Counting Team shall count not fewer than 5 voting centres and not more than 10 voting centres. At the end of this process, the Counting Team is replaced by the other Counting Team in accordance with point 1 of this article.

5. The CEC specifies, through a normative act, the criteria for the number of Counting Teams for each Ballot Counting Centre, the working methods, the division of duties among the Counting Team members and the rules concerning the order of actions.

Article 96

The procedure for determining the parties that propose the Counting Team members

1. The political parties that have the right to propose the third and the fourth member of the Counting Teams, with the exception of parties that propose the chairman and deputy chairman of the CEAZ, are determined by drawing lots at the CEC between the list of political parties of the parliamentary majority and the list of parties of the parliamentary opposition that are registered in the elections and that have won no fewer than two seats in the preceding Assembly elections. In each case, after the drawing of lots for each EAZ, the right to propose the two members of the Counting Teams belongs to one party of the parliamentary majority and to one party of the parliamentary opposition.

2. No later than 30 days before the election date, the CEC organizes the drawing of lots for each EAZ in the presence of the interested political parties. The procedures for drawing lots are determined by a special instruction of the CEC.

CHAPTER II

PREPARATION OF ELECTORAL DOCUMENTATION AND SENDING OF THE ELECTION MATERIAL

Article 97

Ballot papers

1. For elections to the Assembly, a voter votes with one ballot paper of the same colour and form for all electoral zones.
2. For elections for local government organs, a voter votes with two ballot papers of the same form and in different colours, one for the candidates for mayor of the local government unit and the other for the municipal or communal council.
3. For the municipality of Tirana, a voter votes with four ballot papers in different colours, one for the mayor of Tirana, one for the municipal council of Tirana, one for the mayor of the borough and one for the borough council.
4. The number of ballot papers is equal to the number of the voters, with 2 percent added.

Article 98

Contents of the ballot paper

1. The ballot papers for the elections are to be prepared by the CEC. The ballot papers must be of paper, with such colour, thickness or configuration elements that do not allow the vote to be read on the reverse side, and shall contain security elements, as specified by the CEC.
2. The ballot papers are to be produced in blocks with stubs. The serial number is noted only on the stub.
3. The names of the political parties or candidates proposed by the voters are placed on the ballot paper in alphabetical order according to their names. The logo, initials and name of the chairman of the party are placed next to the name of the party. The respective space for the voter to mark his vote corresponds to each subject listed on the ballot paper.
4. Parties participating in an electoral coalition are listed one after the other on the part of the ballot paper that corresponds to the electoral coalition. The order of their appearance on the ballot paper is determined alphabetically. For each of the political parties in a coalition, the name of the party, its logo, its initials and the name of the party chairman are listed. The respective space for the voter to mark his vote corresponds to each of the political parties that are members of the coalition.

Article 99

The sending of election materials from the CEC to the CEAZ

1. The CEC sends the following election materials divided into separate boxes for each voting centre to the CEAZ headquarters not later than 3 days before the date of the elections:
 - a) the necessary number of ballot papers, in accordance with the number of voters registered in that voting centre, together with the additional ballot papers;
 - b) the stamp of the VCC;
 - c) the forms for voting centre official records, including the templates of the official records and of the decisions for the sealing of the ballot boxes, the opening of the voting centre, the suspension of voting, a request for police assistance and police departure, as well as the closing of the polls;
 - c) the VCC Meeting Record Book;

- d) an envelope marked “SPOILED BALLOT PAPERS”;
 - dh) an envelope marked “UNUSED BALLOT PAPERS”;
 - e) an envelope marked “THE ENVELOPE FOR THE RECORD OF SEALING”, and
 - è) the special ink to mark the voter and the equipment for checking it.
2. Apart from the boxes with the election materials, according to point 1 of this article, the CEAZs are provided with the following:
- a) ballot boxes for each voting centre, in compliance with the requirements of this Code;
 - b) a sufficient number of security codes, according to the CEC decision;
 - c) a sufficient number of voting booths;
 - ç) a sufficient number of copies of the Electoral Code and election manuals;
 - d) a sufficient number of stamps for the VCC chairmen; and
 - dh) other equipment necessary for the voting process.
3. The CEC delivers to the CEAZ the seals packaged in accordance with article 100 of this Code enclosed in security packaging, and without identifying the serial number of the seal.
4. Apart from the materials for the VCCs according to point 1 of this article, the CEC delivers to the CEAZ the CEAZ Meeting Record Book, the Tables for VC Results by the Counting Teams, the Table of Election Results for the Electoral Administration Zone, the stamp of the CEAZ as well as other materials necessary for the administration of elections.
- The equipment and technological materials provided in point 4 of article 94 of this Code are to be sent and installed in accordance with the procedures specified by a special instruction of the CEC.

Article 100

The sending of the election materials from the CEAZ to the VCC

1. The CEAZ, no later than 15 hours prior to the opening of the voting, is to deliver the election materials to the VCCs under its jurisdiction. The chairman, the deputy chairman, accompanied by any other member who makes a request, as well as the secretary of the VCC appear at the headquarters of the CEAZ and take:
- a) the box with election materials, according to point 1 of article 99 of this Code;
 - b) the ballot box/es;
 - c) voter lists;
 - ç) the voting booths;
 - d) seals with the security codes; and
 - dh) other equipment necessary for the voting process.
2. The chairman of the VCC receives the stamp of the chairman from the CEAZ. The chairman of the respective VCC, in the presence of the CEAZ members, performs the following actions in turn:
- a) he takes at random a stamp from the relevant pile of packaged stamps;
 - b) he tears the wrapping of the stamp;
 - c) on a white sheet of paper, he stamps a sample for the comparison of the stamp; and
 - ç) under each stamp he writes his name and surname by hand and signs in the presence of the CEAZ members.
3. The white paper with the sample for the comparison of each stamp, according to point 2 of this article, is to be signed on the reverse side by the CEAZ members and is kept safely by the secretary of the CEAZ.
- 4. The seals with the security codes are handed over with a separate official record, where the security codes are recorded for each seal. The VCC receives as many seals with***

security codes as are needed to seal the ballot boxes and the box with election materials, as well as three additional seals to be used only in case of damage. The additional seals must be of a different colour from those that will be used as a rule for sealing the ballot box. One copy of the official record where the security codes are noted, including the additional security codes, is kept by the CEAZ and one copy is given to the VCC.

5. The stamps of the VCCs and those of the VCC chairmen, each separately, are produced and delivered to the CEC packaged in security packaging. The number of the stamps produced for the VCCs and the VCC chairmen is equal to the number of the VCCs and VCC chairmen nationwide.

PART IX

VOTING

CHAPTER I

PROCEDURES FOR OPENING OF THE VOTING

Article 101

Preliminary actions of the VCC

1. The VCC, under the direction of its chairman and deputy chairman and in the presence of the observers of the subjects, one hour prior to the opening of the voting, performs these duties:

- a) arranges the tables, chairs and voting booths in such a manner as to ensure the secrecy of the voting and the free and rapid movement of voters;
- b) removes any propaganda material that may be found within the voting centre and within a range of 150 meters around it;
- c) posts instructions for voting at a suitable and visible place within the voting centre;
- ç) puts into place other materials required by the CEC;
- d) checks all materials received;
- dh) shows to observers the empty ballot boxes and closes them according to the procedure specified in letter (e) of this point;
- e) seals the ballot boxes with the security codes and records the numbers of the security seals in the Record of Sealing of the ballot boxes and in the VCC Meeting Record Book, which are to be signed by all VCC members. If any of the seals with the security codes is damaged during the closing of the box, it is replaced by one of the additional seals. The number of the security code of the damaged seal and that of the additional one are noted in the VCC Meeting Record Book and the Record of Sealing. The original official record is put into the envelope marked "THE ENVELOPE FOR THE RECORD OF SEALING", which is put into the ballot box for the electoral subjects before the beginning of the voting process. Copies of the Record of Sealing with the stamp of the VCC are given to the VCC members and to observers of the parliamentary parties;
- ë) clearly writes the number of the voting centre on one of the lateral sides of the box, and puts into place distinguishing signs that make it clear to the voter where he should cast each of the ballot papers.

2. The VCC members in the presence of the observers make a decision on the opening of the voting and sign it.

Article 102

Opening the voting and the presence of the VCC members and secretary

1. After performing the duties provided in article 101 of this Code, but not before the time prescribed in article 11 of this Code, the chairman of the VCC declares the voting open.

2. The secretary of the VCC notes in the VCC Meeting Record Book the time of departure and return of any VCC member who leaves the voting centre. When the chairman leaves the voting centre, he passes the chairman's stamp to another member of the same political affiliation, to use until his return. The VCC secretary makes a respective notation in the VCC Meeting Record Book. When the secretary leaves the voting centre, the VCC stamp and the Meeting Record Book are transferred to the deputy chairman for use until the return of the VCC secretary. A respective notation is made in the VCC Meeting Record Book to reflect this fact.

Article 103

Stamping of the ballot papers

1. The ballot paper is to be stamped on the reverse side with the stamp of the VCC and the stamp of the VCC chairman.

2. The stamp of the VCC contains the text "VOTING CENTRE COMMISSION" and the number of the respective voting centre. The stamp of the VCC chairman contains the text "CHAIRMAN" and a five-digit serial number.

3. The stamp of the VCC chairman is to be used only to stamp the ballot papers and for no other election document.

CHAPTER II

PROCEDURES DURING THE VOTE

Article 104

Number of ballot boxes

1. In elections for the Assembly, only one ballot box is placed in the voting centre.

2. In elections for local government organs, two ballot boxes are placed in the voting centre, one for the mayor of the local government unit and one for the municipal or communal council.

3. In local elections for Tirana municipality, four ballot boxes are placed in the voting centre, one for the mayor of Tirana Municipality, one for the Tirana Municipal Council one for the mayor of the borough and one for the borough council.

Article 105

The presentation of voters at the voting centre

1. After a voter enters the voting centre:

a) the voter states his name and presents to the VCC one of the following official valid identity documents:

i) identity card; or

ii) passport;

b) one of the members, who is appointed by a decision of the VCC, upon the voter's presentation in front of the VCC and before he is given the ballot paper, checks the voter on both hands to determine whether or not he has been marked with special ink. If the voter has been marked, the member immediately informs the other members of the VCC, who must immediately verify it. The name and surname of this voter are recorded in VCC Meeting Record Book and he is not given the ballot paper;

c) after verifying that the data about the identity of the voter correspond to those on the voter list and that the voter is the same as the person on the identity document, the chairman records the type and serial number of the identity document on the voter list and draws a line through the name of the voter on this list;

ç) the voter signs the voter list beside his name;

d) the ballot paper is stamped on its reverse side with the stamp of the VCC and the stamp of the VCC chairman;

dh) one of the members of the VCC, appointed by its decision, marks the left hand of the voter with special visible ink, noticeable and fully visible and indelible for at least 24 hours in order to avoid persons voting more than once, and after that he is given the ballot paper. If the voter refuses to be marked with the special ink, he is not given the ballot paper and his identity is recorded in the VCC Meeting Record Book.

