

DEMOCRATIC REPUBLIC OF TIMOR-LESTE
MINISTRY OF STATE ADMINISTRATION
TECHNICAL SECRETARIAT FOR ELECTORAL ADMINISTRATION
(STAE)

No. 48/STAE/VIII/09

REGULATION ON THE POLLING, COUNTING AND TABULATION
PROCEDURES FOR THE ELECTION OF COMMUNITY LEADERS.

Defining polling and tabulation procedures is essential in order for elections to take place in a transparent and democratic manner, thereby allowing candidates, electoral officers, agents, observers and, most of all, voters, to fully understand and exercise universal suffrage.

Thus, pursuant to sub-paragraph c) of Article 8 of Law No. 5/2006 of 28 December, combined with Articles 30 and 32 of Law No. 3/2009 of 8 July on Community Leaders and their Election, the National Electoral Commission, hereinafter referred to as CNE, approves the following to have the force of regulation:

Chapter I
Scope

Article 1
Scope

The present regulation shall apply to the election of Community Leaders and, in general, to the respective processes of polling, counting and tabulation.

Article 2
Contents

The following matters are specifically regulated:

- a) Organization of polling centres and polling stations;

- b) Composition, competencies and functioning of polling stations and polling centres;
- c) Polling procedure and polling operations;
- d) Guarantee of freedom to vote;
- e) Counting procedure at the polling station;
- f) Tabulation process at the district and national tabulation station.

Chapter II

Organization polling centres

Section I

Polling centres

Article 3

Definition

Polling centres shall mean the places where voters may cast their votes and shall consist of one or several polling stations.

Article 4

Location

1. Each Suco shall have at least one polling centre and, depending on the number of voters or the distance between the hamlets comprising the suco, STAE may establish additional polling centres without prejudice to the need to safeguard the secrecy of vote.
2. Each polling centre may accommodate more than one polling station.

Article 5

Divuligation of the location of polling centres and polling stations

1. The number and location of polling centres and polling stations shall be communicated to CNE one week before the deadline for their publication in the Official Gazette.

2. Upon receiving the list, CNE shall notify STAE within a maximum period of five days of the need, where applicable, to propose an increase in the number of polling centres and polling stations or any change by virtue of the distance and number of voters.
3. STAE shall publish the functioning places of the polling centres and polling stations at the Official Gazette thirty (30) days prior to polling day.
4. For purposes of divulgation, STAE may resort to the posting of Notices at public gathering places and headquarters of sucos.

Article 6 **Installation of polling centres**

1. Polling centres and polling stations shall be installed in public buildings, preferably schools, that offer safety conditions for, and access to, voters.
2. Should there be no suitable public buildings, the suco headquarters or community centres shall be requisitioned.
3. Should it be impossible to ensure any of the places referred to in the preceding paragraphs, STAE shall promote the construction of suitable places for installing polling centres or polling stations.

Article 7 **Forbidden locations**

It shall be prohibited to install polling centres or polling stations in the following places:

- a) Police units;
- b) Military units;
- c) Residences of traditional chiefs or their private houses;
- d) Buildings belonging to political parties or religious buildings, places of worship or places meant for worship;

- e) Hospitals or any building linked to health services;

Article 8 Brigades

In each polling centre STAE shall designate a person, hereinafter referred to as Brigadista, charged with supporting and providing technical assistance to electoral officers at the polling stations pertaining to that polling centre.

Article 9 Working hours

1. On polling day, polling centres and polling stations day shall be open to the voters at 7 a.m. and close at 3 p.m.
2. After 3 p.m. only voters already in the queue shall still be allowed to vote, a fact to be verified by the queue controller and reported to the presiding officer of the polling place.

Section II Electoral officers

Article 10 Composition of polling stations

1. Each polling station shall consist of 5 electoral officers as follows:
 - a) The presiding officer;
 - b) The identification officer;
 - c) The ballot paper controller;
 - d) The ballot box controller;
 - e) The queue controller.
2. For the establishment of the chair on polling day, should the replacement provided for in article 21 of this regulation not be possible, the polling station shall require a minimum of 3 electoral officers to operate.

