

**Law on Election of Councillors and Representatives**  
(Official Gazette of the Republic of Montenegro, No. 4/98, 17/98, 14/00, 18/00, 9/01, 41/02, 46/02, 45/04, 48/06, 56/06, including 2011 amendments)

**I. BASIC PROVISIONS**

**Article 1**

This Law regulates the following: the manner and procedure of election of councillors in parliaments of municipalities, city municipalities, the Capital and Historical Capital (hereinafter referred to as municipality), and the members of the Parliament of Montenegro; the organisation, composition and powers of authorities administering elections; the establishing of voting results and allocating of seats; the protection of suffrage and other issues of significance for organisation and carrying out of elections.

**Article 2**

1. Persons with Montenegrin citizenship who are included in the electoral roll in accordance with the law regulating the electoral roll (hereinafter referred to as voter) shall elect councillors and representatives and be entitled to be elected councillors and MPs, on the basis of their universal and equal suffrage, at free and direct elections, by secret ballot, in accordance with this law.
2. No one may, on whatever grounds, take voters to account for voting, or ask them to say who they have voted for or why they have not voted.
3. After the voting is completed, public opinion polling may be carried out with regard to voting of voters who are willing to be subject to the same.

**Article 3**

1. 30 councillors plus an additional councillor per every 5,000 voters shall be elected in the assembly of municipality, the Capital and the Administrative Centre [**hereinafter: the Municipal Assembly**],
2. The number of councillors shall be determined by the Municipal Assembly by a special decision on the day of calling for the elections at latest.

**Article 4**

1. A councillor and/or a representative shall be elected in the constituency based on a list submitted by political parties (political party list of candidates), coalitions of political parties (coalition list of candidates) or the group of permanent residents (a list of candidates of the group of permanent residents) [**hereinafter: the list of candidates**].
2. Seats for councillors and/or representatives shall be distributed in proportion to the number of votes.

**Article 5**

1. The term of office of the councillors and/or representative shall last for four years.
2. Councillors and/or representative shall make decisions and shall vote according to their own convictions.
3. Councillors and/or MPs cannot be recalled.

**Article 6**

1. Voters shall have the right to be informed via media on the election programmes and activities of submitters of the lists of candidates, as well as about candidates from the lists.
2. In order to enable permanent residents to exercise their suffrage referred to in a paragraph 1 of this Article, the media shall be obliged to consistently implement the principles of equality of all submitters of the lists of candidates and the candidates from the lists.
3. The election promotion via media and public gatherings shall cease 24 (twenty four) hours prior to the polling day.

**Article 7**

The election administration bodies shall be polling boards and election commissions.

**Article 8**

The protection of the suffrage shall be provided by the election commissions, the Constitutional Court of the Republic of Montenegro and competent courts.

**Article 9**

1. The funds for conducting the elections of councillors shall be provided from the municipal budget and from the republican budget for the election of representatives.
2. All actions, acts, petitions and other documents referring to conduction of the elections and termination of the terms of office of councillors and representatives shall be tax exempted.

**II. SUFFRAGE**

**Article 10**

Suffrage, in virtue of this Law, shall include the rights of the voters: to elect and be elected; to nominate and be nominated; to make decisions on the nominated candidates and the lists of candidates; to ask candidates questions publicly; to be timely, truthfully, completely and objectively informed about the programmes and activities of the submitters of the lists of candidates, as well as to exercise other rights provided by this Law.

**Article 11**

1. A voter who has turned 18 years of age, with business capacity and permanent residence in Montenegro for no less than two years prior to the polling day, is entitled to elect and be elected a MP.
2. A voter who has turned 18 years of age, with business capacity and permanent residence in Montenegro for no less than two years and permanent residence in a municipality, or a city municipality as an electoral district for no less than six months prior to the polling day is entitled to elect and be elected a councillor.

**III. CONSTITUENCIES**

**Article 12**

1. The election of councillors shall be conducted in a municipality as a single constituency. The election of MPs shall be conducted in the Republic as a single constituency.
2. In Montenegro, as a single constituency, out of total number of representatives, five representatives shall be elected at the polling stations designated by the special decision of the Parliament of Montenegro.

**IV. CALLING FOR THE ELECTIONS**

**Article 13**

1. The election of councillors or MPs shall be called by a decision passed by the authority administering calling for election.
2. The deadlines for conduction of the election procedures prescribed by this Law as well as the date of the polling day shall be determined by the decision on calling for the elections.
3. The decision on calling for the elections shall be publicised in the "Official Gazette of Montenegro," and for councillors in the Official Gazette of Montenegro – municipal regulations.

**Article 14**

1. The election of councillors and representatives shall be held no less than 15 (fifteen) days prior to the termination of the election period of councillors and/or representatives whose term of office is still valid.
2. No less than 60 (sixty) and no more than 100 (one hundred) days shall pass between the day of calling for and the day of election of councillors and/or representatives.
3. By the day of verification of the mandates of the councillors and/or representatives of new convocation, the term of office of councillors and/or representatives of previous convocation shall be terminated.
4. The terms of office shall be verified within 30 days after the polling day, where the Chairperson of the meeting of the relevant parliament shall make a statement and announce that by submission of the report on the election results by the competent election commission, the terms of office for newly elected councillors, or MPs have been verified.

**Article 15**

1. In the event of dissolution of the Parliament Montenegro (hereinafter: Parliament) or passing of the decision on shortening of the mandate, the President of Montenegro shall call for the elections on the day following the day of dissolution that is the day following the day of coming into effect of the decision of

shortening of mandate of the Parliament of the Republic.

2. In the case of termination of the term of office of the Municipal Assembly, the Assembly of the Capital or the Assembly of the Administrative Centre before the expiration of period for which it has been elected for, the President of Montenegro shall call for the elections on the day following the day of dissolution, that is the day following the day of coming into effect of the decision on shortening of the mandate.

3. The provisions of Article 14 paragraphs 2, 3 and 4 of this Law shall be applied in the case referred to in paragraphs 1 and 2 of this Article.

## **V. ELECTION ADMINISTRATION BODIES**

### **Article 17**

1. The election administration bodies shall perform their duties in conformity with the law.

2. The election administration bodies shall be responsible for their work to the body that has appointed them.

3. All bodies and organisations shall be obliged to provide help to the election administration bodies as well as the data necessary for their work.

4. The state bodies, local self-government bodies, other bodies and organisations shall be obliged to provide professional and technical assistance to the election administration bodies and shall provide them the data necessary for their work.

### **Article 18**

1. The election administration bodies may operate in their permanent composition (appointed members) and their extended composition ('authorised representatives').

2. Any submitter of the verified and proclaimed list of candidates shall have the right to appoint an authorised representative to the election administration bodies.

3. Two or more submitters of a list of candidates may appoint a joint authorised representative to the elections administration body.

### **Article 19**

Election commissions shall be appointed after the constitution of newly elected assembly for the four years term of office, while polling boards shall be appointed for each election of councillors or representatives.

### **Article 20**

1. Only the persons with suffrage may be appointed to the positions of the president, secretary, the appointed and authorised members of the bodies for administering the elections and their deputies.

2. A candidate from the list of candidates may not be a member of election commissions and his term of office shall cease in such an authority upon his acceptance of the candidate nomination for a councillor or MP

### **Article 21**

The election administration bodies shall render decisions by the majority of votes of their members.

### **Article 22**

1. The work of the election administration bodies shall be public.

2. The members of the body for administering the elections and other persons monitoring the work of the election bodies shall be obliged to act in conformity with the law and the rules of conduct set down by the State Election Commission.

3. Should any of the persons monitoring the operation of the election bodies break the rules of keeping order at the polling station, or in any other way disrupt the work of the body for conducting the elections, the body for conducting the elections may remove them and shall make a record of this in the minutes.

## **1. Election Commissions**

### **Article 23**

The election commissions shall be municipal commissions and the State Election Commission.

### Article 24

1. Standing composition of the municipal election commission shall be appointed by municipal parliament, at proposal of the working body of the municipal parliament responsible for elections and appointments, out of candidates proposed by political parties or civic groups having councillors in the municipal parliament.
2. Decision on appointment of municipal election commission shall be published in the Official Gazette of Montenegro – municipal regulation”.

### Article 25

1. Municipal election commission shall be composed of: chairperson, secretary and five members in the standing composition and one authorised representative of each submitter of candidate lists.
2. The candidate of a political party, i.e. submitter of candidate list which won the highest number of councillor seats at previous elections shall be appointed the chairperson of municipal election commission.
3. If a coalition candidate list won the highest number of seats at previous elections, the candidate of the political party which won the highest number of councillor seats within the coalition shall be appointed the chairperson of municipal election commission.
4. The candidate of political party which won the second highest number of councillor seats or votes at previous elections shall be appointed the secretary of municipal election commission according to the criteria established in the provisions of this Article for appointment of the chairperson of municipal election commission, unless otherwise envisaged by this law.
5. One representative of each of the two opposition political parties in the relevant parliament with the highest number of seats, or the highest number of votes in case of the same number of seats won at previous elections must also be appointed members of the standing composition of the municipal election commission.
6. Chairperson and members of municipal election commission in standing composition shall have their deputies appointed.
7. Authorised representative of the submitter of a candidate list may have a deputy.
8. Chairperson and members of the commission, as well as authorised representatives of submitters of lists of candidates, in case of their absence or disability to attend, shall be replaced by their deputies in performing activities and tasks.
9. Chairperson of the commission, his deputy and secretary, as well as members of the commission shall be appointed from out of graduated lawyers, and deputy commission members shall be, by rule, appointed from out of graduated lawyers.

