

**No. 04/STAE/X/2011**

**REGULATION ON THE VOTING, COUNTING AND RESULT  
TABULATION PROCEDURES FOR THE PRESIDENTIAL AND  
PARLIAMENTARY ELECTIONS**

Defining the voting, counting and result tabulation procedures is essential in order for the presidential and parliamentary elections to take place in a transparent, fair and democratic manner, thereby ensuring that candidates, electoral officers, delegates of candidacies, observers, and, in particular, the voting citizens, understand the electoral process underway and successfully ensure compliance with all acts inherent to the electoral process.

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, combined with article 67 of Law No. 7/2006 of 28 December as amended by Law No. 7/2011 of 22 June, and to article 77 of Law No. 6/2006 of 28 December as amended by Law No. 8/2011 of 22 June, the NATIONAL ELECTORAL COMMISSION approves the following to have the force of a regulation:

**CHAPTER I  
SCOPE AND CONTENT**

Article 1  
Scope

The present regulation shall apply to the election of the President of the Republic and the Members of the National Parliament and shall govern the respective voting, counting and result tabulation processes in the national territory.

Article 2  
Content

The following matters shall be specifically regulated:

- a) Organisation of voting centres;
- b) Composition, competencies and functioning of voting centres;
- c) Voting procedure and respective operations;
- d) Voting station closing procedure;

- e) Vote counting procedure and initial, district and national results tabulation;
- f) Voting freedom guarantee;

## CHAPTER II ORGANISATION OF VOTING CENTRE

### SECTION I VOTING CENTRE

#### Article 3 Definition

Voting centre is the place where the elector votes and may consist of one or more voting stations.

#### Article 4 Sites

1. Each suco headquarters shall include at least one voting centre, with the Technical Secretariat for Electoral Administration – STAE – having authority to determine the establishment of additional voting centres, depending on the number of voters or the distance between the villages making up the suco, always safeguarding, during the entire electoral process, the regular exercise of the right to vote as well as its secrecy nature.
2. Each voting centre may include more than one voting station, in conformity with the prerequisites referred to in the preceding paragraph.

#### Article 5 Divulcation of the sites

1. The list containing the total number of voting centres and respective locations shall be forwarded to CNE one week prior to the deadline for its publication in the Official Gazette.
2. After receiving the list referred to in the preceding paragraph, CNE shall notify STAE within a maximum of five days so that the latter, where deemed necessary, propose the increase or the alteration of the sites of the voting centres and voting stations, pursuant to the electoral laws.

3. STAE, within thirty days prior to the election day, shall publish the complete list of the sites of the voting centres and voting stations in the Official Gazette and shall forward a copy of such information to CNE and subsequently ensure its dissemination through the media.

4. Each voting centre shall be assigned a code made up of five digits and each voting station shall correspond to a code made up of nine digits, with the first five digits representing the code of the voting centre and the last four digits representing the number of the respective voting station, thereby enabling the individual identification of each voting centre and voting station.

5. The codes shall be mentioned in the ballot boxes, the lists of voters, as well as in the minutes on the functioning, counting and tabulation of votes.

#### Article 6 Installation of voting centres

1. The voting centres and voting stations shall be installed in public buildings, preferably public schools, offering safety conditions for, and access to, voters.

2. Should there be no public buildings offering the conditions referred to in the preceding paragraph, STAE shall that suco headquarters or community centre be made available for installing voting centres.

3. Should it be impossible to ensure the locations provided for in this article, STAE shall make available a facility where the voting centre and respective voting stations may be installed.

#### Article 7 Forbidden locations

Voting centres or voting stations shall not be installed in the following places:

- a) Police units;
- b) Military units;
- c) Residence of traditional chief;
- d) Private residences;
- e) Building belonging to a political party;

- f) Place of worship or meant for worship;
- g) Hospital or any building linked to health services, without prejudice to the access on the part of the ambulant voting teams, pursuant to paragraph 5 of article 34 and article 43 of the present regulation.

#### Article 8

##### Divulgence of the voting place

1. Voters shall mandatorily vote in the suco indicated as the one pertaining to their geographic area of registration and determined on the basis of the data contained in their respective voting card.
2. For the purposes of the preceding paragraph, STAE shall divulge the list of voters per suco and each voter shall be distributed a ticket containing the number inscribed on the list of voters, which will enable to confirm the voting place and facilitate the electoral procedure on voting day.
3. The divulgence shall take place during a period of seven days from the date of the publication in the Official Gazette of the places for the functioning of the voting centres.

#### Article 9

##### Support to electoral activities

It shall be incumbent upon district and sub-district administrators to provide every logistic support required by the local STAE services during the entire electoral process and to undertake the necessary measures with a view to mobilising the voters on voting day.

#### Article 10

##### Working hours

1. On voting day, voting centres and voting stations shall work uninterruptedly from 07:00 a.m. to 15:00 p.m.
2. After 15:00 only the voters who have already joined the queue will still be allowed to vote; this is verified by the queue controller and reported to the secretary of the respective voting station.

### SECTION II

#### COMPOSITION OF VOTING CENTRES AND VOTING STATIONS

Article 11  
Electoral officers

Electoral officers shall refer to national citizens who, having been previously selected by STAE, ensure the functioning of the voting centres and voting stations during the electoral process.

Article 12  
Requirements for the selection of electoral officers

1. Only national citizens who can read and write may become electoral officers and they shall be selected from among local citizens.
2. No one may be compelled to exercise the functions of an electoral officer against their free and express will.
3. Citizens short-listed for exercising the functions of electoral officers shall be submitted to a training to be administered by STAE prior to exercising such functions.

Article 13  
Training of electoral officers

1. The training of electoral officers referred to in article 12 above shall be administered pursuant to terms to be defined by STAE and shall be monitored by CNE.
2. The representatives as well as the delegates of the candidacies, including the observers so appointed, shall also follow-up and observe the training without however any right to intervene.
3. Once the training has been completed, the Director-General of STAE shall forward the complete list of the electoral officers considered to be capable of performing the respective functions and shall order the posting of a Notice containing such information on the door of the building headquartering STAE as well as on the STAE district headquarters.
4. The electoral officers shall not initiate their functions until they sign a statement of commitment under which they commit themselves to keep secrecy over facts, information and electoral procedures that come to their knowledge in the exercise of their functions.

