

# L A W

## on Electing Representatives in the Assembly of the Republic of Macedonia

### I. BASIC PROVISIONS

#### Article 1

Ways, conditions and procedure for the election of Representatives in the Assembly of the Republic of Macedonia are regulated by this Law.

#### Article 2

One hundred and twenty Representatives are elected for the Assembly of the Republic of Macedonia (hereinafter: Assembly).

Out of the total number of Representatives 85 are elected according to the majority principle in the Constituencies defined by law, and 35 are elected according to the principle of proportionality, whereby the territory of the Republic of Macedonia represents one Constituency.

In the Constituencies in which one Representative is elected, the number of voters may vary from minus 10% to plus 10% at the most, in relation to the average number of voters in the Constituencies.

If after the adoption of the Law on Constituencies, the number of voters in a particular Constituency is increased, that is decreased, the Constituencies shall not be altered until the adoption of the new law on the Constituencies.

#### Article 3

Representatives are elected at general, direct, and free elections, by secret ballot.

Nobody is allowed to claim responsibility of the citizen because of his/her voting, or ask him/her to tell whom he/she has voted for or why he/she has not voted.

#### Article 4

Every citizen of the Republic of Macedonia who has reached 18 years of age and has a civil capacity has the right to vote.

#### **Article 5**

Each citizen of the Republic of Macedonia who has:

- reached 18 years of age;
- civil capacity;
- is not serving a sentence of imprisonment for committed criminal offence,

has the right to be elected for Representative.

#### **Article 6**

The office of Representative is incompatible with the office of President of the Republic of Macedonia, Prime Minister of the Republic of Macedonia, minister, judge of the Constitutional Court of the Republic of Macedonia, judge, public prosecutor, and with other holders of offices elected or appointed as a professional duty by the Assembly and the Government of the Republic of Macedonia.

The office of Representative is incompatible with the office of a mayor and member of a council in a municipality and the City of Skopje.

The office of Representative is incompatible with the performance of expert and administrative matters in the state administration bodies.

The office of the holders of offices under paragraphs 1 and 2 of this Article, shall terminate on the day of verification of the mandate as Representative.

The employment of the persons referred to in paragraph 3 of this Article during their term of office shall temporarily cease from the day of verification of the mandate for Representative.

#### **Article 7**

The service of the members of the armed forces of the Republic of Macedonia, the members of the Republic of Macedonia Police in uniform on leading positions, the authorized officials in the Ministry of the Interior, the Ministry of Defence, and the Intelligence Agency shall cease temporarily on the day they shall be determined as candidates for Representatives.

The office of the persons of paragraph 1 of this Article shall terminate temporarily on the day their mandate as Representative is verified.

#### **Article 8**

The Representatives may not be revoked.

#### **Article 9**

Elections for Representatives are held every fourth year, in the last 90 days of the mandate of the old Assembly composition or within 60 days of the day of dissolving the Assembly.

The day on which the time limits for performing election activities begin to run and the day of holding the elections are determined by the Election Announcement Act which is issued by the President of the Assembly.

The Election Announcement Act is announced in the "Official Gazette of the Republic of Macedonia."

#### **Article 10**

Activities, acts, communications, and other documents relating to the carrying out of the elections for Representatives are exempted from paying fees and all activities within the electoral procedure are exempted from all kinds of taxes.

## **II. BODIES IN CHARGE OF CARRYING OUT THE ELECTIONS**

#### **Article 11**

Bodies in charge of carrying out the elections are:

The State Electoral Commission,

Electoral Commissions in Constituencies (hereinafter: Electoral Commissions), and

Electoral Boards.

#### **Article 12**

The State Electoral Commission is composed of a president, eight members and their deputies.

The State Electoral Commission has a secretary and his/her deputy.

The President, the Members of the State Electoral Commission, the Secretary, and their deputies shall be appointed by the Assembly for a term of four years.

The President, the Members of the State Electoral Commission, the Secretary, and their deputies shall be appointed upon the proposal by the Commission for Elections and Appointments Matters.

#### **Article 13**

The President and two Members of the State Electoral Commission and their deputies shall be appointed from among the judges at the Supreme Court of the Republic of Macedonia.

Political parties in opposition who have won the largest number of votes on the latest elections shall propose three members of the State Electoral Commission and their deputies.

Three members of the State Electoral Commission and their deputies shall be proposed by the ruling political parties.

Law graduates shall be appointed as Secretary of the State Electoral Commission and his/her deputy.

The Secretary is not a member of the State Electoral Commission and is not entitled to vote.

#### **Article 14**

Political parties referred to in Article 13 paragraphs 2 and 3 of this Law, shall determine the members and their deputies, within 5 days of the day of receiving the notification to that aim from the President of the Assembly of the Republic of Macedonia.

If the political parties fail to determine and submit the names of the members and their deputies within the time-limit stated in paragraph 1 of this Article, the members and their deputies shall be proposed by the Election and Appointment Matters Commission.

The members of the State Electoral Commission and their deputies of Article 13 paragraphs 2 and 3 of this Law should, as a rule, be graduated lawyers.

#### **Article 15**

An electoral Commission shall be established for each Constituency.

Electoral Commissions shall be composed of a president, four members and their deputies.

The president, members of Electoral Commissions and their deputies shall be appointed by the State Electoral Commission for a four years' term.

The Electoral Commission shall have a secretary, who is a law graduate, and is appointed by the president of the Electoral Commission.

The secretary is not a member of the electoral commission and is not entitled to vote.

#### **Article 16**

The President and the members of Electoral Commissions are appointed within 20 days of the day of announcing the elections.

The President of the Electoral Commission and his/her deputy shall be appointed from among the judges of the court of first instance.

Two members and their deputies shall be appointed upon a proposal by the political parties in opposition which at the latest elections have won at least 5% of the votes of the voters who have voted.

Two members and their deputies shall be appointed upon a proposal of the ruling political parties.

#### **Article 17**

The political parties of Article 16, paragraphs 3 and 4 of this Law, shall submit their proposals for candidates for members of electoral commissions and their deputies to the State Electoral Commission within 15 days of the day of announcing the elections.

The political parties of Article 16, paragraphs 3 and 4 of this Law shall propose candidates for members of the Electoral Commissions, and their deputies even in the cases when a member of his/her deputy shall resign. Political parties submit their proposals within 24 hours of receiving the notification by the State Electoral Commission.

If the political parties fail to submit a proposal within the time-limit determined in paragraphs 1 and 2 of this Article, the members of the electoral commissions and their deputies shall be appointed by the State Electoral Commission.