2. One of the members assigned by decision of the VCC takes care of the orderly queuing of the voters.

3. When a voter who is not registered on the final voter list, but has obtained a court decision recognizing his right to vote in that voting centre according to article 55 of this Code, appears before the VCC, the VCC records in a special register the voter's name, the number of the identity document and attaches the court decision.

Article 106

Voting

1. On receipt of the ballot paper, the voter proceeds alone to the voting booth and votes on the ballot paper by marking next to the name of the electoral subject or of the party which is member of a coalition with the sign "x" or "+" or another sign that clearly indicates the choice he has made.

2. After making his mark on the ballot paper, the voter folds the ballot paper so that his mark cannot be seen but at least one of the stamps on the reverse side of the paper is visible. After leaving the voting booth, the voter deposits the ballot paper in the respective ballot box and leaves the voting centre.

3. With the exception of the case specified in article 108 of this Code, a voter is to vote only on his own behalf.

4. The VCC members and secretary vote upon completion of the voting by all voters present in the voting centre by the scheduled time for closing the polls. The rules determined by this article are also applicable to the voting by the VCC members and its secretary.

5. The VCC members who have allowed a voter to vote more than once or on behalf of other voters are subject to criminal liability in accordance with article 248 of the Criminal Code, except for the case provided in article 108 of this Code.

Article 107

Spoiled ballot papers

1. If the ballot paper, or at least one of the ballot papers, has been marked outside the voting booth, the voter is not permitted to deposit the ballot paper(s) in the box. The VCC chairman takes this ballot paper, writes "SPOILED" on its back and places it in the envelope "SPOILED BALLOT PAPERS". In this case, the voter is provided with another ballot paper

of the same type and the incident is recorded in the VCC Meeting Record Book. If the voter marks the ballot paper outside the voting booth again, the second ballot paper is also placed in the envelope “SPOILED BALLOT PAPERS” and the voter is not given a ballot paper again.

2. If a voter marks or damages a ballot paper accidentally and requests a second ballot paper, the ballot paper is considered spoiled and is placed into the envelope “SPOILED BALLOT PAPERS” and the voter is given a second ballot paper. The incident is recorded in the VCC Meeting Record Book. If the voter again marks or damages the second ballot paper accidentally, the second ballot paper is also placed in the envelope “SPOILED BALLOT PAPERS” and the voter is not given another ballot paper.

3. Under no circumstances are spoiled ballot papers to be placed into the ballot box.

Article 108

Voters who cannot vote themselves

1. A voter who for physical reasons is unable to perform the voting procedures himself may request the help of a family member or another voter who is on the voter list for that polling unit. Both voters must be present in the voting centre when this procedure is used.

2. A person may help only one voter who cannot vote himself.

3. Before marking the ballot paper, a person who assists another voter makes a declaration in the VCC Meeting Record Book that he will vote as instructed, will not influence the voter’s decision, will not make public the vote and has not voted on behalf of any other voter.

4. Members of the election commissions and the secretary may not help any voter who is unable to vote himself.

5. The mark on the ballot paper must necessarily be made inside the voting booth.

6. Within the period of the revision of voter lists, voters specified in point 1 of this article have the right to request that the mayor of the local government unit that prepares the voter list for the respective voting centre register them as voters who cannot vote themselves. The request for registration is to be accompanied by official documentation that proves the type and category of disability. The registration as a voter who cannot vote himself is carried out to facilitate the voting process for these voters.

7. In any case when there are voters registered according to point 6 of this article who have difficulties accessing voting centre premises, the voting centres are designated and organized in such a manner as to guarantee free access for this category of voters. If this is impossible, in compliance with the instructions of the CEC and at CEC expense, the mayors of the local government units appoint support personnel or equipment to guarantee free access.

8. In case of blind voters, the mayor of the local government unit notifies the CEC about the number of blind voters and their voting centres. The CEC, in accordance with the procedures and time frame for the distribution of the election materials, supplies the commissions of these voting centres with special voting devices that allow the voters to read or understand the ballot paper and vote independently. A blind voter shall be informed by the VCC of the manner of voting with special voting devices and shall be supplied with them upon his request. Otherwise, the voter votes according to points 1 and 3 of this article.

Article 109

Order and the orderly conduct of the voting

1. When order or the orderly conduct of the voting are endangered at the voting centre, the VCC makes a decision to suspend the voting, and may also decide to call in the State

Police organs. The CEAZ is immediately notified of the decision to request assistance in restoring order.

The VCC also notes in its Meeting Record Book the incident that has occurred, the time the voting was interrupted and the time it resumed.

2. The chairman, deputy chairman or any member of the VCC immediately notifies the CEAZ about the incident that has occurred. The CEAZ is required to record the notification and the time it was received in the CEAZ Meeting Record Book. The CEAZ immediately delivers the request to the State Police organs.

3. Once order has been restored in a voting centre, the VCC, by decision, asks the State Police organs to leave the voting centre and takes measures for the immediate recommencement of voting.

Article 110

Persons present at the voting centre

1. Only the following persons may remain in a voting centre:

a) the members and the secretary of the VCC;

b) voters who are carrying out the voting procedures up to the end of these procedures;
and

c) accredited Albanian and foreign election observers.

2. No armed persons are allowed to remain within the premises of a voting centre. State Police employees, when they are carrying out their duty according to article 109 of this Code, as well as prison police employees within a prison or detention centre where a special voting centre has been set up, are excluded from this rule.

Article 111

Voters in the Armed Forces and State Police Forces

1. In elections to the Assembly, voters who serve in the Armed Forces or Police Forces vote, according to article 60 of this Code, in the electoral zone where their bases are located.

2. In local elections, voters who serve in the Armed Forces or Police Forces vote in the polling unit of their residence.

CHAPTER III

CLOSING OF THE POLLS AND BALLOT COUNTING

Article 112

Closing of the polls

1. Voting centres close at the hour established in accordance with points 1 and 2 of article 11 of this Code. If, even after the closing time, there are still voters queuing, the VCC collects the identification documents of all the voters present and calls them one by one in order to conduct the voting. No other voter is allowed to vote if he was not in the queue at the time identification documents were collected.

2. After the last person present has voted, the VCC makes a decision to close the polls by filling in the respective type of form, writing on it also the time of closing. The decision for the closing of the polls and the exact time of closing are to be recorded in the VCC Meeting Record Book. Afterwards, only the members and secretary of the VCC, as well as the

accredited Albanian and/or foreign observers and accredited representatives of the media, may remain in the voting centre.

Article 113

Actions performed after closing of the polls

After making the decision on closing of the polls, the chairman, together with the members of the VCC, perform these acts in the following order:

1. The Chairman, under the observation of all the members of the VCC, seals the ballot boxes with the security code sent by the CEC according to article 100 of this Code, on the part where ballot papers are deposited. The serial number of the seal is recorded in the Record of the Closing of the Polls, as well as in the VCC Meeting Record Book. If the seal with the security codes is damaged while closing the box, it is replaced by one of the additional seals. The number of the security code of the damaged seal is recorded in the Record of the Closing of the Polls and in the Meeting Record Book.

2. The chairman, under the observation of all members of the VCC:

a) starts the count of the voters who have voted, according to their signatures on the voter list as well as of those who are in the special register in accordance with article 55 of this Code;

b) states the figure aloud to the other members of the VCC;

c) invites them to verify the figure stated by him; and

ç) orders the secretary of the VCC to record in the Record of the Closing of the Polls as well as in the VCC Meeting Record Book the number of persons who have voted in the voting centre, according to letter (a) of this point. If there is an objection to the determination of the figure, a decision is made by the VCC. The secretary of the VCC records the decision reached in this case in the Record of the Closing of the Polls and in the Meeting Record Book.

3. The chairman, under the observation of all members of the VCC, starts the count of unused ballot papers and, at the end of the count, informs the members of the VCC of this number. If requested by a member of the VCC, the chairman is obliged to restart the count of unused ballot papers. At the end of the count, unused ballot papers are placed in an envelope marked "UNUSED BALLOT PAPERS". The number of unused ballot papers is reflected in the Record of the Closing of the Polls and in the VCC Meeting Record Book.

4. The chairman, under the observation of all members of the VCC, determines the number of ballot papers used. In determining this number, the number of unused ballot papers is subtracted from the total number of ballot papers received by the VCC. The number of ballot papers used is checked against the number of ballot stubs. The number of ballot papers used is reflected in the Record of the Closing of the Polls and in the VCC Meeting Record Book, and, in case of discrepancies with the number of ballot stubs, this fact is also reflected.

5. The chairman, under the observation of all members of the VCC, counts the spoiled ballot papers that are found in the "SPOILED BALLOT PAPERS" envelope. The number of spoiled ballot papers is reflected in the Record of the Closing of the Polls and the VCC Meeting Record Book.

6. At the conclusion of the actions provided in points 1 to 5 of this article, in the box of election materials are closed:

a) the "UNUSED BALLOT PAPERS" envelope together with the ballot stubs;

b) the "SPOILED BALLOT PAPERS" envelope;

c) the voter list, including the special register in accordance with article 55 of this Code;

ç) the original copies of the decisions of the VCC as well as the unused templates for VCC decisions;

- d) the stamp of the VCC;
- dh) the stamp of the VCC chairman;
- e) the seals with the unused security codes;
- ë) the seals with the damaged security codes; and
- f) the Meeting Record Book.

7. The numbers of the security codes with which the box will be closed are first recorded in the Record of the Closing of the Polls and in the VCC Meeting Record Book. After all the data are recorded in the Record of the Closing of the Polls, the exact time of closing the official records is noted. The original of the Record of the Closing of the Polls is placed in the Box of Voting Materials, which is sealed immediately with the respective security codes. Copies of the Record of the Closing of the Polls are given to the members of the VCC and to the observers of the parliamentary parties.

8. For the Municipality of Tirana, the voting materials for the mayor of Tirana municipality, as well as for the municipal council of Tirana, the voter list, the VCC stamp, the stamp of the VCC chairman, seals with unused or spoiled security codes, as well as the Meeting Record Book are to be placed in a special box of election materials marked visibly on the outside "MUNICIPALITY OF TIRANA". The rest of the election materials shall be placed in a second box marked visibly on the outside "MUNICIPAL BOROUGH NO....".

Article 114

Accompaniment of the ballot boxes and voting materials to the Ballot Counting Centre

1. Immediately after the completion of the actions specified in article 113 of this Code, the ballot boxes with the ballot papers and the Box with Voting Materials are sent to the Ballot Counting Centre designated in accordance with article 94 of this Code. Other materials used during the voting process are submitted to the CEAZ within time limits and in the manner specified by the CEC.

2. The ballot box/es with the ballot papers and the Box with Voting Materials are to be delivered to the Ballot Counting Centre as early as possible, but no later than 3 hours from the closing of the polls in the voting centre. Their delivery is performed with a motor vehicle in which are seated the members and the secretary of the VCC as well as a police officer, who is charged with guaranteeing the accompaniment and the integrity of the ballot box/es with the ballot papers and of the Box with Voting Materials. The CEC provides authorization to the CEAZ while also providing the necessary funds for ensuring the transportation by motor vehicle of the ballot boxes with the ballot papers and the Box with Voting Materials.