5. The statement of commitment referred to in the preceding paragraph shall be prepared by STAE and shall bind the electoral officer up until the completion of the relevant electoral process.

#### Article 14

##### Rights and duties of electoral officers

1. On election day, and throughout their activity, electoral officers shall be exempted from appearing at their respective work places without prejudice to their rights, namely the right to full wages, for which purpose they shall present a certificate issued by STAE.

2. In the exercise of their competencies electoral officers shall be bound to accomplish the following duties:

- a) Attend the training provided by STAE;
- b) Be neutral and impartial insofar as all candidacies are concerned;
- c) Ensure secrecy as regards any information that comes to their knowledge;
- d) Diligently execute their tasks up until the completion of the voting process and the tabulation of results.

3. Non-compliance with the duties on the part of electoral officers shall imply their accountability pursuant to the criminal law.

#### Article 15

##### Composition of voting centres and voting stations

1. Each voting centre shall be led by a chairperson, normally nominated by a brigadist, who shall answer for the voting centre and corresponding voting stations.

2. Each voting station shall be composed of:

- a) One secretary, responsible for the voting station, who coordinates the works of the other electoral officers of the respective voting station;
- b) Four identification verification officers;
- c) One ballot paper control officer;

- d) One ballot box control officer;
- e) One indelible ink control officer;
- f) Two queue control officers.

3. For the constitution of the table on election day, should the replacements provided for in the present regulation not be possible, the voting station shall require a minimum of six electoral officers to be able to operate.

### Article 16 Presiding officer of the voting centre

It shall be incumbent upon the presiding officer of the voting centre, commonly referred to as brigadista, to:

- a) Ensure the smooth functioning of the voting centre and respective voting stations, pursuant to the law, the regulations and the codes of conduct in force;
- b) Provide technical assistance to the voting centre and respective voting stations;
- c) Use the casting vote power on decisions to be made by the chair whenever there is a tied vote;
- d) Assess whether the necessary conditions are met to resume electoral operations that may have been interrupted following an abnormal situation, a natural disaster, or a disturbance in the public order;
- e) Request the presence of forces for maintaining public order and suspend electoral operations in case of turmoils, aggressions or violence that may occur either in the voting centre or in its surroundings;
- f) Order the withdrawal of the forces for maintaining public order where their presence is no longer justified;
- g) Order the posting of the lists of candidacies on the entrance hall of every voting station;
- h) Direct the counting of votes at the voting centre;
- i) Sign the minutes containing the counting of the votes at the voting centre;

- j) Organise the agents of candidacies who will sign the minutes of the electoral process;
- k) Forward the ballot boxes to the district tabulation assemblies;
- l) Exercise other functions assigned to him/her by law or regulation.

Article 17  
Secretary of the voting station

It shall be incumbent upon the secretary of the voting station:

- a) To declare the voting station open and verify the identity and the credentials of the electoral officers, delegates of candidacies, observers and media professionals;
- b) To direct the verification procedure of the voting boots and the working documents at the voting station;
- c) To show the empty ballot boxes to the oficiais da mesa, fiscais das candidaturas, observers and voters present, asking immediately after that one of the identification officers and the ballot paper control officer to seal the ballot boxes and registering the numbers of the respective seals;
- d) To order the posting at the voting station, in a visible place, of the edital containing the composition of the chair of the voting station;
- e) To ensure the freedom of vote of all voters;
- f) To ensure the maintenance of order at the voting station so as to guarantee the smooth functioning of the electoral operations;
- g) To order the departure from the voting station of the citizens who cannot cast their vote in that voting station or who have already cast their vote;
- h) To bar the entrance at the voting station of voters who are manifestly under the influence of alcohol or stupefacients or who are the holders of any type of blunt object;
- i) To prohibit any type of propaganda within the voting station and up to a distance of one hundred meters;



- j) To authorise, at the request of the voter, the handover of a new ballot paper because the voter made a mistake when filling it or because he or she inadvertently has deteriorated it, with such occurrence being mentioned in the respective minutes;
- k) To stamp the word “cancelled” on the returned ballot paper by signing it and keeping it in the respective envelope;
- l) To provide the necessary clarifications, at the request of the voter and in the presence of the oficiais da mesa, dos fiscais das candidaturas and the electoral observers on the voting procedure, without however influencing the voting option;
- m) To ask the fiscais das candidaturas whether they have claims to submit and receive them, if any, as well as the protests that may exist;
- n) To sign the protests referred to in the preceding paragraph together with all the officers at the voting station;
- o) To exercise any other functions as may be assigned by law or regulation.

Article 18  
Identification officer

It shall be incumbent upon the identification officer to:

- a) Identify the voter by examining the updated voter registration card or, where it is not available, the Timorese identity card or passport also updated;
- b) Verify whether the voter meets the legally required requisite of having completed a minimum of 17 years of age by the election day;
- c) Inspect the hands of the voter to ensure that he or she has not already cast their vote in the relevant election;
- d) Examine whether the voter registration card is updated and whether the name of the voter is contained in the list of voters for the suco where the voter intends to cast his or her vote;
- e) Inform the ballot box control officer whether the voter is entitled to a ballot paper;

- f) Exercise any other functions as may be assigned by law or regulation.

Article 19  
Ballot paper controller

It shall be incumbent upon the ballot paper controller to:

- a) To stamp and sign the back of the ballot paper;
- b) Hand over the ballot paper to the voter;
- c) Show and direct the voter to the voting booth;
- d) Hand a new ballot paper to the voter, at his/her request, in case of deterioration or mistake committed when filling it;
- e) Inform the secretary of the voting station on the invalidation of the first ballot paper as described in the preceding paragraph;
- f) Exercise any other functions as may be assigned by law or regulation

Article 20  
Ballot box controller

It shall be incumbent upon the ballot box controller to:

- a) Ensure the safeguard and security of the ballot box;
- b) Ensure that the voter places only one ballot paper inside into the ballot box;
- c) Exercise any other functions as assigned by law or regulation.

Article 21  
Indelible ink application controller

It shall be incumbent upon the indelible ink application controller to:

- a) To mark the right index finger of the voter with indelible ink up to the cuticle after the voter has exercised his/her right to vote and certify that the indelible ink on the right index finger of the voter has dried;

- b) Where it is not possible to mark the right index finger, the ink application controller shall choose another finger of the right hand or, where it does not exist, of the left hand;
- c) Ask the voters to leave the voting station after they have cast their vote;
- d) Exercise any other functions as may be assigned by law or regulation.