### Article 26

1. By the day of rendering the decision on the proclamation of the list of candidates, the MEC shall pass a conclusion to determine which of the submitters of the list of candidates fulfil the conditions for appointing their representatives to the extended composition of this body.
2. The decision on whether a submitter has or has not fulfilled the conditions for appointing its representative in the extended composition, the MEC shall submit to each of the submitters of the lists of candidates within the 24 (twenty four hours) of passing the decision.
3. The submitter of the list of candidates shall appoint its authorised representative to the extended composition of the MEC and shall notify the MEC about this, and the MEC shall, within no later than 24 (twenty four) hours from the delivery of notification, render a decision determining each of the persons becoming their new members by name.
4. The authorised representatives participate in the work and render valid decisions 20 (twenty) days prior to the polling day.
5. The term of office of authorized representatives in municipal election commission shall cease on the day of establishing the final election results.

### Article 26a

In the case that the elections for councillors and representatives shall be conducted simultaneously, the submitter of the proclaimed list of candidates for the election of representatives shall have the right to appoint an authorised representative in the extended composition of the municipal bodies for administering the election, even if he or she is not a submitter of the list for the election of councillors.

**Article 27**

The MEC shall:

- (i) Make sure that the elections shall be conducted in accordance with the law;
  - (ii) Provide the logistics for conduction of the election;
  - (iii) Set up the polling stations for the election of councillors and representatives;
  - (iv) Form Polling Boards and appoint the president and members of the Polling Boards for the election of councillors and representatives; and organise their education (training) on procedures for the work of the Polling Boards;
  - (v) Determine the number of ballots for respective polling stations, verify them, and together with the verified extract from the Register of Electors delivers them to the Polling Boards with the written record of the delivery;
  - (vi) Assess whether the lists of candidates for the election of councillors and representatives have been made and submitted in conformity with this Law;
  - (vii) Confirm and proclaim the lists of candidates for the election of councillors;
  - (viii) Publicise the number of electors in the municipality and by individual polling stations;
  - (ix) Establish the results of the election of councillors, as well as the number of votes for each of the lists of candidates and determines the number of seats belonging to each of the lists of candidates for the election of councillors;
  - (x) Issue certificate to the elected councillor;
  - (xi) Establish the overall results of the election of representatives in its territory and by each polling station and shall submit a report on this to the State Election Commission [**hereinafter: the SEC**];
  - (xii) Publicly announces the results of the election of councillors,
  - (xiii) Submit the report to the Municipal Assembly on the results of the election of councillors and about filling vacant councillor seats;
  - (xiv) Submit the data on the election of councillors to the bodies in charge of collection and processing of statistical data.
2. Municipal election commission shall have its website to immediately publish its acts and information of significance for carrying out of elections, as well as interim and final voting results on every polling station

**Article 28**

1. The MEC shall adopt the rules of procedure on its work.
2. The conditions for the work of the MEC shall be provided by the Municipal Assembly.

**Article 29**

1. State Election Commission in standing composition shall be appointed by the Parliament, at proposal of the working body of the Parliament responsible for elections and appointments, from out of candidates nominated by political parties having MPs in the Parliament.
2. Decision on appointment of the State Election Commission shall be published in the Official Gazette of Montenegro.

**Article 30**

1. State Election Commission shall be composed of: chairperson, secretary and nine members in the standing composition and one authorised representative of each submitter of candidate lists.
2. The candidate of a political party which won the highest number of MP seats at previous elections shall be appointed the chairperson of the State Election Commission.
3. The candidate of political party which won the second highest number of MP seats at previous elections shall be appointed the secretary of State Election Commission.
4. One representative of each of the three opposition political parties in the Parliament and one representative of the opposition political party, i.e. submitter of candidate list for authentic representation of the members of a minority nation or minority national community which won the highest number of votes at previous elections must be appointed the members of the standing composition of State Election Commission.
5. Chairperson and members of the State Election Commission in standing composition shall be assigned deputies.
6. Authorised representative of the submitter of a candidate list may have a deputy.

## Unofficial Translation

7. Chairperson and members of the State Election Commission, as well as authorised representatives of submitters of lists of candidates, in case of their absence or disability to attend, shall be replaced by their deputies in performing activities and tasks relating to the State Election Commission.
8. Chairperson and members of the State Election Commission, their deputies and secretary of the Commission shall be appointed from out of graduated lawyers."

### Article 31

1. On the day of rendering the decision on the proclamation of the list of candidates, the SEC shall pass a decision determining the submitters of the list of candidates who fulfil the conditions for appointing their representatives in the extended composition of this body.
2. The decision on whether a submitter of the list of candidates has or has not fulfilled the conditions for appointing a representative in the extended composition the SEC shall deliver to the submitters within the 24 (twenty four) hours from the moment of rendering of such decision.
3. The submitter of the list of candidates shall appoint its authorised representative in the extended composition of the SEC and shall notify the SEC of this, who shall, within the 24 (twenty four) hours from the delivery of the notification, render a decision stating persons becoming its new members by name.
4. Authorised representatives shall participate in the work and shall make valid decisions as from 15 (fifteen) days prior to the elections day.
5. The term of office of authorized representatives in the State Election Commission shall cease on the day of establishing the final election results.

### Article 32

1. The SEC shall:
  - (i) Look after of legal conduction of the elections and uniformed implementation of the provisions of this law and about filling vacant MP seats;
  - (ii) Monitor the implementation and shall give opinions regarding the implementation of this Law;
  - (iii) Co-ordinate the work of MECs, issue instructions with regard to the implementation of this Law, and supervise their work;
  - (iv) Set down unified standards for the election material;
  - (v) Set down the forms for implementation of election procedures provided by this Law;
  - (vi) Determine the manner of proclamation of the lists of candidates;
  - (vii) Determine the manner of handling and keeping of the election material;
  - (viii) Assess whether the lists of candidates for the election of representatives have been created and submitted in conformity with this Law;
  - (ix) Render a decision on proclamation of the lists of candidates for the election of representatives;
  - (x) Announce in public the total number of voters and their number by municipalities and by polling stations;
  - (xi) Establish the results of the election of representatives and the number of votes for each of the list of candidates and acknowledge the number of seats belonging to each of the lists of candidates for the election of representatives;
  - (xii) Publicly announce the overall results of the election of representatives, as well as the results by each polling station in the Republic;
  - (xiii) Submit the report to the Parliament of the Montenegro on the results of the election of representatives and about filling vacant MP seats;
  - (xiv) Issue certificate to the elected representatives;
  - (xv) Submit data on the election of representatives to the bodies in charge of the collection and processing of statistical data;
  - (xva) Shall pass Rules of Procedure, and
  - (xvi) Perform other activities determined by this Law.
2. The SEC shall publish all acts and bylaws significant for conducting of the elections on its website, as well as interim and final voting results on each polling station.

### Article 33

The REC shall take over responsibilities within the competence of the MEC in case the MEC fails to carry out its duties regarding the election of representatives in conformity with this Law.

**Article 33a**

1. Chairperson and secretary of the State Election Commission may perform their duties under professional terms, subject to the decision of the Parliament.
2. Decision on remuneration of the Chairperson and secretary of the State Election Commission who perform their duties under professional terms shall be adopted by the committee of the Parliament responsible for administrative issues

**Article 34**

1. The State Election Commission shall form a service of the State Election Commission (hereinafter referred to as Service) to perform professional and administrative operations.
2. The secretary of the State Election Commission shall manage the Service.
3. The act on internal organization and systematisation of the Service shall be adopted by the Commission, at proposal of the secretary of the Commission and with prior opinion of the state administration authority in charge of human resources.
4. Regulations related to senior and lower grade civil servants shall be applied to the status and other rights of employees of the Service.
5. The Parliament shall provide the conditions for the work of the State Election Commission and the Service..

**2. Polling Board**

**Article 35**

1. Polling Board shall be composed of the chairperson and four members in the standing composition and one authorised representative of each submitter of candidate lists.
2. Each political party represented in relevant parliament shall be entitled to the number of chairpersons of Polling Boards commensurate with proportional representation of councillor seats in the parliament, while polling stations where an individual political party would propose the candidate for chairperson of the Polling Board shall be determined by municipal election commission by drawing lots.
3. Two members of the standing composition of the Polling Board shall be appointed based on the proposal of the political party or coalition with majority in relevant municipal parliament.
4. One representative of each of the two opposition political parties in relevant parliament which won the highest number of seats or highest number of votes in case of the equal number of seats must be appointed in the standing composition of the Polling Board.
5. If there is only one opposition political party in the relevant municipal parliament, two representatives of such party shall be appointed in the standing composition of the Polling Board.
6. Chairperson and members of the Polling Board, as well as authorised representatives of submitters of lists of candidates, in case of their absence or disability to attend, shall be replaced by their deputies in performing activities and tasks related to the Polling Board.

**Article 35a**

1. Municipal election commission is obliged to pass a decision specifying which political parties are entitled to propose representatives in the standing composition of the Polling Board no later than 15 days before the polling day.
2. Municipal election commission shall deliver the decision referred to in paragraph 1 of this Article to all submitters of verified candidate lists within 24 hours from the time of its passing.
3. Right to objection or complaint against the decision referred to in paragraph 1 of this Article is admissible, in accordance with the procedure for protection of suffrage established by this Law

**Article 36**

1. On the day of rendering the decision on the proclamation of the list of candidates, the MEC shall determine by a decision which of the submitters of the lists of candidates have fulfilled the conditions for appointing their representatives in the extended composition of the polling boards.
2. The MEC shall submit to the submitters of the lists of candidates the decision on whether they have fulfilled the conditions for appointing the representatives in the extended composition of the Polling Board within 24 (twenty four) hours from the hour of setting up the polling station.
3. The submitter of the list of candidates shall appoint its authorised representative in the extended composition of the Polling Board and shall notify the MEC of this, and the MEC shall, not later than 24

(twenty four) hours from the moment of the delivery of such notification, render a decision stating the names of persons becoming the members of the extended composition of the Polling Board.