3. The police officer under point 2 of this article is to be a permanent police officer of the State Police, except for the criminal police, charged with the duty of accompanying by the CEC on the proposal of the General Director of the State Police. The accompanying police officer shall wear at all times the uniform of the State Police and, in a visible place, the number assigned by the CEC in addition to his surname in a legible size.

CHAPTER IV

DELIVERY OF VOTING MATERIALS AND BALLOT COUNTING

Article 115

Receipt of voting materials by the CEAZ

1. The CEAZ assigns one or more receiving teams to receive the ballot box/es with the ballot papers and the box/es with voting materials. The receiving teams consist of two CEAZ members with different political affiliations proposed respectively by the chairman and deputy chairman of the CEAZ.

If it is deemed necessary, the CEAZ may appoint two persons for each team to assist the team for receiving the boxes, and who shall perform mainly the arrangement of the boxes under the direction of the CEAZ. The support personnel are selected from the list of the members of the Counting Teams while guaranteeing, in any case, the political balance between the majority and the opposition. The ballot box/es with the ballot papers and the box/es with voting materials are to be received as soon as they arrive at the Ballot Counting Centre, according to rules established by the CEC.

2. During the receiving process, the receiving teams:

a) record in the Records of Receipt the numbers of the security codes of the seals with which the ballot box with the ballot papers and the box with voting materials has been closed;

b) verify immediately whether the numbers of the security codes of the seals that seal the ballot box with the ballot papers and the box of voting materials match the numbers of the security codes, according to the record kept for this voting centre in compliance with article 113 of this Code. If the codes do not match, the receiving team informs the CEAZ about the discrepancy and requests that it marks the box as an “IRREGULAR BOX”. The CEAZ verifies the discrepancy immediately and makes a decision in accordance with point 4 of this article. The discrepancies found are recorded in the Records of Receipt and the CEAZ Meeting Record Book.

3. When, while receiving the ballot boxes with the ballot papers and the box with the voting materials, the receiving team finds that:

a) one or more seals with security codes are missing or broken;

b) the seals with the security codes have been placed in a way that allows space between the box itself and its lid;

c) the box has fissures or cracks in its body or lid that make it possible to insert or retrieve ballot papers or other voting materials; or

ç) the box is of a different type, shape or size from those established by the CEC;

then the receiving team immediately informs the CEAZ about the irregularity and requests that it marks the box as an “IRREGULAR BOX”. The CEAZ immediately verifies the irregularity and makes a decision according to point 4 of this article. The irregularity found is recorded in the Records of Receipt and the CEAZ Meeting Record Book.

4. In cases when receiving teams find irregularities in accordance with points 2 and 3 of this article while receiving boxes for a voting centre, then that box is considered an “IRREGULAR BOX” and is sent to the corner of irregular boxes, whereas the box with voting materials and in the case of local elections, the other box with ballot papers, are subject to procedures in accordance with articles 116-119 of this Code.

If, in the case of local elections, both boxes with ballot papers are considered irregular, then both boxes with ballot papers and the respective box of voting materials are placed in the corner of irregular boxes. When only the box of voting materials is defined as an

“IRREGULAR BOX”, it is subject to the opening and counting procedures along with the ballot boxes with the ballot papers.

5. The ballot boxes defined as an “IRREGULAR BOX” are not to be opened at any time and for any reason by the CEAZ and they are not to be forwarded to the Counting Team. They are sent together with the boxes of voting materials to the CEC for administrative investigation purposes in accordance with point 4 of article 138 of this Code.

6. The CEAZ keeps the Record of Findings, in which it notes data about the ballot boxes with ballot papers or boxes with voting materials declared as irregular in accordance with points 2, 3 and 4 of this article, in addition to data on the inaccuracies and irregularities found during the application of the procedures of article 116 of this Code. Copies of the Records of Findings are given to the CEAZ members and to observers of parliamentary parties.

7. The members of the receiving team, the chairman, deputy chairman and secretary of the VCC as well as the police officer assigned to accompany them, sign the Records of Receipt. The original Records of Receipt are administered by the CEAZ, which gives a copy respectively to the chairman, deputy chairman of the VCC and to the police officer assigned to accompany them. The police officer should leave immediately after receiving a copy of the Records of Receipt, which is delivered together with the service report to the command of the structure of which he is a part.

8. The Record of Receipt is prepared by the CEC as a template and must contain the time of receipt, the number of the voting centre, of seals with the security codes with which the boxes with the ballot papers and boxes of voting materials are sealed, space for describing discrepancies or irregularities found, as well as space for signatures.

9. The ballot boxes with the ballot papers and the boxes of voting materials received by the receiving teams are to be placed in the place designated in advance for that purpose by the CEAZ. This place must be in the same premises where the count takes place and must be secured from any interference by unauthorised persons.

Article 116

Counting the ballots

1. The CEAZ is to make a decision to start the process of counting votes only after having received all ballot boxes with the ballot papers and the boxes of voting materials from all the voting centres under its jurisdiction. For the Tirana Municipality, the CEAZ of the municipal borough begins the count in the following order:

a) the ballot boxes for the mayor of Tirana Municipality and the Tirana Municipal Council;

b) the ballot boxes for the mayor of the municipal borough and the municipal borough council.

2. Members of the Counting Teams take from the stack of ballot boxes, one after the other, in ascending order of the ordinal numbers of the voting centres, the ballot boxes with the ballot papers and the respective box with the voting materials of only one voting centre and place them by the table of the respective Counting Team. Next, the members of the Counting Team receive from the secretary of the CEAZ the sample for comparing the stamp of the chairman of the VCC deposited in compliance with point 2 of article 100 of this Code.

3. Initially, the Counting Team performs the verification procedure of the data in the Record of the Closing of the Polls. To perform this verification, the Counting Team proceeds as follows:

a) The First Counter takes the Box with Voting Materials, places it on the table and opens it by breaking the seals with the security codes. The Record of the Closing of the Polls is taken out of the box and verification takes place on whether the following are found in the box:

i) the “UNUSED BALLOT PAPERS” envelope together with the ballot stubs;
ii) the “SPOILED BALLOT PAPERS” envelope;
iii) the voter list, including the special register in accordance with article 55 of this Code;

iv) the original copies of the decisions of the VCC as well as the unused templates for VCC decisions;

v) the stamp of the VCC;

vi) the stamp of the VCC chairman;

vii) the seals with the unused security codes;

viii) the seals with the damaged security codes, if any; and

ix) the VCC Meeting Record Book;

b) The First Counter initially compares the stamp of the VCC chairman with the sample for comparison and presents his opinion to the team members;

c) The First Counter counts the unused ballot papers and, at the conclusion of the counting, makes the figure known to the Counting Team members and the observers of the electoral subjects. The secretary of the Counting Team compares the declared result with that recorded in the Record of the Closing of the Polls. If the figures do not correspond, or if any of the members of the Counting Team requests a recount, the First Counter is obliged to restart the count of the unused ballot papers once again;

ç) The First Counter counts the spoiled ballot papers and, at the conclusion of the counting, makes the figure known to the Counting Team members and the observers of electoral subjects. The secretary of the Counting Team compares the declared figure with that recorded in the Record of the Closing of the Polls. If the figures do not correspond, or if any of the members of the Counting Team requests a recount, the First Counter is required to restart the count of the spoiled ballot papers once again;

d) The First Counter counts the voters who have voted according to the signatures on the voter list, including those in accordance with article 55 of this Code and, at the conclusion of the count, makes the figure known to the members of the Counting Team. The secretary of the Counting Team compares the declared figure with that recorded in the Record of the Closing of the Polls. If the figures do not correspond, or if any of the members of the Counting Team requests a recount, the First Counter is obliged to restart once again the count of the voters who have voted;

dh) The First Counter, based on the comparison of the verified figures, calculates and declares the number of ballot papers used, which is derived from the difference between the total number of ballot papers according to the Record of the Closing of the Polls and the number of unused ballot papers. The secretary of the Counting Team verifies the declared figure against the one recorded in the Record of the Closing of the Polls.

4. After the verification has been completed, the First Counter of the Counting Team closes the box of the voting materials with seals with security codes, leaving the Record of the Closing of the Polls outside the box. The secretary of the Counting Team notes the numbers of the codes in the Record of the Counting Team for Closing the Box with Voting Materials. The box with voting materials is placed again by the CAEZ table.

5. Afterwards, the First Counter places the ballot box with the ballot papers on the table and opens it by breaking the seals with the security codes. In the case of local elections, the ballot box for the political parties and/or electoral coalitions is opened only after the counting and evaluation procedures for the candidates for mayors of local government units have been completed and this box has been closed. The First Counter and the members of the Counting Team take the ballot papers and the envelope with the Record of Sealing out of the box, unfold the ballot papers and place them on the table with the reverse side of the sheet facing up. The stacked ballot papers are counted by the First Counter, who, at the conclusion of the

count, makes the figure known to the members of the Counting Team and the observers of electoral subjects. The declared figure is checked against the figure that represents the difference between the number of used ballot papers and the number of spoiled ballot papers. If the figures do not correspond or if any of the members of the Counting Team requests a recount, the First Counter is required to restart the count of the ballot papers once again.

6. If inaccuracies or irregularities are identified as a result of the verification conducted in accordance with this article, then the Counting Team or any of the observers of the electoral subjects who identify these inaccuracies or irregularities immediately notifies the CEAZ about the discrepancies. The notification is made by raising one's hand and without moving from one's place. Raising a hand suspends any further action of the Counting Team until the CEAZ has been informed of the issue and has verified it. If the CEAZ confirms the inaccuracy or the irregularity, it reflects it in the Record of Findings. Only after recording the inaccuracy or irregularity in the Record of Findings does the CEAZ make a decision for the Counting Team to continue the vote counting procedures. The Counting Team is to be informed immediately about the decision of the CEAZ.

Article 117

Types of votes and criteria for evaluating a vote

1. Ballot papers are to be divided into valid and invalid votes.
2. Only ballot papers on which a vote clearly has been cast for only one of the electoral subjects or for a political party that is a member of a coalition on the respective ballot paper are valid votes.
3. Invalid votes are ballot papers where:
 - a) the ballot paper does not have the same size, colour or format as the ballot paper approved by the CEC;
 - b) the stamps provided in article 103 of this Code are missing from the ballot paper;
 - c) notations or signs have been made on the ballot paper that make the evaluation of the vote impossible;
 - c) notations in favour or in disfavour of certain electoral subjects have been made to the ballot paper;
 - d) there is a vote for more than one of the electoral subjects on the ballot paper;
 - dh) no electoral subject is voted for on the ballot paper;
 - e) it is not clear for whom the vote has been cast; or
 - ë) the voter has voted for a person or a subject that is not on the ballot paper.

