



REPÚBLICA DEMOCRÁTICA DE TIMOR-LESTE
MINISTÉRIO DE ADMINISTRAÇÃO ESTATAL
SECRETARIADO TÉCNICO DE ADMINISTRAÇÃO ELEITORAL
(STAE)

Nº: /STAE/VI/07

**REGULATION ON PROCEDURES FOR POLLING AND TABULATION OF
RESULTS FOR THE ELECTION OF MEMBERS TO THE NATIONAL
PARLIAMENT**

PREAMBLE

The definition of polling and tabulation procedures is crucial in order to make Parliamentary Elections transparent and democratic, and allows candidates, electoral officers, candidacy agents, observers, and, most of all, citizens to understand the actions to be taken in order to exercise their right to vote as provided for in the Constitution of the Democratic Republic of Timor-Leste.

Thus, the NATIONAL ELECTORAL COMMISSION (CNE) approves, pursuant to No. 1 of Article 65 of Law No. 6/2006, and sub-paragraph c) of Article 8 of Law No. 5/2006 of 28 December, combined with paragraph c), No. 3 of Article 5 of Law No. 1/2002 of 7 of August, to come into force as regulation, the following:

Chapter I
Scope

Article 1
Scope

The present regulation applies to the election of Members to the National Parliament and, as a whole, guides its respective polling, ballot counting, and tabulation procedures.

Article 2
Contents

The following matters are specifically regulated:

- a) Organization of the polling centers and polling stations;
- b) Constitution, competence, and functioning of the polling stations and polling centers;
- c) Polling procedures and operations;
- d) Guarantee of freedom of vote;

- e) Procedures for the closing of the polling station;
- f) Procedures for counting at the District Tabulation Center;
- g) Procedures for the tabulation of results at the District and National Tabulation Centers.

Chapter II
Organization of the polling center

Section I
Polling center

Article 3
Definition

1. Polling center shall mean the place where voters cast their votes and shall be composed of one or more polling stations.
2. According to a plan of operations prepared by STAE, some polling stations are to constitute mobile teams composed by electoral officers that shall conduct the polling process at hospitals and prisons in order to ensure the right of vote to voters held in those places.
3. Each polling station has a unique code composed of three categories of figures. The first two ones shall identify the District ranging from 01 to 13; the second ones shall be made of three figures in order to identify the polling center; the third one shall be composed of two figures for the identification of the polling station.

Article 4
Sites

1. At least one polling center shall be operational in each Suco and STAE shall be allowed to establish more polling centers without prejudice to the secrecy of the vote in virtue of the high number of voters or the distance between different villages composing that Suco.
2. All polling centers shall be allowed to constitute more than one polling station.
3. The plan of operations prepared by STAE shall regulate the mobile polling to be conducted by mobile teams deployed from polling stations that are closer to hospitals and prisons.

Article 5
Disclosure of sites location

1. Number as well as location of polling centers and polling stations shall be released by STAE 30 (thirty) days before the day of the election. STAE shall also send a copy of that to the CNE.

2. Within the same period, STAE shall communicate to each district the location of sites for the establishment of polling centers and polling stations.

3. STAE shall contact the administration of hospitals and prisons in order to establish the time for the arrival of mobile teams and the organization of voters there kept at the day of the election.

4. For purposes of disseminating information on sites location, STAE shall be allowed to display announcements at public meeting sites and other communication means.

5. After the disclosure of sites location, the CNE shall be allowed to, within a 72 (seventy-two) hours deadline, reject the location of any polling station or polling center by means of a well grounded justification in which it shall propose an alternative.

Article 6

Establishment of the polling center

1. Polling centers and polling stations shall be established in public buildings, preferably schools, offering voters good security and access conditions.

2. In case no public buildings in good conditions are available, community halls shall be requested.

3. In case it is impossible to ensure any of the places referred to in previous items, STAE shall promote the provisional construction of polling centers or polling stations.

Article 7

Forbidden locations

The following places shall not be used as polling centers or polling stations:

- a) Police stations;
- b) Military units;
- c) Residence of traditional chief;
- d) Political parties or Church buildings, halls for worshipping or similar places;
- e) Hospitals without prejudice to Article 4;

Article 8

Brigadas

In each polling center STAE shall appoint a person henceforth referred to as “brigadista” to be in charge of the support and provision of technical assistance to electoral officers at the polling stations of that polling center, as well as at district tabulation centers.

Article 9

Working hours

1. At the day of the election, polling stations and polling centers shall open at 7:00 a.m. and close at 4:00 p.m.
2. After closing only those voters already waiting in the queue to vote shall be allowed to exercise their right of vote. Their presence at the queue at due time shall be verified by the queue controller and communicated to the presiding officer of the polling station.
3. The time for the arrival of mobile teams shall be arranged at the administration of hospitals and prisons and comply with the time for general polling.
4. The presence and participation of police force shall constitute a mandatory condition for the deployment of mobile teams.
5. The deployment of a mobile team shall determine the suspension of electoral operations in that respective polling station that, after collecting votes at hospitals and prisons, shall return only for the closing of operations as provided for in Chapter IV.