4. The authorised representative shall participate in the work and renders valid decisions as from five days prior to the polling day.

**Article 36a**

In case of simultaneous elections for councillors and MPs, Polling Boards formed to carry out elections for councillors shall perform tasks of Polling Boards for election of MPs

**Article 37**

1. The Polling Board shall administer the voting at the polling station in direct manner.
2. The Polling Board shall be in charge of keeping the order at the polling station during the voting.
3. The Polling Board shall appoint, out of its members, two trustees with the duty to administer voting outside of the polling station.
4. More detailed rules on the activities of the Polling Board shall be set down by the SEC.

**VI. PROPOSING AND DETERMINING THE ELECTORAL LISTS**

**1. Candidacy**

**Article 38**

1. The political parties registered in Montenegro, independently or as a coalition, as well as the groups of voters, shall nominate the candidates for their list of candidates based on prescribed number of signatures of the electors.
2. Submitters of lists of candidates referred to in paragraph 1 of this Article shall propose the lists of candidates on terms determined by this Law.

**Article 39**

1. A person may be nominated as a candidate for the election of councillors on a single list of candidates and only in a single constituency.
2. A person may be a candidate for the representative only at a single list of candidates.
3. A list of candidates shall contain no less than 2/3 (two thirds), and no more than the total number of candidates for the elections.
4. Notwithstanding paragraph 3 of this Article a candidate list for election of MPs submitted by civic groups or political parties representing a minority nation or a minority national community may include no less than 1/3 and no more than as many candidates as are elected.
5. The submitter of the list of candidates shall determine the order of the candidates on the list.

**Article 39a**

1. For the purpose of exercising the gender equality principle, there shall be no less than 30% of candidates of less represented gender in the candidate list.
2. The candidate list that fails to meet the requirements referred to in paragraph 1 of this Article shall be considered to contain flaws preventing it to be declared a candidate list, and the submitter of the list shall be invited to remove the flaws of the list, in accordance with this Law.
3. The submitter of the candidate list that fails to remove the flaws referred to in paragraph 2 of this Article shall be denied the declaration of the candidate list by the election commission in accordance with this Law.

**Article 40**

1. The submitter of the list of candidates may withdraw the list no later than the date set for the confirmation of the general list of candidates.
2. By the withdrawal of the list of candidates, the position of the authorised representative of the submitter of the list of candidates shall be terminated in all the election administration bodies, as well as all rights pertaining to him/her according to the provisions of this Law.
3. A candidate may withdraw his/her candidacy not later than the date set for rendering of the decision on the proclamation of the list of candidates.

**Article 41**

1. If upon rendering the decision on the proclamation of the list of candidates the candidate is, by the final and conclusive court decision, stripped of his business capacity, Montenegrin citizenship, withdraws his/her candidacy or if he/she deceases, the submitter of the list of candidates shall lose the right to nominate another candidate.
2. The position of the candidate on the list of candidates referred to in paragraph 1 of this Article shall be taken over by the candidate who is next in line on the list of candidates.

### **2. The Title, Confirmation and Proclamation of the List of Candidates**

#### **Article 42**

1. The title of the list of candidates shall be determined according to the name of the political party submitting the list of candidates.
2. If two or more political parties submit a joint list of candidates, the name and other rights and responsibilities of the submitters of the joint list of candidates shall be specified by the agreement, which shall be submitted to the relevant election commission together with the joint list of candidates.
3. Together with the title of the list of candidates of the group of permanent residents, the submitter shall also submit a more precise appellation of the list.
4. With his/her written consent, the submitter may also include the name and surname of the leader of the list in the title of the list referred to in paragraphs 1-3 of this Article.
5. The person designated as the holder of the list of candidates needn't be a candidate in the list.

#### **Article 43**

1. The list of candidates for the election of councillors and/or representatives shall be deemed confirmed if supported by at least 1% of the electors out of the total number of electors in the constituency, based on the data on the number of the electors from the elections preceding the decision on calling for the elections, regardless whether the last elections were the presidential or the parliamentary elections.
2. Exceptionally to the provision referred to in paragraph 1 of this Article, for the political parties or the groups of permanent residents representing the minority nation or a minority national community in Montenegro, the list of candidates for the election of councillors shall be deemed confirmed if supported by at least 200 (two hundred) electors, while the list of candidates for the election of representatives shall be deemed confirmed if supported by the signatures of at least 1,000 (one thousand) electors, and they shall exercise the right referred to in Article 94 paragraph 2 of this Law.
3. Candidate list for election of MPs representing a minority nation or minority national community with the share in the total population of Montenegro up to 2% according to the results of the latest census is considered established if it supported by signatures of no less than 300 voters
4. The electors signing the lists for the election of councillors must have a permanent residence on the territory of the respective municipality.
5. The electors signing the lists for the election of representatives must have a permanent residence on the territory of the Republic.
6. The SEC shall prescribe the content and layout of the form for the signatures of electors referred to in paragraphs 1, 2 and 3 of this Article.

#### **Article 44**

The elector may support with his/her signature only one list of candidates for the election of councillors and only one list of candidates for the election of representatives.

#### **Article 45**

Repealed. ("Official Gazette", no. 14/00)

#### **Article 46**

1. The list of candidates for the election of councillors shall be submitted to the MEC, and the list for the election of representatives shall be submitted to the REC, as early as 20 (twenty) days from the day of calling for the election, and not later than 25 (twenty five) days prior to the polling day.
2. Together with the list of candidates, the following documents shall be submitted to the election commission:
  - (i) A written statement of the candidate of his/her acceptance of the candidacy;
  - (ii) The certificate of suffrage for each candidate on the list of candidates;

- (iii) The certificate of permanent residence of each candidate;
  - (iv) The list of signatures of the electors supporting the list of candidates;
  - (v) A written consent of the leader of the list if his/her name is included in the title of the list of candidates;
  - (vi) The decision of the competent body of the political party that has verified the list of candidates;
  - (vii) Election application form;
  - (viii) Constitutive and programme act.
3. The list of candidates, together with the documentation, shall be submitted directly to the competent election commission.
4. Election application form referred to in paragraph 2 item 7 of this Article shall be established by the State Election Commission.

**Article 47**

1. Immediately upon the receipt of the list of candidates, the competent election commission shall determine whether the list has been submitted in the prescribed deadline, and whether it has been composed in conformity with the provisions of this Law.
2. If the competent election commission establishes that the list of candidates had not been submitted in time, it shall render a decision on rejecting the list of candidates.
3. If the competent election commission establishes that the list of candidates has certain flaws, it shall render, within the 48 (forty eight) hours from the receipt of the list of candidates, a decision ordering the submitter of the list of candidates to eliminate them within the 48 (twenty four) hours from the delivery of the decision. The decision shall point out to the actions that are to be taken in order to eliminate those flaws.
4. If the competent election commission establishes that the faults in the list of candidates have either not been eliminated or have not been eliminated within the prescribed period, it shall render a decision on refusing to proclaim such list of candidates within the next 24 hours.

**Article 47a**

State Election Commission shall establish if the requirements for exercise of the right referred to in Article 94 paragraph 2 of this Law are complied with based on the election application, the title of the list of candidates or the constitutive act of the submitter of the list of candidates,

**Article 48**

1. The decision referred to in paragraph 1 of this Article that is passed by the State Election Commission shall also include the statement on compliance with the requirements for exercising the right referred to in Article 94 paragraph 2 of this Law.
2. If the competent election commission establishes that the submitted lists of candidates have no flaws or that the flaws have been eliminated, it shall render a decision confirming and proclaiming the list of candidates.
3. The decision referred to in paragraph 1 of this Article shall be, without delay, delivered to the submitter of the list of candidates.

**Article 48a**

Verified and proclaimed lists of candidates shall participate on equal basis at all the polling stations in Montenegro as a single electoral constituency, in conformity with this Law.

**3. General List of Candidates**

**Article 49**

1. Upon the confirmation and proclamation of submitted lists of candidates, the competent election commission shall determine the general list of candidates comprising all the lists of candidates with names of all the candidates.
2. The order on the general list of candidates shall be determined by the president of the election commission by drawing lots, in the presence of authorised submitters of confirmed lists of candidates.
3. The competent election commission shall publicise the general list of candidates not later than 15 (fifteen) days prior to the polling day.

**Article 49a**

*Deleted*

**VII. REPRESENTATION OF THE SUBMITTERS OF THE LISTS OF CANDIDATES AND CANDIDATES FROM THE LISTS**

**Article 50**

1. From the day of verifying the list of candidates to the completion of the election propaganda (hereinafter referred to as election campaign), the submitters of lists of candidates shall be entitled to inform the citizens about their candidates, programmes and activities, through the national public broadcasting agency Radio –Television of Montenegro, as well as through regional and local public broadcasting agencies, in the same daily timing and/or rubrics, on daily basis, in equal duration and free of charge.
2. During the election campaign the submitters of lists of candidates shall be entitled to marketing promotion of their candidates and programmes and publishing of announcements of their promotional gatherings in the shows and/or rubrics and commercial advertising space of commercial public media, with payment of the relevant consideration in accordance with the rules passed by the broadcasting agency.
3. Commercial broadcasting agencies are obliged to enable paid broadcasting to submitters of verified lists of candidates under equal conditions.
4. No property (money, technical devices, premises, equipment, etc.) of state bodies, public companies, public institutions or funds, local self-government units, or companies under ownership interest of the state may be used for presentation of lists of candidates.