Article 118

Evaluation of votes

1. The evaluation of votes begins immediately after the completion of the counting of ballot papers. The First Counter of the Counting Team unfolds completely every ballot paper and evaluates it aloud, while acting in this order:
 - a) he determines whether the ballot paper has the same size, shape and colour as the ballot paper approved by the CEC; if not, he evaluates the vote as invalid;
 - b) he determines whether the ballot paper carries the stamp of the VCC and the stamp of the VCC chairman; if not, he evaluates the vote as invalid;
 - c) he determines whether any of the other reasons for declaring the vote invalid, as described in letters (c) to (ë) of article 117 of this Code, exists; if one of these reasons exists, he evaluates the vote as invalid.
2. If none of the circumstances described in point 1 of this article applies, the First Counter of the Counting Team gives his evaluation and then proposes for the evaluation of other members for which political party or candidate for the vote has been cast. The First

Counter is obliged to show the ballot papers to the members of the Counting Team, as well as to make possible the reading of the ballot paper by the recording camera in accordance with point 4 of article 94 of this Code.

If the members of the Counting Team and observers of the electoral subjects at the counting agree with the First Counter's evaluation, the ballot paper is categorised according to the evaluation and the First Counter proceeds with the next ballot paper.

If any of the members of the Counting Team or any of the observers of electoral subjects at the count, does not agree with the First Counter's evaluation, the latter places the contested ballot paper in a special place designated for contested ballot papers and proceeds with the next ballot paper.

3. Ballot papers, in accordance with the evaluation described in point 1 of this article, are to be divided on the work table into specific and separate places in groupings of votes for each electoral subject, invalid votes and contested votes. In the case of coalitions, the valid votes for each member party of the coalition are grouped separately and near each other, thus identifying the votes for each of the member parties of the coalition.

4. At the end of counting for each ballot box, the Counting Team re-evaluates the contested ballot papers in accordance with the third paragraph of point 2 of this article.

If, even after the re-evaluation, there are still contested ballot papers, the First Counter or each member calls the CEAZ for the evaluation of the contested votes of that box. The CEAZ immediately makes an evaluation of each of the contested ballot papers and takes a decision on it. The result declared by the CEAZ is noted in the record book of CEAZ and is included in the respective table of results of the VC which is prepared by the Counting Team.

5. For each contested ballot paper, the First Counter of the Counting Team notes clearly on its reverse side the reasons for contesting it.

For contested votes, a special official record is kept, in accordance with a form determined by a decision of the CEC, in which the total number of contested ballot papers for the respective VC is reflected. Upon the tabulation of the result according to article 119 of this Code, the contested ballot papers and the respective official record are enclosed in the "CONTESTED BALLOTS" envelope.

6. After the counting and evaluation of the votes according to this article, for each box with ballot papers, the First Counter counts the votes for each electoral subject, starting according to the order of the subjects on the ballot paper. After each count, he makes the figure known to the Counting Team members and to observers of electoral subjects. If any of the members of the Counting Team requests it, the First Counter is required to restart once again the vote count for that electoral subject.

If there are still objections after this second count, the First Counter of the Counting Team or the objecting member informs the CEAZ by raising his hand. Raising one's hand suspends any further action of the Counting Team until a decision has been made by the CEAZ. The CEAZ counts on the spot the contested votes for the electoral subject and orders the Counting Team to record the figure decided by it in the table of results for that Voting Centre.

Article 119

Tabulation and issuance of the election result by the Counting Team

1. At the conclusion of the procedure established in article 118 of this Code, the First Counter together with the other members of the Counting Team completes the table of results for that Voting Centre according to the template prescribed by the CEC.

2. The original table of voting results according to point 1 of this article, including the contestations, if any, by a member of the Counting Team, is to be delivered immediately in person to the CEAZ by the Counting Team. A copy of the table of results is given to each

member of the Counting Team and to the observers of electoral subjects. One copy is sent immediately to the CEC by electronic means.

3. After the completion of the procedures specified by points 1 and 2 of this article, the ballot papers are enclosed in separate envelopes for each electoral subject, with the exception of the contested ballot papers, whereas the invalid votes are enclosed in the envelope with the notation "INVALID VOTES". The envelopes with the ballot papers for the electoral subjects, the envelope with the invalid ballot papers, the envelope with the contested ballot papers and the envelope with the Record of Sealing are enclosed in the ballot box. The box is sealed with seals with new security codes. The numbers of the codes are recorded in the table of results.

After that, in the case of local elections, the box again is placed near the table of the Counting Team and the box with the ballot papers for the political parties or electoral coalitions is taken. In the case of local government elections, for the ballot boxes with the ballot papers for the political parties or electoral coalitions, the Counting Team performs the same actions specified by articles 116-119 of this Code.

4. Only after it has sent the processed boxes to the designated place inside the room of the Ballot Counting Centre and has handed over to the CEAZ the respective table of results for the counted voting centre, does the Counting Team take the ballot boxes with the ballot papers and the voting material of the next voting centre from the stack of the ballot boxes.

Article 120

The order of counting for local government elections

1. In case of local government elections, the CEAZ places the boxes in groups by local government unit.

2. The counting process in accordance with this Chapter starts with the local government unit with the largest number of voters and continues in descending order. The CEC determines by decision the order of the counting process for each CEAZ.

Article 121

Persons present during the vote counting process

1. Only the members and secretary of the CEAZ, the members of the Counting Teams, the candidates, observers of the electoral subjects, other accredited observers, accredited media representatives, as well as the technical personnel authorized by the CEC for the maintenance of the camera system, are to be present during the vote counting process at the Ballot Counting Centre.

2. The CEAZ takes measures and is responsible for not allowing persons other than those specified in point 1 of this article in the Ballot Counting Centre. When persons other than those according to point 1 of this article are present, the CEAZ immediately notifies the State Police officers through a decision and the case is recorded in the CEAZ Meeting Record Book, including the precise time of arrival and departure of the State Police officers.

Article 122

Tabulation and issuance of the Aggregate Table of the Elections Result by the CEAZ

1. The Aggregate Table of Elections Result for the respective Electoral Administration Zone is to be issued by the CEAZ no later than 17⁰⁰ of the day following the elections.

2. Immediately after the completion of the count in accordance with the procedures provided in articles 116-119 of this Code, the CEAZ completes the Aggregate Table of Elections Results for the zone it administers, in which the results of each subject for each voting centre are reflected based on the original tables of results of each voting centre filled in by the Counting Teams.

3. The Aggregate Table of Elections Results of the EAZ is approved by a CEAZ decision. If this is not the case, actions are to be in accordance with point 5 of article 35 of this Code. One copy of the Aggregate Table of Results and of the tables of results of each voting centre is immediately sent to the CEC, including electronic means of communication.

4. Copies of the Aggregate Table of Elections Results of the EAZ, of tables of results of the voting centres and copies of the Records of Findings are given to the members of CEAZ and to the observers of electoral subjects, whereas their originals, stamps and any other voting materials are handed over to the CEC.

5. In the case of local elections, the CEAZ approves by decision the tables of results for each local government unit, in accordance with the same criteria and procedures described in this article. The decision may be appealed in compliance with the procedures provided in Part X of this Code.

6. For the election of the mayor and the municipal council of the municipality of Tirana, the CEAZ approves the Aggregate Table of Results of the Voting Centres belonging to the respective borough. The original copy of the Aggregate Table of Results and the Tables of Results for each voting centre are immediately sent to the CEC to tabulate the result in accordance with article 123 of this Code.

Article 123

Tabulation and issuance of results by the CEC

1. The CEC tabulates the results of the vote for the electoral zone based on the tables of results tabulated by each CEAZ of a respective electoral zone. For this, the CEC fills in the Aggregate Table of the Results for the Electoral Zone and approves it by a decision taken not later than 48 hours from the arrival of all the tables of the Electoral Zone. If during the calculation of the table, the CEC, upon its own initiative or upon request of the parties, notices discrepancies between the figures of the aggregate table and the tables of results of the voting centres, it takes a decision on the approval of the Aggregate Table of the Result with the corrected figures, based on the originals of the tables of the voting centres. One copy of the decision on the approval of the Aggregate Table of the Result for the Electoral Zone is given to all electoral subjects that participated in the elections of the respective electoral zone.

2. The decision on the approval of the Aggregate Table of the Elections Result can be appealed to the CEC, in accordance with the procedures provided in Part X of this Code.

3. The decision of the CEAZ on the approval of the Aggregate Table of Elections Result of the EAZ, any decision taken by the CEAZ during the receiving of the electoral material and documentation from the VCCs, as well as during the counting and tabulation of the voting result, are interim decisions and can be appealed to the CEC together with the appeal against the decision of the CEC on the approval of the Aggregate Table of the Result of the Electoral Zone taken in accordance with point 1 of this article.

PART X

ADMINISTRATIVE APPEALS OF THE DECISIONS OF ELECTION COMMISSIONS

Article 124

The right to appeal

1. Any political party, whether or not a member of a coalition, and any candidate proposed by the voters, have the right to appeal to the CEC against CEAZ decisions that damage their legal interests within three days after the date on which the decision has been declared. An appeal against a decision of the CEC taken pursuant to article 123 of this Code can be made to the CEC as well not later than 3 days from the declaration of the decision.

2. The right to appeal according to this article is also granted to those individuals or political parties whose requests for registering as an electoral subject have been refused, and to those subjects referred to in article 6 of this Code appealing against the refusal of requests for accreditation as observers, when the accreditation of the observers is delegated to the CEAZs. The CEC decisions for the registration of an electoral subject or refusing to register it, taken in accordance with Chapter I, Part XI of this Code, can be appealed to the Electoral College in accordance with the procedures of this Chapter.

3. During the examination of the submitted appeal requests, the CEC examines the entirety of the problems arising, including the invalidation of elections in specific voting centres, without being restricted to the object of the request for appeal submitted by the electoral subject.

Article 125

Calculation of time limits

1. The time limits that are stated in hours in this part are calculated by excluding the hour in which the right to appeal or the administrative obligation arises. Whenever the time limits in this Code are calculated in hours, the administrative organ appointed by this Code is required to mark in an administrative act the hour when the act was declared. Otherwise, the time limit is calculated beginning at 8⁰⁰ of the following day.

2. The time limits that in this part are stated in days are calculated by excluding the day on which the right to appeal or the administrative obligation arises.

3. If the end of a time limit according to point 2 of this article falls outside the official working hours determined in the CEC decision, then the running of the time is suspended at the close of the official working hours and resumes at the starting time of the official working hours of the following day.

4. If the end of the time limits falls on days of rest or on an official holiday, the time limit resumes on the next working day.

5. For time limits for appeals according to this part, the time they begin may not be reset.

6. For the purposes of this article, if not otherwise decided by the CEC, the official working hours are to be calculated from 8⁰⁰ until 16⁰⁰, and Saturdays and Sundays are to be days of rest.

Article 126

Form and content of an appeal against decisions of a CEAZ and decision of the CEC for the declaration of the election result

1. An electoral appeal against decisions of a CEAZ or against the decision of the CEC in accordance with article 123 of this Code are to be submitted in the form of a request for appeal and must contain the following elements:

- a) the full name of the electoral subject making the appeal and his address;
- b) reference to the decision appealed;
- c) the legal basis;
- ç) a short description of the violation claimed;
- d) a description of facts, arguments and legal provisions supporting the appeal;
- dh) an indication of the evidence requested to be examined during the process of the review of the appeal, as well as its source; and
- e) the date and the signature of the appellant.