Article 22  
Queue controlling officer

It shall be incumbent upon the queue controlling officer to:

- a) Organise the voters waiting to cast their vote in a queue so that only authorised people enter the voting station;
- b) Ask the voters to have on their hands their updated voter registration card, or a substitute document thereof, to show the identification officers;
- c) At 15:00 hours on voting day, verify who is the last voter in the queue so that no one else is allowed to vote, pursuant to the law;
- d) Exercise any other functions as may be assigned by law or regulation.

Article 23  
Incompatibilities

The following cannot be designated as electoral officers:

- a) The President of the Republic;
- b) The Members of Parliament;
- c) The Members of Government;
- d) The Members of Falintil-Timor-Leste Defence Force, hereinafter referred to as F-FDTL, and Members of the Timor-Leste National Police, hereinafter referred to as PNTL;
- f) Judicial and Public Prosecution Magistrates;
- g) Religious authorities;

- h) The members of CNE;
- i) The Provedor for Human Rights and Justice and respective deputies;
- j) Electoral candidates;
- k) Candidacies representatives.

#### Article 24

#### Replacement of electoral officers

1. If, on election day, and until 30 minutes before the time scheduled for the opening of the voting station, it has not been possible to form the table by reason of absence of all the electoral officers indispensable for the regular functioning of the voting station, the presiding officer of the respective voting centre shall appoint replacements from among local electors of recognized capacity.
2. If, after the table of the voting station has been formed and the electoral works are already underway, one of the officers is found to be absent, the presiding officer shall replace him or her by any present voter of recognized capacity following the agreement of the majority of the electoral officers and candidacies representatives in attendance.
3. Should the presiding officer of the voting centre be absent, he or she shall be replaced by the secretary of the first voting station of the respective voting centre which, in turn, is to be replaced by one of the identification officers of the respective voting station.
4. After the replacement, the designation of the absent electoral officers is considered void, and the presiding officer of the voting centre shall report their names to STAE.
5. All replacements must be expressly indicated in the minutes.

#### SECTION III

#### FISCAIS DAS CANDIDATURAS, ELECTORAL OBSERVERS AND MEDIA

#### Article 25

#### Candidacies, political parties and party coalitions representatives

For the purpose of the present regulation, candidacies, political parties and party coalitions representatives shall refer to representatives nominated by the them to the electoral act who are duly accredited to follow-up the relevant electoral process.

#### Article 26 Electoral observer

For the purpose of the present regulation, electoral observer shall refer to an individual who represents a national or international organisation and requests his or her registration as such with STAE and is accepted by the latter in order to follow-up the relevant electoral process.

#### Article 27 Media

For the purpose of the present regulation, media shall refer to written press, radio broadcast and television stations, either public or private, accredited by STAE to cover the electoral process in Timor-Leste.

#### Article 28 Accreditation and training

1. Candidacies, political parties and party coalitions representatives, electoral observers and the media shall seek accreditation with STAE.
2. On a date to be communicated by STAE, candidacies, political party and party coalitions representatives shall undergo a training administered by STAE in order to be familiar with their rights and duties in the framework of the electoral process.
3. Candidacies representatives shall:
  - a) Represent the candidacy, political party or party coalition which nominated them at the voting centre indicated in their credentials in accordance with the code distributed to them;
  - b) Sign the minutes of the electoral operations, with such signature being limited to only one representative per candidacy;
  - c) Present claims, in writing, in case any irregularity occurs.

4. For the purpose of paragraph 1 of this article, the respective regulations and codes of conduct shall be proposed by STAE and approved by CNE.

### CHAPTER III BALLOT PAPER

#### Article 30 Definition

A ballot paper is a paper printed in an appropriate manner by an official entity through which the voter expresses his or her vote.

#### Article 31 Characteristics

The ballot paper shall have a rectangular form, with an appropriate dimension to enable the inclusion of the indication of all the candidacies or political parties and party coalitions and shall be printed on a white, plain and non-transparent sheet of paper.

#### Article 31 Elements contained in the ballot paper

1. For the presidential elections, each ballot paper shall contain the names of the candidates and respective coloured photos, as well as the symbol freely chosen by the candidates, laid down horizontally, one below the other, following the order as drawn pursuant to the law.
2. For the parliamentary elections, each ballot paper shall contain the names of the political parties or party coalitions competing in the election, as well as the respective coloured symbols, laid down horizontally, one under the other, following the order as drawn.
3. There shall be a box in the line corresponding to each candidacy which shall be perforated by the voter with a nail in order to express his or her vote.
4. The model of the ballot paper shall be approved by CNE on proposal of STAE.

#### Article 32 Rejected ballot paper

1. Rejected ballot paper shall refer to a ballot paper that has been lost or left outside of the ballot box by the voter.
2. Rejected ballot paper shall also refer to a non-utilised ballot paper found inside the place where the voting table is stationed, in which case the secretary of the voting station shall be immediately informed of the occurrence.
3. The rejected ballot paper shall be stamped as cancelled and shall not be considered for purposes of counting and tabulation of electoral results.

### Article 33 Cancelled ballot paper

1. Cancelled ballot paper shall refer to the ballot paper damaged or erroneously perforated by the voter.
2. A voter who damaged his or her ballot paper may request another ballot paper from the ballot paper controller who, after informing the secretary of the voting station of the occurrence, shall stamp or write “cancelled” on the front side of the ballot paper in the presence of the delegates of candidacies and the electoral observers.
3. Where the situation referred to in the preceding paragraph occurs, the ballot paper controller shall hand over a new ballot paper to the voter and shall direct him or her to the voting booth so that he or she can exercise the right to vote.
4. Each voter shall only have access to two ballot papers and no third ballot paper shall be handed over to the voter should the circumstances referred to in paragraph 1 above reoccur.

## CHAPTER IV VOTING PROCEDURE

### SECTION I GENERAL RULES

#### Article 34 Right and duty to vote

1. Voting is a civic right and duty of every citizen fully enjoying their civil and political rights.

2. People in charge of public or private companies working on voting day shall grant their respective workers leave of service without prejudice to their right to remuneration.

