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REGULATION ON THE ELECTORAL CAMPAIGN FOR PRESIDENTIAL  
AND PARLIAMENTARY ELECTIONS

PREAMBLE

Electoral Campaign is one of the most important activities in any electoral process. It provides competing candidates and political parties with the possibility to make their political programmes known and to convey their messages on equal footing.

The present Regulation establishes the principles that govern the electoral campaign, pursuant to article 65.3 of the Constitution of the Democratic Republic of Timor-Leste, to Law No. 6/2006 of 28 December, Law on the Election of the National Parliament, and to Law No. 7/2006 of 28 December, Law on the Election of the President of the Republic.

Thus, pursuant to subparagraph c) of article 8 of Law No. 5/2006 of 28 December as amended by Law No. 6/2011 of 22 June, to Chapter III of Law No. 6/2006 of 28 December as amended by Law No. 7/2011 of 22 June, and to Law No. 7/2006 of 28 December as amended by Law No. 8/2011 of 22 June, the NATIONAL ELECTIONS COMMISSION approves the following to have the force of a regulation:

CHAPTER I  
GENERAL PROVISIONS

Article 1  
Scope

The present Regulation establishes the regime applicable to the electoral campaign for the election of the President of the Republic and the Members of the National Parliament.

Article 2  
Object

1. The provisions of the present Regulation shall be mandatory for all candidates, political parties and party coalitions, as well as for all other institutions and individuals.

2. All the candidates, political parties and party coalitions shall have the responsibility to ensure strict compliance with this Regulation by their representatives, members, candidates, leaders, supporters and electoral campaign staff.

### Article 3 Definition

1. Electoral campaign shall mean the legal period during which activities defined as electoral propaganda can be carried out.

2. Electoral propaganda shall mean all the activities directly or indirectly aiming at promoting candidacies of candidates, of political parties or of party coalitions, namely through the publication of texts or images that express or reproduce the contents of such activity.

3. Electoral propaganda materials shall mean posters, flags, pamphlets, texts, television or radio spots, films, and all types of propaganda disseminated orally or visually either through the media or in public, including promotional objects and others, used with the purpose of promoting the candidacies.

### Article 4 Period of Electoral Campaign

1. The electoral campaign period for the election of the President of the Republic shall last 15 days and shall end 2 days prior to the day scheduled for the elections.

2. The electoral campaign period for the election of the Members of the National Parliament shall last 30 days and shall end 2 days prior to the day scheduled for the elections.

3. For the purposes of the preceding paragraphs, no campaigning activity or electoral propaganda, including publication or broadcasting of polls and public opinion surveys, shall be allowed in the two days prior to the polling day.

### Article 5 Person in charge of the electoral campaign

Candidates, political parties and party coalitions shall nominate one person responsible for the campaign who shall ensure the strict compliance with this regulation and liaise with the electoral, civilian, and police authorities.

## CHAPTER II ELECTORAL CAMPAIGN PRINCIPLES

### Article 6 Electoral campaign principles

1. Electoral campaign shall be conducted in due respect for the following principles:
  - a) Freedom of electoral propaganda;
  - b) Equal opportunity and treatment for the different candidacies;
  - c. Impartiality of public entities insofar as candidacies are concerned;
  - d. Transparency and monitoring of electoral accounts.
2. In addition to the principles referred to in the preceding paragraphs, the code of conduct, as approved by CNE, shall guide the behaviour of candidates, political parties and party coalitions in their electoral campaign activities.

### Article 7 Supervisory Organ

The National Electoral Commission, hereinafter referred to as CNE, shall verify the respect for these principles, applicable from the date the polling day was established, and shall adopt measures ensuring their compliance with and the smooth development of the electoral campaign.

## CHAPTER III FREEDOM OF ELECTORAL PROPAGANDA

### Article 8 Freedom of expression

During the period of electoral campaign, no limitation or censorship can be imposed upon the expression of political, economic, social and cultural principles and programs, except where they are contrary to the Constitution and the laws.