A request for the invalidation of elections contains, to the extent possible, the elements provided in this point.

2. The appellant electoral subject must deposit, together with the request for appeal, the full decision against which the request for appeal is being made, except for a case when the CEAZ fails to make a decision.

Article 127

Registration of requests for appeal by the CEC

1. Requests for appeals are to be deposited at the headquarters of the CEC. The CEC creates and keeps a special register for the registration of requests for appeal. The Register of Electoral Appeals is valid only for ongoing elections.

2. The Register of Electoral Appeals contains:

- a) the ordinal number of the request for appeal;
- b) the date and hour the appeal was submitted;
- c) the appealing subject;
- ç) the object of the appeal;
- d) the number and type of documents attached to the request for appeal.

3. After notations have been made in the register, the appealing subject receives a verification from the CEC, which is evidence of the delivery and the receipt of the request for appeal.

4. The CEC may not refuse for any reason to record requests for appeal.

Article 128

Register of electoral appeals

The Register of Appeals is valid only for ongoing elections. The register of requests for appeals for the ongoing elections is to be started no later than 24 hours from the declaration of the final result of the previous elections. Requests for appeals related to partial elections that are conducted between two general elections are also recorded in this register.

Article 129

Verification of completion of the form and content of the request for appeal

1. For each request for appeal recorded, the CEC designates by lot one of its members as a rapporteur. The rapporteur verifies the existence of the formal elements according to article 126 of this Code, in addition to elements stipulated in article 130 of this Code. The verification result is reported at a CEC meeting no later than 24 hours from the moment the request for appeal has been recorded.

2. The rules for drawing the lot to appoint a rapporteur according to point 1 of this article are established by a CEC decision.

3. The CEC performs the preliminary verification of the request for appeal and decides:

- a) to accept the request for review;
- b) not to accept the request due to a lack of the elements stipulated in article 130 of this Code; or
- c) to send back the request for completion of the formal elements stipulated in article 126 of this Code.

4. In the case provided in letter (c) of point 3 of this article, the appellant is to complete the request and resubmit it within 24 hours from the moment this decision is announced. The request for appeal may be sent back for completion only once. The second verification of the request for appeal is to be completed within 24 hours of its resubmission.

Article 130

Object of preliminary verification

The CEC makes a decision on whether or not to accept the request for appeal after it verifies the following elements:

- a) the competency of the CEC to examine the appeal;
- b) the appellant's standing; and
- c) the respect of the legal time limits for an appeal.

Article 131

Content of the decision to accept for review the request for appeal

1. In the decision to accept for review a request for appeal, the CEC must specify the date and hour of the examination of the case in a public session. The decision is to be posted for the public at the entrance of the CEC headquarters no later than two hours after it has been made.

2. The review hearing is to take place no earlier than 24 hours and no later than 48 hours from the date the decision to accept the request has been announced.

Article 132

Joining requests for appeal

1. The CEC, prior to or during the examination of a request for appeal, has the right to decide to examine it jointly with one or more other requests for appeal submitted by various subjects against the same decision of the CEAZ or, as the case may be, of the CEC, taken in accordance with article 123. Requests for appeal also are joined when two or more subjects request the invalidation of elections in the same electoral zone. The CEC decides to join the requests for appeal when it considers that their joint examination facilitates the review process, or when the separate review of each of the requests for appeal would prejudice the object of the other appeals.

2. When requests for appeal are submitted to the CEC for the same electoral zone and when at least one of them has as its object the invalidity of elections in accordance with article 160 of this Code, the CEC examines first the request for appeal with the object of invalidating the elections. The time limits for the examination of requests for appeal objecting to a CEAZ decision are suspended until the date of the announcement of the CEC decision on the invalidation.

3. The CEC decision to join requests for appeal is a final decision.

4. The CEC decision to join requests for appeal is posted for the public at the entrance of the CEC headquarters no later than two hours after it has been reached.

Article 133

Parties to the administrative review

1. In the CEC's examination of an appeal, only the following have the right to take part by submitting a request, making and refuting claims, as well as submitting evidence:

a) the appellant;

b) an interested party. An interested party is any electoral subject whose rights and legitimate interests, be they individual or collective, are or could be violated by a decision that may be made at the conclusion of the administrative procedure.

2. An interested party is to file a request to participate in an administrative review no later than the time set for holding the session. Filing the request beyond this time limit leads to the rejection of the request.

3. The acceptance of a party as an interested party in an administrative procedure is to be made by a decision of the CEC at the beginning of the respective session and after verifying the participation of the other parties.

4. The parties are entitled to be represented during the administrative procedure by their authorized representatives or by making a declaration in the plenary session. The electoral subjects represented at the CEC, as a rule, are represented by their accredited representatives to the CEC.

Article 134

Administrative review

1. The administrative review of a request for an electoral appeal is performed by the CEC in a plenary session.

2. The Chairman of the CEC chairs the plenary session.

3. The time frames for performing the administrative investigative actions are established by the CEC in consultation with the parties.

4. The review of a request for appeal in front of the CEC is done orally, but the parties may present their explanations and claims about the case in writing.

5. During the examination of a request for appeal, a staff member appointed by the CEC keeps the official records, and, to the extent possible, an audio and/or video recording of the session is made. The explanations of the parties are summarized in the official record and the evidence received as well as orders and intermediate decisions of the CEC are fully reflected.

Article 135

The opening of the session for the review of a request for appeal

1. On the day and at the hour designated, the parties give notice of their presence to the secretariat specifically established by the CEC.

2. Before the session begins, the administration of the CEC summons the parties or their representatives and invites them to take their designated places.

3. After the examination session has been declared open, the procedural standing of the parties is verified in accordance with article 133 of this Code.

4. If one or several of the parties do not appear on the day and at the hour designated, the session is held regardless of their participation.

5. Before the parties present their claims, the CEC:

a) accepts or rejects the individual statements of the CEC members on the existence of conflicts of interests according to point 3 of article 17 of this Code;

b) decides on the requests of the parties concerning the exclusion of CEC members due to the existence of a conflict of interests in accordance with point 4 of article 17 of this Code;

c) decides on the requests of the parties or of the rapporteur for the CEC not to review the case because of a lack of competence on the part of the CEC or because of the expiry of the time limit for an appeal.

6. After it has made a decision on the preliminary requests of the parties, and if these do not lead to the dismissal of the administrative review, the CEC reviews and decides the case on its merits without interrupting the session. The session is interrupted only when the acquisition of evidence from third parties is necessary.

Article 136

The submission of claims and the request for evidence

1. At the conclusion of the actions specified in article 135 of this Code, the CEC invites the parties to submit their claims and:

- a) to provide explanations about the requests specified in the appeal;
- b) to demonstrate the facts and evidence on which their claims rest; the types of the evidence are provided in the Code of Civil Procedure; and
- c) to request the acquisition of evidence to prove facts, if the preliminary provision of this evidence was impossible for them, while submitting at the same time the reasons why it was not possible for them to secure this evidence.

2. After the submission of the claims of the parties, the CEC, at the request of each of them or on its own initiative, may decide to receive other evidence when it considers that receiving it is useful for reaching a judgement.

3. Upon the request of two of its members, the CEC is obliged to receive the evidence requested by the two members who have submitted the request. The request may be submitted in writing or verbally during the public session of the examination of the appeal.

4. The CEC may refuse a request of the appellant or of the interested party to obtain evidence under letter (c) of point 1 and point 2 of this article only if it considers that the evidence does not serve the purpose of proving the facts claimed. The CEC's reasoning for refusing to receive evidence is to be given in detail in its final decision. The CEC may not refuse a request for evidence made in accordance with point 3 of this article.

5. The submission of the claims of the parties begins with the appellant and continues with the interested parties, in the order decided by the CEC Chairman. This order is retained during the entire proceeding.

6. Regardless of the specifications made in this article, when the CEC assesses that a fact, circumstance or event has occurred, it is accepted as evidence regardless of it not being recorded in any electoral document.

Article 137

Obligation for other organs to make evidence available

1. The CEC requests that other organs of public administration make available information, documents or any other evidence required or considered necessary for the administrative investigation.

2. Organs of public administration are required to make evidence available, in accordance with point 1 of this article, upon receiving the request from the CEC and within the time limit established in it.

3. If the public administration organ refuses, without legal reasons, to fulfil the request or does not fulfil it within the time limit, the CEC, in accordance with article 172 of this Code, fines or, as appropriate, files criminal charges against the persons responsible as provided in article 4 of this Code.

Article 138

Examination of election materials

1. For purposes of an administrative investigation, the CEC, when it has accepted the request of the parties or upon the request of two of its members in accordance with the provisions of point 3 of article 136 of this Code examines documents and election materials that are inside the box of election materials and/or ballot boxes and the ballot papers, as well as any other election documentation or materials. When the election materials are inside the boxes with security seals, their opening and resealing is to be performed according to the procedures provided by this Code for the opening and closing of the boxes, by showing and recording the codes with which the respective boxes are sealed by the CEAZ, as well as the numbers with which they are re-sealed.

2. The examination of the election materials is performed in the presence of the parties and the public. After the examination of the election documents and/or materials, the parties have the right to present their assessments and claims. The evidence found is recorded in the official record of the CEC meeting.

3. When the CEC, upon the request of parties or on its own initiative, finds that a recount and/or re-evaluation of certain ballots is needed in order to make a decision, it conducts, in the presence of the parties, a recount and/or a re-evaluation of the votes and reflects the conclusion in the official record of the CEC meeting and in its respective decision. If the request for the recount and/or re-evaluation of certain votes is made by two of its members, the CEC is required to perform the recount and/or re-evaluation of the requested votes.

4. In case of ballot boxes found to be “IRREGULAR BOXES” by the CEAZ in accordance with article 115 of this Code, the CEC is obliged to conduct an administrative investigation. The investigation is not limited only to an external examination of the box by evaluating the entire facts and circumstances that have led to the evaluation of the box as an “IRREGULAR BOX”, but also whether such irregularities have affected the electoral material. If the CEC, upon its own initiative or upon the request of the electoral subject, takes a decision that they are regular boxes, the CEC performs the initial counting of the ballots in these boxes.

5. The CEC decisions taken in accordance with points 3 and 4 of this article may be appealed together with the decision of the CEC.

Article 139

Universally known facts and expert testimony

1. In addition to facts known to the CEC due to its functions, there is no need for verification concerning universally known facts. During the administrative investigation of a case, the CEC confirms during the hearing its knowledge of and plans to consider these facts during the review of the case.

2. When special knowledge in scientific or technical fields is needed for the ascertainment or clarification of facts related to the review of requests for appeal, the CEC may summon one or more experts.

Article 140

Rebuttals of evidence

1. The parties in an administrative review are entitled to submit their rebuttals to challenge:

- a) the method of obtaining the evidence submitted by other parties;
- b) the facts shown by this evidence; or
- c) the veracity and reliability of the facts that are shown by this evidence.

2. In support of these rebuttals, the parties have the right to submit other evidence in addition to that required in accordance with article 136 of this Code.