3. Functionaries and agents of the State who work on voting day in the framework of the electoral process shall exercise their right to vote in the geographical area in which they work.

4. For the purposes of the preceding paragraph, employing entities of functionaries providing services on voting day shall submit to STAE, within twenty days prior to the day designated for the election, a complete list containing the names of their functionaries, the photocopies of the respective voting cards and a reference of the Sucos where the functionaries will be providing their services.

5. Voters admitted in hospitals or prisons with updated voting cards or, in the absence of voting cards, Timorese updated identity cards or passports, shall have the possibility to exercise their right to vote through a mobile voting system.

#### Article 35

##### Freedom and secrecy of the vote

1. Voting is exercised freely and no one may be forced to reveal, inside or outside the voting station, who they voted or will vote on.

2. The voting booth shall be positioned in a way as to ensure the secrecy of the vote.

#### Article 36

##### Voting by handicapped voter

Voters who are blind or suffer from a physical illness or disability that prevents them from voting on their own may be accompanied by another voter chosen by them who is obliged to maintain secrecy about their choice.

#### Article 37

##### Continuity of electoral operations

Voting shall take place uninterruptedly and in accordance with a working schedule established in the present regulation.

#### Article 38

##### Interruption of the electoral operations



1. Electoral operations may only be interrupted in the following cases, on pain of the voting being considered null:

a) Occurrence of a serious disturbance of the public order that affects the freedom to vote and the normal functioning of the electoral works at the voting centre and the voting station;

b) Occurrence of a serious disaster.

2. The electoral operations shall only be resumed after the presiding officer of the voting centre has verified that conditions exist for the voting process to proceed smoothly.

## SECTION II OPERATIONS TO TAKE PLACE PRIOR TO THE VOTING

### Article 39 Working materials

STAE shall ensure that every voting station is supplied with the necessary voting materials, notably those listed in Annex I, which is an integral part of the present regulation.

### Article 40 Preliminary operations

1. Voting centres and voting stations shall open at 07:00 on the day scheduled for the election once the table of the voting station has been established.

2. For all operations to be considered valid, the table of the voting station shall be established at the time indicated in the preceding paragraph.

3. Electoral officers shall report to the place of the voting station one hour before in order to prepare all the necessary materials, thereby enabling the beginning of electoral operations at the time established by law.

4. The secretary of the voting station shall declare the opening of the voting station and shall verify the identity and credentials of the other electoral officers, delegates of candidacies and electoral observers.

5. It shall also be incumbent upon the secretary of the voting station to order the posting, in a visible place, of the list containing the composition of the table and the candidacies admitted for the election.

6. The secretary of the voting station shall also, together with the electoral officers, verify the voting booths and the working documents of the voting station in the presence of the delegates of candidacies and the electoral observers.

7. Subsequently, the secretary of the voting station shall show the empty ballot boxes to the officers composing the table, the delegates of candidacies and the attending observers, to one identification controller and to the ballot paper controller, and shall read aloud the numbers contained in the seals on the ballot box so as to register them in the minutes of the electoral operations.

### SECTION III VOTING OPERATIONS

#### Article 41 Voting order

1. Voters shall cast their vote by order of arrival at the voting centre or voting station and shall organise themselves in a queue.

2. The secretary of the voting station shall give priority to voters charged with electoral services, with protecting and providing security to the voting centre, to people clearly ill, and to those physically disabled, to pregnant women, and to medical or paramedical personnel.

#### Article 42 Voting procedure

1. The voter starts by identifying himself or herself through the updated voter registration card (new, non-perforated model), which is examined by one of the identification officers, in order to confirm whether it is contained in the list of voters of that geographic area of registration.

2. Where the voter is not in the possession of the voter registration card on the election day, he or she may exercise the right to vote by presenting the Timorese identification card or passport, as long as his or her data are contained in the list of voters pertaining to that geographical area of registration.

3. Once identified in the list of voters, the name of the voter shall be crossed, a fact indicating that such voter has already exercised his or her right to vote.

4. Where the voter is not contained in the lists of voters of the suco where he or she intends to vote, but he or she is the holder of an updated voting card corresponding to that geographical area of registration, he or she shall be included in the Additional List of Voters, in which the following data shall be registered:

- a) Name of the relevant voter;
- b) Number of the voting card;
- c) Complete address;
- d) Signature of the voter.

5. The identification controller shall also verify if the voter is 17 years of age on the election day and whether the hands of such voter do not present signs of indelible ink, thereby confirming that he or she has not voted yet.

6. Subsequently, the voter is given a ballot paper stamped and signed on the back by the ballot paper controlling officer.

7. After that, the voter shall proceed to the voting booth and shall exercise his or her right to vote by perforating in the ballot paper the square corresponding to the chosen candidacy, political party or party coalition, upon which he or she shall fold the ballot paper in four and return to the table where the ballot box is located and introduce the ballot paper in it.

8. Where the voter commits a mistake while filling in the ballot paper or damages it, he or she may request another ballot paper from the ballot paper controller, returning the first ballot paper, which shall be initialled and cancelled by the secretary of the voting station with the stamp "Cancelled" posted on the front side of the ballot paper.

9. Once the voter has cast his or her vote, the indelible ink controller shall mark the right index finger of the voter in such a manner as to stain the cuticle so as to ensure that the voter exercises his or her right to vote only once.

10. Where it is not possible to mark the right index finger of the voter, the indelible ink controller shall choose another finger of the same hand and, in the absence of this, of the other hand.

11. After voting, the voter shall abandon the voting station, except where he or she intends to present a claim or protest.

12. The functionaries and agents of the State who provide services on election day in the framework of the electoral process shall exercise their right to vote in the geographical area where they are providing their services.

13. For the purposes of the preceding paragraph, each voting station shall have a list of the voters in the exercise of their functions. Such list shall be issued within twenty days prior to election day and shall be prepared pursuant to, and in accordance with, information received from STAE.

#### Article 43

##### Voting procedure at the ambulant voting station

1. Voting stations with ambulant teams shall move around in accordance with the operational plan defined by STAE.

2. For purposes of preparing and implementing the operational plan referred to in the preceding paragraph, the directorates of health institutions and prisons shall forward to STAE, within twenty days prior to the date designated for the election, a proposal of timetable for the purposes of exercising the right to vote in the respective facilities, and such proposals shall be communicated to, and subject to approval by, CNE pursuant to the applicable law.