Section II Electoral officers

Article 10 Composition of a polling station

1. Each polling station shall be composed of 5 (five) electoral officers, namely:
 - a) The presiding officer;
 - b) The identification officer;
 - c) The ballot paper issuer;
 - d) The ballot box controller;
 - e) The queue controller.
2. For the constitution of the station's team at the day of the election, in case the replacement provided for in Article 21 of this regulation is not possible, the polling station shall operate only when a minimum number of 3 (three) electoral officers is available.
3. Mobile teams shall be composed of 3 (three) electoral officers appointed for the nearest polling station and those shall conduct the operations for the mobile polling according to instructions provided by the presiding officer.
4. Mobile teams shall be composed of one presiding officer, one identification officer, and one ballot paper issuer, who shall also perform duties provided for by Articles 17 and 18 of this regulation.

Article 11 Requirements for electoral officers' accreditation

1. Electoral officers shall be chosen by STAE among local voters who hold Timorese citizenship and are able to read and write.
2. All appointed electoral officers shall accomplish their duties, except when a justifiable reason, presented in a written form, prevents them from doing so.
3. The appointed electoral officers shall be subject to a previous training to be provided by STAE.
4. After conclusion of the training, the Director of STAE shall send to the CNE a full listing of electoral officers considered capable for the performance of their duties and call for the disclosure of this information by requiring the display of the listing at the entrance of STAE's district and national headquarters.
5. Electoral officers shall not begin their tasks before signing the non-disclosure and impartiality statement prepared by STAE.

Article 12
Training of electoral officers

1. CNE members, representatives of candidacies of political parties and party coalitions specifically appointed for this purpose, and observers shall be allowed to follow the training of electoral officers.
2. Time and place for the training of electoral officers in each district shall be communicated to the CNE in a written form at least 72 (seventy-two) hours before the beginning of the training schedule.
3. Representatives of candidacies of political parties and party coalitions shall be allowed to watch the training without interfering in it.

Article 13
Rights and duties of electoral officers

1. On the day of the election and during the time of their duties – training included –, electoral officers shall be exempt from being present at work without any prejudice to their rights, namely the right to their full compensation, presenting for this purpose a certificate to be issued by STAE.
2. During the accomplishment of their duties, electoral officers shall:
 - a) Receive the training to be provided by STAE;
 - b) Be unbiased and impartial regarding all candidacies of political parties and party coalitions;
 - c) Keep secrecy on all information they might become aware of;
 - d) Remain on duty until all polling and tabulation procedures are finished.

Article 14
General duties of electoral officers

Electoral officers shall:

- a) Conduct polling and closing procedures at the polling station where they are located;
- b) Comply with and uphold the electoral legislation, as well as regulations, procedures, and codes of conduct in force;
- c) Respond to any presented doubts, and review and decide on claims and protests to them presented during polling and closing procedures with possibility of receiving technical assistance upon consultation with STAE;
- d) Close, seal, and label ballot boxes before the start of the polling procedure;
- e) Close, seal, and label ballot boxes at the end of polling procedures for the transportation to the District Tabulation Center;
- f) Prepare the electoral operations minute;
- g) Follow the transportation of ballot boxes to the District Tabulation Center;
- h) Perform any other duties to them assigned by force of law or regulations.

Article 15
Presiding officer of the polling station

The presiding officer of a polling station shall:

- a) Verify identities and credentials of electoral officers, candidacy agents of political parties and party coalitions, observers, and media professionals;
- b) Conduct the verification procedures regarding polling booths and working documents in the polling station;
- c) Read aloud the non-disclosure and impartiality statement;
- d) Announce the opening of the polling station;
- e) Ensure the freedom of vote;
- f) Ensure the maintenance of order in the polling station so as to guarantee the normal execution of polling procedures;
- g) Order voters who have already voted to leave the polling station;
- h) Enforce the prohibition on electoral propaganda as provided for in Article 55 of this regulation;
- i) Clarify polling procedures when requested by voters, in presence of electoral officers, candidacy agents of political parties and party coalitions, and observers, without indicating the candidate for which to vote;
- j) Receive from candidacy agents any claims or protests presented;
- k) Announce the closing of polling at the polling station;
- l) Fill in the electoral operations minute;
- m) Check the number of ballot papers received at the polling station;
- n) Stamp with the word “Cancelled” all ballot papers returned due to voters’ mistake when voting, and stamp ballot papers that were not used with the words “La Uza”;
- o) Direct and coordinate mobile teams concerning polling operations at hospitals and prisons;
- p) Be directly accountable for the security and delivery to the District Tabulation Center of the sealed ballot boxes containing materials listed in Article 38 of this regulation;
- q) Follow the transportation of ballot boxes to the District Tabulation Center;

- r) Notify STAE and the CNE about any impossibilities to hold the election;
- s) Perform the duties indicated according to instructions of the presiding officer of the District Tabulation Center;
- t) Perform any other duties to them assigned by force of law or regulations.