Article 141

The closing of the administrative investigation

1. After the conclusion of the administrative investigation, the CEC asks the parties whether they have any additional requests or evidence that is useful for the review of the case and, if these are not accepted, the CEC ends the administrative investigation and invites the parties to present their closing arguments.

2. The CEC decides, case by case, whether the parties will present their closing arguments verbally or in writing.

Article 142

Withdrawal of claims or their renunciation

The appellant has the right to renounce a request for appeal at any stage of its examination. In this case, the CEC decides to dismiss the case. After this, the appellant may not re-submit the appeal for which the dismissal of the case was decided.

Article 143

The type of decisions the CEC makes after examining appeals and time limits

1. At the conclusion of the review of the request for appeal, the CEC decides, as the case may require:

- a) to dismiss the review;
- b) to uphold the CEAZ decision;
- c) to amend the CEAZ decision;
- ç) to declare the elections invalid in one or several voting centres of the electoral zone or in the entire electoral unit;
- d) to uphold or amend the decision on approving the Aggregate Table of the Elections Result in accordance with article 123 of this Code.

2. Regardless of what the appellant has requested in his appeal, the CEC makes a decision according to one of the cases provided in point 1 of this article.

3. No later than 10 days from the date the respective appeal is recorded, the CEC is to take a final decision concerning an appeal against the decision on the approval of the table of the election result. In any other case, the CEC is to take a decision no later than 2 days from the date the request for appeal was submitted.

4. In cases when requests for appeals are joined, time limits shall be calculated from the date when the last request for appeal was recorded.

Article 144

Content of CEC decisions

1. A CEC decision is always to be in writing.
2. CEC decisions pertaining to electoral appeals consist of:
 - a) the parties participating in the administrative review;
 - b) the requests of each party;
 - c) an indication of any evidence taken under review;
 - ç) an explanation of circumstances and facts that have emerged from this evidence;
 - d) a legal analysis of the case; and
 - dh) the part providing an order.
3. A CEC decision is to contain the number, date, or respectively the hour, when it is declared, as well as the signatures of the CEC members together with the declaration of their vote.

4. A decision is to be accompanied by the dissenting opinion or the concurring opinion signed by the members who support it.

5. A decision also contains the explanation of the right of the parties to make a court appeal against the decision, as well as the time limits for appeals.

6. In no case is the CEC to issue decisions that do not contain all the elements mentioned in this article.

PART XI

COURT APPEALS AGAINST CEC DECISIONS AND INVALIDATION OF ELECTIONS

CHAPTER I

COURT APPEALS AGAINST CEC DECISIONS

Article 145

The right to submit an appeal to court

1. Electoral subjects have the right to submit appeals against CEC decisions to the Electoral College of the Court of Appeals in Tirana when these decisions affect their legal interests within the time limit established in article 152 of this Code. Individuals or political parties whose request to be registered as an electoral subject have been rejected also have the right to appeal according to this article.

2. Electoral subjects have the right to file an appeal with the Electoral College for the CEC failing to make a decision by the legal deadline. In this case, the Electoral College does not judge the merits of the case and, when it accepts the request, compels the CEC to make a decision. This rule does not apply to CEC decisions to reject a request for appeal, in relation to decisions taken in compliance with letters (a), (b), (c) and (ç) of article 24 of this Code.

3. Subjects mentioned in article 6 of this Code who have been refused a request for accreditation as observers also have a right to appeal according to this article. In case accreditation of observers has been delegated to CEAZs, then the right to appeal according to this point begins with an administrative appeal in accordance with article 124 of this Code.

Article 146

Composition of the Electoral College of the Court of Appeals in Tirana

1. The Electoral College of the Court of Appeals in Tirana shall consist of eight judges selected by a drawing of lots conducted by the High Council of Justice.

2. The names of all judges of all appellate courts of the Republic of Albania, with the exception of judges specified in article 148 of this Code, are to be included in the drawing of lots conducted by the High Council of Justice to select the eight judges who constitute the Electoral College of the Court of Appeals in Tirana.

3. The drawing of lots to select the eight judges of the Electoral College of the Court of Appeals in Tirana is to be conducted no later than five days after a decree setting the date of elections to the Assembly. The High Council of Justice publicly announces and publishes in at least the three newspapers with the highest circulation no later than 48 hours after the decree has been issued, the date, time, and location where the lots will be drawn, and send to the two parliamentary parties of the majority and the two parliamentary parties of opposition that hold respectively the highest numbers of seats in the Assembly, the list of judges to be

included in the lottery. The drawing of lots is to be conducted in the presence of the public, representatives of political parties, coalitions and the media. The process is to be conducted by drawing the names of eight judges from a lottery box. Prior to the drawing, the persons who are present are to be given the opportunity to inspect the lottery box and the names of judges that are placed in it. After the inspection, eight names are to be drawn from the lottery box. Each of the representatives of two parliamentary parties of the majority and two parliamentary parties of the opposition holding respectively the highest numbers of seats in the Assembly has the right to reject one name among the eight names drawn from the lottery box. None of the other parties has the right to object. The procedure for the removal of names is secret. The request for removal contains only the name of the judge, without specifying the reasons for removal. Within an hour from the first drawing of lots, the High Council of Justice, after acknowledging the cases of removal, conducts a second drawing of names from the lottery box in order to replace the names removed by the political party representatives. The remaining eight names constitute the Electoral College of the Court of Appeals in Tirana and are seconded in office by the High Council of Justice immediately after the drawing of lots.

4. Within 24 hours of their selection by lot, the eight judges of the Electoral College of the Court of Appeals in Tirana take an oath in the presence of the High Council of Justice and administered by the President of the Republic in a public ceremony. The oath has the following content: **“I do solemnly swear that I shall respect, I shall defend, and I shall obey the Constitution and laws of the Republic of Albania, that I shall respect the rights and freedoms of citizens, and I shall fulfil my duties. I swear that I shall discharge my duties to the best of my ability and in an impartial and just manner, and without favouring any person or party”**.

5. The Court of Appeals of Tirana is to provide sufficient working space, supplies, and personnel to the Electoral College to enable it to perform its duties in a timely and professional manner.

Article 147

The term of office and sessions of the Electoral College

1. The Electoral College of the Court of Appeals in Tirana exercises its functions during the whole duration of a legislature of the Assembly resulting from elections for which the drawing of lots was conducted and it functions for all kind of elections.

2. The inaugural meeting of the College takes place immediately after the oath and is summoned by the Deputy Chair of the High Council of Justice no later than 45 days before the elections. The College remains in session until the end of the adjudication of appeals or until the expiry of the time limits for appeal for those elections.

3. The College is re-summoned by the Deputy Chairman of the High Council of Justice no later than 48 hours after the decree setting the date for partial elections and for referenda. The College remains in session until the end of the adjudication of appeals or until the expiry of the time limits for appeal for those elections.

4. The College is re-summoned upon request of the Chair of the Court of Appeals of Tirana, every time an appeal against a CEC decision is filed with this court outside the time periods provided by points 2 and 3 of this article.

Article 148

Criteria for exclusion of judges from the drawing of lots

Judges against whom:

- a) criminal proceedings are underway;
- b) a disciplinary measure is in force;

c) disciplinary proceedings have been initiated
are not included in the drawing of lots conducted according to article 146 of this Code

Article 149

Immunity of the judges of the Electoral College

1. A judge of the Electoral College cannot be subject to disciplinary proceedings during the entire term for which the College is constituted.
2. During this period, judges of the Electoral College of the Court of Appeals in Tirana cannot be removed from the office of judge for reasons provided by article 32 of Law no. 9877, dated 18 February 2008, "On the organization of the judicial power in the Republic of Albania", as well as for professional shortcomings. They cannot be given the performance evaluation of "incapable".

Article 150

Invalidity of secondment

1. The secondment of judges to the Electoral College is invalid if they have been included in the drawing of lots in violation of the conditions provided by article 146 of this Code.
2. The invalidity of the secondment constitutes grounds for the exclusion of the judge from the adjudication of electoral disputes.

Article 151

Excluding a judge from hearing a case

1. The parties of a case before the Electoral College have the right to request the exclusion of any of the judges of the Electoral College from adjudicating a case.
2. An exclusion takes place if it turns out that the judge has any interests in the case, has been an employer, employee, advisor, representative or attorney of any of the parties, has family relations or a close relation by marriage to any of the parties or it turns out that he cannot fulfil his task impartially, fairly and without favouring any of the parties.
3. The exclusion of the judge from adjudicating a case is performed by the Electoral College. All judges of the Electoral College decide together on the validity of a challenge to any of the judges.
4. The appellant is to submit the request for excluding a judge along with the appeal according to article 153 of this Code, while interested parties are to submit it within two days of the receipt of the notification according to article 154 of this Code.
5. The request for exclusion is to contain the specific reason for which it is not suitable for a certain judge of the Electoral College to adjudicate the appeal.
6. A request for excluding a judge submitted beyond the time limits and procedures of this article shall not be taken into consideration.

Article 152

The time limit for a court appeal

1. Appeals according to this Code are to be submitted to the Court of Appeals in Tirana, which forwards them to the Electoral College.
2. An appeal against all CEC decisions made during the period that starts 48 hours after the issuance of the decree for partial or general elections until the termination of administrative review of election complaints or expiry of time limits for election complaints, is to be made within 5 days after their declaration. The time limit to appeal to the Electoral College against decisions that the CEC makes outside this period is 30 days.

Article 153

Form and content of the appeal

1. An appeal is submitted in the form of a court complaint and must contain:
 - a) information on the identity of the plaintiff;
 - b) an indication of the defendant;
 - c) an indication of the interested parties. Interested parties are the parties participating in the administrative review at the CEC;
 - ç) the object of the request;
 - d) the legal basis;
 - dh) a description of the violation alleged and the points of the CEC decision to which the appellant objects; and
 - e) facts, arguments and legal provisions supporting the appeal.
2. The court complaint is to be filed in as many copies as is the number of parties in the proceedings and is to be accompanied by a copy of the CEC decision and, as appropriate, by a request for excluding a judge.
3. The court complaint is recorded upon its submission.

Article 154

Preliminary actions related to the court complaint

1. After recording the court complaint, the Chairman of the Court of Appeals in Tirana forwards the case to the Electoral College for examination.
2. The Electoral College acquaints itself with the court complaint no later than 24 hours after it has been sent, according to point 1 of this article and:
 - a) makes a decision on the plaintiff's request to exclude a judge;
 - b) draws lots for the composition of the judicial panel and the rapporteur of the case; and
 - c) sets the date and starting time of the judicial examination.
3. Immediately after his selection, the rapporteur performs the following preliminary actions:
 - a) he notifies the parties of the date and time of the judicial examination and the composition of the judicial panel;
 - b) when appropriate, he requests, no later than 24 hours before the date set for the judicial examination, that the plaintiff complete the court complaint;
 - c) he sends the interested parties copies of the court complaint and informs them about their legal right to exclude a judge of the panel according to article 151 of this Code. The interested parties must submit any request for the exclusion of a judge within 48 hours of receipt of notification according to letter (a) of this point. Requests according to this letter are to be examined by the Electoral College within 24 of the submission of the request;
 - ç) in case the CEC has not issued a decision according to article 144 of this Code, he requests that the CEC submits its decision to the court no later than 24 hours prior to the date set for the judicial examination.