3. The ambulant voting teams shall carry with them already sealed ballot boxes and in a number deemed sufficient for the collection of the votes, the ballot papers, the book of the voting station and other materials necessary to the exercise of the right to vote.

4. For the purposes of the preceding paragraph, sealing of the ballot boxes shall take place at the voting station of the respective voting centre.

5. During all operations inherent to the ambulant voting process, the ballot boxes shall remain sealed.

6. The secretary of the voting station identified as an ambulant voting station shall only break the security seal of the ballot box at the relevant voting centre and at the time of counting and tabulation of electoral results.

7. For the purpose of collecting votes from voters admitted in hospitals, the ballot box shall be taken by electoral officers from bed to bed, thereby enabling admitted patients to cast their vote, in accordance with the relevant provisions of the present regulation and respective adaptations, using the list of ambulant voters, without prejudice to the mandatory presentation of the updated voting card and, in the absence of it, of the updated Timorese identity card or passport.

8. For the purpose of collecting votes from prisons, the ballot boxes shall be located in a place determined by the prison director, thereby enabling the inmates to cast their vote in accordance with the present regulation and respective adaptations, using the list of ambulant voters, without prejudice to the mandatory presentation of the voting card and, in the absence of it, of the updated Timorese identity card or passport.

9. Once the operations of the ambulant voting team have been completed, the team shall return to the respective voting station in order to close the activities and the counting of votes and tabulation of results shall be undertaken in simultaneous with the remaining voting stations of the relevant voting centre.

#### Article 44

##### Doubts, claims and protests

1. Any voter or delegate of candidacy may, during the period of the functioning of the voting station, raise doubts on the unfolding of the electoral process and present claims or protests relating the electoral operations.

2. Doubts, claims and protests presented during the voting or after its closure shall be analysed immediately by the electoral officers who may consult STAE where the situation so justifies.

3. Claims shall be the object of a decision by the electoral officers and approved by a minimum of six of them.

4. The decisions shall be communicated to the claimers who, if so interested, may file a claim with CNE through the same voting centre or voting station where the issue has been raised. The claim shall be accompanied by every documentation relating to the relevant voting centre or voting station.

#### Article 45

##### Closure of the voting

1. Acceptance of voters in the queue to vote in the voting station shall end at 15:00 hours.

2. After 15:00 hours only the voters who have already joined the queue shall be allowed to vote.

3. The secretary of the relevant voting station shall declare the closure of the voting as soon as all registered voters have cast their vote or, after 15:00 hours, as soon as all voters present in the queue of the voting station have cast their vote.

## CHAPTER V COUNTING AT THE VOTING CENTRE

### Article 46 Initial tabulation assembly

The initial tabulation assembly shall start its works of counting and tabulating the electoral results immediately after the closure of the voting centre and respective voting stations.

### Article 47 Opening of ballot boxes

1. After the closing of the voting process and after the doubts, protests and claims have been settled, the secretary of the voting station shall count the unused ballots and mark them with the “unused” stamp.

2. The secretary of the voting station shall also count the cancelled ballot papers and register such fact by marking such ballot papers with the “cancelled” stamp.

3. Once the unused and cancelled ballot papers have been counted, their total shall be registered in the minutes and kept in the envelopes for “unused ballot papers” and for “cancelled” ballot papers, respectively.

4. It shall incumbent upon the secretary of the voting station to count the number of voters registered in the list of voters of the Suco and who cast their vote, registering such data in the minutes.

5. The secretary of the voting station, assisted by the other electoral officers, shall carry the ballot boxes, the minutes on the functioning of the voting station, and the electoral materials referred to in the preceding paragraphs up until the place chosen by the presiding officer within the voting centre so that the counting of votes and the tabulation of results can take place.

6. For the purposes of the preceding paragraph, the presiding officer of the voting centre shall choose the most appropriate and roomy place inside the respective voting centre in order to enable the delegates of candidacies, political parties and party coalitions and the electoral observers to follow-up the works and the tabulation of the electoral results.

7. Prior to opening the ballot box, the presiding officer of the voting centre shall read aloud the number of security seals and shall ask the delegates of candidacies to verify the numbers of the seals on the ballot box.

8. The ballot box shall be open in the presence of the electoral officers, delegates of candidacies, political parties and party coalitions and other citizens in attendance.

#### Article 48 Counting of votes

Counting of votes shall take place without interruption and shall observe the following procedure:

a) Once the ballot box is open, the presiding officer shall remove the ballot papers from the box, unfold them, place them with their backs up, verify whether they are duly stamped and signed, count them and register their respective number in the minutes;

b) The presiding officer shall then mix up all the ballot papers from the voting stations and separate them in groups of fifty;

c) Subsequently, the presiding officer shall read aloud the votes, showing each vote to those in attendance and separate the valid votes by candidacy, political party and party coalition into groups, as well as the null and blank votes;

d) After that, the null votes and the blank votes, if any, shall be stamped and counted;

e) Subsequently, the valid votes by candidacy, political party or party coalition shall be counted;

f) Any doubts and protests relating to counting shall be decided upon by a majority vote of at least six electoral officers.

- g) After the doubts and protests have been decided upon, where the complainant does not agree with the decision, they shall have the right to file a claim, in accordance with the form available at the voting station and keeping a copy thereof;
- h) Where claims are presented, their originals shall be introduced, together with the claimed ballot papers, in the envelope for “claimed ballot papers”.
- i) Once the counting of the valid votes has been completed, the claimed votes, if any, shall be counted.

Article 49  
Valid vote

A vote shall be considered valid whenever the ballot paper contains the intention of the voter is reflected in the vote in a clear and unequivocal manner, as long as the perforation is made inside the rectangle identifying the candidacy, political party or party coalition chosen by the voter.

Article 50  
Blank vote

A blank vote shall refer to a vote that corresponds to a ballot paper that has not been perforated by the voter.

Article 51  
Null vote

- 1. A null vote is a vote where the ballot paper:
  - a) Has been perforated in more than one square or where there are doubts on the square that has been perforated;
  - b) Has been perforated in a square corresponding to a candidacy, political party or party coalition that withdrew from the elections or that has not been admitted to participate in the election;
  - c) That features any cut, drawing or erasure, or where any word has been written;
  - d) That features any mark that allows the identification of the voter.