Article 16
Identification officer

The identification officer shall:

- a) Identify voters by checking their voters' card;
- b) Identify voters by checking their Timorese passport, in case they have no voters' card;
- c) Verify if the voter is at least 17 (seventeen) years old at the day of the election;
- d) Check voters' hands in order to make sure they have not already voted in that election;
- e) Check if the voters' card, new or old, is punched;
- f) Tell the ballot paper issuer if the voter is entitled to a ballot paper;
- g) Write down at the presence list of the polling station's book the number of the voters' card or voters' name and their Timorese passport numbers, as well as voters' gender;
- h) Punch the voters' card, new or old, at the bottom central part;
- i) Perform any other duties to them assigned by force of law or regulations.

Article 17
Ballot paper issuer

The ballot paper issuer shall:

- a) Sign and stamp the back of the ballot paper with a stamp reading "Parlamentar 2007";
- b) Hand the ballot paper over to the voter;
- c) Show the voter the way to the polling booth;
- d) Hand the voter a new ballot paper upon return of a previous one in case of deterioration or mistake in marking it and inform the presiding officer for cancellation purposes;
- e) Perform any other duties to them assigned by force of law or regulations.

Article 18
Ballot box controller

The ballot box controller shall:

- a) Ensure the safekeeping and security of the ballot box;
- b) Make sure each voter places only one ballot paper inside the ballot box;
- c) Stain voters' right index finger with indelible ink up to the cuticle after they vote and make sure the ink gets dry;
- d) Request voters to leave the polling station after they have voted;
- e) Perform any other duties to them assigned by force of law or regulations.

Article 19
Queue controller

The queue controller shall:

- a) Organize the queue for voters waiting to cast their vote so that only authorized people may enter the polling station;
- b) Request voters to have their voters' card or their Timorese passport in hands in order to present them to the identification officer;
- c) See who is the last voter in the queue at 04:00 p.m. so that no one else is allowed to vote, according to No. 2 of Article 35 of this regulation;
- d) Perform any other duties to them assigned by force of law or regulations.

Article 20
Ineligibility

Members of the Parliament, members of the Government, judges, prosecutors, District and Sub-District Administrators, Heads of Sucos and Villages, ministers of any religion or religious sect, CNE members, candidates of political parties and party coalitions, and agents and representatives of candidacies shall not be accredited as electoral officers.

Article 21
Replacement of electoral officers

1. At the day of the election in case it is not possible to constitute a board of at least 3 (three) officers until 30 (thirty) minutes before the opening of the polling station, STAE's brigadista shall chose replacements from among local voters of recognized capacity.
2. In case the polling station is constituted and any of the officers is found to be absent, the presiding officer shall replace him/her for any other voter of recognized capacity there present.
3. In case the presiding officer has to leave the polling station for any period or in case he is absent, he/she shall be replaced for the identification officer.
4. After replacement the appointment of absent electoral officers shall be deemed ineffective and the presiding officer shall report their names to STAE.
5. All replacements shall be clearly indicated in the minute.

Article 22
Inalterability of composition

1. Once constituted the polling station shall not be altered except in case of *force majeure* to be indicated in the minute.

2. Alterations in the constitution of the polling station, as well as respective reasons shall be communicated by way of an announcement to be displayed at the entrance of that polling station immediately after such alterations are noticed.

Chapter III **Polling procedure**

Section I **General rules**

Article 23 Right and duty to vote

1. Voting is a civic right and duty for all citizens fully entitled to their political rights.
2. People in charge of public and private companies and services working in the day of the election shall exempt their staff from work for the time they may need to vote without any damage to their compensations.
3. Administrators of hospitals and prisons shall facilitate the exercise of the right of vote to voters kept in those places.

Article 24 Secrecy and freedom of vote

1. The act of voting shall be freely exercised and no one can be forced to reveal, in or out of the polling center or polling station, who they voted or will vote for.
2. The polling booth shall be positioned in a way as to ensure the secrecy of the vote.
3. Mobile teams shall ensure conditions similar to those found in general polling.

Article 25 Personality, presentiality and uniqueness of the vote

1. The right to vote shall be directly, personally, and presentially by the voter, who may only vote once in each election without prejudice to the following provision.
2. In order to ensure that voters exercise their right of vote only once, they shall be marked with indelible ink as provided for by Articles 18 and 22 of this regulation

Article 26 Disabled voters

Blind voters or voters affected by any other condition that might prevent them to vote alone shall vote accompanied by another voter chosen by them who is obliged to ensure their will, as well as to keep secrecy of their vote.

Article 27
Continuity of the electoral operations

The polling shall go on without any interruptions according to the schedule provided for in Article 9 of this regulation.

Article 28
Interruption of electoral operations

1. Operations shall be interrupted in the following cases, under penalty of the polling being considered ineffective:

- a) Serious disturbance of the public order affecting the freedom of the vote;
- b) Serious disaster in the day of the election.

2. Electoral operations shall only be resumed after the presiding officer verifies that existing conditions can ensure the polling procedure.

Section II
Operations to take place before the polling

Article 29
Polling station materials

STAE shall ensure that every polling station receives the necessary polling materials, namely those listed in Attachment I.

Article 30
Preliminary operations

1. Electoral officers shall meet at the polling station to which they were assigned at 06:00 a.m. in the day of the elections in order to accomplish the electoral operations described in the following articles.