Article 11
Requirements for designating electoral officers

1. Electoral officers shall be selected by STAE from among local voters who are national citizens and can read and write.
2. No person may be forced to exercise the functions of electoral officer.
3. Selected electoral officers shall be submitted to a training by STAE prior to exercising their functions.
4. Upon completion of the training, the Director of STAE shall provide CNE with the full listing of the electoral officers considered to be fit for the exercise of their functions and shall order that a Notice containing such information be posted on the door of the STAE building.
5. Electoral officers shall not start their functions without first signing a document prepared by STAE whereby they undertake to keep secrecy.

Article 12
Training of electoral officers

1. The training of electoral officers shall take place under the supervision of CNE.
2. The training may be accompanied by representatives of the candidacies, agents of candidacies and observers specifically appointed for this purpose but who shall no power to intervene.

Article 13
Rights and duties of electoral officers

1. On polling day, and while their activity is underway, electoral officers shall be exempted from reporting to their respective work places without prejudice to their rights, namely the right to full wage. To that effect, they shall be required to present a certifying document issued by STAE.
2. In the exercise of their competencies, electoral officers shall have the following duties:

- a) To undergo the training provided by STAE;
- b) To adopt a neutral and impartial stand regards all candidacies;
- c) To keep secrecy as regards any piece of information that comes to their knowledge;
- d) To remain in functions until the completion of the polling and tabulation process.

Article 14
Presiding officer of the poling station

It shall be incumbent upon the presiding officer of the polling station to:

- a) Declare the polling station open and verify the identity and credentials of electoral officers, electoral monitors and observers;
- b) Direct the process of verification of polling booths and the working documents of the polling station;
- c) Show the empty ballot boxes to the officers composing the chair as well as to the electoral monitors, observers and voters present, request the immediate sealing of the ballot boxes by the identification officer and the ballot paper officer and register the numbers of the corresponding seals;
- d) Order the posting of the edits containing the composition of the chair of the polling station on a visible place of the polling centre;
- e) Ensure freedom of vote to all voters;
- f) Guarantee maintenance of order at the polling station so as to ensure the smooth unfolding of the electoral operations;
- g) Remove from the polling place any citizen not allowed to vote in that polling station or that has already cast his or her vote;

- h) Not accept in the polling station any voter who present himself or herself manifestly under the influence of alcohol or stupeficients, including people manifestly suffering from mental illness or that carry any type of weapons.
- i) Prohibit any propaganda within the polling station and up to a distance of one hundred (100) meters;
- j) Authorize that a new ballot paper be given to a voter, at his or her request, in the event of an error by the voter or of an inadvertent damage to the ballot paper, and register such occurrence in the minutes;
- k) Write the word “invalid” on the returned ballot papers, sign them and keep them in the respective envelope;
- l) At the request of the voter and without indicating the voting option, provide clarifications on the polling process in the presence of the officers composing the chair, the electoral monitors and the observers.
- m) Ask the agents of candidacies whether they have any complaints, receive the protests and counter-protests and have the latter signed by the presiding officer and by all officers of the polling station;
- n) Utilize the casting vote in the decisions made by the chair in case of a draw;
- o) Verify the existence of conditions to resume the electoral operations that may have been interrupted following an abnormal occurrence, natural calamity or disturbance of the public order;
- p) Request the presence of public order maintenance force and suspend the electoral operations in case of unrests, aggressions or violence either at the polling stations or in their surroundings;

- q) Order the removal of the public order maintenance force whenever its presence is no longer justifiable;
- r) Order the posting of the lists of candidacies at the entrance of the polling station.

Article 15
Identification officer

It shall be incumbent upon the identification officer to:

- a) Identify the voter by checking the voter registration cards;
- b) Verify whether the voter is 17 years old by the polling day;
- c) Inspect the hands of the voters in order to ensure that they have not already voted in the present election;
- d) Verify whether the voter registration card is updated and whether the voter's name is contained on the list as a voter in that suco;
- e) Inform the ballot paper controller whether the voter is entitled to a ballot paper;
- i) Exercise any other functions entrusted to them by law or regulation.