### Article 9 Freedom of assembly

1. During the electoral campaign period, candidates, political parties and party coalitions shall be allowed to organize meetings, demonstrations, rallies and parades without prior authorization, as long as they are peaceful and free of weapons.
2. During the electoral campaign, no individual, authority or institution shall be allowed to prohibit or prevent the holding of political campaign activities.

#### Article 10 Presentation of the Calendar of Activities

1. Five working days prior to the beginning of the electoral campaign period, candidacies, political parties or party coalitions shall mandatorily provide CNE with a calendar of activities of their respective campaigns.
2. Where there is a coincidence of venue and time for candidacies, political parties or party coalitions, CNE shall notify the coinciding candidacies, political parties or party coalitions thereof so that an agreement can be reached among them on the venue and time.
3. Where no agreement is reached on the venue and time, CNE shall conduct a draw in order to settle the situation.
4. After a solution has been found, CNE shall inform the police and the respective District Administration thereof.

#### Article 11 Limitation of time

The campaign activities shall only be allowed to take place between eight o' clock a.m. and six-thirty p.m.

#### Article 12 Restrictions

1. The holding of meetings, rallies and demonstrations in public places or places open to the public located in the proximity of places where the headquarters of sovereignty organs are located, official residences of holders of sovereignty organs, military and militarized facilities, prisons, churches buildings, headquarters of diplomatic and consular representations, as well as headquarters of political parties, shall only be allowed at such a distance that prevents them from interfering with their functioning.

2. The distance referred to in the preceding paragraph shall also be observed in relation to the holding of demonstrations near ports, airports, telecommunication facilities, electrical energy production stations, warehouses and facilities for storage of water, fuel and inflammable material.

### Article 13 Prohibitions

1. During the electoral campaign, it shall be forbidden the use of oral or written language which is considered:

- a) To be attempting against the institutions of the State and the unity of the Democratic Republic of Timor-Leste;
- b) To incite violence;
- c) To be defamatory of individuals, candidates, political parties or party coalitions;
- d) To be discriminatory in relation to race, gender, ideology, religious belief, social position and to any other fact that violates human rights.

2. Candidates, political parties and party coalitions shall be prohibited to identify themselves with, or use language relating to, religious beliefs or sects.

3. No electoral propaganda materials shall be allowed to be posted in public buildings, churches and private buildings without prior authorization of the respective owners, in buildings or places considered to be national property, and in places that prevent or make it difficult for road traffic and visibility.

4. Candidates, political parties and party coalitions shall not be allowed to offer gifts or to make promises of rewards to voters, nor to threaten them with reprisals or to intimidate them.

5. There shall be no electoral propaganda materials from anonymous sources, and all materials shall contain the identification of their respective authors.

6. CNE may immediately notify and request the intervention of the competent authorities whenever the language used attempts against the provisions of the present Regulation and the law.

7. CNE shall have the authority to order the removal of any propaganda material that is contrary to the contents of the present Regulation.

8. It shall be strictly forbidden for anyone to carry any type of weapons during electoral campaign activities.

#### Article 14 Symbols and names

Candidates, political parties and party coalitions shall not be allowed to use names or symbols of State Institutions in their activities or in electoral campaign and propaganda materials.

#### Article 15 Removal of electoral propaganda

1. Candidates, political parties and party coalitions shall remove all the materials used during their electoral propaganda campaign within one week from the day immediately after polling day.

2. The provision of the preceding paragraph shall not apply to candidates participating in the second round until such time as the latter is completed.

3. Where the propaganda materials are not removed within the period of time provided for in paragraph 1 above, CNE shall request the competent district and police authorities to remove them.

4. The costs of the operations to remove the electoral propaganda shall be borne by the candidates, political parties and party coalitions that violate the provisions contained in the present article.

### CHAPTER IV EQUAL OPPORTUNITY AND TREATMENT FOR ALL CANDIDACIES

#### Article 16 Impartiality of the public media

The public media covering the electoral process shall observe the principles of impartiality, equality of opportunities and balance, and shall not discriminate against any of the candidates, political parties or party coalitions.

Article 17  
Coverage and contents of the broadcasts

In programs not expressly related with electoral propaganda, the radio and the television stations shall not be allowed to broadcast, either explicitly or implicitly, any party preference, whether through oral or visual messages, by using colours or a symbology which can be easily associated to a certain candidate, political party or party coalition.

