

## **NO. 50/STAE/VIII/09**

### **CODE OF CONDUCT FOR CANDIDATURE VERIFIERS REGARDING ELECTIONS FOR COMMUNITY LEADERS**

Under Article 8 (c) of Act 5/2006 of 28 December, together with Article 30 of Act 3/2009 of 8 July, the NATIONAL ELECTIONS COMMISSION approves the following, to prevail as code:

#### **CHAPTER I General provisions**

##### **Article 1 Scope**

The present code of conduct rules the acquisition of status, the performance of tasks and the rights and duties of candidature verifiers.

##### **Article 2 Electoral verification**

Electoral verification means all activities listed in the present diploma, carried out from Election Day and the subsequent counting of votes up to the conclusion of the determination of electoral outcomes.

##### **Article 3 Tasks of candidature verifiers**

1. Lists presenting candidates to the election for community leaders may appoint a verifier to monitor polling operations and the determination of electoral outcomes in every polling centre, polling station and counting assembly in the respective suco.
2. During the polling, inside the place where the polling station is located, only one verifier of each candidature may be present, so as not to harm regular polling operations.
3. The rule indicated in article 3.2 also applies to vote counting at polling centres, polling stations and counting assemblies.
4. Verifiers have the following tasks:
  - a) Monitor polling operations from the setting up of the polling centre or polling station up to their final closing, taking a set next to the polling station;
  - b) Present doubts and obtain answers during the operation of the polling station and also during vote counting;
  - c) Accompany, in a different vehicle, the transportation of the ballots and further elements from the polling centre or polling station;

- d) Monitor the vote counting and outcome determination process;
  - e) Sign the minute and initial all documents concerning polling operations and vote counting operations where they are present;
  - f) Present complaints and protests during the electoral process;
  - g) Address the respective complaints to the CNE, should they fail to obtain a response or should the deliberation by the electoral officers not be satisfactory.
5. Failure to designate a verifier or the absence of the latter do not constitute grounds for impeaching the election.

#### **Article 4** **Designation and accreditation process**

1. The full list of designated verifiers shall be presented in writing to the STAE by the respective candidature within 7 days before the start of the electoral campaign.
2. The document indicating the verifiers must be signed by the candidature representative and contain, as to each verifier listed, the following elements:
  - a) Full name;
  - b) Voter card number;
3. Only citizens who are voters and who have not had a penal sentence passed into judgement may be designated as verifiers.
4. The STAE shall issue the respective credentials within 5 days after the end of the time period for receiving the list indicated in article 4.1.
5. Should there be any irregularity, the STAE shall immediately notify the candidatures so that they may correct it within 48 hours.
6. Failure by a candidature representative to correct an irregularity, after being notified for such, determines the non-issuing of credentials for the respective verifiers.

#### **Article 5** **Incompatibilities**

A person who is a candidature verifier may not perform any of the following offices:

- a) Candidate;
- b) Observer;
- c) Electoral officer;

- d) Vote counting assembly member.

**Article 6**  
**Rules of conduct for candidature verifiers**

Candidature verifiers must respect the following rules of conduct:

- a) Maintain impartiality in the performance of their duties, striving not to favour in an undue manner the candidature they represent, and as well as respect the Constitution, the law and the applicable regulations;
- b) Cooperate with other candidature verifiers so that the electoral process takes place in a transparent and orderly manner;
- c) Present the identification required by national authorities whenever requested by electoral officers or other competent national authorities;

**Article 7**  
**Temporary immunity**

Candidature verifiers may not be arrested in the performance of their duties, except in situations of flagrante delicto.

**CHAPTER V**  
**Final Provisions**

**Article 8**  
**Cancelling the registration**

The CNE may cancel the registration granted to any candidature verifier who does not comply with the provisions of the present Code of Conduct.

**Article 9**  
**Illegal electoral acts**

Illegal electoral acts are the ones listed in the current Penal Code.

**Article 10**  
**Repeals**

Any provision on the code of conduct for candidature verifiers that contradict the present regulation is hereby repealed.

**Article 11**  
**Entry into force**

The present Code of Conduct enters into force on the day of its publication.

CODE OF CONDUCT FOR CANDIDATURE VERIFIERS

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- (b) Cooperate with other candidature verifiers so that the electoral process takes place in a transparent and orderly manner;
- (c) Present the identification required by national authorities whenever requested by electoral officers or other competent national authorities;

Candidature verifiers have the following tasks:

- (a) Monitor polling operations from the setting up of the polling centre or polling station up to their final closing, taking a set next to the polling station;
- (b) Present doubts and obtain answers during the operation of the polling station and also during vote counting;
- (c) Accompany, in a different vehicle, the transportation of the ballots and further elements from the polling centre or polling station;
- (d) Monitor the vote counting and outcome determination process;
- (e) Sign the minute and initial all documents concerning polling operations and vote counting operations where they are present;
- (f) Present complaints and protests during the electoral process;
- (g) Address the respective complaints to the CNE, should they fail to obtain a response by the electoral officers.

Code of Conduct for Candidature Verifiers proposed by the STAE.

Done in Dili, on 11 August 2009.

**Tomás do Rosário Cabral**

Director

Code of Conduct for Candidature Verifiers

Approved in Dili on 13 August 2009

**For the National Elections Commission / CNE**

No.	Name	Signature
1	Faustino Cardoso Gomes	
2	Alcino de Araújo Barris	
3	Joana Maria Dulce Vítor	
4	Maria Angelina Lopes Sarmento	
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 F. Brites	
12	Sérgio de Jesus F. da C. Hornai	
13	Padre Martinho Germano da Silva Gusmão	
14	Arif Abdullah Sagan	
15	Manuela Leong Pereira	