Article 16
Ballot paper controller

It shall be incumbent upon the ballot paper controller to:

- a) Stamp and sign the back of the ballot paper;
- b) Hand the ballot paper to the voter;
- c) Show the polling booth to the voter;
- d) Direct the voter to the polling booth;

- e) Provide a new ballot paper to the voter in case the voter destroys it by mistake or commits an error on filling it, informing the presiding officer for purposes of rendering the first paper null;
- f) Exercise any other functions entrusted to them by law or regulations.

Article 17
Ballot box controller

It shall be incumbent upon the ballot box controller to:

- a) Ensure the safeguarding and security of the ballot box;
- b) Ensure that the voter places only one ballot paper inside the ballot box;
- c) Once the voters cast their vote, mark their right index finger with indelible ink and make sure that the ink has dried;
- d) Ask the voter to leave the polling station after having voted;
- e) Exercise the other functions ascribed to them by law of regulation.

Article 18
Queue controller

It shall be incumbent upon the queue controller to:

- a) Organize the queue of voters waiting to cast their vote so that only authorized persons enter the polling station;
- b) Ask the voters to have the voter registration card or the Timorese passport ready on their hand to show to the identification officers;
- c) At 3 p.m., check on the last voter in the queue and ensure that no one else is allowed to vote;

- d) Exercise any other functions entrusted to them by law or regulations.

Article 19 Incompatibilities

The President of the Republic, Members of Parliament, Members of Government, civil servants, members of F-FDTL and PNTL, judges, prosecutors, religious authorities, members of CNE, the Provodur of Human Rights and Justice and his or her Deputies, as well as candidates and candidacies agents cannot be nominated as electoral officers.

Article 20 Replacement of electoral officers

1. If on polling day and until 30 minutes before the time scheduled for the opening of the polling station the chair has not been constituted by virtue of absence of at least 3 electoral officers, the STAE representative shall appoint replacements from among local voters of recognized capacity.
2. If after the chair of the polling station has been constituted, 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 an agreement of the majority of the other electoral officers and monitors present.
3. Should the presiding officer be absent, he or she shall be replaced by the identification officer.
4. After the replacement, the designation of the absent electoral officers shall be considered void, and the presiding officer shall report their names to STAE.
5. All replacements must be expressly indicated in the minutes.

CHAPTER III BALLOT PAPER

Article 21 Definition

The ballot paper shall be a paper printed on which the voter express his or her will in the choice of the Chief of Suco and the members of the Suco Council thereby represented by the candidate running for suco chief who leads the lists of candidacy for community leadership.

Article 22

Characteristics

Ballot papers shall be printed on a plain, non-transparent paper the form and size of which shall be proportional to fit the color photo and the names of the candidates leading the lists of candidacy.

Article 23

Elements contained in the ballot paper

1. Each ballot paper shall reflect the photos of the candidates horizontally, one on top of the other.
2. The line corresponding to each list shall contain a square which the voter shall perforate with a nail in order to indicate his or her choice.
3. Elements for identification shall include the names of the candidates heading the lists of candidacies.

Article 24

Organization of the candidates on the ballot paper

1. The lists of candidacies shall be organized alphabetically on the ballot paper and shall contain the given name of the candidate heading the lists of candidacies.
 2. Where there are two candidates running for suco chief with completely identical names, the name of the eldest candidate shall be the first to appear on the ballot paper.
 3. Ballot papers shall be supplied by STAE to electoral officers at the polling centre together with any other material for the polling process.
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Article 25
Rejected ballot paper

1. Rejected ballot paper shall refer to a ballot paper that has been stray by the voter or left outside of the ballot box.
2. Where a ballot paper is found at the place where a polling table is functioning, such ballot paper shall be considered “rejected ballot paper” and the presiding officer of the respective polling station shall be immediately informed thereof.
3. The ballot paper so rejected shall not be considered for counting and tabulation.

Article 26
Cancelled ballot paper

1. Cancelled ballot paper shall refer to a ballot paper that has been damaged or perforated by the voter by mistake.
2. The voter who rendered invalid a ballot paper may ask for another ballot paper from the ballot paper officer, who shall inform the presiding officer thereof. The presiding officer shall seal or write the word “cancelled” on the front side of the ballot paper and shall sign it in the presence of the monitors and observers and place it in the corresponding envelope.
3. The ballot paper officer shall give a new ballot paper to the voter who shall return to the polling booth and cast his or her vote.