#### **Article 18**

The president of the Electoral Commission and his/her deputy, as a rule, shall be from the court of first instance covering the territory of the Constituency.

Members of the electoral commissions and their deputies may be only persons having the voting right.

Decisions on the appointment of electoral commissions shall be announced in "Official Gazette of the Republic of Macedonia."

#### **Article 19**

An electoral board shall be established for each electoral site.

Electoral boards shall be composed of a president, four members, and their deputies.

The president of the electoral board and his/her deputy shall be appointed by the president of the Electoral Commission, from among the citizens with a residence in the Constituency, where the respective electoral site is.

The members of the electoral boards and their deputies shall be appointed by the electoral commission.

#### **Article 20**

The president and the members of the electoral boards and their deputies shall be appointed 15 days prior to the day determined for holding the elections at the latest.

Two members and their deputies in the electoral board shall be appointed upon proposal of the political parties in opposition which at the latest elections have won at least 5% of the votes of the voters who have cast their votes.

Two members and their deputies in the electoral board shall be appointed upon proposal of the ruling political parties.

#### **Article 21**

The political parties of Article 20 paragraphs 2 and 3 of this Law, the candidates for members of the electoral boards, and their deputies shall be proposed 20 days at the latest before the day determined for holding the elections.

If the political parties fail to submit a proposal within the time-limit determined in paragraph 1 of this Article, the members of the electoral boards and their deputies shall be appointed by the electoral commission.

The president of the electoral commission shall appoint new members to the electoral board and their deputies in case members of the electoral board and their deputies abandon the electoral site without any justification.

#### **Article 22**

The president, the members of the electoral boards, and their deputies, may be only persons having the right to vote and a permanent residence in the territory of the Constituency.

#### **Article 23**

The bodies for the carrying out of the elections may work and decide if the majority part of the members is present.

The bodies for the carrying out of the elections make their decisions by the majority of the votes of the total number of the members.

#### **Article 24**

The members of the bodies for the carrying out of the elections, and the secretary, as well as their deputies may not be candidates for Representatives.

If a member of the organ for the carrying out of the elections, the secretary, as well as their deputy accepts candidature for Representative, the office of a member, secretary, that is deputy shall cease.

#### **Article 25**

Members of the bodies in charge of carrying out the elections shall perform their office impartially, conscientiously and responsibly in accordance with the spheres of competence determined by this Law.

Members of the bodies in charge of carrying out the elections shall have the right to compensation for the job performed, the amount of which shall be established by the State Electoral Commission.

#### **Article 26**

Each list submitter shall be entitled to appoint a representative and his/her deputy that will follow the work of the electoral commission and electoral board starting from the beginning of the elections until the establishment and announcement of the results.

If there is a list submitter submitting both a candidate list and a list of candidates, he/she shall appoint one representative for both lists.

The list submitter shall issue an authorization to the representative and shall inform the electoral commission thereof.

The list submitter's representative at the session of the electoral commission may warn against any inconsistencies in its work, and if the same is not accepted, he/she may require that the warning be included in the minutes.

#### **Article 27**

The State Electoral Commission shall:

take care of the legality in the preparation and carrying out of the elections and give instructions;

appoint the composition of the electoral commissions, give instructions for their work, give explanations about the application of the provisions of this Law and about the carrying out of the elections;

determine and announce the candidates lists for the elections of Representatives according to the proportional principle, and shall determine their order on the ballot by drawing lots;

form assisting bodies for the carrying out of organisational-technical matters;

establishes common standards about the election material and other material conditions and takes care of their implementation;

prescribe forms for the carrying out of elections and publishes them in the Official Gazette of the Republic of Macedonia;

determine the way of handling and keeping the election material;

organize the printing of ballots and candidates lists (determines the form, size, colour and serial numbers of the ballots);

inform the public of the way of voting and of the exercise of the right to vote;

define the rules for participation in the elections of domestic and foreign observers and provide them with identification documents;

decide on complaints;

establish and announce the elections results according to the principle of proportionality;

announce the results from the held elections for Representatives within three days of their holding;

submit a report to the Assembly of the Republic of Macedonia on the elections held;

issue certificates to the Representatives elected;

perform other jobs provided for by law.

#### **Article 28**

The Electoral Commission shall:

take care of the legality in the carrying out of elections in the Constituency;

appoint the members of the electoral boards proposed by the political parties, and give instructions about their work;

determine the candidate lists, and determine the order on the unique candidate list;

announce the unique candidate list for the election of a Representative in the Constituency for the submitted and confirmed candidate lists;

undertake technical preparations for carrying out the elections according to the directions and instructions by the State Electoral Commission;

inform the citizens of the way and technique of voting;

register the authorized representatives of the candidates for following the work of the electoral commission and the electoral boards;

hand over the election materials to the electoral boards in a way determined by this Law;

establish the voting results for the election of a Representative in the Constituency within 24 hours after the electoral sites have been closed;

announce the results from the elections for electing a Representative in the Constituency and submit them to the State Electoral Commission;

determine the number of votes which the candidates lists have won individually and submit the results to the State Electoral Commission;

decide on complaints against irregularities in the work of the electoral boards;

fill in and submit statistical data for the needs of the Statistical Office of the Republic of Macedonia;

perform other jobs, as well.

#### **Article 29**

The electoral board shall directly manage the voting at the elections, ensure regularity and secrecy of the voting, provide free and peaceful holding of the voting, and establish the voting result at the electoral site.

The electoral board shall make a minutes on its work and shall submit it to the electoral commission together with the election material.

#### **Article 30**

State administration bodies are obliged to provide technical and other working conditions to the bodies in charge of carrying out the elections.

State administration bodies shall be assigned funds from the Budget of the Republic of Macedonia for the performance of their jobs of paragraph 1 of this Article.

### **III. NOMINATING CANDIDATES**

#### **Article 31**

The nomination of candidates for the election of a Representative in the Assembly according to the majority principle shall be made by submitting a candidate list.

The nomination of candidates for the election of Representatives according to the proportional principle is made by submitting a list of candidates.

#### **Article 32**

The registered political parties individually, or two or more parties jointly, as well as a group of voters (hereinafter: lists submitters) have the right to submit a candidate list, that is a list of candidates.

#### **Article 33**

In case when a candidate list submitter is a group of voters, at least 200 signatures of the voters registered in the excerpt from the General Voters Register, for the Constituency concerned, shall be required.

In case when a candidate list submitter is a group of voters, at least 1000 signatures of the voters registered in the General Voters Register shall be required.