2. In those cases where the perforation exceeds the limit of the rectangle of the chosen candidacy, but the will of the voter and the perforation does not reach the space intended for another candidacy, political party or party coalition, the ballot paper shall not be considered null.

## Article 52 Minute drafting

1. Once the valid votes are counted and checked by candidacy, political party or party coalition, the results shall be noted in the minute and in the envelopes identified as “valid votes” where the ballot papers are inserted as separated by each of the candidacies, political parties and party coalitions participating in the election.

2. Once the blank votes have been stamped, counted and checked, the results shall be noted in the minutes and the ballot papers shall be inserted in the envelope shall be identified as “blank votes”.

3. Once the null votes, if any, have been counted, checked and stamped, the results shall be noted in the minutes and the ballot papers shall be inserted in an envelope identified as “Null votes”.

4. Once the claimed votes, if any, have been counted, checked and stamped, the results shall be noted in the minutes and the ballot papers shall be inserted in an envelope identified as “Claimed votes”, together with the presented claims and protests.

5. Once the cancelled ballot papers, if any, have been counted, checked and stamped, the results shall be noted in the minutes and the ballot papers shall be inserted in an envelope identified as “Cancelled ballot papers”.

6. Once the unused ballot papers have been counted, checked and stamped, the results shall be noted in the minutes and the ballot papers shall be inserted in an envelope identified as “Unused ballot papers”.

7. The envelopes shall be sealed and shall indicate the number of ballot papers they contain, the respective voting centre and voting station, including the relevant codes, as well as Suco, Sub-District and District to which they pertain.

8. The minutes shall also include the number of security seals of the ballot box, the location and the code of each voting station, the opening and closing schedule for the voting, the name of the electoral officers and delegates of

candidacies, political parties and party coalitions in attendance, as well as the claims or protests presented and the decisions made thereof.

9. Once the forms for the claims have been counted, if any, the number of claims shall be noted in the minutes.

10. The template of minutes for voting centres, counting and district and national tabulation are attached hereto as an integral part of the present regulation (Annexes III to VII).

### Article 53

#### Closing of counting at the voting centre

1. Once the results of the counting are noted in the electoral operations minute, the latter is signed by the presiding officer and the secretaries of the relevant voting stations.

2. Each voting centre shall allow only one delegate to sign the minutes of the electoral operations in representation of each of the candidacies, political parties or party coalitions.

3. For the purposes of the preceding paragraph, lack of signature by one or more delegates of candidacies, political parties or party coalitions shall not imply the invalidity of the minutes nor of the electoral operations.

4. Signing of the minutes of the electoral operations by a delegate of candidacy, political party or party coalition shall be mandatory whenever the latter present a claim or protest.

5. It shall be incumbent upon the presiding officer of the voting centre to ensure each delegate of candidacy, political party or party coalition in attendance and credited in the relevant centre access to the file containing the provisional result of the initial tabulation posted on the door of the voting centre.

6. The following shall be inserted in the ballot box:

a) The number of votes included in the following envelopes: envelopes with "Valid votes", "Null votes", "Blank votes", "Claimed votes", "Cancelled Votes", as well as the number corresponding to the "Unused ballot papers", which shall be announced aloud;

b) The envelope with the minutes of the electoral operations, the declarations of secrecy, the lists of attendance of electoral officers, the observation book, the list of voters, the additional list of voters, the list of ambulant voters and the list of voters on duty;

c) The unused seals and the stamps.

7. After the materials have been inserted the ballot box shall be sealed and shall remain under the custody of the secretaries of the voting stations, and it shall be incumbent upon the presiding officer of the voting centre to forward the ballot boxes to the district tabulation assembly.

8. The operational procedures for guarding and transporting the ballot boxes shall be defined within the operational and security plan prepared by STAE in collaboration with the police, under the supervision of CNE.

9. The remaining documents and materials shall be transported and delivered to the district tabulation assembly which, after closing their activities, shall deliver them to SATE district office for custody.

10. The file containing the provisional result of the initial tabulation shall be signed by the presiding officer of the voting centre and posted on the door of such voting centre, in a specific form, to be prepared by STAE, without prejudice to the provisions contained in paragraph 4 of this article.

#### Article 54

##### District tabulation assembly

1. District tabulation assemblies, the composition of which is defined pursuant to the law, shall start its works as soon as it receives at least five minutes of the corresponding voting centres.

2. Once the district tabulation assembly has been established, the ballot boxes shall be received in an area intended to that effect and designated "Reception Area".

3. In the reception area, the presiding officer shall read aloud the numbers of the seals and shall open the ballot boxes, one by one. Thereafter, the members of the district tabulation assembly, duly organised to that effect, shall sign the "Term of Delivery of the Ballot Box", with a copy thereof being given to the presiding officer of the voting centre.

4. Where it is confirmed that all the material has been inserted in the ballot box, the presiding officer of the relevant voting centre and the presiding officer of the district tabulation assembly shall sign the “Term of Delivery of Ballot Box”, with a copy thereof being given to the presiding officer of the voting centre.

5. Where it is noted that not all the referred material is inserted in the ballot box, the presiding officer of the relevant voting centre shall justify in writing, in the space intended for remarks contained in the “Term of Delivery of Ballot Box”, the reason for such occurrence and shall sign the Term of Delivery of Ballot Box.

6. In the case referred to in the preceding paragraph, the presiding officer of the district tabulation assembly shall annotate in the Term of Delivery of Ballot Box that he took knowledge of the situation occurred and shall sign the respective Term of Delivery, giving a copy thereof to the presiding officer of the relevant voting centre and registering the occurrence in the minutes of the operations of the district tabulation assembly for information and decision by the national tabulation assembly.

7. Subsequently, the presiding officer of the district tabulation assembly shall extract from the ballot box the original minutes of the electoral operations, the envelope containing the claimed votes, as well as the envelope containing the null votes, if any.

8. After that, a photocopy of the minutes of the electoral operations containing the results shall be made and the referred copy shall be placed of the ballot box of the voting station.

9. After the measures referred to in the preceding paragraphs, all the stamps shall be removed and placed in a separate ballot box to be forwarded to STAE.