**Article 50a**

1. Public officials appointed or nominated by the Government of Montenegro or elected or appointed by the local self-government, senior grade and lower grade civil servants may not take part in the election campaign, or express their positions with regard to elections in public, during working hours, i.e. while on duty.
2. Police officers and members of National Security Agency must not take part in election campaign in any way.

**Article 51**

1. During election campaign period Radio-Television of Montenegro, regional and local public radio-broadcasting agencies shall be obliged to provide presentation of all submitters of verified candidate lists, as well as presentation and reasoning of their election programmes, on daily basis, in equal duration and at the same time, fully free of charge and equally, within their political newscasts and in precisely defined political marketing blocks, which can be heard or seen on the entire territory of Montenegro and/or local self-government units.
2. Radio-Television of Montenegro, regional and local public broadcasting agencies shall not be allowed, under any conditions, to enable the presentation and reasoning of election programmes of submitters of lists of candidates or their indirect advertising outside the time frame referred to in paragraph 1 of this Article.

**Article 51a**

1. During the election campaign period, state officials and local self-government officials may make presentations as representatives of candidate lists and may, in their media presentations on public, commercial and non-profit electronic media promote election programmes and candidate lists in the fashion and in the scope as prescribed by this Law regarding media presentation of representatives of candidate lists during the election campaign.
2. During the election campaign period, the officials referred to in paragraph 1 of this Article are not allowed to misuse or use their media presentation in the role of the government or other public officials for advertising or indirect advertising of the candidate list and/or their election programme

**Article 52**

1. Participants in the pre-election campaign shall observe the Constitution of Montenegro, laws and codex of professional ethics and shall be bound of fair behaviour, which excludes offends and slanders, breaking

of the rules of decency or offending public moral.

**Article 53**

During the election campaign period, Radio-Television of Montenegro, regional and local public broadcasting agencies shall be obliged to provide presenting of announcements of all promotional gatherings of submitters of lists of candidates, on daily basis, in equal duration and at the same time, fully free of charge and equally, in commercial marketing blocks, which can be heard or seen on the entire territory of Montenegro and/or a local self-government unit.

**Article 53a**

1. During election campaign period, Television of Montenegro and Radio of Montenegro shall be obliged to provide each submitter of verified candidate list with free, equal and daily broadcasting of the following within relevant commercial marketing blocks, on a TV channel, or within a Radio programme which can be seen or heard on the entire territory of Montenegro:

- political and propaganda TV-clips or audio-clips in all political marketing blocks, the duration of which is not less than 200 seconds a day, depending on the planned number of advertising blocks of political marketing;

- three-minute coverage of promotional gatherings, twice a day, at the time immediately after the central evening informative TV and Radio shows.

2. The production of the contents referred to in paragraph 1 line 1 of this Article shall be the obligation of the submitters of lists of candidates being promoted.

3. During election campaign period, regional and local public radio-broadcasting agencies shall be obliged to provide each submitter of verified candidate list with free, equal and daily broadcasting space within commercial marketing blocks which can be seen or heard on the entire territory of the local self-government unit in the scope and fashion referred to in paragraphs 1 and 2 of this Article

**Article 54**

The media that are broadcasting the advertisements of the submitters of the lists of candidates promoting the elections, electoral programmes and candidates on commercial basis shall signalize on particular advertisement it is the “paid electoral advertisement”.

**Article 55**

1. Presentation of submitters of candidate lists through public broadcasting agencies, in accordance with this Law, shall be conducted based on rules to be passed by the relevant authority of the public broadcasting agency.

2. The public broadcasting agency shall be obliged to pass and make available to the public the rules referred to in paragraph 1 of this Article no later than 10 days from the day of election calling.

**Article 56**

1. During election campaign period, Television of Montenegro and Radio of Montenegro shall be obliged to organise and broadcast on weekly basis no less than two hour-and-a-half shows of confrontation of submitters of verified candidate lists and candidates from such lists within political newscast broadcasted between 8pm and 11pm, as agreed between the editorial team and submitters of candidate lists.

2. Editors and hosts of the shows referred to in paragraph 1 of this Article shall be obliged to treat all participants in confrontation shows impartially and equally.

**Article 57**

*Deleted*

**Article 58**

During the election campaign, the submitters of the lists of candidates and the candidates on these lists shall have the right to, under the equal terms, organize conferences and other public gatherings in order to present and promote their election programmes, the lists of candidates as well as the candidates on those lists, in conformity with the regulations on public order and peace.

**Article 59**

*Deleted*

### Article 60

The submitters of the lists of candidates and the candidates on these lists shall, during the election campaign, be entitled to prepare election placards, posters, public notices, photographs, leaflets, promotional messages, etc and display them publicly, with no prior permission needed, on the locations designated by a competent municipal body.

### Article 61

The election campaign organized via audio equipment shall be used at the time and in such a manner that secure it does not disturb the permanent residents and infringe their right to peace, in conformity with the regulations of the public order and peace.

### Article 62

During the election campaign period, all public and commercial media in Montenegro shall be obliged to publish evaluations, conclusions and decisions of competent authorities which specify that a certain public medium has violated the provisions of this Law prescribing impartial, equal and objective provision of information to citizens regarding programmes and candidates of political parties and other submitters of lists of candidates.

### Article 63

1. During the period of ten days prior to the polling day, the public radio-broadcasting services shall be forbidden to publicise the results of polls, researches and analyses related to the preferences of the permanent residents regarding the estimation of the election results.
2. On the polling day, during the voting, the public radio-broadcasting services and other media shall not be allowed to publicise the estimations of the election results in their programmes.

### Article 64

1. Presentation of submitters of candidate lists through commercial and non-profit broadcasting agencies shall be carried out based on the rules to be adopted by the broadcasting agency with the aim to ensure fair editorial policy and equal presentation of submitters of verified lists of candidates.
2. The commercial and non-profit broadcasting agencies shall adopt the rules referred to in paragraph 1 of this Article and make them available to the public no later than 10 days from the day of election calling.

### Article 64a

1. The right of media coverage of the pre-election campaign shall come in force on the day of verification of the list of candidates of the participants in the pre-election campaign and it shall cease 24 hours before the Election Day.

### Article 64b

1. By means of a special decision the Parliament shall establish a Board for monitoring the application of the Law on Election of Councillors and Members of Parliament in the part related to media (hereinafter referred to as the Board).
2. The Board shall have 10 members and shall be composed on parity basis out of MPs of the Parliamentary majority and Parliamentary opposition. Chairperson and Deputy Chairperson of the Board be appointed from out of the members of the Board.
3. The Board shall be established no later than 10 days from the day of calling of elections for MPs.
4. Proposal for appointment of the Chairperson, Deputy Chairperson and members of the Board shall be submitted to the Parliament by the working body of the Parliament in charge of election and appointments.
5. The Board shall be responsible to monitor and supervise the application of the provisions of this Law related to the obligations of the media in pre-election campaign, including but not limited to:
  - (i) considers complaints in respect of acting of media and takes positions and passes conclusions in respect of the same;
  - (ii) warns media to act in accordance with this Law and eliminate potential irregularities;
  - (iii) publishes its positions and conclusions in public;
  - (iv) informs the Agency for Electronic Media and competent media authorities about the violation of the provisions of this Law by media, in order to undertake measures under their scope of competences against the media acting contrary to the Law.

6. The Board shall decide by majority votes of its members.
7. The Board shall supervise the acting of media from the day of its establishing to publication of the final election results.
8. Media shall immediately publish the findings and conclusion of the Board specifying that a medium has violated the provisions of this Law.
9. The Rules of Procedure of the Parliament of Montenegro shall be accordingly applied to issues of work of the Board not regulated by this Article."

## **VIII. ADMINISTRATION OF THE ELECTION**

### **1. Polling Stations**

#### **Article 65**

1. The voting for the election of councillors and representatives shall be conducted at the polling stations.
2. The polling stations shall be set up by the MEC upon the proposal of the body in charge of maintaining of the Register of Electors not later than 20 (twenty) days prior to the polling day.
3. Polling stations must be arranged in a way that they provide enough space so that all members of the Polling Board have a view and access to the ballot box and the election material at all times.
4. The MEC shall announce which of the polling stations have been set up and which electors shall vote at the particular polling station not later than 10 (ten) days prior to the polling day.

#### **Article 66**

1. A polling station shall be set up for 1,000 electors at most.
2. The SEC shall set down more detailed rules regarding the polling stations.

#### **Article 67**

1. An elector shall cast his/her vote at the polling station where he/she has been registered in the extract from the Register of Electors.
2. The obligation referred to in paragraph 1 of this Article shall be applied also to the electors serving the military or taking part in a military exercise, or the electors performing duties in units or institutions of the Army.
3. Exceptionally to the provisions referred to paragraph 1 of this Article, an elector may cast his/her vote outside the polling station where he has been registered in the extract from the Register of Electors by post, on terms prescribed by this Law.
4. The procedure of voting outside the polling station, as well as the number of electors who have exercised their right to vote in this manner, shall be entered in the Record on the Work of the Polling Board.
5. More detailed rules regarding the home-bound voting shall be set down by the SEC.

#### **Article 68**

1. The local authority in charge of maintaining of the Register of Electors shall deliver the notice on election to the electors not later than 5 (five) days prior to the polling day.
2. The local authority referred to in paragraph 1 of this Article shall deliver the notice on election to the electors by delivering it to the home address.
3. The notice from paragraph 1 of this Article shall contain: the date and time of holding the elections, the number and the address of the polling station where he/she votes, as well as the number under which he/she has been registered in the extract from the Register of Electors.

#### **Article 68a**

1. The transparent ink-spray and ultra-violet light machine shall be used at the polling stations.
2. The Polling Board shall not allow the voter who refuses to be tested by transparent ink-spray to vote.
3. The manner of using the spray referred to in paragraph 1 of this Article shall be determined by the SEC.