2. STAE's brigadista hands over the necessary electoral materials to the presiding officer. The presiding officer, then, shall:

- a) Check identities and credentials of other electoral officers, agents of candidacies of political parties and party coalitions, observers, and media professionals;
- b) Order an enlarged version of the ballot paper to be displayed at a visible location;

- c) Perform the checking of polling booths, as well as working documents and materials of the polling station together with electoral officers and agents of candidacies of political parties and party coalitions;
- d) Count ballot papers received and register that number in the electoral operations minute;
- e) Show the ballot boxes to those there present so that they can see it is empty.

3. The presiding officer shall read aloud the non-disclosure and impartiality statement that shall be, then, signed by electoral officers.

4. After that, the presiding officer shall read aloud numbers contained in side seals, apply them at the ballot boxes and writes their numbers in the electoral operations minute.

Section III Polling operations

Article 31 Polling order

1. The presiding officer shall announce the opening of the polling station at 07:00 a.m. and electoral officers vote first, followed by agents of candidacy and national observers who wish to vote there.
2. Voters cast their votes by order of arrival in the organized queue to the polling center or polling station without prejudice to the following item.
3. The queue controller shall prioritize voters in charge of the protection and security of the polling center, voters evidently ill or physically disabled, pregnant women, elderly, and medical and paramedical personnel.

Article 32 Polling procedure

1. Voters shall present themselves to an electoral officer by showing their voters' card which shall be checked by the identification officer.
2. The identification officer shall verify that voters are at least 17 (seventeen) years old and that their hands are not stained with indelible ink in order to make sure they have not voted yet.
3. In the absence of a voters' card, the identification shall be done with the presentation of a Timorese passport.
4. When voters present a voters' card, the identification officer shall write down the number of the card and the gender of that voter in the document referred to as "list of voters voting with a voters' card".

5. When voters present a Timorese passport, the identification officer shall write down their full name and the passport number, as well as their gender in the document referred to as “list of voters voting with a passport”.
6. When voters present the old or the new voters’ card, the identification officer shall check if it is punched with a punch corresponding to the Parliamentary Elections, at the bottom central part.
7. In case a voters’ card is not punched as above mentioned, the ballot paper issuer shall give him a ballot paper signed and stamped at the back while the identification officer punches the presented voters’ card.
8. The voter, then, shall go into the polling booth and, alone, vote by marking with a ball pen or punching the ballot paper in the space corresponding to his/her preferred candidacy. After that, the voter shall fold the ballot paper with the printed part inside and go to the ballot box where he/she shall insert the ballot paper.
9. In case voters damage the ballot paper or make any mistakes when voting, they shall request another one to the ballot paper issuer by returning the previous one, which is to be signed and stamped in the front part by the presiding officer with the word “cancelled”.
10. After voters vote the ballot box controller shall stain their right index finger with indelible ink up to the cuticle in order to ensure all voters vote only once.
11. In case it is not possible to stain the right index finger, the officer shall choose another finger of the right hand, or, if necessary, of the left hand.
13. After voting, voters shall leave the polling station.

Article 33 Procedures for mobile polling

1. Polling stations constituted to be mobile teams shall be deployed according to an operational plan prepared by STAE.
2. Those teams shall carry already sealed ballot boxes in a sufficient number to collect the votes, the non-used ballot papers, the polling station book, and other materials necessary of the exercise of the vote.
3. Ballot boxes shall remain sealed during all transportation operations.
4. The presiding officer of a polling station established to be mobile shall break seals only at the moment to collect votes at the hospital or prison.
5. Ballot boxes containing votes received, the cancelled ballot papers, and presented claims shall remain at the polling station site under vigilance of other electoral officers that did not constitute the mobile team.

6. For polling at hospitals, electoral officers shall go from bed to bed in order to allow patients to vote.

7. After the conclusion of operations of the mobile team, the latter shall return to the polling stations in order to immediately proceed to the closing of activities, pursuant to Article 38 of this regulation.

Article 34
Doubts, claims, and protests

1. Every voter or agent of candidacy shall be allowed to raise a doubt, or present a claim or a protest regarding electoral operations.

2. Doubts, claims, and protests presented during the polling or after its closing shall be immediately analyzed by electoral officers. In case of necessity these may consult with STAE.

3. Claims shall be subject to electoral officers' deliberation and be approved by 3 (three) of them, at least.

4. The deliberation shall be communicated to claimants. In case they wish, claimants may address the claim to the CNE and for this purpose, it shall be presented at the same polling center or polling station, followed by all documentation related to that polling center.

Article 35
Closing of polling

1. Voters shall be admitted in the queue to the polling station until 04:00 a.m.

2. After 04:00 p.m. only voters already in the queue shall be allowed to vote, which shall be verified by the queue controller and reported to the presiding officer of that polling station.

3. In case it is necessary and as a measure of security and control, the queue controller may distribute tickets to voters referred to in the previous item.

4. The presiding officer shall announce the closing of the polling at the established time or after the last voter present in the queue at 4:00 p.m. has voted.

5. In the case of mobile teams, the polling process shall be declared closed at the moment the last voter of a hospital or prison votes.