10. The envelopes containing the valid ballot papers, the unused ballot papers, the cancelled ballot papers, the blank ballot papers and the paper containing the results of the minutes of the electoral operations shall remain inside the ballot box of the voting centre.

11. The district tabulation assembly shall then reconcile all the minutes of the voting centres before the summing up of the totals included in the minutes of the electoral operations of those voting centres.

12. The data of each minute of electoral operations shall be introduced in the electronic model prepared by STAE and approved by CNE by operators trained by STAE to that effect.

13. Once the reconciliation of all minutes of the voting centres of the respective district has been completed, the minute of the district tabulation shall be printed and signed by the CNE Commissioner supervising the act of reconciliation, by the STAE Coordinator who presides over the assembly, and by a verifier per candidacy, political party or party coalition, and the lack of the signature of the latter shall not imply the invalidity of the minute nor of the electoral operations.

14. The signing of the minute referred to in the preceding paragraph by a delegate of candidacy, political party or party coalition shall only be mandatory where the latter present a claim.

15. A copy of the minutes referred to in this article shall be posted on the building where the works of the district tabulation assembly are taking place.

16. A copy of the minutes shall also be handed over to the delegates of each candidacy, political party or party coalition and to STAE national headquarters.

17. Once all district tabulation operations have been completed, the minutes on the initial tabulation of the electoral operations of the voting centres, the minutes on district tabulation, the envelopes containing the claimed and null votes, if any, as well as the claims, shall be put together in a ballot box and subsequently forwarded to CNE in Dili.

18. For the purposes of complying with the contents of the preceding paragraph, a delay of two days shall be granted from the date of the election.

19. Delegates of candidacies, political parties or party coalitions, observers and media professionals may be present at all phases of the district tabulation process.

20. Reconciliation of the minutes forwarded by voting centres to the district tabulation assemblies shall take place without interruption until such time as the entire district tabulation process is completed.

21. It shall be incumbent upon the police to ensure security for all the district tabulation headquarters pursuant to the applicable laws and the present regulation.

Article 55  
National tabulation assembly

1. After receiving the district tabulation minutes, CNE shall, within seventy-two hours, undertake the national tabulation, by checking the district tabulation minutes and issuing its final opinion on the null and claimed ballot papers, if any, as on other claims presented pursuant to the law and the electoral regulations.
2. Verification of the district tabulation minutes shall include the possibility to examine and decide on a substantiated manner on each and every inconsistency or mathematical error found.
3. Whenever there is any rectification of the minutes on the electoral operations of any voting centre or district tabulation assembly for the reasons of and pursuant to the preceding paragraphs, a new copy of the relevant minutes shall be printed, which shall contain the rectifications and the respective substantiation, which shall be attached to the initial, rectified, minutes.
4. Once the operations have been completed, and within the timeframe referred to in paragraph 1 of this article, CNE shall prepare and post the minutes of the provisional tabulation of the national results on its headquarters and forward copies thereof to STAE and the national media.
5. Once the timeframe legally established for filing appeals has elapsed without any appeals being filed, CNE shall forward to the Court of Appeals the minutes containing the tabulation of the national results together with the minutes on the initial and district tabulation, as well as any other documents deemed necessary.
6. STAE shall provide the equipment and materials deemed necessary for the functioning of the national tabulation assembly, notably those contained in Annex II.
7. STAE shall also make available the human resources deemed necessary with a view to introducing the data contained in the minutes on the national tabulation results.

CHAPTER VI  
GUARANTEES FOR FREEDOM TO VOTE

Article 56  
Maintenance of order and discipline

It shall be incumbent upon the presiding officer of each voting centre and the secretary of each voting station, with the assistance of the other electoral officers, to take the necessary measures for maintaining order and discipline during the electoral operations in order to ensure the freedom of vote and its regular exercise.

#### Article 57

1. Entry into the voting centres and voting stations shall be barred to voters presenting clear signs of drunkenness or under the influence of drugs, bearing weapons or any blunt object, as well as voters who, in any way whatsoever, disturb or try to disturb order and discipline in the voting place and its surroundings, without prejudice to their possible criminal liability.
2. Sale and consumption of alcoholic beverages within a range of one hundred metres from the voting centre shall be prohibited.
3. Members of F-FDTL and PNTL shall not be allowed to bear any weapon during the period in which they exercise their right to vote.
4. Entry into the voting centres and voting stations shall also be barred to voters who have already voted and who are not candidacy, political parties and party coalition verifiers, or duly accredited media professionals or observers.

#### Article 58

##### Propaganda prohibition

1. It shall be forbidden, on election day, to carry out any type of electoral propaganda inside or up to a distance of one hundred metres from the voting centres or voting stations.
2. Electoral propaganda shall include the displaying of stickers, shirts, pamphlets, symbols, posters, among others, as well as any activities promoting candidacies, political parties or party coalitions in the framework of the relevant electoral process.
3. In the event of any electoral propaganda which, in a clear manner, violates the contents of paragraph 1 of this article, the presiding officer shall request the police to remove such propaganda.
4. Under no circumstances may candidacies, political parties and party coalition verifiers report to voting centres bearing any symbol or object identifying them with candidacies, political parties or party coalitions.

5. Should the situation referred to in the preceding paragraph occur, the presiding officer of the voting centre shall ask the verifier to remove them. Should this request not be obeyed, the presiding officer shall remove the verifier's accreditation and the verifier to leave the voting centre, registering the fact in the observation book.

#### Article 59

##### Prohibition of presence of F-FDTL

1. The presence of F-FDTL members in the exercise of their functions shall be prohibited at voting centres or voting stations, without prejudice to the contents of subparagraph e) of article 16 and of article 56 of the present regulation.

2. Where members of F-FDTL are present at voting centres and voting stations for a purpose other than that of exercising their right to vote, the electoral operations shall be suspended until such a time as the presiding officer of the relevant voting centre considers that conditions are met for the operations to proceed.

3. In any case, the period of suspension of electoral operations shall not exceed two hours on pain of the voting station being ordered to close, pursuant to the law, with the subsequent forwarding of the sealed ballot boxes containing the hitherto obtained votes to the district tabulation assembly.

#### Article 60

##### Presence of PNTL

1. Only the presence of PNTL members, in the exercise of their functions, shall be allowed outside and at the distance of twenty-five metres from the voting centres and voting stations, without prejudice to the contents of subparagraph e) or article 16 and of article 56 of the present regulation.