CHAPTER IV
Polling procedure

Section I
General rules

Article 27
Right and duty to vote

1. Voting is a civic right and duty of every citizen who fully enjoys his or her political rights.
2. Managers of public or private companies or services working on polling day shall release their respective staff for the time necessary for them to vote without prejudice to their right to retribution.

Article 28
Freedom and secrecy of the vote

1. Voting is exercised freely and no one may be forced to disclose, inside or outside the polling station, who they voted or will vote for.
2. The polling booth shall be positioned in such a way as to ensure the secrecy of the vote.

Article 29
Voting by a disabled voter

Blind voters or voters affected by an illness or physically disabled who are not capable of voting on their own may be accompanied by another voter, of their own choice, who shall be obliged to keep secrecy of the direction of the vote cast.

Article 30
Continuity of electoral operations

The polling process shall take place without interruption and in accordance with the timetable established in the present regulation.

Article 31
Interruption of electoral operations

1. Electoral operations shall be interrupted in the following cases, on pain of the polling being considered null:
 - a) A serious disturbance of public order affecting the freedom of vote;
 - b) A serious disaster occurring in the suco;
2. Electoral operations shall only resume after the presiding officer has verified the availability of conditions ensuring the polling process.

Article 32
Working materials at the polling station

STAE shall ensure the supply of the necessary electoral materials for each polling station, namely those contained in Annex I.

Article 33
Preliminary operations

1. On the day scheduled for the polling, polling station shall open at 07:00 once the chair has been constituted.
2. The presiding officer shall declare the polling station open, shall verify the identity and credentials of the other electoral officers and candidacy agents, shall order that the edict with the composition of the chair and the lists definitively admitted for the election be posted on a visible place and, together with the electoral officers and candidacy agents, shall check the polling booths and the documents and working materials for the polling station and show the ballot box to those in present so that they can confirm that the ballot box is empty.
3. The presiding officer shall then seal the ballot box, read aloud the numbers on the seals applied to the ballot box and shall register the number of the respective seals in the minutes of the electoral operations.

Section III

Polling operations

Article 34 Polling order

1. Voters shall cast their vote in accordance with their order of arrival at the polling centre or polling station without prejudice to the following paragraph, and shall be organized in a queue.
2. The presiding officer of the polling station shall give priority to voters charged with the responsibility to provide protection and security to the polling centre, to those clearly ill or physically disabled, and to pregnant women, the elderly and the medical and paramedical personnel.

Article 35 Polling procedure

1. Voters shall start by identifying themselves with the updated voting card (new, not perforated model) before the electoral officers. The voting card is examined by the identification officer to see whether voter is contained on the list of voters for such particular suco.
2. Only voters holding an updated voting card, i.e., new, non perforated model, shall be able to vote.
3. Once the voter has been identified in the list of voters, a mark shall be made on the name of the voter to indicate that such a voter has cast his or her vote.
4. Where the voter is not contained on the list of voters of the respective suco but he or she is a holder of an updated voter card of that same suco, the voter shall be added to the Additional List of Voters and shall register the name of the voter, the number of the voter card, the complete address and the signature of the voter.
5. The verification of identification officer shall also check whether the voter has completed is 17 years of age by the polling date and whether his or her hands do not have an indelible ink in order to confirm that he or she has not voted yet.

6. Following this the voter shall receive the voting paper already sealed and signed on the back by the ballot paper controller.
7. The voter shall then proceed to the polling booth and shall cast his or her vote alone by perforating the square that corresponds to the list of candidacy for whom he or she votes for, after which he or she shall fold the ballot paper fourfold and shall return to the ballot box in which the ballot paper shall be inserted.
8. Where the voter damages the ballot paper or where he or she commits a mistake while filling it, he or she shall request another ballot paper from the ballot paper controller and shall return the first ballot paper, which shall be initialized and cancelled by the presiding officer of the polling station with the seal saying "Sealed" on the front side of the ballot paper.
9. After the voter has cast his or her vote, the ballot box controller shall mark the right index finger of the voter with indelible ink in such a manner as to stain the cuticle in order to guarantee that the voter has exercised his right to vote only once.
10. Where it is not possible to mark the entire right index, the officer shall choose another finger of the right hand of the voter and, where it is not possible, of the left hand.
11. After casting their vote the voter shall abandon the polling station, except if he or she wishes to present any complaint or protests.