Chapter IV
Procedures after closing of polling

Article 36
Closing operations

1. Immediately after the closing of the polling, the presiding officer shall proceed with the reading of numbers of seals to be applied on the upper part of ballot boxes that contain the votes and writes them down in the minute.
2. Doubts, protests, and claims shall be reviewed and resolved.
3. Immediately after these, the presiding officer shall count non-used ballot papers, stamp them in the front part with the words “non-used” (La Uza); and stamp cancelled ballot papers with the word “cancelled” (Kanseladu), write total numbers in the minute and keep them, respectively, in the envelopes reading “boletim la uza” and “boletim kanseladu”.
4. Any ballot papers found to be outside the ballot box shall be immediately cancelled by the presiding officer who shall indicate that occurrence in the minute.

Article 37
Filling in the minute

1. Once cancelled votes are stamped, counted, and checked – in case of any –, results shall be filled in the minute and also indicated on the envelope reading “boletim kanseladu” where those votes shall be inserted.
2. Once non-used votes are stamped, counted, and checked – in case of any –, results shall be filled in the minute and also indicated on the envelope reading “boletim la uza” where those votes shall be inserted
3. The envelopes shall, then, be closed and have the identification and number of ballot papers contained in it, as well as the indication of polling station, Suco, Sub-District, and District they belong to.
4. The number of voters registered in the presence list referred to in items 4 and 5 of Article 32 of this regulation shall be counted and written down in the minute with the breakdown by gender.
5. The minute shall contain the number of security seals stuck on ballot boxes, the site of the polling station, time of opening and closing of polling, the number of claims, as well as names of electoral officers and agents there present.
6. Doubts, protests, and occurrences shall be written down, as well as decisions taken at the polling station.
7. After claim forms are counted, in case of any, the number of claims shall be written down in the minute.
8. After data above mentioned is written down in the minute, the latter shall be mandatorily signed by electoral officers.
9. One agent of each candidacy there present shall be allowed to sign the electoral operations minute and the absence of his/her signature shall not mean the invalidation of the minute without prejudice to the following item.

10. The signature of the electoral operations minute by one candidacy agent is mandatory when he/she presents a claim.

11. The deployment of mobile teams for the collection of votes at hospitals and prisons shall not mean any modifications in the procedures for filling in the electoral operation minutes.

Article 38

Ending of operations at the polling station

1. The following items shall be inserted in the sensitive material ballot box and have their names read aloud:

- a) The envelope with the electoral operations minute, non-disclosure statements, electoral officers' presence list, remarks' sheet, list of presence of voters who voted with a voters' card, and the list of presence of voters who voted with a Timorese passport;
- b) The envelopes containing "Boletim la uza" and "Boletim Kanseladu";
- c) The envelopes containing claims;
- d) Non-used seals and the stamps;
- e) Non-used and cancelled ballot papers from mobile teams shall be placed in the envelopes corresponding to the polling stations for transportation to the District Tabulation Center.

2. Ballot boxes containing the sensitive materials above mentioned and ballot boxes containing votes shall be sealed and kept under responsibility of electoral officers at the polling station.

3. Operational procedures for keeping and transporting ballot boxes to the District Tabulation Center shall be defined according to the operational and security plan prepared by STAE in cooperation with the PNTL and UNPOL and CNE's knowledge.

4. The presiding officer at the polling station and the brigadista at the polling center shall follow the delivery of ballot boxes containing the votes and ballot boxes containing sensitive materials to the District Tabulation Center.

5. Other documents and materials shall be collected and delivered to STAE's brigadista of respective polling center.

Chapter IV

District and National Tabulation

Section I

General Rules

Article 39

Locations of District Tabulation Centers

The CNE shall approve locations for the functioning of District Tabulation Centers after STAE's proposition.

Article 40

Working elements in the District Tabulation Center

STAE shall provide all equipment and materials needed for the functioning of District Tabulation Centers under security conditions, namely those contained in Attachment II.

Article 41

District Tabulation Center

1. The District Tabulation Center shall consist of one CNE member, who presides over it, one STAE district representative, half of presiding officers of polling stations in the district chosen by means of a drawing, half of STAE brigadistas in the respective district chosen by means of a drawing, and four CNE district focal points appointed by the CNE member.
2. The drawing shall be conducted at the CNE headquarters, in Dili, until 20 (twenty) days before the day of the election. The drawing shall be managed by the Chairman of the CNE with the presence of the Director of STAE, candidates or their representatives, observers, and media representatives who want to watch the event.
3. The result of the drawing shall be displayed at the door of the CNE headquarters with a copy immediately sent to STAE so that people to form the District Tabulation Center can get informed.
4. The drawing shall be performed by introducing the numbers of polling stations and names of polling centers in two different pouches representing the presiding officers of polling stations and brigadistas, respectively.
5. Half of names and half of numbers shall be taken from each pouch. Number and names taken from pouches correspond to presiding officers and brigadistas chosen to take part in the district tabulation process.
6. Members to the District Tabulation Center shall receive the adequate training in order to exercise their respective functions.
7. The training for members to the center shall be prepared and conducted by STAE and the CNE.

Article 42

District tabulation operations

1. The presiding officer of the District Tabulation Center shall be allowed to constitute a group of 5 (five) presiding officers and 5 (five) brigadistas among drawn members and start the operations for district counting and tabulation.