#### **Article 34**

The signatures of the voters in the nomination procedure shall be gathered before a competent state body, by using a form prescribed by the State Electoral Commission, which shall contain the name and surname, permanent residence, profession, working post and the unique record book number of the candidate nominated, as well as the name, the surname and the unique record book number of the voter signing the nomination.

Each voter may give his/her signature for one candidate list and one list of candidates only.

Voters submitting the list must have the right to vote and a permanent residence within the area of the Constituency in which the elections are being carried out.

#### **Article 35**

A list submitter may submit only one candidate list, that is one list of candidates in the Constituency.

A list submitter may not nominate the same candidate both on the candidate list and candidates list.

#### **Article 36**

The candidate list, that is the list of candidates, is signed by the authorized representative of the list submitter himself.

The name of the list is marked according to the name of the list submitter.

If the candidate list submitter is a group of voters, the name of the list shall be marked with "independent candidate".

If the candidates list submitter is a group of voters, the name of the list shall be marked with "group of voters".

#### **Article 37**

The candidate list shall be submitted to the electoral commission no later than 35 days prior to the day of holding the elections.

The candidate list shall be submitted in a special form to which a certificate on the registration by the competent court and a proof for an open election campaigns giro account shall be enclosed as well.

When the list submitter is a group of voters, the number of signatures required shall also be submitted.

For each candidature a written consent of the candidate is required, the same being irrevocable.

#### **Article 38**

The list of candidates shall be submitted to the State Electoral Commission 35 days prior to the day of holding the elections at the latest.

The list of candidates shall consist of as many candidates as there are Representatives who are being elected.

The order of the candidates on the list shall be determined by the list submitter.

#### **Article 39**

The electoral commissions and the State Electoral Commission shall, immediately upon the receipt of the candidate list, that is candidates lists, examine whether they have been submitted within the time-limit given and have been made in accordance with the provisions of this Law.

Should a commission of paragraph 1 of this Article establish that there have been some failures, that is irregularities, it will call the submitters thereof immediately, but no later than 48 hours, to eliminate the failures or irregularities found.

When a commission of paragraph 1 of this Article establishes that the lists have not been submitted within the time-limit given, and have been made in accordance with the provisions of this law, that is, the failures and irregularities found have been eliminated by the lists submitters within the time-limit set in paragraph 2 of this Article, it will confirm the submitted lists by a decision.

#### **Article 40**

Should a commission of Article 39, paragraph 1 of this Law establish that the lists have not been submitted timely, that is the failures and irregularities found have not been eliminated by the lists submitters within the time-limit set in Article 39, paragraph 2 of this Law, it will reject the submitted list with a decision.

An appeal against the decision of the electoral commission of paragraph 1 of this Article may be submitted to the court of Appeals within 24 hours.

The Court of Appeals is obliged to decide on the appeal within 48 hours.

An appeal against the decision of the State Electoral Commission of paragraph 1 of this Article may be submitted to the Supreme Court of the Republic of Macedonia within 24 hours.

The Supreme Court of the Republic of Macedonia is obliged to decide on the appeal within 48 hours after it has received it.

Appeals of Paragraphs 2 and 4 of this Article shall be submitted directly through the electoral commissions, that is the State Electoral Commission.

Submitting appeals by post is not permitted.

#### **Article 41**

The electoral commission shall determine the order of the candidates on the general candidate list for the election of a Representative in the Constituency by drawing lots.

The State Electoral Commission shall determine the order of the lists of candidates on the ballot by drawing lots.

The commissions of paragraphs 1 and 2 of this Article, are obliged to inform beforehand the authorized representatives of the list submitter of the activities to be undertaken in accordance with paragraphs 1 and 2 of this Article.

The commissions of paragraphs 1 and 2 of this Article shall announce the lists established in the daily press 30 days prior to the day determined for holding the elections at the latest.

Commissions of paragraphs 1 and 2 of this Article will announce the lists determined in the electoral sites in the Constituency in which the election is being carried out.

#### **IV. ELECTION CAMPAIGNS**

#### **Article 42**

Political parties, two or more political parties together, the group of voters and the candidates for Representatives (hereinafter: election campaigns organizers) have the right to equally and under the same conditions use all forms of political propaganda, informing and other forms of propaganda whose aim is to influence the voters' decision when voting for Representatives candidates.

#### **Article 43**

The election campaigns shall begin 40 days prior to the elections day and may not be carried out 24 hours prior to and on the elections day.

Foreign juridical and natural persons may not organize election campaigns.

#### **Article 44**

The election campaigns organizer is responsible for the legality in the carrying out of the election campaigns.

The election campaign organizer is also in charge of the election campaign activities for which he/she will authorize other persons.

#### **Article 45**

If during the election campaign, that is, during the presentations or propaganda information of certain organizers of election campaign, the rights of candidates are being violated (by preventing and disturbing the opponents' campaign), they have the right to initiate a procedure before the competent court of first instance with a view to protecting their rights.

The proceeding for the protection of candidates' rights in the cases when they are violated is urgent.

The court of first instance shall decide upon the request for rights protection within 72 hours after the request has been submitted.

An appeal against the decision of the court of first instance may be lodged before the competent court of Appeals within 72 hours after it has been received.

The competent court of Appeals shall decide within 72 hours of the day of submitting the appeal.

The effective decision shall immediately be announced in the media.

#### **Article 46**

The media in the Republic of Macedonia are obliged to provide, under equal conditions, equality in the presentations of candidates for Representatives, political parties, groups of voters, and their programmes.

The duration of the electoral presentation, as well as the conditions and methods of advertising for the use of programme hours, that is the space in the media for the presentation of the candidates, political parties and the group of voters and their programmes, shall be determined by the Assembly with a decision about the rules for equal media presentation, which shall be announced 40 days prior to the election day at the latest.

#### **Article 47**

When public opinion polls on candidates, political parties and group of voters in the election campaigns are announced, the names of the analysts who organized the survey, the date, methodology, sample, and the name of the person who commissioned the polls is necessary to be given.

Public opinion polls may be announced 5 days prior to the elections day at the latest.

Public opinion polls may be conducted on the very elections day, and the results thereof may be announced immediately after the closing of the electoral sites.

#### **Article 48**

When announcing election propaganda information, the media are obliged to state that a paid advertisement is in question.

#### **Article 49**

The media whose founder is the Assembly of the Republic of Macedonia in cooperation with the State Electoral Commission have an obligation to inform the citizens of the way and technique of voting.

#### **Article 50**

Displaying election posters free of charge is allowed only at places appointed by the municipality, and the City of Skopje.