Article 155

Procedures for examining the court complaint

1. During the judicial examination of court complaints concerning all procedural actions that are not regulated by this Code, the Electoral College applies the rules provided in the Code of Civil Procedure on the adjudication of cases at the first instance.

2. The Electoral College judges with a judicial panel consisting of five judges. The rapporteur of the case presides over the panel.

Article 156

The rights of the parties at the trial

1. The parties at the judicial examination proceedings concerning the court complaint have all the procedural rights provided in the Code of Civil Procedure, except when this Code provides otherwise.

2. The evidence administered by the CEC during its administrative review is to be brought by the CEC to the hearing regardless of the requests of the parties for this evidence.

3. The absence of one party during the proceedings does not constitute an impediment for the continuation of the adjudication by the Electoral College, unless the College decides otherwise.

Article 157

Time limits for judgement by the Electoral College

1. The Electoral College is to judge and decide on court complaints within ten days of the deposit of the complaint.

2. For cases provided in the last sentence of point 2 of article 152 of this Code, the Electoral College decides within 30 days of the deposit of the complaint.

Article 158

Types of decisions of the Electoral College

1. Depending on the cases to be examined, the Electoral College decides:

- a) to dismiss the case;
- b) to judge the merits of the case; or
- c) to compel the CEC to make a decision.

2. The Electoral College decides to dismiss the case when it finds that the appeal has been submitted beyond the time limits stipulated in this Code, or that the court lacks the competence to adjudicate it. When the Electoral College finds that it lacks competence, it forwards the case to the competent organ.

3. In judging the merits of a case, the Electoral College decides on the full or partial acceptance of the appeal, or on its full or partial rejection.

4. The Electoral College imposes an obligation on the CEC to make a decision in compliance with point 2 of article 145 of this Code. In this case, the Electoral College sets a fixed time limit of no longer than ten days for making a decision.

5. The decision of the Electoral College is final. No appeal may be made against it.

6. The Electoral College is required to prepare a final transcription of its decision not later than three days from the day the decision is given.

Article 159

Content of decisions of the Electoral College

1. Decisions of the Electoral College consist of an introduction, a descriptive-reasoning section and a section that includes the court order.

2. The introduction of the decision mentions:

- a) the court, panel of judges and the secretary;
- b) the time and place the decision was announced;
- c) the parties, indicating their identity and their role as plaintiff, defendant, interested party, as well as their representatives;

- c) the object of the complaint; and
 - d) final requests of the parties.
3. The descriptive-reasoning section of the decision mentions:
 - a) the circumstances of the case, as they have been found during the proceedings and the conclusions drawn by the court;
 - b) the evidence and reasons supporting the decision; and
 - c) the legal provisions supporting the decision.
 4. The section of the decision that includes the court order must mention, *inter alia*:
 - a) what the court has decided; and
 - b) when appropriate, who is responsible for the court costs.
 5. The decision is to be accompanied by the minority opinion or the concurring opinion signed by the judges who support it.

CHAPTER II

INVALIDATION AND REPETITION OF ELECTIONS

Article 160

Invalidation of elections in a Voting Centre

1. The CEC, upon its own initiative or on the request of electoral subjects, declares elections invalid in one or more voting centres if:
 - a) there have been violations of the law;
 - b) there have been natural disasters of such proportions that the participation of the voters in the vote has been hindered; or
 - c) voting was not begun or was suspended for more than six hours; and
 for any of these causes, the electoral process has been affected to such a degree that it may have impacted the allocation of the seats in the electoral zone or nationwide.
2. Electoral subjects, within 3 days from the declaration of the results by the CEC, or as the case may be by the CEAZ, have the right to request from the CEC the invalidation of elections in specific voting centres.
3. A request for the invalidation of elections must include the legal causes, a description of cases of violation and detailed reasoning on their consequences.
4. The examination of the requests is performed in accordance with the procedures established in Part X of this Code. The CEC, in taking a decision on the invalidity of elections, may consult with the respective CEAZ. In the reasoning of the CEC decision, the legal causes, the proved cases of violations and detailed reasoning about their consequences are to be described.

Article 161

Repetition of elections

1. After the completion of the appeals process, not later than three days from the tabulation of the result of the electoral zone, the CEC, upon its own initiative or on the request of the subject, announces as invalid and orders the repetition of elections in an entire electoral zone if the invalidity announced for one or more voting centres, in accordance with article 160 of this Code, impacts the allocation of seats in the electoral zone or nationwide.
2. A case when the number of voters who have voted or could have voted in the voting centre or centres declared invalid is equal to or greater than the number of voters required for the allocation of one seat in the respective electoral zone, based on the calculation of valid

votes in the electoral zone, performed in accordance with article 162, shall be considered an impact on the allocation of seats for the Assembly. For elections of a mayor of a local government unit, a case when the number of voters in centres declared invalid is greater than the difference between the two candidates who have received the highest number of valid votes shall be considered an impact on the result.

3. In case of a natural disaster, of failure to begin voting or of its suspension for more than six hours, the total number of the voters registered in the voting centre that was declared invalid is taken into consideration.

4. In case of invalidation for violations of the law, except those provided in point 3 of this article and when the voting process has ended according to this Code, the number of the voters who have voted in the voting centre that was declared invalid is taken into consideration when determining the impact on the result.

5. A repetition of the elections is ordered by the same decision of the CEC that declares them invalid. Elections for local government councils are not to be repeated.

6. Elections declared invalid and for which the CEC has decided that they are to be repeated in accordance with this article, are repeated on the same day for all the electoral zones where their repetition has been decided. The decision for determining the date of repetition of elections is taken by the CEC upon the completion of the appeals procedures in accordance with this part or upon the expiry of the legal time limits for the appeal provided in this part. The repetition of elections is conducted not later than 4 weeks from the date of the decision.

7. An appeal against a CEC decision whether or not to declare elections invalid is made in accordance with the time limits and procedures set in this part.

PART XII

ALLOCATION OF SEATS

CHAPTER I

SEATS FOR THE ASSEMBLY

Article 162

Calculation of seats of the electoral subjects

1. Not later than 3 days from the completion of the appeals process against a decision on the approval of results of the electoral zone or the invalidation of elections in accordance with this Code, the CEC calculates the allocation of seats for each electoral zone based on the number of valid votes obtained by the subjects in the electoral zone. For elections to the Assembly, parties that run on their own and that have obtained less than 3 percent and coalitions that have obtained less than 5 percent of the valid votes in the respective electoral zone are excluded from the allocation of seats.

2. The number of valid votes in the electoral zone for each subject is divided continuously by consecutive natural numbers, called denominators, starting with the number 1 and ending with the natural number that corresponds to the number of seats allocated to the respective electoral zone. The step from one denominator to the next is 1. If the quotient obtained

through the division is a number with a decimal remainder, the nearest whole number is to be considered as the quotient.

3. When the electoral subject is a candidate proposed by the voters, his votes are divided only by the denominator 1.

4. The quotients obtained through each division, also including the result of point 3 of this article, are placed on a list ranked from the largest quotient to the smallest one, listing alongside them the subject to which the respective quotient belongs. If the quotient is a number with a decimal remainder, the nearest whole number is to be considered as the quotient. The ranking of the quotients continues until it reaches the number of seats to be allocated in that electoral zone.

5. An electoral subject is allocated the number of seats equal to the number of quotients included in the list specified in point 4 of this article. If, for the allocation of the last seat in the list specified in point 4 of this article, there are two or more electoral subjects with the same quotient, the seat is allocated to the subject that has obtained the largest number of votes and, if they have obtained the same number of votes, then it is decided by lot among those subjects. The lot is drawn publicly at the CEC in the presence of the interested subjects.

Article 163

Allocation of seats within a coalition

1. Immediately after the completion of the calculation of the result in accordance with article 162 of this Code, the CEC calculates the allocation of seats inside coalitions for each electoral zone, based on the number of valid votes won by each member party of the coalition in the respective electoral zone and on the number of seats won by the coalition in the respective electoral zone.

2. The number of valid votes for each party is divided continuously by odd natural numbers, called denominators, starting with number 1 and by ending with the natural number that corresponds to the double of the number of seats allocated to the respective electoral zone. If the quotient obtained through the division is a number with a decimal remainder, the closest whole number is to be considered the quotient.

3. The quotients obtained through each division are placed on a list ranked from the largest quotient to the smallest one, listing alongside them the subject to which the respective quotient belongs. If the quotient is a number with a decimal remainder, the nearest whole number is to be considered as the quotient. The ranking of the quotients continues until it reaches the number of seats allocated to the coalition in the respective electoral zone.

4. A political party is allocated a number of seats equal to the number of quotients included in the list defined in point 3 of this article. If, for the allocation of the last seat in the list defined in point 3 of this article, there are two or more subjects with the same quotient, the seat is allocated to the subject that has obtained the largest number of votes and, if they have obtained the same number of votes, then it is decided by lot among those parties. The lot is drawn publicly at the CEC in the presence of the interested subjects.

5. Immediately after the completion of the procedures for the allocation of seats to each political party in accordance with this article, the CEC determines the nominal seats for each political party based on the list of candidates deposited in accordance with point 4 of article 67 of this Code, in a descending order, starting from the ordinal number one.

6. A party chairman who has been registered on more than one list, in accordance with point 3 of article 67 of this Code, and who has won a seat in more than one electoral zone, keeps only the seat won in the electoral zone where the winning list has received the smallest number of votes, in accordance with the calculations of articles 162 and 163 of this Code. The other seats won by the party's chairman are allocated to the other candidates who rank immediately after him on the respective multi-name list.

7. The allocation of seats for each electoral zone, in accordance with article 162 and this article, is approved by a decision. The decision is taken separately for each electoral zone. The decision can be appealed to the Electoral College in accordance with the procedures of Part XI of this Code by the subjects provided in point 1 of article 124, including also the candidates of the multi-name lists.

Article 164

Interruption of a mandate and its substitution

1. The mandate of a deputy won in accordance with articles 162 and 163 of this Code is interrupted only for the reasons provided in article 71 of the Constitution. Preliminary individual or collective agreements or declarations to withdraw from a seat do not constitute reasons for the interruption of the mandate. In the case of letters (a) and (b) of point 2 of article 71 of the Constitution, the deputy declares publicly, in front of the respective Assembly committee his refusal to take the oath or his withdrawal from the seat. In this case, the Assembly, not later than 30 days, notifies the CEC of the creation of the vacancy. The interrupted mandate passes to the next candidate on the list of the same political party in the respective electoral zone.

2. The CEC takes a decision to pass the seat to the next candidate on the list of candidates registered in accordance with article 67 of this Code. The decision is notified to the candidate and is also published in the Official Journal. If the next candidate does not appear in the Assembly within 30 days from his notification without any justified cause, the seat passes to the next candidate on the list in accordance with the procedure provided in point 1 of this article. The same procedure continues until the exhaustion of the list of candidates of the same political party.