Article 36

Doubts, claims and protests

1. Any voter or any of the candidacies agents may raise doubts and file complaints or protests relating to electoral operations during the period the polling station is functioning.
2. Doubts, complaints, and protests presented during the voting or after it has been completed shall be analyzed immediately by the electoral officers and, in case of need, the latter may consult STAE.
3. Complaints must be the object of a decision approved by a minimum of 3 electoral officers.

4. Decisions shall be communicated to the complainers who, if so wish, may address the complaints to CNE, to be submitted in the respective polling centre or polling station accompanied by all the documents relating to that polling centre.

5. CNE shall review the claim and the documentation provided by STAE and shall announce its decision within a period that is in compliance with the calendar of the activities for election of community of leaders.

Article 37

Closing of the polling

1. Voters shall be accepted to join the queue at the polling station to cast their vote until 3 p.m.

2. After this time only voters already in the queue shall be allowed to vote.

3. The presiding officer shall announce the closure of the polling as soon as all the registered voters have cast their vote or, after 3 p.m. as soon as all voters present in the queue of the polling station have cast their vote.

CHAPTER V

Counting at the polling station

Article 38

Opening of the ballot boxes

1. After closing the polling, and after the doubts, claims and protests have been settled, the presiding officer shall count the unused ballot papers, shall render them invalid by stamping “non used” on their face, shall cancel the cancelled ballot papers by stamping on their face “cancelled”, shall annotate the totals on the minutes, and shall keep them in the envelope for “non used ballot papers” as well as in the envelope for “cancelled ballot papers”, respectively.

2. Subsequently, the presiding officer shall count the number of voters on the lists of voters of the suco and shall register that number in the minutes.

3. Following this, and before opening the ballot box, the presiding officer shall read aloud the number of security seals and shall ask the monitors to verify the numbers of the seals of the ballot box.

4. The presiding officer shall then opened the ballot box on the presence of the electoral officers, monitors, observers and other citizens present there to follow up the procedures.

Article 39 **Counting of votes**

The counting of votes shall be without interruptions and shall obey the following procedure:

- a) Once the ballot box is opened, the presiding officer shall remove the ballot papers from the ballot box, unfold them, count them and place them on the table with their backs up. The presiding officer shall then verify if they are duly stamped and signed, and shall register their number in the minute;
- b) The presiding officer shall then read aloud the votes, showing each vote to those in attendance and separating the valid, null and blank votes into groups;
- c) Where null votes and blank votes exist, they shall be stamped and counted;
- d) The valid votes are counted and separated by lists of candidacies;
- e) Any doubts and protests regarding the counting shall be resolved by way of vote by at least three electoral officers;
- f) Where the verifiers do not agree with the decisions regarding doubts and protests they may present complaints in writing, on a form that is available at the polling station. The verifier that presents a complaint shall receive a copy of it;

- g) Where claims are presented, their originals, together with the claimed ballot papers, shall be introduced in the envelope for “claimed ballot papers”;
- h) After the valid votes have been counted, the counting will start for the claimed votes where they exist.

Article 40
Valid vote

A valid vote is a vote that shows in a clear manner the intention of the voter with the perforation located inside the rectangle identifying the candidacy.

Article 41
Blank vote

A blank vote shall correspond to a ballot paper not perforated by the voter.

Article 42
Null vote

1. A null vote is a vote where the ballot paper:
 - a) Has been perforated in more than one square or where doubts exist as to which square has been perforated;
 - b) Has been perforated in a square corresponding to a candidacy that dropped out from the election or that has not been accepted;
 - c) Features any cut, drawing or erasure or where any word has been written on;
 - d) Features any sign that allows the identification of the voter.
2. Even where the perforation goes beyond the limit of the square of the chosen candidacy, as long as such perforation does not reach the space intended for another candidacy, the vote shall not be considered null.