The municipality and the City of Skopje have an obligation to mark the places of paragraph 1 of this Article for each lists submitter separately.

The municipality and the City of Skopje may determine additional places for displaying election posters and charge for it.

Municipalities and the City of Skopje immediately after the end of elections are obliged to utilize part of the funds referred to in paragraph 3 of this Article in order to eliminate the garbage left during the election campaigns.

Municipalities and the City of Skopje are obliged to announce the conditions for obtaining the right to use the places for displaying posters no later than 50 days prior to holding the elections.

Municipalities and the City of Skopje are obliged to ensure equal conditions for all election campaigns organizers when displaying posters at the designated places.

Election posters may be displayed on residential buildings and other private buildings having the prior consent of the owner of the building.

#### **Article 51**

Destroying election posters or putting them up over other election campaigns organizers' posters is forbidden.

#### **Article 52**

Pre-election rallies are public.

The organizer is responsible for keeping the order at the rallies.

#### **Article 53**

Election campaigns organizer shall inform in writing the competent body of the Ministry of the Interior through the district unit about organizing a pre-election rally on public places and on public transport places 48 hours prior to its holding at the latest.

#### **Article 54**

Pre-election rallies may not be held in military buildings, religious buildings, hospitals, homes for old people, schools, kindergartens, and other public institutions.

As an exception, the organizers will be allowed to hold pre-election rallies in schools, or cultural centres if there is no other building in the Constituency where the rally would be held.

The permit is given by a person in charge at the institution, under equal conditions for all election campaign organizers.

The facilities, equipment or other property intended to be used by the state and local self-government bodies may not be utilized for the purposes of election campaigns.

As an exception, state and local self-government bodies facilities may be utilized, if there are no other appropriate facilities in the place that may be used for the purposes of election campaigns.

The permit is given by the person in charge at the institution, under equal conditions for all election campaign organizers.

### **V. ELECTION CAMPAIGN FINANCING**

#### **Article 55**

Election campaigns organizer should open a giro account designated "for election campaigns" no later than 45 days before the elections day.

In case an election campaigns organizer is a group of voters, the authorized representative of the list submitter is the signatory of the giro account.

The election campaigns organizer will put all funds received from juridical or natural persons intended for financing the election campaigns on the giro account.

All campaign expenses are to be covered solely with the funds from the giro account.

Incomes are registered by type, amount, and source.

Election campaigns organizers are obliged to close the giro account within 3 months after the end of the elections at the latest.

#### **Article 56**

An election campaigns organizer is obligated to submit a financial report on the election campaigns.

The financial report on the election campaigns contains data on the total amount of the funds and expenses incurred.

The financial report shall be submitted to the Assembly of the Republic of Macedonia no later than 3 months after the elections are finished.

The excess of funds will be donated to charity by the election campaigns organizer who is a group of voters.

#### **Article 57**

The election campaigns may not be financed from:

funds from the Budget of the Republic of Macedonia, except the funds defined in Article 59 of this Law;

funds from the budget of the local self-government units and the City of Skopje;

funds from public enterprises and institutions;

funds from citizens' associations, religious communities, religious groups, and foundations; and

funds from foreign governments, international institutions, bodies, and organizations of foreign states and other foreigners.

#### **Article 58**

When financing the election campaigns for a Representative, the election campaigns organizer may spend no more than 15 denars per registered voter in the Constituency where the candidate list has been submitted, as well as no more than 15 denars per registered voter according to the General Voters Register for the candidates list.

#### **Article 59**

The election campaigns organizers whose candidates have been elected Representatives have the right to remuneration, the amount of which is 15 denars per vote won.

The reimbursement of election expenses will be paid from the Budget of the Republic of Macedonia within 3 months of the day of submitting the financial statement on the election campaigns at the latest.

If two or more political parties are the submitter of the list of the elected Representative, the funds between or among them shall be divided into equal shares, unless the parties have agreed otherwise.

The reimbursement of the election expenses is determined by a decision of the Assembly of the Republic of Macedonia.

#### **Article 60**

The electoral commission and the State Electoral Commission will make a decision to annul the election of candidate for Representative, that is candidates for Representatives of a political party, two or more political parties jointly, that is a group of voters, if

with an effective court decision it has been established that funds obtained from committed penalty liable deeds have been used during the election campaigns.

## **VI. CARRYING OUT THE ELECTIONS**

### **Article 61**

Citizens shall be informed of the elections by means of a public announcement and posters display at visible places.

Citizens' notification shall be conducted by the electoral commissions.

### **Election material**

### **Article 62**

The election material for executing the elections for Representatives consists of:

the number of ballot boxes necessary

minutes forms

the number of ballots necessary for electing a Representative in the Constituency and ballots to vote for candidates lists, as many as there are voters in that electoral site, according to the excerpt from the General Voters Register;

lists of candidates;

certified excerpt from the General Voters Register, and

other material necessary for voting.

### **Article 63**

The State Electoral Commission hands over the election material to electoral commissions within 72 hours prior to the election day at the latest.

A minutes shall be prepared for the handing over of the election material to the electoral commissions, in which the total number of ballots for the election of a Representative in the Constituency together with the serial numbers, the total number of ballots for voting for the candidates lists with serial numbers, and the number of lists of candidates necessary which are put up in the voting rooms, is to be stated specifically.

### **Article 64**

The electoral commission is obligated to hand over the electoral material to the electoral boards one day prior to the day determined for holding the elections.

A minutes shall be prepared for handing the electoral material over to the electoral boards in which the total number of ballots for the election of Representative in the Constituency with the serial numbers and the total number of ballots for voting for the lists of candidates with the serial numbers, and other material necessary for the voting are to be stated.

In the minutes on the receipt of the electoral material, the electoral board shall establish whether the room in which the voting will take place meets the voting conditions prescribed.

The minutes is signed by the president and electoral board members, and a member of the electoral commission who is handing over the material.

Should the representatives of the lists submitters present have some objections to the handing over of the electoral material, they have the right to record the same in the minutes and only the objections registered in that way may be invoked in the complaints and be subject of an assessment in the appellate proceedings.

## **Ballots**

### **Article 65**

The ballot for the election of a Representative in the Constituency shall contain:

the number of the Constituency;

the name and logo (if any) of the list submitter;

the ordinal number, name and surname of candidates;

the serial number of the ballot;

instructions for voting.

On the ballot the candidates are given the same order as defined in the candidate list.

If there are candidates whose name and surname are the same, the initial letter of their father's name shall also be given.