3. If the list of candidates of a political party that is a member of a coalition is exhausted, the seat passes to the party of the coalition that has the largest quotient. If the interrupted mandate belongs to a candidate proposed by the voters, the seat passes to the electoral subject with the largest quotient. If the interrupted mandate belongs to a electoral coalition, the seat is allocated to the party member of the coalition with the largest quotient.

CHAPTER II

ELECTION SYSTEM FOR LOCAL GOVERNMENT ORGANS

Article 165

The system of local elections

1. The mayors of the municipalities or communes, as well as the councils of municipalities or communes are elected by a direct vote by the voters with a residence in the territory of the municipality or commune.

2. The members of the councils of the municipalities or communes are elected on the basis of the multi-name lists submitted by the political parties, coalitions or of candidacies proposed by the voters.

3. Political parties registered as a coalition at the CEC propose only one joint candidate for a mayor of a municipality or commune.

Article 166

The election of local government organs

1. The candidate who obtains the largest number of valid votes of the voters of a local unit is elected mayor of the respective municipality or commune

2. When two or more candidates obtain an equal number of votes, lots are drawn between them. The drawing is organized by the CEC in a public session with the participation of the candidates. The rules of the drawing are determined by the CEC.

3. The seats of the local councils are allocated by the CEC on the basis of the proportional system, in accordance with the same procedures provided in articles 162 and 163 of this Code.

CHAPTER III

DECLARATION OF THE FINAL ELECTION RESULT

Article 167

The final election result

The final result of elections is declared by the CEC not later than 5 days from the date of the declaration of results for allocation of the seats for each electoral zone, in accordance with point 7 of article 163 of this Code, and after the procedures on appeals provided by this Code have been completed.

PART XIII

RESPONSIBILITIES AND SANCTIONS

Article 168

Responsibility of persons charged with the administration of elections

Members of election commissions and public administration employees in the service of these commissions bear criminal and administrative liability according to the legislation in effect for violations of the provisions of this Code.

Article 169

Voting more than once

Voting in the same elections more than once constitutes a criminal offence and is punishable by fine or up to three months of imprisonment.

Article 170

Abandonment of duty by members of election commissions

Abandoning of duty, without lawful causes, by members of election commissions, members of Counting Teams or observers constitutes a criminal offence and is punishable by fine or imprisonment of between 6 months and 2 years.

Article 171

Administrative sanctions

1. A violation of the provisions of this Code by members of the election commissions or by persons charged with duties according to this Code, if it does not constitute a criminal offence, is punishable by a fine of between ALL 3 000 and 90 000.

2. Other violations of the provisions of this Code, when they do not constitute a criminal offence, are punishable by a fine of between ALL 1 000 and 2 500.

3. The violation of rules provided by articles 34 and 41 of this Code, respectively by the secretary of the CEAZ or of the VCC, is subject to a fine of between ALL 30 000 and 60 000 or imprisonment up to 6 months.

4. Persons charged by this law with the preparation and approval of voter lists are subject to criminal liability under article 186 of the Criminal Code when they include in these lists false data or when they leave out voters.

5. The violation of other rules and time limits provided in Part II of this Code, when it does not constitute the abuse of duty according to article 248 of the Criminal Code, is subject to a fine of between ALL 10 000 and 100 000. The fine is issued by the head of the institution, it constitutes an executive title and is executed by the respective finance office.

Article 172

Sanctions for violations of the principles of the Code

1. The violation of any one of the general principles specified in articles 3, 4 or 5 of this Code, in cases when these violations have not affected the election result, constitutes an administrative offence and is punishable by a fine of between ALL 100 000 and 500 000.

2. The amount of the fine is determined on basis of the following circumstances:

a) the risk posed by the violation to the organization and administration of future elections;

b) the fact whether the perpetrator of the offence has benefited financially from the violation or, through the violation, has affected the allocation of the seat to a candidate, political party or coalition;

c) the duration and the range of actions that led to the commitment of the offence;

ç) the fact whether there have been efforts to hide the violation and the extent of these efforts;

d) the attitude of the perpetrator of the offence following its detection;

dh) the fact whether officials have taken part in the commitment of the offence or whether public resources have been used for it;

e) the fact whether the violation has been repeated;

ë) the fact whether it is has been committed in co-operation with others;

f) the potential risk to free, fair, democratic and transparent elections.

3. Fines, in accordance with point 1 of this article, are issued by the CEC.

4. Violations, as specified in point 1 of this article, when they have had an impact on the election results, constitute a criminal offence and are punishable by imprisonment of 6 months to 2 years.

Article 173

Sanctions related to campaign financing

1. A violation of the provisions on electoral campaign financing by the chief of finance of a political party is punishable by a fine of between ALL 50 000 and 100 000.

2. Failure of the electoral subject to co-operate with CEC auditing is subject to a fine of between ALL 1 000 000 and 2 000 000.

3. The refusal to make the financial resources of a campaign transparent or to allow the audit to exercise its activity is subject to a fine from ALL 2 000 000 up to the suspension of the public financing of the political party for 5 years.

4. Violations related to article 90 of this Code by the donor, are subject to a fine of 30 percent of the amount donated.

5. Violation of the maximum limit of expenses by the electoral subject is subject to a fine of 10 percent of the value above the limit allowed for expenses in accordance with article 90 of this Code.

Article 174

Violation of the electoral silence

1. In case of a violation of the electoral silence according to article 77 of this Code, the CEC fines the electoral subject ALL 500 000.

2. In case of a violation of the electoral silence according to article 77 of this Code, the CEC fines the publisher or radio/television broadcaster ALL 2 000 000.

3. An appeal against a CEC decision on a fine does not suspend its execution.

Article 175

Sanctions related to gender equality

Failure by the electoral subject to fulfil the obligations provided in the last sentence of point 6 of article 67 of this Code, is fined with ALL 30 000 by the CEC for each electoral zone.

Article 176

Execution of administrative sanctions

A fine imposed by the CEC in accordance with this part constitutes an executive title and is executed in accordance with the procedures provided in article 510 of the Code of Civil Procedure.

PART XIV

FINAL AND TRANSITIONAL PROVISIONS

Article 177

Voter lists for the Municipality of Tirana

For the Municipality of Tirana, the obligations provided in Part III of this Code are carried out by the mayors of Tirana boroughs, within the timelines provided in this Code.

Article 178

Retention of records

1. No official records of a VCC, CEAZ or any other electoral commission may be destroyed without the prior consent of the CEC.

2. All records of a VCC or any other commission established by the CEAZ are given to the CEAZ in the manner and at the time established by the CEC.

3. The CEAZ retains one copy of:

a) the documentation of candidates and political parties taking part in the election;

- b) the list of names and addresses of all members of a VCC and other commissions;
 - c) the list of voting centres;
 - ç) the voter lists for the electoral zone;
 - d) the names and addresses for all members of the CEAZ;
 - dh) the map of the electoral zone showing the boundaries of all polling units;
 - e) a written description of the boundaries for all the Electoral Administration Zones;
 - ë) the decree setting the date of the elections, official election notices issued by the CEAZ, the announcement of results for each voting centre and the final declaration of results;
- and
- f) a statement of the costs incurred for the administration of the elections.

4. The original documents referred to in point 3 of this article are forwarded to the CEC within three months of the declaration of the election results. The CEC retains one copy and within 24 months after the official declaration of the election results, forwards the original documents to the Central State Archives in the manner required by it.

5. Immediately following the declaration of results by the CEAZ, the commission forwards to the CEC, in the manner directed by it, all sealed ballot boxes containing official records of voting, the stamp of the commission, ballot papers used in the election as well as unused ballot papers.

6. On receipt of the ballot boxes and unused ballot papers, and after the end of the deadline for appeals under this Code, the CEC opens all ballot boxes, removes all official records of voting, as well as the tabulations and ballot account statements, and forwards them to the Central State Archives in the manner required by it. All ballot papers and ballot stubs then are burned under the supervision of the CEC.

Article 179

Issuance of identity documents to the voters for voting purposes

1. For the elections to the Assembly of the year 2009, voters can also vote with valid passports issued in accordance with Law no. 8663, dated 23 November 2000, "On the issuance of passports for abroad to Albanian citizens".

2. The Council of Ministers is responsible for issuing secondary legislation to make possible the issuance with priority of identity cards to those voters who do not hold valid passports in accordance with this article.

3. The list of citizens in accordance with point 2 of this article is submitted to the CEC. The Ministry of Interior informs the CEC periodically, not less than once a month, on the status of the process of issuing identity cards to the citizens in accordance with point 2 of this article.

Article 180

Division of Electoral Administration Zones

For the 2009 elections to the Assembly, the Electoral Administration Zones are specified in Annex I of this Code. Electoral Administration Zones in accordance with Annex I shall remain in force after the 2009 elections until they have been reviewed by the CEC in accordance with article 27 of this Code. Notwithstanding this rule, the CEC may take a decision, in accordance with point 4 of article 27 for municipalities that have over 100 thousand voters.

Article 181

Election of the CEC members

1. The Assembly, 30 days after the date this law has been decreed or after its promulgation in accordance with point 2 of article 84 of the Constitution, elects the CEC members in accordance with article 14 of this Code.

2. The oath is taken not later than 24 hours from the day they are elected.

Article 182

Interruption of mandate of existing CEC members

1. CEC members elected in accordance with Law no. 9087, dated 19 June 2003, "The Electoral Code of the Republic of Albania", as amended, whose mandate is terminated prematurely because of this Code, remain on duty until they are replaced by new members elected in accordance with this Code.

2. A CEC member whose mandate is interrupted due to this Code receives the salary of his function until the end of his mandate in accordance with the law by which he was elected, but for no longer than 3 years.

3. A CEC member whose mandate is interrupted returns to his previous public function, or is appointed to an equivalent function.

4. If a CEC member is appointed within the time period he receives a salary from his last function in accordance with point 2 of this article, the amount of the payment above the new salary is a compensation up to the level of the reference salary of the function, but in any case it cannot be more than the salary of the last function and cannot be provided for longer than the period provided in point 2 of this article.

Article 183

Issuance of secondary legislation

The CEC is charged with issuing secondary legislation for the implementation of this Code in accordance with the provisions and time limits provided in it.

Article 184

The decreeing of the forthcoming election date

Not later than 7 days after this law enters into effect, in accordance with point 1 of article 9 of this Code, the President of the Republic issues a decree to specify the date of the forthcoming 2009 Assembly elections.

Article 185

Abrogations

1. Upon entry into force of this Code, Law no. 9087, dated 19 June 2003, "The Electoral Code of the Republic of Albania", as amended, as well as any other legal act or secondary legislation that contradicts it, is abrogated.

2. Notwithstanding the provisions made in point 1 of this article, Part Nine, "Referenda" of Law no. 9087, dated 19 June 2003, "The Electoral Code of the Republic of Albania", as amended, as well as any part of its provisions that are related to it, remains in force until the approval of the new law on general and local referenda. The administration of the referendum process and the tabulation of their result are carried out in accordance with this Code.

Article 186

Entry into force

This law enters into force 15 days after it has been published in the Official Journal.