#### **Article 69**

1. Every elector shall vote in person.
2. During the elections, the elector shall be allowed to vote only once.
3. Voting shall be performed on a certified ballot paper.
4. The voters shall confirm the receipt of ballots by their signatures on the extract from the electoral roll.

## Unofficial Translation

5. No person shall be allowed to enter the polling station carrying arms or dangerous instruments.
6. At the polling station and within the area of 50 (fifty) metres from the polling station, it shall be forbidden to display political party symbols and other promotional material that may effect the decision of electors.
7. If during the voting procedure the rules referred to in paragraphs 1-6 of this Article are violated, the Polling Board may be dissolved. In the event of the dissolution of the Polling Board, voting at that polling station shall be repeated.
8. A member of the Polling Board that conducts the identification of electors, as well as other members of the Polling Board shall be forbidden to in any form, and particularly by loud pronouncing, disclose the name and surname of the elector, as well as his/her ordinal number in the Register of Electors.

### Article 69a

1. The voting shall be carried out by a secret ballot.
2. If the Polling Board fails to organise the polling station in the manner that provides full secrecy of vote, the polling board shall be dissolved and voting at that polling station shall be repeated.
3. A voter shall enter his vote on the ballot paper exclusively in the area designated for that purpose (screen/room divider/booth cabin) so that no one is able to see who he/she has voted for.
4. In the event that a voter infringes the secrecy of voting by casting his/her vote in public, out of the area envisaged for voting or by showing his/her ballot paper in public to the polling board by displaying who he/she has voted for, the president of the Polling Board, based on a decision of the Polling Board, and in the presence of the Polling Board and after separating the control coupon, shall make such ballot paper invalid by crossing it out, folding it in a separate envelope and dropping it in the ballot box instead of the voter.
5. The manner of voting referred to in Paragraph 4 of this Article shall be entered by the president of the Polling Board into the book of record.
6. Closer guidance on measures securing the secrecy of vote shall be defined by the REC.

### Article 70

1. Polling stations in the constituency shall be opened at 7 a.m. and closed at 8 p.m. During this interval, the polling stations must be open non-stop.
2. The electors who are present at the polling station at the time of its closing shall be allowed to cast their vote, and the Polling Board shall previously determine the number and the identity of those voters.
3. Should the rules referred to in paragraphs 1 and 2 of this Article be infringed during the polling, the Polling Board shall be dissolved and a new Polling Board shall be appointed, and the polling at that polling station shall be repeated.

### Article 71

1. Should the order at the polling station be disturbed, the Polling Board may interrupt the polling until order is restored. The reasons for interruption and its duration shall be entered in the Record of the Work of the Polling Board.
2. The police officer on duty or another unformed person shall not be allowed to access the polling station during polling.
3. Exceptionally to the provisions referred to in paragraph 2 of this Article, the President of the Polling Board, upon the prior consent of the Polling Board, may ask the police on duty to enter the polling station, only if order and peace at the polling station have been disturbed.
4. If polling has been interrupted for more than one hour, it shall be prolonged for the time of duration of the interruption.

### Article 71a

1. The use of telephones, mobile phones and pagers shall not be allowed in the voting premises.
2. Members of the Polling Board and persons who supervise the work of election administration bodies shall not be allowed to keep any kind of records at the polling station on voters who have voted as well as to use copies of the Registers of Electors or any other auxiliary records of electors.
3. In the event that a member of the Polling Board or a person supervising the work of a body in charge of conducting the elections proceeds contrary to the provisions of paragraphs 1 and 2 of this Article, the president of the Polling Board shall give him/her a warning and, if after such warning the person continue

## Unofficial Translation

to disturb the work, the president of the Polling Board, based on a previous decision of the Polling Board, shall remove him/her and shall register this in the Record of the work of the Polling Board. If the member of the Polling Board has been removed from the premises, the president of the Polling Board shall enable the presence of his/her deputy in the further work of the Polling Board.

### Article 72

1. While the polling station is opened and polling is in progress, all members of the Polling Board or their deputies must be present at the polling station.
2. Each polling station shall have a special room where it shall be possible to ensure the secrecy of voting.
3. The number of electors simultaneously present at the polling station shall be equal to the number of polling booths.
4. All persons having no rights or duties related to the administration of the elections determined by this Law shall be forbidden to retain their presence at the polling station.
5. Police officers must not vote, or enter polling stations in uniforms, unless requested by the Polling Board chairperson to prevent direct threats to public order and safety at a polling station.
6. A complaint against violation of the rules referred to in paragraphs 1- 4 of this Article may be lodged to the MEC that shall then decide whether the voting at that polling station shall be repeated.

## 2. Election Material

### Article 73

1. The ballot paper shall contain:
  - (i) Indication of the constituency;
  - (ii) The ordinal number placed before each individual list of candidates;
  - (iii) The titles of list of candidates according to the order determined on the general list of candidates
  - (iv) A remark stating that the electors shall cast their votes for only one list of candidates, which shall be done by encircling either the title of the list or the name and surname of the leader of the list;
2. In addition to the data referred to in paragraph 1 of this Article, the ballot paper shall contain also, on its back and in the upper right corner, the name of the municipality, the name of the polling station, the indication of the number of the polling station, as well as the stamp of the Polling Board containing the title and the number of the polling station.

### Article 73a

1. The ballot paper shall be printed in a manner that it shall have two parts: a control coupon in the form of a separate section containing the unique serial number, and a ballot paper.
2. The unique serial number shall not be printed on the ballot paper.
3. The control coupon and the ballot paper shall be separated by punching.
4. The range of serial numbers on the control coupon shall be equal to the number of electors registered in the Register of Electors, with the number of ballot papers, according to the sequence of serial numbers on the control coupon be determined for each polling station in respective constituency.
5. The control coupon of the ballot paper shall be printed across the ballot, up to one half of the width of the ballot paper.
6. Ballot papers shall be printed on the specially protected 90-grams paper with the watermark.

### Article 74

1. The competent election commission shall closer determine the form and layout of the ballot papers, manner, place and control of printing and distribution of ballot papers, as well as the destruction of the matrices.
2. The competent election commission shall determine the number of ballot papers that must be identical to the number of electors registered in the Register of Electors, as well as the number of reserve ballot papers.
3. The number of reserve ballot papers shall not be more than 3% of the total number of electors in the corresponding constituency.
4. Serial numbers on the control coupons of the reserve ballot papers shall be determined in the range between the first next serial number after the total number of electors in the corresponding constituency, and the serial number which is identical to the sum of the total number of electors and the number of reserve ballot papers in the corresponding constituency.

## Unofficial Translation

5. The colour of ballots shall be determined by the State Election Commission for election of MPs, and municipal election commission for election of councillors.
6. The ballot papers for the election of councillors shall be verified by the MEC, and the ballot papers for the election of representatives shall be verified by the SEC.

### Article 75

1. The MEC shall timely prepare the election material for each Polling Board, particularly the required number of ballot papers, general lists of candidates, extract from the Register of Electors, special and official envelopes for voting, as well as the form of the Record of the Work of Polling Boards.
2. In case several voting procedures take place at the same time, verified extracts from electoral roll shall be issued in the number equivalent to the number of voting procedures.
3. The election material shall be taken over by the Polling Board not later than 48 (twenty eight) hours prior to the polling day.
4. The competent municipal body shall be in charge of setting up the polling stations and shall provide the each Polling Board with a necessary number of ballot boxes together with the instruments for sealing and tools for voting.
5. On polling day, before the beginning of polling, the Polling Board shall determine whether the election material prepared for the particular polling station has been completed and if it is in a proper state, whether the polling station has been set up in a way that ensures the secrecy of voting, and whether polling may start, and shall enter this in the Record of the Work of Polling Board.

### Article 76

1. The general list of candidates, with the titles of the list of candidates and names of all the candidates, must be displayed in a visible place at a polling station during polling.
2. The content, form and manner of display of the general list of candidates referred to in paragraph 1 of this Article shall be prescribed by the REC.

### Article 77

1. The representatives of submitters of the lists of candidates and the candidates for councillors and representatives shall have the right of view into the election material, particularly into the extracts from the Register of Electors, the records of the work of Polling Boards, the records of election commissions and ballot papers. The inspection of the election material shall be carried out in the offices of the REC, as well as those of the bodies keeping the election material.
2. Opening of the wrappings containing the election material and the envelopes with ballot papers shall be conducted by the MEC in its permanent composition, in the presence of an authorised representative of the submitter of the request for the inspection of the election material.
3. Upon the completion of the inspection of the election material, the election material shall be packed and sealed in the manner prescribed in the Article 91 of this Law.
4. At the request of a submitter of the list of candidates, the bodies keeping the election material shall be obliged to allow the photocopying of the material at the expense of the party filling the request.
5. The insight into the election material may be carried out within the 5 (five) days of the polling day.
6. The insight into the election material and photocopying of the material, after the expiration of the term referred to in paragraph 5 of this Article, may be carried out by a parliamentary party upon filing a request.

### Article 78

1. The election material shall be kept for the period of at least 4 (four) years.
2. Extraordinary to the provision referred to in paragraph 1 of this Article, the ballot papers shall be kept for 90 (ninety) days or until the termination of the procedure on infringement of rights during the election.
3. The REC shall determine the manner of keeping and using of the election material.

## 3. Polling

### Article 78a

1. Prior to the opening of a polling station, the Polling Board shall determine by drawing lots the permanent member of the Polling Board who shall, in the presence of other members of the Polling Board, make a visible damage to the stamp of the Polling Board, by cutting or burning the rubber matrix of the

## Unofficial Translation

stamp, which shall be used for stamping the ballot papers at the back, at the place determined for placing the stamp, immediately before delivery of the ballot paper to the elector.