Article 18  
Equal access to the media

For electoral propaganda purposes, candidates, political parties and party coalitions shall have equal right of access to radio and television broadcasts and to public and private written press.

Article 19  
Right of broadcast

1. During the electoral campaign period, the radio and television stations shall offer equal broadcasting time to the different candidates, political parties and party coalitions.
2. The radio and television stations shall inform CNE on the planned schedule for the broadcasts at least three days prior to the beginning of the broadcasts.

Article 20  
Distribution of broadcasting time

1. Where several candidates, political parties and party coalitions express the desire to benefit from the broadcasting time at the same time, a draw to establish the order of the broadcasts shall be conducted by the radio or television station in the presence of the candidates, political parties and party coalitions.
2. After the draw has been conducted, the order established will be followed, augmenting by “one” each day of campaign, the candidate, the political party or the party coalition that will initiate the allotment of time on that day.
3. On day one, the candidate, political party or party coalition number one on the draw shall have the first place in the broadcasting time; on day two, the

candidate, political party or party coalition number two in the draw shall have the second place, and so on.

## Article 21

### Fees

1. Fees applicable for the use of broadcasting time shall have to be equal and made public for all the candidates, political parties and party coalitions.
2. Information on the fees shall be communicated by the media to CNE prior to the beginning of the electoral campaign.

## Article 22

### Public venues

1. All candidates, political parties and party coalitions shall be equally entitled to use public venues as long as they comply with the provisions of articles 10 and 11 of the present regulation.
2. Where there is a coincidence in the use of any public venue, CNE shall conduct a draw in the presence of the representatives of the candidacies in case no prior agreement on the matter has been reached by them.

## Article 23

### Polls and opinion surveys

In publishing or disseminating polls and opinion surveys, the following data of the technical file shall be specified: the client identification, the objective of the poll or opinion survey, the sample, the methodology adopted and the company or person responsible for the design and respective execution.

## CHAPTER V

### IMPARTIALITY OF PUBLIC ENTITIES INSOFAR AS CANDIDACIES ARE CONCERNED

## Article 24

### Public entities

Public entities shall refer to any institution of the Democratic Republic of Timor-Leste defined as such by the legislation in force.



## Article 25

### Civil servant

Civil servant shall mean a person who is recruited and appointed for a permanent position in the Public Administration corresponding to specific duties and rights in accordance with Law No. 8/2004 of 16 June.

## Article 26

### Other staff with civil servant responsibilities

For electoral campaign purposes, any individual who is not a civil servant, but who renders services to a State institution, such as functionaries of the Justice sector, judges, prosecutors, public defenders, members of the Defence Force of Timor-Leste and members of the National Police of Timor-Leste, shall be equally covered by the present Regulation.

## Article 27

### Principle of impartiality

1. Holders of public office, civil servants, political appointee staff, and other staff with public office responsibilities shall respect the principle of equality of citizens before the law.
2. In the exercise of their functions, the entities referred to in the preceding paragraph shall act with total impartiality insofar as all candidacies are concerned and shall refrain from participating and conducting any electoral propaganda activity.

## Article 28

### Use of State owned public assets and property

1. The use of public assets, notably facilities, materials, vehicles, financial and human resources, information as well as any other item of property belonging to the State for purposes of electoral campaign and propaganda shall be absolutely prohibited.
2. The use of assets belonging to third parties having any contract relationship or concession with any public entity shall also be prohibited.

## CHAPTER VI

### TRANSPARENCY AND MONITORING OF ELECTORAL ACCOUNTS

## Article 29

### Financing of the electoral campaign

1. Electoral campaign financing sources of candidates, political parties and party coalitions shall comprise their own revenues and revenues resulting from private funding.
2. The following shall be considered one's own revenues:
  - a) Quotas and other contributions from party members;
  - b) Contributions made by individuals supporting the candidacy;
  - c) The proceeds from fund-raising activities organized by the candidate, political party or party coalition;
  - d) Funds resulting from the party's earnings;
  - e) Candidates' own funds;
  - f) Loans.
3. The following shall be considered private financing revenues:
  - a) Donations from individuals made in accordance with the Law on Political Parties;
  - b) Inheritance or legacies;

## Article 30

### Forbidden financing

It shall be forbidden for candidates, political parties and party coalitions to accept cash donations from:

- a) Public companies;
- b) Companies whose capital belongs exclusively or mainly to the State;
- c) Public services concessionaire corporations;
- d) Public utility corporate bodies or corporate bodies dedicated to beneficent or religious activities;

- e) Professional associations, unions, or employer's associations;
- f) Foundations;
- g) Governments or foreign corporate bodies.