### **Article 66**

The ballot for the lists of candidates shall contain:

the ordinal number, name and logo (if any) of the list submitter;

name and surname of the first candidate on the list;

the serial number of the ballot; and

voting instructions.

In case the first candidates on a list have the same name and surname, then the initial letter of their father's name shall also be stated.

Lists of candidates will be displayed in the voting room.

### **Carrying out the voting**

#### **Article 67**

A place where the voting will be carried out shall be determined for each electoral site (hereinafter: polling station).

Two ballot boxes shall be placed at each polling station.

#### **Article 68**

Voting shall begin at 7:00 am and last uninterruptedly until 7:00 pm.

The polling station shall be closed at 7:00 pm, and the voters who happen to be in the building where the voting takes place will be allowed to cast their vote.

The electoral board may close the polling station before the end of the period set forth in paragraph 1 of this Article, in case all the voters registered on the excerpt of the General Voters Register have cast their votes.

#### **Article 69**

The president and members of the electoral board shall gather in the voting room no later than one hour before the beginning of the voting to determine whether:

the room is in the same condition as left on the day before the elections;

the election material is in the same condition as left on the day before the elections; and

the ballot boxes are empty.

The electoral board shall prepare a minutes on the condition found, which is signed by the president and members of the board.

The objections of the board members shall be entered in the minutes.

Should the representatives of the lists submitters have any objections, they have the right to record them in the minutes, and only the objections registered in that way may be invoked in the complaints and be subject of an assessment in the appellate proceedings.

#### **Article 70**

The electoral board takes care of the maintenance of peace and order at the polling station.

The electoral board may remove anybody disturbing peace and order at the polling station.

The electoral board may ask for police assistance with a view to restoring order at the polling station.

Nobody is allowed to come to the polling station armed, except for the police in the case provided for in paragraph 3 of this Article.

#### **Article 71**

The electoral board may disrupt the voting when the order at the polling station is disturbed, until it is restored.

The voting may be disrupted in cases of natural disasters or other emergency circumstances.

If the voting has been disrupted for more than an hour, it will be prolonged for as much time as the disruption lasted, but no longer than three hours.

If the disruption lasted for more than three hours, the voting will be repeated.

The reasons for the disruption in the voting and the time it lasted shall be entered in the minutes.

#### **Article 72**

Should the representatives of the lists submitters have any objections to the work of the electoral board during the voting, they may point out the irregularities in order the same to be eliminated.

The objections given are registered in writing in the minutes and only the objections registered in such a way may be invoked in the complaints and be subject of an assessment in the appellate proceedings.

#### **Article 73**

The members of electoral commissions and electoral boards, the representatives of lists submitters, and the observers are not allowed to have any marks or symbols of a political party or candidate at the time and place of the voting.

No election propaganda is allowed on the elections day.

The electoral board in cooperation with the competent bodies is obligated to remove the propaganda material in the room where the voting is taking place and within a radius of 100 metres.

#### **Way of voting**

#### **Article 74**

The voting is carried out personally at the polling stations in the Republic of Macedonia, with an electoral identification card.

#### **Article 75**

The voters vote one at a time.

When the voter is about to vote the electoral board checks his/her electoral identity card and his personal identity.

The voter shall prove his/her personal identity with an identity card or a passport.

The electoral board circles the ordinal number of the voter in the excerpt of the General Voters Register having established his/her identity, and affixes a seal in his/her electoral identification card where marked.

#### **Article 76**

Voting is carried out by means of two ballots.

The ballot for the election of a Representative and the ballot for lists of candidates are given to the voter in such a way that the serial number is not seen by the electoral board members.

The voter shall be instructed of the way of voting and shall be allowed to vote.

The voter has the right to vote once for a candidate in the Constituency and once for one of the lists of candidates.

#### **Article 77**

The voter shall cast his/her vote for a candidate on the general candidate list circling the ordinal number of the candidate he/she has chosen to vote for and putting the folded ballot in the ballot box for the election of a Representative in the Constituency.

The voter shall cast the vote for the lists of candidates circling the ordinal number of the list submitter he/she has decided to vote for and putting the folded ballot in the ballot box for voting for the lists of candidates.

#### **Article 78**

The voter who is unable to vote at the polling station (disabled or ill person) and wants to vote, shall notify the electoral board thereof no later than 3 days prior to the election day.

The notification referred to in Paragraph 1 of this Article may be made through an attorney.

The electoral board enables this person to vote in his/her home or the hospital he/she is in one day prior to the elections in such a way that the secrecy of the voting is guaranteed.

The electoral board shall provide a special ballot box for the voting referred to in paragraph 3 of this Article, which is taken empty into the home, that is the hospital where the voter is .

The voting referred to in paragraph 3 of this Article shall be recorded in the minutes by the electoral board.

For the purposes of voting of paragraph 3 of this Article, the president of the electoral board shall in writing notify the representatives of the lists submitters of the date and time the voting shall take place.

#### **Article 79**

The voter who, due to a physical disability or illiteracy is unable to vote in the way defined by this Law, has the right to bring along a person to help him/her with the voting.

If the person referred to in paragraph 1 of this Article does not bring a person to help him/her with the voting, the electoral board shall appoint another person from among the voters.

The person helping another person with the voting may not be from among the electoral board members, representatives of the lists submitters or observers.

One and the same person may help with the voting to two voters referred to in paragraph 1 of this Article at the most.

The electoral board shall instruct the person referred to in paragraph 3 of this Article that he/she may not influence the voter's choice with his help.

The voting referred to in paragraph 1 of this Article shall be recorded in the minutes by the electoral board.

#### **Article 80**

Voters who are not at their place of residence on the elections day due to their military service or military maneuvers shall cast their vote at their military unit.

Having received the voters' lists of paragraph 1 of this Article, the electoral commission is obliged to send them immediately to the military units and military institutions where the voters are serving their military service or doing their military drill.

The elections for the voters referred to in paragraph 1 of this Article shall be carried out by the electoral board of the nearest electoral site, one day before the election day, and the representatives of the lists submitters are notified thereof with a view to their being present at the voting in the military unit.

The electoral board shall draw separate minutes for the voting of paragraph 3 of this Article.

Minutes and electoral material shall be submitted to the corresponding electoral commissions after the conclusion of the voting.

#### **Determining the voting results at the polling stations**

#### **Article 81**

Election results at the polling stations shall be ascertained by the electoral board.

After the conclusion of the voting the electoral board shall immediately commence the establishment of the voting results.