2. STAE's district representative shall be the manager of counting operations.
3. The presiding officer of the District Tabulation Center shall appoint 3 (three) supervisors for the counting operations.
4. The District Tabulation Center shall be divided in two areas, one to be destined for reception purposes and another one destined for tabulation purposes.
5. Once the center is constituted, the reception of ballot boxes and sensitive materials' boxes shall begin at the reception area.
6. The reception area shall be composed of teams to be each formed by one CNE focal point, one STAE brigadista and two UNVs, one from the CNE and another one from STAE.

Article 43
Reception of ballot boxes

1. The reception process shall be continuous until the arrival and checking of the last polling station in the district.
2. At the reception area, the presiding officer of the polling station who transported the ballot boxes shall read aloud the number in the seals and proceed to the opening of ballot boxes containing the votes and the ballot box containing the sensitive material.
3. The reception team shall perform the verification of the ballot box containing the sensitive material, which shall be consistent with Article 38 of this regulation.
4. The sensitive material shall be taken out of the ballot box and, after checking, shall be introduced in a storage box especially destined for that purpose while waiting for the dispatch to the National Tabulation Center.
5. The same team at the reception shall proceed the checking of electoral operations minute in order to confirm the number of used ballot papers, the number of cancelled ballot papers, the number of non-used ballot papers, the voters' presence list and the correction of mathematical operations.
6. Data collected from the electoral operations minute shall be inserted in electronic forms prepared by STAE and approved by the CNE by operators especially trained by STAE for that purposes.
7. After that, the team shall proceed with the counting of votes contained in the ballot box by separating them in 50-ballot pads.
8. The pads shall be inserted in the box for the storage of votes waiting for the counting and tabulation.
9. In case all material is found to be inside the ballot box, the presiding officer of the corresponding polling station and the presiding officer of the District Tabulation Center shall

sign the terms of delivery of ballot box and a copy of that shall be given to the presiding officer of the polling station.

10. Presiding officers that were not chosen by drawing to compose the District Tabulation Center shall leave the place.

11. In case not all materials referred to in Article 38 of this regulation are found to be inside the ballot box, the presiding officer of the polling station shall write a justification at the field especially destined to it at the term of delivery of ballot box, indicating the reason why such failure occurred, then sign it.

12. In the case above mentioned, the presiding officer of the District Tabulation Center shall write down in the term of delivery of ballot box that he/she is aware of the failure and sign it. A copy shall, then, be given to the presiding officer of the polling station, who shall write down that occurrence in the center operations minute so that the National Tabulation Center can take a decision.

Article 44 Tabulation area

1. The tabulation area shall be composed of teams in charge of the counting of votes and tabulation of results. Each team shall be composed of 2 presiding officers of polling station and one STAE brigadista, under supervision of a counting supervisor.

2. The teams shall work under alternate shifts.

3. With support from District Administrations, STAE shall provide accommodation and logistical support to members of the District Tabulation Center.

Article 45 Counting of votes

1. The counting of votes at District Tabulation Centers shall be continuous and run under alternate shifts between 7:00 a.m. and 10:00 p.m. according to the following procedures:

- a) Ballot paper pads shall be taken out of the storage box and checked to see if all are stamped and signed;
- b) After that, a member of the team in charge of the counting shall read aloud the votes showing each vote to people there present and separating them as votes considered valid, per candidacy, and null and blank votes;
- c) Null and blank votes shall be stamped and counted, in case of any;
- d) Valid votes shall be counted;
- e) Agents of parties or coalitions shall be allowed to present protests against counting procedures directly to the teams, which shall decide over it with the participation of the presiding officer of the District Tabulation Center;
- f) The decision can also be challenged at the CNE level. The new claim shall be submitted in a written form by filling in a form available at the Tabulation Center and a copy shall be given to the agent;

- g) In case claims are presented, their original forms shall be introduced in the envelope of disputed votes.
- h) After the conclusion of the counting of valid votes, disputed votes shall be counted, in case of any.

2. Votes already tabulated shall be piled per candidacy in 50-ballot (fifty) pads and inserted in the storage box especially destined to this purpose.

3. At 10:00 p.m., the presiding officer of the District Tabulation Center shall suspend works of counting and tabulation, determine the reconciliation of total of votes already counted and tabulated and seal the storage boxes destined for tabulated votes.

Article 46 Counting and tabulation minute

1. The operations of counting and tabulation shall result in a minute containing the total number of voters, the total number of votes, the total number of null votes, the total number of blank votes, the total number of disputed votes – in case of any –, as well as the total number of votes per candidacy.

2. After the conclusion of counting and tabulation for all polling stations in the district, the district counting and tabulation minute shall be printed and signed by all members composing the District Tabulation Center and agents there present who wish to do so, and shall be stamped with the stamp of the District Tabulation Center.

3. A copy of the minute referred to in the previous item shall be displayed outside the tabulation center and a copy of that shall be given to STAE and to one agent of each candidacy.

4. After the conclusion of all tabulation operations, all electoral operation minutes from polling stations, the final minute of district counting and tabulation, as well as all disputed and null votes – in case of any –, shall be placed in the storage box to be sent to the CNE, in Dili.