Article 43
Filling the minute

1. Once the valid votes have been counted and verified, the results shall be registered in the minute and in the envelope identified as “Valid Votes” where the ballot papers shall be inserted as separated by lists of candidacies;
2. The envelopes containing the valid votes by lists of candidacies shall be inserted in an envelope identified as “valid votes”;
3. Once the blank votes have been stamped, counted and verified, the results shall be registered in the minute and in the envelope identified as “Blank votes” where they shall be inserted;
4. Once the null votes, where they exist, have been stamped, counted and verified, the results shall be registered in the minute and in the envelope identified as “Null votes where they shall be inserted”;
5. Once the claimed votes, where they exist, have been counted and verified, the results shall be registered in the minute and in the envelope identified as “Claimed votes” where they shall be inserted, together with the presented claims and protests.
6. Once the cancelled votes, where they exist, have been stamped, counted and verified, the results shall be registered in the minute and in the envelope identified as “Cancelled ballot papers” where they shall be inserted.
7. Once the non-utilized ballot papers have been stamped, counted and verified, the results and their serial number shall be registered in the minute and in the envelope identified as “Unused ballot papers” where they shall be inserted.
8. The envelopes shall be closed and, in addition to the identification, they shall indicate of the number of ballot papers they contain as well as the respective polling station, suco, sub-district and district they belong to;
9. The minute shall also contain the number of security seals of the ballot box, the place of the polling station, the time the polling station was opened and closed, the names of the electoral officers and monitors present,

the presentation of protects or claims and the decisions made at the polling station;

10. Once the forms of the claims presented, where they exist, have been counted, the number of claims shall be registered in the minute.

Article 44

Closing of the counting at the polling station

1. Once the results of the counting are noted in the minute, the latter shall be mandatorily signed by the electoral officers.
2. One agent of each list of candidacy present shall have the right to sign the minute. Without prejudice to the provision of the ensuing paragraph, the lack of such signature shall not invalidate the minute;
3. The signing of the minute by one agent of candidacy shall be mandatory whenever the latter presents a claim;
4. The number of votes included in the envelopes referred to below shall be inserted in the ballot box and read out aloud:
 - a) The envelopes containing “Valid votes”, “Null votes”, “Blank votes”, “Claimed votes”, “Unused ballot papers” and “Cancelled ballot papers”;
 - b) The envelope with the minutes of electoral operations, the voter presence roll, the declarations of secrecy, electoral officers attendance list, the boor for remarks, the list of voters and the additional list of voters;
 - c) The unused seals and the stamps;
5. After the materials have been placed in the ballot box, the ballot box shall be sealed and shall remain under the responsibility of all electoral officers of the respective polling station, and it shall be incumbent upon the presiding officer to deliver it to STAE at the district capital which, upon receiving it and completing the electoral process in all sucos, shall prepare a report and add the documents relating to polling and send immediately to STAE National for consolidation of results by suco, after which it is handed

over to CNE for analysis, always having in consideration the electoral calendar.

6. In those sucos where there are more than one polling centre, the counting of the votes and partial tabulation shall be made by polling station, which shall immediately undertake the final tabulation at the polling centre previously defined by STAE and approved by CNE and where the minutes shall be filed in with the result of the votes tabulated in the suco.

7. The operational procedures for the safeguarding and transportation of the ballot boxes made by STAE shall be defined within the operational and security plan prepared by STAE in collaboration with PNTL and UNPOL, under the supervision of CNE.

8. The other documents and materials shall be collected and handed over to the brigadist of STAE of the respective polling centre.

9. The result of the counting shall be posted on the door of the polling station in a specific form prepared by STAE, which shall be signed by the presiding officer of the polling station.

CHAPTER VI

Guarantees of freedom of vote

Article 45

Maintenance of order and discipline

The presiding officer at the polling station, with the support of the other electoral officers, shall take the necessary measures to ensure the maintenance of order and discipline during the electoral operations with a view to ensuring freedom of vote.

Article 46

Forbidden presences at the polling centre

1. Entry into the polling centres and polling stations shall be barred to voters who present clear signs of being under the influence of alcohol or stupefacients, who bear any kind of weapon or, in any way whatsoever,

disturb order and discipline, without prejudice to the possible criminal liability.