The voting results at the polling station for the election of a Representative for the Constituency shall be established as follows:

the unused ballots are counted, part of the ballot is torn off, they are put in a separate envelope which is closed, sealed and the number of the electoral site and the total number of unused ballots is written down;

the total number of voters registered in the excerpt of the General Voters Register who have voted shall be determined.

Upon completion of the activities of Paragraph 1 of this Article, the ballot box for the election of a Representative shall be opened and the counting of votes shall begin.

The electoral board shall by drawing lots select one member responsible for taking out and opening the ballots one by one, and for handing them over to the president of the electoral board.

The ballot is shown to all electoral board members, to the representatives of the submitters of lists present, and to the observers.

The electoral board shall announce whether the ballot is valid or not and for which candidate the vote has been cast.

The vote cast shall be recorded, the ballot shall be put in the corresponding place and a new ballot shall be taken out of the ballot box.

#### **Article 82**

The results of the voting for the lists of candidates are defined in the following way:

the unused ballots are counted, part of the ballot is torn off and put in a special envelope that is closed, sealed, and the number of the electoral site and the total number of ballots are written down on it.

the total number of voters who have cast their vote and who are registered in the excerpt of the General Voters Register is determined.

Upon completion of the activities of paragraph 1 of this Article, the ballot box for the lists of candidates shall be opened and the counting of votes shall begin.

The electoral board shall select by drawing lots one member in charge of taking out and opening the ballots one at a time, and for handing them over to the president of the electoral board.

The ballot is shown to all electoral board members, to the representatives of the submitters of lists present, and to the observers.

The electoral board shall announce whether the ballot is valid or not and for which list the vote has been cast.

The vote cast shall be recorded, the ballot shall be put in the corresponding place and a new ballot shall be taken out of the ballot box.

#### **Article 83**

The ballot is valid if it has been circled in the way prescribed in Article 77 paragraphs 1 and 2 of this Law and has the corresponding serial number.

A valid ballot is considered to be the one from which in a reliable and unambiguous way may be established which candidate, that is list of candidates the voter has cast his/her vote for.

The ballot is invalid should it be not completed, should there be more than one list of candidate, that is lists of candidates circled, and should it be without a corresponding serial number.

#### **Article 84**

The electoral board shall prepare two separate minutes on its work.

Information on the voting results, such as: the ordinal number of the electoral site, the time of beginning and concluding the voting, the total number of voters in the electoral site according to the excerpt of the General Voters Register, the total number of voters who have voted, the total number of ballots put in the ballot box, the number of ballots which have been taken from the voters and have not been put in the ballot box, the number of invalid ballots, and the number of votes each of the candidate has won individually, shall be entered in the minutes on the voting for a Representative in the Constituency.

Information on the voting results, such as: the ordinal number of the electoral site, the time of beginning and concluding the voting, the total number of voters in the electoral site according to the excerpt of the General Voters Register, the total number of voters who have voted, the total number of ballots put in the ballot box, the number of ballots which have been taken from the voters and have not been put in the ballot box, the number of invalid ballots, and the number of votes each of the list of candidates has won individually, shall be entered in the minutes on the voting for lists of candidates.

#### **Article 85**

Possible objections by the members of the electoral board shall be recorded in the minutes as well.

The minutes shall be signed by the president and electoral board members.

The minutes is valid if signed by the majority of the electoral board members.

The president of the electoral board should state the reasons for the minutes not being signed by a member of the board.

In case the representatives of the lists submitters have objections, they have the right to enter them in the minutes, and only the objections registered in that way may be invoked in the complaints and be subject of an assessment in appellate proceedings.

#### **Article 86**

Minutes and the rest of the election material shall be submitted to the electoral commission by the electoral board within five hours upon the conclusion of the voting.

Each representative of the list submitter shall receive a copy of the minutes.

Upon the completion of the activities described in Paragraphs 1 and 2 of this Article, the electoral board shall immediately announce the initial results from the voting carried out at the polling station.

The election material shall be submitted to the electoral commission by the president of the electoral board accompanied by the electoral board members or representatives of the submitters of lists concerned.

A separate minutes shall be prepared for the handing over of the material of paragraph 1 of this Article.

### **Determining the results of the election for a Representative in the Constituency**

#### **Article 87**

The results of the elections for Representative in the Constituency shall be determined by the electoral commission.

The results of the elections for a Representative in Constituency shall be determined by the electoral commission after receiving the minutes from the electoral boards as well as the complete election material.

The determining of the results shall be carried out in such a way that the total number of voters in the Constituency who are registered in the excerpt from the General Voters Register shall be determined, the total number of voters who have cast their vote, the number of invalid ballots, and the number of votes each candidate has won shall be determined.

#### **Article 88**

The candidate who in the first voting round won the majority of the votes by the voters who have cast their vote in the Constituency shall be considered to be elected, provided that the number of votes he has won is not less than 1/3 of the total number of voters registered in the excerpt of the General Voters Register for the Constituency concerned.

If no candidate has won the number of votes required as set forth in Paragraph 1 of this Article, the voting in that Constituency shall be repeated 14 days of the day of the first voting.

The first two candidates having won the largest number of the votes by the voters in the first voting round shall participate in the second voting round.

The candidates of paragraph 4 of this Article may not call off their participation in the second round.

The candidate who has won the largest number of votes from the voters who have voted in the second voting round shall be considered to be elected a Representative in the second voting round.

If in the second voting round two or more candidates have won an equal number of votes, the mandate shall be allotted by drawing lots.

#### **Article 89**

Having established the election results for a Representative in the Constituency, the electoral commission shall count (sum up) the results of the voting or lists of candidates in the Constituency.

#### **Article 90**

The electoral commission shall prepare two separate minutes on its work.

Information on the number of the Constituency, the total number of voters in the Constituency registered in the excerpt of the General Voters Register, the total number of voters who have voted, the number of invalid ballots for the candidates of the Constituency, name and surname of each candidate stating the number of votes each of them has won, and name and surname of the candidate elected shall be registered in the minutes on determining the results of the election of a Representative in the Constituency.

Information on the voting results, such as the ordinal number of the Constituency, the total number of voters in the Constituency registered in the excerpts in the General Voters Register, the total number of voters who have voted, the number of invalid ballots for the lists of candidates and the total number of votes each list of candidates has won, shall be recorded in the minutes on the voting for lists of candidates.

#### **Article 91**

Possible objections by the members of the electoral commission and the representatives of lists submitters shall be recorded in the minutes as well.

Minutes shall be signed by the president and the electoral commission members.

The minutes is valid if signed by the majority of the electoral commission members.

The president of the electoral commission should state the reasons for the minutes not being signed by a member of the commission.