5. Agents of candidacy, observers, and media professionals shall be allowed to be present at all phases of the process of reception, district counting and tabulation, at the District Tabulation Center.

Article 47 Valid votes

A valid vote shall mean a ballot paper clearly showing the intention of the voter expressed by the mark made by him/her within the rectangle identifying a candidacy.

Article 48 Blank votes

A blank vote shall mean a ballot paper not signed, not punched or not marked by a voter.

Article 49
Null votes

1. A null vote shall mean a ballot paper which:
 - a) Is signed or punched in more than one space corresponding to more than one candidacy or not clearly indicates which space has been signed or punched;
 - b) Is signed or punched in a space corresponding to a candidacy that has resigned from the election or was not entitled to it;
 - c) Features any cut, drawing, erasure, or word written on it;
 - d) Features any word or mark allowing the identification of the voter.
2. A ballot paper shall not be considered as a null vote even when the mark exceeds the rectangle designed to the chosen candidacy unless it reaches the other candidacy's space.

Article 50
Submission of district tabulation results

1. The presiding officer of the District Tabulation Center shall submit the minute containing results of district tabulation to the presiding officer of the National Tabulation Center, at the CNE, in Dili, together with closed envelopes containing disputed and null votes, in case of any.
2. The presiding officer of the District Tabulation Center shall submit the storage boxes containing, separately, valid votes, per candidacy, blank votes, non-used ballot papers, cancelled ballot papers, and the operations minutes from polling stations to the National Tabulation Center, at the CNE, in Dili.
3. Agents of candidacies shall be allowed to follow the ballot boxes during the whole process until the announcement of final results.
4. The transportation to be provided for agents, observers or representatives of media professionals shall not be a responsibility of the CNE, STAE, UNPOL or PNTL.
5. A copy of the minute produced at the district tabulation shall be submitted to STAE.

Article 51
National Tabulation Center

1. After receiving district tabulation minutes, the CNE shall proceed with the national tabulation within the established deadline, checking the district counting and tabulation minute and taking ultimate decisions on null and disputed ballot papers – in case of any –, as well as on other claims presented pursuant to the law and electoral regulations.

2. The checking of district counting and tabulation minute shall include the possibility to determine and take grounded decisions on any inconsistency or mathematical errors that might be found.
3. In case of any corrections to electoral operations minutes of the polling stations of to district counting and tabulation minute, due to reasons above mentioned, a new minute shall be printed containing corrections and justifications, which shall be attached to the initial minute now corrected.
4. After operations are finished and within the deadline referred to in item 1 of this Article, the CNE shall prepare and display at its headquarters the minute with provisional tabulation of national results and send a copy to the STAE and national information bodies.
5. In case no appeals are filed during the deadline established for their presentation, the CNE shall send the Minute of National Tabulation Results to the Supreme Court of Justice together with district counting and tabulation minutes, as well as any other documents.
6. STAE shall provide all equipment and materials – namely those contained in Attachment II – necessary to guarantee the National Tabulation Center safe working conditions.

Article 52

Secrecy of tabulation center operations

1. All members of district and national tabulation centers, CNE focal points, and database operators that perform any functions at district or national tabulation centers shall be subject to keep secrecy of all data, information, and documents they may become aware of when performing their respective duties.
2. Each of the persons comprehended by the above mentioned shall sign a non-disclosure statement before beginning their activities at respective centers.

Chapter V

Guarantees of freedom of vote

Article 53

Maintenance of order and discipline

The presiding officer of the polling station, supported by the other electoral officers, shall take all necessary measures to ensure the maintenance of order and discipline during electoral operations in order to guarantee the freedom of vote.

Article 54

Forbidden presences at the polling center

1. Entry into the polling centers and polling stations shall be forbidden to voters who present clear signs of being drunk or under the influence of drugs, voters who bear any kind of

weapon or voters who disturb the order and discipline in any way, without prejudice to possible criminal accountability.

2. Members of F-FDTL and PNTL shall not be allowed to carry any kind of weapons when exercising their right to vote.

3. The permanence in polling centers and polling stations shall also be forbidden to voters who have already voted and are not candidacies' agents, duly accredited media professionals or observers.

Article 55 Propaganda prohibition

1. In the day of the election it shall be forbidden any sort of electoral propaganda inside polling centers or polling stations and within less than 100 (one hundred) meters away from them.

2. Electoral propaganda shall mean the display of stickers, T-shirts, flags, leaflets, symbols, signs, badges, posters, etc., as well as any candidacy promoting activities.

3. In the event of electoral propaganda violating No. 1 of this article, the presiding officer shall request the PNTL to remove the propaganda.

4. Candidacy agents shall not be allowed to bear any symbol or object identifying them with candidacies or political parties.

5. In case anything happens as stated in the previous item, the presiding officer shall ask the agent to remove it. Should this request not be obeyed, the presiding officer shall remove that agent's accreditation and ask him/her to leave the polling station, indicating the occurrence in the electoral operations minute.