2. The sale and consumption of alcoholic beverages within a range of 100 meters of the polling centre shall be prohibited.

Article 47 **Prohibition of propaganda**

1. It shall be prohibited to carry out any type of electoral propaganda inside or in the vicinity of the polling centres or polling stations on polling day.

2. Electoral propaganda shall mean, namely, the displaying of stickers, shirts, banners, pamphlets, symbols, signs, badges, posters, etc., as well as any candidacy promoting activities.

3. The presiding officer of the polling station shall request PNTL to remove any propaganda which is in violation of paragraph 1 of the present article.

4. The agents of candidacy shall be barred from carrying any symbol or objects that identify with the lists of candidacies.

5. In the case referred to in the preceding paragraph, the presiding officer of the polling centre shall request the monitor to remove the symbols or objects. In case of disobedience, the presiding officer of the polling centre shall remove the accreditation of the monitor and shall ask him or her to abandon the polling centre and shall register of the incident in the minutes of the electoral operation.

Article 48 **Prohibition of F-FDTL presence**

1. Entry into the polling centres shall be barred to F-FDTL members in the exercise of their functions.

2. In the cases provided for in the previous paragraph, the electoral operations shall be suspended until the presiding officer considers that the conditions exist to resume them;

3. In any case, the time during which the electoral operations are suspended shall not exceed 2 (two) hours.

Article 49

Presence of PNTL

1. Depending on the geographical situation of the polling station, the presence of PNTL members in the exercise of their functions shall only be allowed between 5 and 10 meters from the polling station.

2. The presiding officer of the polling station may request the presence of PNTL if he or she finds it necessary to put and end to disturbances or acts of violence and in case of disobedience of orders issued by him or her pursuant to his or her competences.

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

4. Organize and keep public order in the vicinity of the Polling Centre, collaborating toward the strict compliance with the applicable laws, regulations and codes.

Article 50

Presence of observers

Duly accredited and identified national and international observers are entitled to have access to the polling centres, polling stations and tabulation assemblies in order to carry out their functions in strict compliance with the laws, regulations and codes of conduct approved by CNE.

Article 51

Working materials at the tabulation assembly

STAE shall ensure the provision in each tabulation assembly of the necessary electoral materials, namely those contained in Annex II, including the operators who will introduce the data into the district tabulation minutes.

Article 52

National tabulation assembly

1. Within the timeframe for the election of community leaders, STAE shall forward the reports, the minutes of the electoral process and all the remaining documents as organized by suco to CNE.
2. Within a period of 7 days upon receiving the reports, the minutes and the documents as referred in the preceding paragraph, CNE shall undertake the national tabulation, verifying the minutes of tabulation of each suco and making a final decision on the null and claimed ballot papers, where they exist, as well as on any other claim presented pursuant to the electoral laws and regulations.
3. The conference of the minutes of tabulation shall include the possibility of reviewing and making decision, on a substantiated manner, on each and every inconsistency or mathematic error that may be found.
4. Whenever there is any rectification of the minutes of the electoral operations of a polling station for the reasons and pursuant to the preceding paragraphs, a new sample of the referred minutes shall be printed, which shall be added to the initial rectified minutes.
5. Upon completion of the operations and within the timeframe referred to in paragraph 2 above, CE shall prepare and post in its headquarters the minutes of the provisional tabulation of the national results and shall forward copies thereof to STAE and to the national media.
6. Once the deadline for filing appeals has elapsed without an appeal being filed, CNE shall forward the Minutes of Tabulation of the National Results to the Supreme Court of Justice together with the minutes of tabulation, including the materials, namely those contained in Annex II, necessary to the normal functioning of the national tabulation assembly.
7. STAE shall supply the equipment and materials, namely those contained in Annex II, deemed necessary for the normal functioning of the national tabulation assembly.
8. STAE shall supply operators who will introduce the date of the national tabulation process.

Article 53

Duty of secrecy in the operations of the tabulation assemblies

1. All members of the tabulation assemblies, the focal points of CNE and the operators of the computer system exercising functions at the district or national tabulation assemblies shall be obliged to keep secrecy on all data, information and documents that come to their knowledge in the exercise of their respective functions.
2. Each one of the people covered by the provisions of the preceding paragraph shall sign a declaration of secrecy before initiating the operations of the respective tabulation assemblies.