In case the representatives of the lists submitters have objections, they have the right to register them in the minutes and only the objections registered in that way may be invoked in complaints and be subject of an assessment in appellate proceedings.

Each representative of the list submitter shall receive a copy of the minutes.

## **Article 92**

The electoral commission shall communicate the minutes on its work and the complete election material to the State Electoral Commission within 24 hours.

After the time-limit set forth in Paragraph 1 of this Article, the electoral commission shall announce the initial results of the elections for a Representative in the Constituency.

## **Determining the results of the voting for lists of candidates**

## **Article 93**

The results of the voting for a list of candidates shall be established by the State Electoral commission.

The State Electoral Commission shall establish the voting results for candidates lists after it has received the minutes from the electoral commissions as well as the complete electoral material.

The State Electoral Commission shall establish the results according to the number of the votes that lists of candidates have won individually.

When establishing the election results, the D'Hondt formula shall be applied.

When distributing the Representative seats, the candidates lists that have won at least 5% of the total number of votes cast by the voters who have voted shall be taken into consideration.

Having established the total number of votes cast for each list of candidates (what we call electorate), each one separately is divided by the sequence of quotients 1,2,3,4, etc. until all 35 seats are allocated according to the determined principle.

The results of the division referred to in paragraph 6 of this Article are classed by size whereby as many largest results of the division are relevant as the number of Representatives that are being elected.

The list of candidates shall obtain as many Representative seats as there are the biggest results of the division from the total number of results of the division referred to in paragraph 7 of this Article.

In case for the last Representative seat two identical results of the division appear to exist, the mandate shall be allotted by drawing lots.

When allocating Representative seats, the number of the seats the list has won is the number of Representatives considered to have been elected.

The candidates given on the list according to the established order are elected from the list of candidates.

#### **Article 94**

The State Electoral Commission shall prepare minutes to establish the results of the voting for lists of candidates.

The minutes shall contain information on the voting results, such as: the total number of Constituencies and electoral sites, the total number of voters registered in the General Voters Register, the total number of voters who have cast their vote, the number of invalid ballots, the total number of votes that each candidates list has won individually, the number of seats for Representatives won from each list of candidates, and name and surname of the candidates elected.

#### **Article 95**

The State Electoral Commission shall announce the initial results of the elections for Representatives according to the principle of proportionality within 48 hours after obtaining the number of votes won by lists of candidates individually.

#### **Article 96**

The elections are considered to be finished when the results for the election of 120 Representatives shall become final.

State Electoral Commission shall issue an election certificate to the Representative elected.

### **VII. ANNULLING AND REPEATING THE VOTING**

#### **Article 97**

The electoral commission shall, with a decision, annul the voting at the polling station for a Representative, that is list of candidate in the Constituency:

in case it has been established that there is a larger number of ballots in the ballot box;

in case the secrecy of voting has been violated;

due to an unjustifiable police presence at the polling station;

in case of voting disruption of more than three hours.

The State Electoral Commission with a decision will annul the voting for lists of candidates at the polling station in the cases referred to in paragraph 1 sub-paragraph 1 of this Article.

The voting shall not be annulled even though the number of ballots in the ballot boxes is larger than the number of voters who have voted, unless the number influences the voting results.

An appeal against the decision of paragraphs 1 and 2 of this Article may be lodged with the competent court within 48 hours.

The competent court is obligated to decide on the appeal within 48 hours after it has received it.

The commission referred to in paragraph 1 and 2 of this Article shall repeat the voting at the polling station within 14 days of the day of voting.

## **VIII. TERMINATION OF THE MANDATE AND ADDITIONAL**

### **ELECTIONS**

#### **Article 98**

The Representative's mandate shall terminate before the period for which he/she has been elected:

if he/she resigns;

when sentenced for a criminal offense for which a sentence of at least five years is prescribed;

in case of incompatibility with the office of Representative ;

in case of death;

if he/she is deprived of his/her civil capacity by an effective decision.

If the Representative resigns, the Assembly at its next session shall ascertain that his/her mandate terminates from the day of holding that session.

The Representative's mandate shall terminate on the day the terms referred to in paragraph 1 sub-paragraphs 2, 3, 4,5 and 6 of this Article are fulfilled, which is concluded by the Assembly at the first next session.

#### **Article 99**

If the mandate of the candidate elected in an Constituency terminates under one of the grounds defined in Article 98 of this Law, additional elections shall be announced.

Additional elections are announced by the President of the Assembly 15 days of the day the Representative's mandate terminated at the latest.

Additional elections may not be announced six months prior to the expiration of the term of office of the Assembly.

#### **Article 100**

Additional elections shall also be announced in case when a Representative's mandate has been taken away.

The Representative whose mandate has been taken away from him may not be nominated again at the additional elections.

#### **Article 101**

If the mandate of the candidate elected from the list of candidates terminates, pursuant to one of the grounds defined in Article 98 of this Law, the next candidate on the list shall become a Representative for the rest of the mandate.

The electoral commission shall notify the next candidate on the list in the cases referred to paragraph 1 of this Article within three days of the termination of a Representative's mandate.

If the next candidate on the list referred to in paragraph 1 of this Article does not within 8 days notify the electoral commission whether he/she accepts the mandate, this right is transferred to the next candidate on the list.

### **IX. FUNDS FOR CARRYING OUT ELECTIONS**

#### **Article 102**

The funds for carrying out elections shall be provided for from the Budget of the Republic of Macedonia and they shall be at the disposal of the State Electoral Commission.

Two thirds of the resources intended for the elections shall be utilised to cover the expenses related to the election activities of the bodies in charge of carrying out the elections.

One third of the funds intended for carrying out the elections shall be utilised to cover part of the expenses incurred by the election campaign organizers whose candidates have been elected Representatives.

### **X. PROTECTION OF THE RIGHT TO VOTE**

#### **Article 103**

The procedure for the protection of the right to vote is an urgent one.

Petition requests (complaints and appeals) for the protection of the right to vote shall be communicated directly to the competent electoral bodies.

The decisions of the competent bodies made in second instance shall be final and no legal means shall be allowed against them.

#### **Article 104**

Each candidate list submitter and each candidate has the right to submit a complaint to the electoral commission due to irregularities in the election procedure.

The complaint referred to in Paragraph 1 of this Article shall be submitted within 48 hours of the time the irregularities have been found, that is after the completion of the voting.

The electoral commission is obliged to reach a decision within 48 hours after it has received the complaint.