2. The presiding officer of the voting centre may request the presence of PNTL inside the voting station in case he or she deems it necessary and with the purpose of putting an end to disturbances or acts of violence that may occur or in case of disobedience to orders issued pursuant to his or her competencies.

3. The occurrence of any of the situations described in the preceding paragraph shall be registered in the minutes, notably the identification of the persons involved, the type of occurrence, its duration, the reasons for request the presence of PNTL and the duration of the PNTL presence.



4. PNTL should organise and maintain public order in the vicinities of the voting centre, thereby contributing with its conduct towards the strict and rigorous compliance with the applicable electoral laws, regulations and codes.

Article 61  
Presence of observers

National and international observers duly accredited and identified by STAE shall be entitled to have access to the voting centres, voting stations and district as well as national tabulation assemblies in order to carry out their functions in strict compliance with the laws, regulations and codes of conduct prepared approved by CNE.

Article 62  
Electoral materials

STAE shall ensure the provide each initial results tabulation assembly with the electoral materials necessary to its smooth functioning. Such materials are contained in Annex II, which is an integral part of the present regulation.

Article 63  
Duty of confidentiality

1. Any person who, either directly or indirectly, exercise any functions or follow-up the electoral process under way at the voting centres and voting stations, as well as at the district and national tabulation assemblies, shall be subject to a duty of confidentiality as regards the processing of all data, information and documents they access to in the exercise of their functions.
2. Each person affected by the contents of the preceding paragraph shall sign a binding statement of confidentiality before initiating his or her functions.

CHAPTER VIII  
FINAL AND TRANSITIONAL PROVISIONS

Article 64  
Claims and protests

For the purposes of the present regulation:

- a) Claim shall refer to an act refuting a decision that has examined the existence of an irregularity raised and that seeks to revoke or substitute the appealed decision;

b) Protest shall refer to the act addressed against an irregularity that has been detected but not yet examined by the competent electoral administration body.

#### Article 65

##### Destination of the ballot papers and the electoral operations minutes

1. Ballot papers and electoral operation minutes, both in hard and soft copy, shall be deposited with STAE, made available to SCJ, for the period of one year after the result of the election is announced.

2. Should the time limit indicated in the preceding paragraph elapse without a judicial decision to the contrary, STAE shall officiously carry out the destruction of the ballot papers, except for one sample, which shall be handed over, together with the minutes on the electoral operations, to the National Archives.

#### Article 66

##### Electoral offences

The provisions contained in the Criminal Code shall apply to electoral offences.

#### Article 67

##### Second round of presidential elections

The present regulation shall apply to the second round of the presidential elections, with the necessary adaptations.

#### Article 68

##### Revocations

Any norm contrary to the present regulation is hereby revoked.

#### Article 69

##### Entry into force

The present regulation shall enter into force on the day after its publication in the official Gazette.

Regulation proposed by STAE.

Dili, 7 October 2011.

**Tomás do Rosário Cabral**  
**Director-General**

**REGULATION ON THE VOTING, COUNTING AND RESULT  
TABULATION PROCEDURES FOR THE PRESIDENTIAL AND  
PARLIAMENTARY ELECTIONS**

Approved in Dili on 28 November 2011

By the National Electoral Commission – CNE

No.	Name	
1	Faustino Cardoso Gomes	
2	Alcino de Araújo Baris	
3	Joana Maria Dulce Vítor	
4	Maria Angelina Lopes	
5	José Agostinho da Costa Belo	
6	Silvestre Xavier Sufa	
7	Lucas de Sousa	
8	Teresinha Maria Noronha Cardoso	
9	Tomé Xavier Jerónimo	
10	Deolindo dos Santos	
11	Vicente Fernandes e Brito	
12	Sérgio de Jesus Fernandes da Costa Hornai	
13	Padre Martinho Germano da Silva Gusmão	
14	Arif Abdullah Sagan	
15	Manuela Leong Pereira	

**ANNEX I**

List of the electoral materials necessary for the functioning of the voting centres and voting stations:

1. Ballot boxes with respective numbered security seals;
2. Ballot papers;
3. Indelible ink;
4. Voting booths in sufficient number;

5. Form for minutes on electoral operations composed of the following documents:
6. Electoral results paper;
7. List of attendance of electoral officers;
8. Statement of secrecy to be signed by the electoral officers;
9. Observation books;
10. List of voters;
11. List of additional voters;
12. List of on-duty voters;
13. Ambulant list;
14. Form to be used for the tabulation results to be posted in public places;
15. Form to be used as term of handover of materials;
16. Stickers for voting stations;
17. Notice to be used for informing the name of electoral officers;
18. Sample of ballot paper (enlarged size);
19. Form to be used for presenting claims and protests;
20. Specific stickers for electoral officers, candidacy, political parties and party coalition verifiers, and observers;
21. Stamp written "CANCELLED";
22. Stamp written "CLAIMED";
23. Stamp written "BLANK";
24. Stamp written "NULL";
25. Stamp written "UNUSED";

26. Stamp written “2012 Presidential Election”, or, “2012 Parliamentary Election”, as the case may be;
27. Envelope for valid votes;
28. Envelope for blank votes;
29. Envelope for null votes;
30. Envelope for claimed votes;
31. Envelope for cancelled votes;
32. Envelope for unused ballot papers;
33. List of complete candidacies, containing all the candidates to the presidential election, candidates and alternate candidates of political parties or party coalitions, for the parliamentary election;
34. Calculators;
35. Staplers, pens and nails in sufficient number;
36. Chandeliers or lamps, lanterns or other illuminating means;
37. Adhesive band.

## ANNEX II

### List of electoral materials necessary for the functioning of initial, district and national tabulation assemblies

1. Forms for minutes of voting stations;
2. Forms for minutes on the voting centre results;
3. Forms to be used as term of handover of ballot box originating from voting centres for the district tabulation assembly;
4. Forms to be used as term of handover of ballot boxes originating from district assemblies to CNE;

5. Forms to be used for claims and protests;
6. Stamp of the national tabulation assembly (CNE);
7. Security seals (numbered);
8. Ballot boxes for the transportation of the minutes and the claimed votes, if any;
9. Envelopes;
10. Other office materials;
11. Computers, printers, photocopying machines and other data processing materials.