Article 54

CHAPTER VIII TRANSITIONAL AND FINAL PROVISIONS

Article 54

Claims and protests

For the purposes of the present regulation:

- a) Claim shall mean the act impeaching a decision that has reviewed the existence of irregularity and that seeks to revoke or substitute of the claimed decision;
- b) Protest shall mean the act addressed against an irregularity that has been detected but that is yet to be reviewed by the competent electoral administration body.

Article 55

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

1. The ballot papers and all the electoral operations minutes, both electronic and on hard copy format, shall be deposited under the guard of STAE, available to Superior Court of Justice, for the period of one year after the result of the elections are announced.

2. Should the time limit indicated in the previous paragraph expire without a judicial decision stating otherwise, STAE shall officiously carry out the destruction of the ballot papers with the exception of one sample which shall be handed over, together with the minutes of the electoral operations, to the National Archives.

Article 56 Revocations

Any provision contrary to the contents of the present procedures on polling, counting and tabulation of votes for the election of sucos is hereby revoked.

Article 57 Electoral offenses

Electoral offenses shall be those contained in the applicable Criminal Code.

Article 58 Entry into force

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

Regulation proposed by STAE

Dili, 11 august 2009

No.	Name	Signature
1	Faustino Cardoso Gomes	
2	Alcino de Araújo Barris	
3	Joana Maria Dulce Victor	
4	Maria Angelina Lopes Sarmiento	
5	Jose Agostinho da Costa Belo	
6	Silvester Xavier Sufa	
7	Lucas de Sousa	
8	Teresinha Maria Noronha Cardoso	
9	Tome Xavier Jeronimo	

10	Deolindo dos Santos	
11	Vicente F. Brites	
12	Sergio de Jesus F. Da C. Hornai	
13	Pe. 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 polling station:

1. Ballot boxes with the respective numbered security seals;
2. Ballot papers
3. Indelible ink
4. Polling booths in sufficient number;
3. Minute form for electoral operations composed of the following document:
 - a) Electoral results sheet;
 - b) Electoral officers attendance list;
 - c) Declaration of secrecy to be signed by the electoral officers;
 - d) Book of remarks;
 - e) List of voters;
 - f) List of additional voters;
6. Tabulation result form for posting at a public place;
7. Note of receipt/handover of materials;
8. Label for the polling station
9. Notice sheet to post the names of the electoral officers;
10. Enlarged sample of the ballot paper;
11. Form for claims and protests;
12. Specific badges for electoral officers, agents of candidacies and observers;
13. Stamp reading "CANCELLED";
14. Stamp reading "CLAIMED";
15. Stamp reading "BLANK";
16. Stamp reading "NULL";
17. Stamp reading "UNUSED";
18. Stamp reading "Election of Community Leaders 2009";
19. Envelope for unused ballot papers;
20. Envelope for cancelled ballot papers;
21. Envelope for claimed ballot papers;
22. Envelope for null ballot papers;
23. Envelope for blank ballot papers;
24. Envelope for valid ballot papers;

25. Complete list of candidacy containing the names of all candidates and alternate candidates;
26. Calculator;
27. Staplers, pens and nails in sufficient number;
28. Lamps, flashlights or other means of illumination;
29. Adhesive band.

ANNEX II

List of some electoral materials necessary for the functioning of the tabulation station:

1. Form for the minutes of the polling station;
2. Form for the joint minutes of the Polling Centre;
3. Form for the minutes of results per suco;
4. Form for the term of handover of a ballot box originating from the Polling Centres for STAE District;
5. Form for the term of handover of ballot boxes originating from STAE District to STAE National;
6. Form for the term of handover of ballot boxes originating from STAE National to CNE;
7. Form for claims and protests;
8. Stamp of the National Tabulation Assembly (CNE);
9. Security seals (numbered);
10. Ballot boxes for transportation of minutes and null and claimed votes, where they exist;
11. Envelopes;
12. Other office materials;
13. Computers, printer, photocopying machine for national tabulation: joint minute of district results,