An appeal against the decision of the electoral commission may be lodged before the court of Appeals locally competent for the Constituency area within 48 hours.

The appeal shall be lodged through the competent electoral commission.

The court of Appeals is obliged to decide on the appeal within 48 hours after it has received it.

#### **Article 105**

In the procedure for voting and determining the election results every submitter of a list of candidates has the right to lodge a complaint before the State Electoral Commission.

The complaint of paragraph 1 of this Article shall be lodged within 48 hours after the irregularities have been established.

An appeal against the decision of the State Electoral Commission may be lodged before the Supreme Court within 48 hours after the decision has been received.

The appeal shall be lodged through the State Electoral Commission.

The Supreme Court of the Republic of Macedonia is obliged to decide on the appeal within 48 hours after the appeal has been received.

The Supreme Court of the Republic of Macedonia decides on the appeals in a panel of five judges elected by drawing lots.

#### **Article 106**

In case a voter notices irregularities in the election procedure, he/she may lodge a complaint with the electoral commission within 48 hours.

The electoral commission is obliged to pass a decision within 48 hours after the receipt of the complaint.

An appeal against the decision of the electoral commission may be lodged before the Court of Appeals whose local competence covers the area of the Constituency within 48 hours.

The appeal shall be lodged through the competent electoral commission.

The Court of Appeals is obliged to decide on the appeal within 48 hours.

### **XI. OBSERVING THE ELECTIONS**

#### **Article 107**

Elections and election procedure may be observed by representatives of international associations and organisations.

The elections and election procedure may also be observed by representatives of organisations and associations for the protection of human rights and freedoms registered in the Republic of Macedonia.

The subjects referred to in paragraph 1 and 2 of this Article should announce their observation to the State Electoral Commission no later than 15 days prior to the elections day.

The State Electoral Commission shall provide authorizations to the representatives referred to in paragraphs 1 and 2 of this Article.

The representatives who have been issued authorizations have the right to follow all activities performed during the election campaigns and on the elections day.

The representatives referred to in paragraphs 1 and 2 of this Article are obliged to be impartial, objective, and neutral regarding the election process.

## **XII. PENAL PROVISIONS**

#### **Article 108**

A person preventing the elections and voting, violating and misusing the right to vote, as well as violating the voter's freedom of choice, bribing at the elections and voting, destroying electoral documents and committing electoral deceit, shall be punished pursuant to the provisions of the Criminal Code.

#### **Article 109**

A person referred to in Article 7 of the present Law participating in the election campaigns in his/her uniform will be fined for an offense from 20,000 to 50,000 denars.

#### **Article 110**

A political party not complying with the time-limit referred to in Article 43 of the present Law will be fined for an offence from 200,000 to 300,000 denars.

A candidate or any other natural person will also be fined for an offence with 20,000 to 50,000 denars for acts referred to in paragraph 1 of this Article.

#### **Article 111**

A person preventing and obstructing election campaigns (Article 45) will be fined for an offence from 20,000 to 50,000 denars.

#### **Article 112**

The medium which:

shall not provide for equal presentation of the candidates for Representatives, political parties, voters group and their programmes referred to in Article 46 paragraph 1 of this Law;

shall not establish and publicly announce the rules of paragraph 2 of Article 46 of this Law.

- shall publish public opinion polls in a period of 5 days prior to the election day of Article 47 paragraph 2 of this Law; and

- shall announce the election propaganda information without stating that the information in question is a paid advertisement referred to in Article 48 of this Law,

will be fined with 200,000 to 300,000 denars.

The editor responsible will also be fined for an offence from 20,000 to 50,000 denars for the activities referred to in paragraph 1 of this Article.

#### **Article 113**

With a fine from 20,000 to 50,000 shall be punished for an offence:

- the editor in chief of the medium who will publish the public opinion poll for the candidate without stating the information referred to in Article 47 paragraph 1;

- the editor in chief of the medium who will publish the public opinion poll in the period of five days prior to the elections day referred to in Article 47 paragraph 2;

- the editor in chief of the medium if he/she publishes the electoral propaganda information without publishing the name of the one who has ordered it (Article 47 paragraph 1 of this Law).

#### **Article 114**

The person in charge of a municipality, and the City of Skopje will be fined for an offence from 40,000 to 50,000 denars for failing to determine places for displaying posters free of charge, and for not marking them for each lists submitter separately (Article 50).

#### **Article 115**

A person destroying or putting up election posters over other election campaigns organiser's posters on places designated for their display will be fined for an offence from 20,000 to 50,000 denars (Article 51).

#### **Article 116**

A political party which:

fails to report the election rally at least 48 hours prior to its holding;

organises the rally contrary to Articles 53 and 54 of this Law

will be fined for an offence from 200,000 to 300,000 denars.

#### **Article 117**

The responsible person of a competent state body, religious community or public institution allowing the election campaigns organiser to organise a pre-election rally contrary to Article 54 of this Law, will be fined for an offence from 20,000 to 50,000 denars for an offence.

#### **Article 118**

A political party failing to submit a report on the election campaigns financing referred to in Article 56 of this Law, that is, failing to collect all funds intended for financing the election campaigns on the giro account under Article 55 of this Law, will be fined for an offence with 200,000 to 300,000 denars.

Should in the election campaigns a political party spend more funds than the amount defined in Article 58 of this Law, it will be fined for an offence with 200,000 to 300,000 denars

The responsible person of a political party will also be fined with 20,000 to 50,000 denars for the activities referred to in paragraph 1 and 2 of this Article.

#### **Article 119**

A person of Article 73 paragraph 1 of this Law having any marks or symbols of a political party or a candidate during the time or at the place of voting will be fined for an offence with 20,000 to 50,000 denars.

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

#### **Article 120**

At the first next elections, the candidates for members of the State Electoral Commission and their deputies referred to in Article 13 paragraph 3 of this Law shall be proposed by the political parties in opposition, which in the first round of the elections for Representatives held in 1994 won the largest number of votes according to the State Election Commission Report on determining the results adopted by the Assembly.

At the first next elections candidates for members of the bodies in charge of carrying out elections referred to in Article 16 paragraph 3 and Article 20 paragraph 2 of this Law shall be proposed by the political parties in opposition, which in the first round of the elections for Representatives held in 1994 won the largest number of votes according to the State Election Commission Report on determining the results adopted by the Assembly.

**Article 121**

The Law on Election of Representatives ("Official Gazette of SRM" No. 28/90) shall become invalid on the day this Law enters into force.

**Article 122**

This Law shall enter into force on the eighth day after it has been published in "Official Gazette of the Republic of Macedonia".