2. The member of the Polling Board in its permanent composition who performs stamping of the ballot papers shall be determined by the Polling Board by drawing lots.

3. The damaged seal of the Polling Board shall not be stamped on the control coupon of a ballot paper.

4. The ballot papers shall be lined up according to the sequence of serial numbers on the control coupons and shall be, according to that sequence, issued to the electors during polling.

### Article 79

1. The ballot box must not be transparent.

2. The Polling Board shall check the ballot box in the presence of the elector who arrived first at the polling station. The result of this control shall be registered into the control slip which shall be signed by both the members of the Polling Board, and the elector who first arrived at the polling station.

3. The control slip shall be placed in the ballot box which shall then be sealed in the presence of the first elector, and then this shall be entered into the Record of the Work of the Polling Board.

4. Upon the opening of the ballot box, it shall first be checked whether it contains a control slip. If the ballot box does not contain the control slip, the Polling Board shall be dissolved and a new one shall be appointed, and voting at that polling station shall be repeated.

5. The form of the control slip shall be prescribed by the REC.

### Article 80

1. The voter shall report his first and last name to the Polling Board, and prove his identity by his ID card, or passport if it includes the unique ID number or ID card number.

2. The elector may not cast his/her vote without presenting a proof of his/her identity.

3. After having confirmed the identity of the elector, the president or a member of the Polling Board shall encircle the ordinal number in front of his/her name in the Extract from the Register of Electors, shall explain him/her the voting procedure, and hand him/her over the ballot paper.

### Article 81

1. The members of the Polling Board may not in any way influence the decision of the elector.

2. The members of the Polling Board shall explain the voting procedure to the elector again upon the request of the elector.

3. The members of the Polling Board shall take special care that the elector shall not be disturbed by anyone while filling in his/her ballot paper and that the secrecy of voting is completely ensured.

4. If in the course of voting any of the rules referred to in paragraphs 1 to 3 of this Article is violated, the Polling Board may be dismissed. If the Polling Board is dismissed, the voting at such polling station shall be repeated.

### Article 82

1. An elector may cast his/her vote for only one list of candidates on the ballot paper.

2. The voting shall be performed by encircling the ordinal number before the title of the chosen list of candidates, or by circling the title of the list, or by circling the name and surname of the leader of the list.

3. An elector shall fold the marked ballot papers himself/herself in a manner that it cannot be seen whom he/she has voted for, and to leave free the control coupon, after which, by holding a folded ballot paper in hand, shall go to the member of the Polling Board determined by drawing lots and, if needed, to the member determined by the Polling Board, to take off the control coupon from the ballot paper, at its punched part. The elector shall then place the ballot paper into an appropriate ballot box and leave the polling station.

4. The member of the Polling Board referred to in paragraph 3 of this Article shall line up the control coupons separated from the ballot papers according to the sequence of serial numbers and shall keep them in the manner prescribed by rules set down by the REC.

### Article 83

1. No amendments to the extracts from the Register of Electors shall be made from the day of composing of the certified extract from the Register of Electors for each polling station until the polling day, as well as on the polling day.

## Unofficial Translation

2. If any of the activities are performed in contravention to the provision referred to in paragraph 1 of this Article, the Polling Board shall be dissolved, and voting at that polling station shall be repeated.

### Article 84

1. An elector who cannot cast his vote in person (blind person, person with disability or illiterate person) shall be entitled to bring another person with him/her who shall, on behalf of this person, and according to his/her instructions, mark the ballot, that is perform the voting procedure.
2. The voting referred to in paragraph 1 of this Article shall not be performed either by a member of the Polling Board or an authorised representative of the submitter of the list of candidates.
3. The manner of voting referred to in paragraph 1 of this Article shall be notified in the Record.

### Article 85

1. An elector who cannot vote at the polling station (handicapped persons or persons prevented from voting) and wishes to vote shall inform the Polling Board about that. The Polling Board shall, by its two representatives for absentee ballot procedure who may not be from the same political party or coalition, enable such an elector to cast his/her vote, in a manner ensuring directness and secrecy of vote.
2. After being informed of the elector's inability to come to the polling station to cast a vote, the Polling Board shall, through one of the representatives in charge of home bound voting, deliver to the elector in an official envelope the stamped ballot paper, general list of candidates, and a special envelope for placing the marked ballot paper.
3. After casting a vote, the elector shall place the ballot paper in the separate envelope which shall be wax-stamped in the presence of the elector by the trustee of the Polling Board. The closed envelope containing the ballot paper shall be then placed into the official envelope sealed by the trustee in the presence of the elector.
4. The representatives shall deliver the official envelope to the Polling Board which shall then open it, encircle the ordinal number before the elector's name in the extract from the Register of Electors and place the closed envelope with the ballot paper into the ballot box.
5. The manner of voting of the electors referred to in paragraph 1 of this Article shall be entered in the Record.
6. More detailed instructions on the manner of voting referred to in paragraph 1 of this Article shall be prescribed by the REC.

### Article 86

Repealed [Official Gazette of the Republic of Montenegro, No. 14/00]

### Article 87

1. The electors who are in detention or serving prison sentence shall vote at a special polling station designated by the REC in agreement with the administration body in charge of enforcing penal sanctions.
2. Extracts from the Register of Electors, the composition of the Polling Board and the manner of voting of persons referred to in paragraph 1 of this Article shall be determined by the REC.

### Article 88

The electors who, at the time of holding of the election, temporarily reside abroad shall vote at the polling station in the area of their last permanent residence on the territory of Montenegro, before going abroad.

## IX. ESTABLISHING AND ANNOUNCING OF THE ELECTION RESULTS

### 1. Establishing the Election Results

#### Article 89

After the voting has been finished, the Polling Board shall proceed to establish the election results at the polling station.

The Polling Board determines the number of unused ballot papers and places them into a separate envelope which is then being sealed.

The Polling Board shall then determine the number of control coupons separated from the ballot papers and place them into a separate envelope which is then being sealed.

Based on the extract from the Register of Electors, the Polling Board shall determine the number of the electors who have voted.

## Unofficial Translation

Upon the opening of the ballot box and checking of the control slip, valid and invalid ballot papers shall be separated.

Prior to the opening of the ballot box, the Polling Board shall enter the data referred to in paragraphs 2, 3 and 4 of this Article in the Record.

The Polling Board shall establish the number of invalid ballot papers, then the number of valid ballot papers, as well as the number of votes for each list of candidates and shall enter it into the Record.

The following ballot papers shall be deemed invalid: unmarked ballot papers, ballot papers marked in such a way that it is not clear which list of candidates the elector has voted for, as well as the ballot paper in which more than one list of candidates list have been encircled.

If it is established that the number of ballot papers found in the ballot box is higher than the number of electors who have casted the vote or the number of ballot papers in the ballot box is higher than the number of control coupons or if the existence of two or more control coupons with the same serial number or a serial number that does not belong to this polling station, the Polling Board shall be dissolved and a new one shall be appointed and the polling at that polling station shall be repeated. The election results at that polling station shall be established after the repeated polling.

### Article 90

1. After the Polling Board has established the election results, the following shall be entered into the Record of its work: the number of ballot papers received; the number of unused ballot papers; the number of used ballot papers; the number of valid ballot papers; the number of votes for each list of candidates; the number of electors according to the extract from the Register of Electors; the number of electors who have voted according to the Register of Electors and the number of the electors who have voted via home bound voting.
2. The remarks and opinions of the members of the Polling Board shall also be entered in the Record, as well as all other facts of relevance to voting.
3. The Record of the Work of the Polling Board shall be signed by all of the members of the Polling Board.
4. Each member of the Polling Board shall receive a copy of the Record of the Work of the Polling Board.

### Article 91

1. The Polling Board shall place unused, invalid and valid ballot papers in separate envelopes with the indication of its content and which shall be sealed and then, the entire election material (Record of the Work of the Polling Board, extract from the Register of Electors, ballot papers, control coupons separated from the ballot papers, the stamp of the Polling Board, as well as other remaining election material) shall be placed in another envelope and sealed.
2. Upon establishing the election results, the Polling Board shall, without no further delay and not later than 12 (twelve) hours following the hour of closing of the polling station, deliver the election material referred to in paragraph 1 of this Article to the MEC.

### Article 92

1. Upon the receipt of the election material from the polling stations, the MEC shall establish the following: the total number of electors registered in the Register of Electors; the number of the electors who have voted at the polling stations; the number of electors who have voted via home bound voting; the total number of ballot papers received; the total number of invalid ballot papers; and the number of valid ballot papers; the total number of votes for each list of candidates for the elections.
2. Based on the polling results at the polling stations in the constituency, the MEC shall establish the preliminary results of the election of councillors within the 12 (twelve) hours of the receipt of reports from polling stations.
3. The MEC shall make a special report on the results of the election of representatives at the polling stations determined by the special decision of the Parliament.
4. The MEC shall establish the results of voting for the representatives at polling stations within its area, within the 12 (twelve) hours of the delivery of the report from the polling stations at the latest, and shall submit a report together with the Record of the Work to the REC.
5. The REC shall establish the preliminary results of the election of representatives, within the 12 (twelve) hours of the delivery of the reports of the MEC.

## 2. Allocation of Seats

### Article 93

1. The MEC for the election of councillors and/or the REC for the election of representatives, shall establish the total number of votes each list of candidates has won and the number of seats belonging to each list.
2. Each list shall be allocated a number of seats in proportion to the number of votes it has won, in accordance with this Law.