### Article 31 Financial Regime

Candidates, political parties and party coalitions shall have organized and separate accountancy for the electoral campaign for their expenditures and revenues so that one can know their financial status and verify the fulfilling of the obligations provided for in law.

### Article 32 Publicity of the electoral campaign accounts

1. Candidates, political parties and party coalitions shall submit the accounts of the electoral campaign to CNE, which shall verify them within 30 days following the polling day.
2. The accounts shall register all movements from the date the polling day was published until two days after the polling day.
3. The accounts of the candidates, political parties and party coalitions relating to the electoral campaign shall be published free of charge at the Official Gazette along with the opinion of CNE within 45 days from the date of their receipt by CNE.
4. CNE shall verify the accounts within 30 days.
5. CNE may hire external specialists to assist it in such task.

### Article 33 Management of the accounts

1. The management of the accounts of candidates, political parties and party coalitions shall observe the rules of a proper accountancy and include, particularly, the following:
  - a) The breakdown of the proceeds, which includes those provided for in the article on the financing of the campaign;

- b) The breakdown of the expenses, which includes:
- Expenses with personnel;
  - Expenses with procurement of goods;
  - Expenses with acquisition of services;
  - Financial charges with loans;
  - Other expenses related to the activities of the candidate, the political party or the party coalition.
- c) The breakdown of the capital operations referring to:
- Investments
  - Debtors and creditors.
2. The information referred to above shall refer exclusively to the electoral campaign.
3. With the purpose of carrying out a transparent follow-up of the management of the accounts, candidates, political parties and party coalitions shall open specific accounts in a bank of their choice.
4. All the movements in these accounts shall be documented, and no payment in excess of USD 100 shall be allowed to be made.
5. Candidates, political parties and party coalitions shall inform CNE of the details of their bank accounts and shall submit the respective balance sheets.

## CHAPTER VII SETTLEMENT OF ELECTORAL CAMPAIGN DISPUTES

### Article 34 Claims

1. Candidates, political parties and party coalitions whose campaign rights are affected may file claims with CNE.
2. CNE shall establish a claims examination system based on a specific regulation of procedure to be approved by it.

## CHAPTER VIII ELECTORAL OFFENCES

### Article 35 Illicit Electoral propaganda

Illicit electoral propaganda shall refer to those contained in the Criminal Code in force.

### Article 36 Notification of electoral violations

CNE shall notify the Public Prosecution Service of any act that comes to its knowledge susceptible of constituting an electoral offence.

## CHAPTER IX FINAL AND TRANSITIONAL PROVISIONS

### Article 37 Silent cases

1. The provisions contained in the Law on Political Parties and in the Juridical Regime for the Financing of Political Parties shall apply to all matters not contemplated in Chapter VI of the present Regulation.
2. The other silent cases shall be settled pursuant to the applicable legislation.

### Article 38 Entry into force

The present Regulation shall enter into force on the day following its publication in the Official Gazette.

Regulation proposed by STAE  
Dili, 7 October 2011

Tomás do Rosário Cabral  
Director-General

**REGULATION ON THE ELECTORAL CAMPAIGN FOR  
PRESIDENTIAL AND PARLIAMENTARY ELECTIONS**

Approved in Dili on 28 November 2011

**By the National Electoral Commission – CNE**

No.	Name	Signature
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10	Deolindo dos Santos	
11	Vicente Fernandes e Brito	
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13	Padre Martinho Germano da Silva Gusmão	
14	Arif Abdullah Sagan	
15	Manuela Leong Pereira	