Article 56 Forbidden presence of F-FDTL

1. The presence of FALINTIL-FDTL elements in polling centers shall be forbidden when they are carrying out their duties.

2. In the event provided for in the previous item, electoral operations shall be suspended until the presiding officer understands there are conditions to resume them.

3. Under no circumstances, the period of suspended electoral operations shall exceed 2 (two) hours.

Article 57 Forbidden presence of PNTL

1. During the polling process, the presence of PNTL elements in the accomplishment of their duties shall be allowed only 25 (twenty-five) meters away from the polling stations.
2. The prohibition mentioned above shall not apply to mobile teams in charge of collecting votes at hospitals and prisons.
3. The presiding officer at the polling station may request the presence of the PNTL, if necessary, to end disturbances or acts of violence, as well as in case of non-compliance with orders given by him/her when performing his/her duties.
4. The occurrence of any of the situations described in the previous item shall be registered in the electoral operations minute, namely the identification of people involved, the sort of occurrence, its duration, as well as reasons for the request and the duration of the PNTL presence.

Article 58
Opinion surveys

1. No opinion surveys shall be allowed within less than 500 (five hundred) meters away from the polling centers in the day of the election.
2. The release of any survey results shall be forbidden within the 2 (two) days preceding the election and up until the closing of the polling.

Article 59
Presence of observers

National or international observers, duly accredited and identified, shall be allowed to access the polling center, as well as polling stations and tabulation centers in order to exercise their functions pursuant to laws, regulations, and codes of conduct approved by the CNE.

Article 60
Guarantees of security

PNTL in a joint operation with UNPOL shall ensure security in the following situations:

- a) Distribution of sensitive materials to polling stations and vigilance over it until the day of the elections;
- b) For polling centers and polling stations;
- c) For the transportation of ballot boxes from the polling centers to the District Tabulation Centers and from these to the National Tabulation Center; and
- d) Counting and tabulation of votes at District and National Tabulation Centers.

Chapter VI
Transitory and final provisions

Article 61
Claims and protests

For the purposes of the present regulation, it shall be considered:

- a) A claim shall mean the act of contesting a decision which refers to an irregularity aiming the revocation or replacement of the contested decision;
- b) A protest shall mean the action addressed against a detected irregularity that is yet to be considered by the competent electoral administration body.

Article 62
Destination of ballot papers and electoral operation minutes

1. Ballot papers and electoral operation minutes, both in paper and electronic formats, shall be kept under vigilance of STAE, accessible to the Supreme Court of Justice, for one year after results of the election are announced without prejudice to the following items.
2. When the time limit mentioned above expires and no judicial decision claims otherwise, STAE shall proceed with the destruction of ballot papers except for one of them which shall be put together with electoral operations minutes and taken to the National Files in order to be kept.
3. The lists of voters presence in the day of the election, which are part of the electoral operation minutes at the polling stations, shall be eliminated by the CNE under instructions of the Supreme Court of Justice, within 10 (ten) days following the publication by *Jornal da República* of the judgment of the Supreme Court of Justice which states the validity of the elections and proclaim ultimate results.

Article 63
Entry into force

The present regulation shall enter into force on the following day after its publication by *Jornal da República*.

Regulation proposed by STAE.

Tomás do Rosário Cabral
Director of STAE

Approved in Dili: / /2007

By the National Electoral Commission

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

ATTACHMENT I

List of electoral materials needed for the functioning of a polling station:

1. Ballot boxes with respective numbered security seals;
2. Ballot papers;
3. Indelible ink;
4. Polling booths in sufficient number;
5. Book of polling station consisting of the following documents:
 - a) Electoral operations minute;
 - b) List of presence of electoral officers;
 - c) Non-disclosure statements and list of presence to be signed by electoral officers;
 - d) Remarks sheet;
 - e) List of presence of voters who voted with their passport;
 - f) List of presence of voters who voted with their voters' card;
6. Form of materials delivery terms;
7. Sign to identify the polling station;
8. Announcement sheet for information purposes;
9. An enlarged version of the ballot paper;
10. Forms for claims and protests;
11. Badges for the identification of electoral officers, agents of candidacies of political parties and party coalitions, and observers;
12. Puncher for voters' card;
13. Stamp reading "CANCELLED";
14. Stamp reading "NON-USED";
15. Stamp reading "Parliamentary Elections 2007";
16. Envelope for non-used ballot papers;
17. Envelope for cancelled ballot papers;
18. Calculators;
19. Staplers, ball pens, and nails in sufficient number;
20. Lamps, flashlights or other means of illumination;
21. Adhesive tape;

ATTACHMENT II

List of some electoral materials needed for the functioning of District and National Tabulation Centers:

1. Form for the final minute;
2. Form for the term of delivery of ballot box (District Tabulation Center);
3. Form for the delivery term of ballot boxes coming from the districts (National Tabulation Center);
4. Form for claims and protests;
5. Stamp of District and National Tabulation Centers;
6. Stamp reading "BLANK";
7. Stamp reading "NULL";
8. Numbered security seals;
9. Storage boxes for ballot papers;
10. Ballot boxes for the transportation of minutes and null and disputed votes, in case of any;
11. Envelopes;
12. Other stationery;
13. Computers, printers, copy machines, and other necessary IT materials.