### Article 94

1. Candidate lists that have won no less than 3% of the total number of valid votes in an electoral district shall take part in allocation of seats.
2. Notwithstanding paragraph 1 of this Article:
  - (i) lists of candidates for election of a specific minority nation or minority national community MP specified in the election application or the title of the list of candidates, if none of them meets the requirement referred to in paragraph 1 of this Article, and individually they gain no less than 0.7% of valid votes, shall acquire the right to take part in allocation of seats as a single – collective list of candidates with the total number of valid votes won, provided that adding up that ensures winning up to three seats shall be recognised for allocation of seats;
  - (ii) in case none of the candidate lists for election of MPs of Croatian national members meets the requirements referred to in paragraph 1 of this Article and item 1 of this paragraph, the most successful one, with no less than 0.35% of valid votes shall acquire the right to one MP seat.
3. The right referred to in paragraph 2 item 1 of this Article shall be exercised by candidate lists representing a specific (the same) minority nation or a specific (the same) minority national community with the share up to 15% in the total population in the electoral district, according to the data from the latest census of population.
4. The participation of a candidate list of a specific minority nation or minority national community in the pre-election coalition with candidate lists of another minority nation or minority national community or candidate lists of political parties or civic groups not exercising the right referred to in paragraph 2 of this Article shall not deny the right referred to in paragraph 2 of this Article to other submitters of candidate lists of such minority nation or minority national community.

### Article 94a

*Deleted*

### Article 95

1. The number of seats won by the respective list of candidates shall be determined by dividing the total number of votes each list of candidates in the constituency has won by 1, 2 and ... inclusive with the number which corresponds to the number of councillors or representatives that are elected in the constituency. The quotients thus calculated shall be sorted by size, by taking into account as many largest quotients as councillors and representatives elected.
2. An individual list of candidates shall gain the number of seats that equals the quotients belonging to it.
3. Allocation of seats won by a collective candidate list to submitters of lists of candidates that make the collective list of candidates shall be carried out in the way that the total number of votes gained by an individual list of candidates making the collective list of candidates is divided by 1, 2, ..... and finally by the number of seats won by the collective list of candidates. Such obtained quotients shall be classified by size, where the number of the highest quotients that equals the number of seats won by the collective list of candidates shall be taken into consideration.
4. If two or more lists of candidates gain the same quotients based on which they would be allocated one seat, it shall be determined by drawing lots which list of candidates shall be allocated this seat.

### Article 96

The seats that a list of candidates has acquired shall be allocated to candidates according to the order from the list of candidates.

### Article 97

In a case that, according to the results of polling established in the manner referred to in the Article 95 of

this law, a particular list of candidates should win a larger number of seats than the number of candidates on the list, those seats shall be allocated to the lists of candidates having, accordingly, the next largest quotient.

**Article 98**

1. The MEC shall establish the final results of the election of councillors within the 12 (twelve) hours of expiry of the deadline for filing objections and appeals that is expiry of the deadline for the decision upon these complaints and appeals to become final and enforceable.
2. The REC establish the final results of the election of representatives within the 12 (twelve) hours of expiry of the deadline for filing complaints and appeals, and of the decisions upon these complaints and appeals to become final and enforceable.

**3. Announcing the Election Results**

**Article 99**

1. The MEC for the election of councillors that is the REC for the election of representatives shall announce the final election results including the following:
  - (i) The number of electors registered in the Register of Electors,
  - (ii) The number of electors who have voted at the polling station;
  - (iii) The number of electors who have voted outside the polling station
  - (iv) The number of electors who have voted;
  - (v) The number of ballot papers received;
  - (vi) The number of unused ballot papers;
  - (vii) The number of used ballot papers;
  - (viii) The number of invalid ballot papers;
  - (ix) The number of valid ballot papers;
  - (x) The number of votes won by the respective lists of candidates;
  - (xi) The number of seats won by the respective lists of candidates.
2. The final results of the election of representatives shall be publicised in the “Official Gazette of Montenegro”, and of the election of councillors in the “Official Gazette of Montenegro – Municipal Ordinances” within the 15 (fifteen) days of the polling day at the latest.

**Article 100**

On the day of verification of mandates, the MEC that is the REC shall issue the elected councillor that is the representative a certificate of election of councillor and/or election of representative.

**X. TERMINATION OF THE TERM OF OFFICE, REPEATED ELECTION, FILLING VACANT SEATS OF COUNCILLORS AND REPRESENTATIVES AND EARLY ELECTION**

**1. Termination of the Term of Office**

**Article 101**

1. The term of office of councillor and/or representative shall be terminated before its expiry in the following cases:
  - (i) By resigning;
  - (ii) If they have been convicted, by a finally-binding court decision, to an unconditional prison sentence of not less than six months, or to a prison sentence for a criminal act rendering them unworthy of this office;
  - (iii) If they have been stripped of their business capacity by a finally-binding court decision;
  - (iv) If he/she takes over a position that is incompatible with the position of councillor and/or representative, in conformity with the Constitution and this Law;
  - (v) By revoking Montenegrin citizenship;
  - (vi) In the event of death;
  - (vii) Deleted. [Official Gazette of the Republic of Montenegro, No. 45/04]
  - (viii) If the work of the political party on whose list of candidates he/she has been elected is banned.
2. The term of office of councillor and/or representative shall be terminated by the day of occurrence of any of the events referred to in paragraph 1 of this Article.
3. The termination of the term of office shall be stated by the competent assembly at its first session following the receipt of notification of reasons for the termination of the term of office of a councillor

and/or representative.

4. A councillor and/or representative whose term of office has been terminated pursuant to paragraph 1, item (iv) of this Article, may remain on the list of candidates and may gain the term of office of a councillor or representative again, in accordance with this Law.

## **2. Repeated Election**

### **Article 102**

1. The repeated election shall be conducted if the competent election commission annuls the election at the respective polling station.

2. In the case referred to in paragraph 1 of this Article, the polling shall be repeated at the respective polling station only.

3. The repeated elections shall be conducted in the manner and according to the procedure for the administering the elections provided by this Law.

4. The repeated elections shall be called for by the competent election commission.

5. In case of repeating the elections, the final results shall be established upon finishing the repeated voting.

### **Article 103**

1. The repeated elections shall be conducted within not more than 7 (seven) days of the day the election is annulled.

2. The list of candidates cannot be changed for administering of the repeated elections. .

## **3. Filling Vacant Seats of Councillors and Representatives**

### **Article 104**

1. If the term of office of a councillor and/or representative has been terminated for reasons stated in Article 101 of this Law, the seat shall be awarded to a new councillor and/o representative, in the manner set down by this Article.

2. If the larger number of candidates remains on the list of candidates from which a councillor and/or representative has been elected than the number of councillors and/or representatives whose term of office has been terminated, who is next according to the order in the candidate list shall decide which candidate shall be elected.

3. If the term of office of a councillor or MP elected from a coalition list terminates due to the reasons envisaged in Article 101 of this Law, the candidate coming next according to the order of the constituent list he belongs to shall be elected as the councillor or MP.

4. If the list of candidates from which a councillor and/or representative has been elected has no other candidates, the candidates from the list having the next largest quotient shall be deemed elected a councillor and/or representative.

5. The term of office of a new councillor and/or representative shall last until the expiry of the term of office of a councillor and/or representative whose term of office has been terminated.

6. The candidates referred to in paragraphs 2 and 3 of this Article shall, prior to the confirmation of their terms, present a written consent that they accept the term of office.

## **4. Early Elections**

### **Article 105**

1. Early elections for councillors or MPs shall be called and held in case the Parliament is dissolved or a decision is made on shortening the term of office of the Parliament..

2. The early election shall be called and conducted in the manner and according to the procedure for administering the elections set down by this Law.

## **XI. PROTECTION OF SUFFRAGE**

### **Article 106**

The election administration bodies shall notify the electors during the election procedure of their electoral right and the manner of protection of these rights.

### **Article 107**

## Unofficial Translation

1. Every elector, candidate and submitter of the list of candidates shall have the right to lodge a complaint to the competent election commission for reasons of infringement of the electoral rights during the election.
2. The complaint referred to in paragraph 1 of this Article shall be lodged within the 72 (seventy two) hours of the hour of rendering the decision or performing an action.
3. The complaint referred to in paragraph 1 of this Article shall be lodged to the competent election commission directly.

### Article 108

1. A complaint against a decision, act or omission of the Polling Board shall be lodged to the MEC.
2. A complaint against a decision, act or omission of the MEC shall be lodged to the REC.

### Article 109

1. The competent election commission shall render a decision within the 24 (twenty four hours) of the hour of receipt of the complaint and shall deliver it to the submitter of the complaint.
2. If the competent election commission finds the complaint justified, it shall annul the decision or the act.
3. If the competent election commission fails to render a decision upon the complaint within the deadlines set down by this Law, the complaint shall be deemed justified.

### Article 110

1. A complaint against the decision of the competent election commission on rejecting or refusing the complaint may be lodged to the REC.
2. An appeal against the decision of the REC on rejecting or refusing the complaint may be lodged to the Constitutional Court.

### Article 111

All the procedures regarding the delivery of decisions, conclusions, as well as other acts, statements, documents, petitions and other shall be regulated in accordance with the rules regulating the delivery in the administrative procedure, unless otherwise prescribed by this Law.

## XI a OBSERVERS OF THE ELECTION

### Article 111a

Authorised representatives of the local non-governmental organisations registered for observing of exercising of political rights and freedoms shall be allowed to monitor the course of the election and the work of the bodies in charge of administering the election, in conformity with this Law.

### Article 111b

1. Local non-governmental organisations interested in observing the elections, shall submit the application to the REC which shall, within the 48 (forty eight) hours from the receipt of an application, issue the official authorisations or render a decision rejecting the issuing of authorisations.
2. The application referred to in paragraph 1 of this Article shall include the name of the organisation, the proof of registering into the registry, the number and composition of the representatives of observers.
3. The applications shall be lodged no later than five days prior to the election.

### Article 111c

1. European Union, other international organizations, international non governmental organizations and authorized representatives of foreign states may observe the conduct of elections which involves the work of the authorities for conduction of elections and other state bodies, covering the election campaign by media, exercising of the suffrage and other related political rights and rights of the permanent residents in the election process.
  2. The observation period shall start by the day of calling for the elections and it shall finish after publication of the election results.
- Observers from the paragraph 1 of this article shall report on the course of the election process in accordance with their regular procedures.

### Article 111d

## Unofficial Translation

1. Foreign observers referred to in Article 111v of this Law, interested in observing the elections, shall lodge an application for observing the elections to the Ministry of Foreign Affairs of the Republic of Montenegro, 10 (ten) days prior to the polling day at latest.
2. The application referred to in paragraph 1 of this Article shall include the name of the country of the observer, the title of the organisation, the proof of registering into the registry, the number and composition of the representatives and time/duration of their stay.
3. The Ministry of Foreign Affairs shall, on the day following the receipt of the application, forward the application to the REC.
4. The REC shall, within the 48 (forty eight) days from the receipt of the application, issue the official authorisations for observing the election or render a decision refusing the issuance of authorisations.

### Article 111e

1. To the persons referred to in Articles 111a and 111v of this Law, the REC shall issue the identification cards bearing the name and surname of the observer, the name of the country of the observer and the title of the organisation and/or institution of the observer.
2. The person to whom the identification card is issued shall be obliged to carry it in a conspicuous manner.

### Article 111f

1. The bodies in charge of administering the elections shall be obliged to provide undisturbed observing of the elections and the work of the bodies in charge of administering the elections to foreign and local observers.
2. The Polling Committee shall enter into the Record the presence of observers at the polling stations.

### Article 111g

Upon the proposal of the election administration bodies, the REC shall take away the authorisation or identification card to any person who fails to observe the rules of maintaining the order at the polling stations, or rules of work of the election administration bodies.

## XII. ELECTION ADMINISTRATION AND ELECTION CAMPAIGN EXPENSES

### Article 112

1. Assets for the work of election administration bodies, the election material and other expenses for the administering the elections shall be provided by the Municipal Assembly for the election of councillors, and the Parliament for the election of representatives. The request for allocation of these assets, together with the specification of the total expenses, shall be submitted by the competent election commission.
2. The REC shall determine the criteria and standards and shall allocate the assets to the MECs for performing necessary activities in administering the election of representatives.
3. The REC shall determine the manner of and shall conduct the control of spending of assets referred to in paragraph 2 of this Article.
4. Assets allowed as a fee for the persons working in election administration bodies shall be free of taxes and contributions.

### Article 113

The elected representative and/or a councillor proposed by a group of voters and the political party for the elected representative and/or councillor from the list of that political party, shall be awarded an allowance in the amount determined by the Parliament and/or the Municipal Assembly.

### Article 114

1. State and local administration bodies shall make their premises, instruments, equipment and other facilities available for conducting the election campaign and shall provide equal conditions for their using to all the submitters of lists of candidates.
2. Within the 10 (ten) days of calling for the election, the bodies referred to in paragraph 1 of this Article shall define, by an agreement with the submitters of the lists of candidates, the conditions and a manner of using the facilities referred to in paragraph 1 of this Article.

### **XIII. PENAL PROVISIONS**

#### **Article 115**

1. A fine or a prison sentence of one year shall be assigned to any person who after the elections take the elector into the account for voting or requires the elector to disclose who he/she has voted for or why he/she has not voted.
2. If the act referred to in paragraph 1 of this Article has been committed by a member of an election commission, a polling board or another person carrying out duties with regard to the elections, such person shall be punished with a prison sentence from three months up to three years.
3. A person committing a criminal offence of ordering the use or using the army, military bodies, internal affairs bodies, judicial or state bodies and the assets of these bodies for the purposes of presentation, popularisation or disadvantaging of a certain list of candidates, as well as the employees in these bodies and other persons working for these bodies or cooperating with them, if they follow such orders shall be punished with a three years in prison.
4. If the criminal act referred to in paragraph 3 of this Article has been committed by the President of Montenegro, the President of the Parliament, the President and the members of the Government, the President and the members of the Constitutional Court, the President and the members of the Supreme Court, the State Prosecutor and his deputies, as well as relevant governmental officials of the Federal Republic of Yugoslavia, they shall be punished with a prison sentence of up to five years.

#### **Article 116**

1. A fine of five-fold to twenty-fold minimum wage in Montenegro or imprisonment of 60 (sixty) days shall be imposed to any person committing any of the following acts:
  - (i) Agitating contrary to the provision of Article 6 of this Law;
  - (ii) Accepting the candidacy contrary to the provisions of Article 39 of this Law,
  - (iii) Signing when nominating a candidate contrary to the provision of Article 44 of this Law;
  - (iv) Using the property for the presentation of lists of candidates contrary to the provision of paragraph 2, Article 50 of this Law;
  - (v) Disturbing the work of the Polling Board, conducting of the election, voting, or the work of the election commission;
  - (vi) Remaining at the polling station after voting in spite of the warning of the President of the Polling Board, contrary to the provision of Article 72 of this Law;
  - (vii) Coming to the polling station armed or carrying dangerous instruments, contrary to the provisions of Article 69.
2. Together with the punishment for the infraction of the Law referred to in paragraph 1, item 7 of this Article, the person who has committed this act shall also be sentenced with a measure of taking away the arms or dangerous weapons.

#### **Article 117**

1. A fine of fifty-fold to three hundred-fold minimum wage in Montenegro shall be imposed on a state media or any other public media if it:
  - (i) Does not act in conformity with the provisions of Articles 51, 52, 53, 56, 57 58 and 62 if this Law;
  - (ii) Acts contrary to the provisions of Article 63 of this Law.
2. A fine of five-fold to twenty-fold minimum wage in the Republic shall also be imposed on the competent person in the state media or any other public media for committing acts referred to in paragraph 1 of this Article.

### **XIII TRANSITIONAL AND FINAL PROVISIONS**

#### **Article 118**

1. The first next elections for representatives in the Parliament of Montenegro shall be conducted in the Republic as unified constituency in which five representatives of the total number of representatives shall be elected at the polling stations set up by the special decision of the Parliament.
2. The verified and proclaimed lists of candidates shall participate on the equal terms at all polling stations in the Republic as unified constituency on equal terms.

3. The list of candidates who has fulfilled the conditions for participating in the allocation of mandates at the polling stations set up by the special decision of the Parliament of the Republic, shall be added the votes of the electors the list has won at other polling stations in the Republic in final allocation of mandates, on condition that it does not participate in allocation of mandates at those polling stations.

4. The votes won by the list of candidates, who having in mind the number of the votes won, does not participate in allocation of mandates at the polling stations set up by the special decision of the Parliament of the Republic, shall be added the votes the list has won at other polling station in the Republic, on condition that it participates in allocation of mandates on those polling stations.

5. The allocation of mandates from paragraph 1 of this Article shall be conducted in accordance with Article 95 of this Law.

**Article 119**

For the elections from Article 118 of this Law, the MEC shall make a separate report on elections of representatives at the polling stations set up by the Parliament of the Republic.

**Article 120**

The ultra-violet light machine from the Article 118 of this Law shall be used at the first next parliamentary elections.

The manner of using of the spray from the paragraph 1 of this Article shall be determined by the regulation of the REC.

**Article 120a**

The ultra-violet light machines shall be used at the elections of councillors in municipal assemblies of Podgorica and Herceg Novi that shall be held on June 11 2000.

The manner of using of spray from the paragraph 1 of this Article shall be determined by the regulations of the REC.

**Article 121**

The municipal assemblies shall appoint the MECs within the 20 (twenty) days of the day of this law coming into force at latest.

The REC shall be appointed within the deadline from paragraph 1 of this Article.

**Article 122**

The REC shall render the regulations and forms for the implementation of this Law within the deadline of 20 (twenty) days from the day of the appointment.

**Article 123**

The municipal assembly shall harmonize its regulations on elections with the provisions of this Law within the 45 days from the day of this Law coming into force.

**Article 124**

By the day of this Law coming into force the Law on Election of Councillor and Representatives ("Official Gazette of the Republic of Montenegro", No. 49/92, 16/95 and 21/96) shall cease to be valid.

**Article 125**

This Law shall enter into force the next day from the day of publicising in “Official Gazette of the Republic of Montenegro”.

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**Article 68**

A person who is included in the electoral roll on the day this Law enters into force, but without data on citizenship or with the citizenship of any of the former SFRY Republics, the local government authority responsible for maintaining the electoral roll shall issue a notification that the electoral roll does not have the data on Montenegrin citizenship within 45 days from the date this Law enters into force.

The person referred to in paragraph 1 of this Article shall remain included in the electoral roll if he provides the evidence of Montenegrin citizenship by 31 December 2012.

**Article 69**

The Parliament of Montenegro shall appoint the State Election Commission in accordance with this Law within 60 days from the day this Law enters into force.

Municipal parliaments shall appoint municipal election commissions within the deadline referred to in paragraph 1 of this Article.

**Article 70**

This Law shall enter into force on the eighth day after its publication in the Official Gazette of Montenegro”.

Number 35/11-5/13

EPA 655 XXIV

Podgorica, 8 September 2011

PARLIAMENT OF MONTENEGRO OF THE 24<sup>TH</sup> PARLIAMENTARY TERM

PRESIDENT

Ranko Krivokapić