

THE ELECTORAL CODE OF THE REPUBLIC OF ALBANIA

Tirana 2021

THE ELECTORAL CODE OF THE REPUBLIC OF ALBANIA

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PART I

GENERAL PROVISIONS

CHAPTER I

SUBJECT MATTER, DEFINITIONS, AND PRINCIPLES

Article 1

Purpose and subject matter

1. This Code shall aim to determine the rules on the preparations, conduct, management, monitoring, and declaration of election results for elections for the Assembly of Albania, local government bodies, and referenda.

2. This Code shall regulate the following:

- a) determination of electoral zones;
- b) deadlines, procedures and competencies for the registration of electoral subjects;
- c) organisation and functioning of the election administration and commissions;
- ç) deadlines, procedures, and competences on the compilation of the voter list;
- d) financing of electoral subjects;
- dh) conduct of the electoral campaign;
- e) procedure of voting and declaration of result;
- ë) examination of appeals and imposition of administrative and criminal sanctions;
- f) other rules related to elections.

Article 2

Definitions

*(point 15/1 added and point 21 repealed by Law No. 74/2012, dated 19 July 2012;
points 26-31 added by Law No. 101/2020, dated 23 July 2020; words replaced in point 7;
point 22 amended by Law No. 118/2020, dated 5 October 2020)*

For the purpose of this Code, the terms below shall mean as follows:

1. "Election date" shall be the date of voting, as determined by decree of the President of the Republic.
2. "Special institutions" shall be prisons, pre-trial detention facilities, as well as hospitals or other healthcare institutions that admit patients for more than three days.
3. "Candidate put forward by a group of voters" shall be a candidate for deputy or mayor, or for the municipal council, who is not supported by any political party and who is proposed by voters, in compliance with this Code.
4. "Candidate" shall be an Albanian citizen registered as a candidate for deputy or mayor, or for the municipal council, in compliance with this Code, who is to be voted in elections.
5. "Coalition" shall be two or more political parties grouped to run together in elections, in compliance with the rules determined in this Code.

6. "VCC" shall be the Voting Centre Commission.

7. "CEC" shall be the Central Election Commission, which is the state institution in charge of managing elections, in compliance with the rules determined in this Code.

8. "CEAZ" shall be the Commission of the Electoral Administration Zone, which is established and functions in compliance with this Code for elections for the Assembly of Albania and local elections.

9. "Voter lists" shall be official documents of the voters which originate from the National Civil Status Register for each polling unit, as compiled in compliance with this Code.

10. "Multi-name list" shall be the list of candidates for deputies or municipal councils, as compiled and registered in compliance with this Code.

11. "Close relationship by marriage" shall be the relationship created by marriage between a commission member and a candidate, when one of them is the parent of the other's spouse, or the sibling of the other's spouse, or the spouse of the sibling of the other's spouse.

12. "Parliamentary party" shall be the political party that has obtained and holds at least one Assembly seat from the preceding elections.

13. "Political party" shall be a party registered in compliance with Law No. 8580, dated 17 February 2000, "On Political Parties".

14. "Representative of an electoral subject" shall be a person authorised by an electoral subject to represent their interests and to participate in meetings of electoral commissions, in the name of and on behalf of the electoral subject.

15. "Electoral period" shall be the period of the year, determined in this Code, during which the periodic consecutive elections are held for the Assembly of Albania and for local government bodies.

15/1. "Evidence" shall be a legal instrument that serves to prove the existence or inexistence of a claimed fact in the administrative investigation and that is taken in compliance with this Code.

16. "Voting Centre" shall be the premises designated for conducting the voting process in compliance with this Code.

17. "National Electronic Civil Status Register" shall be the electronic database of citizens compiled in accordance with the provisions of the law on civil status.

18. "Final elections result" shall be the result announced by the CEC, in compliance with this Code, which includes:

a) number of votes, number of mandates, and list of names of deputies elected for each subject in the electoral zone, as well as at the national level, in compliance with the rules of this Code;

b) voting result for candidates for mayors, who are directly elected in the respective electoral zone;

c) the number of votes obtained by each subject at the national level, based on the result of the votes obtained by each electoral subject during the vote for local government councils; and

ç) voting result for each alternative in a referendum, in accordance with the provisions of this Code.

19. "Revision of lists" shall be the process of deleting or adding names or of editing data on voter lists, in compliance with this Code.

20. "Electoral subjects" shall be political parties, coalitions, and candidates proposed by voters, as well as candidates for mayor, who are registered in compliance with this Code.

21. *Repealed*

22. "Partial elections" shall be elections conducted in one or more local government unit for the mayor or the municipal council, in the event of vacancy of the mayor or of early dissolution of the municipal council.

23. "Elections" shall be the voting process for the Assembly, local government units, and referenda.

24. "Polling unit" shall be a geographical area within the territory of a municipality, or electoral zone, determined in compliance with this Code.

25. "Electoral zone" shall be an administrative-territorial division of the region, for the elections for the Assembly, and the municipality, for elections for local government bodies.

26. "Under-represented gender" shall be the gender with the traditionally lower number of members in the Assembly or, according to circumstances, local councils at the national level.

27. "Electronic identification" shall be the voter identification through verification of personal data from equipment readings against the electronic voter list database of the voting centre, as well as device recording of dactyloscopy prints.

28. "Electoral campaign expenditures" shall be expenditures made by or on behalf of an electoral subject, including the candidates and/or its branches, or an independent candidate, for the purpose of promoting their campaign or thwarting the campaign of another subject, regardless of the date they are made.

29. "Voting for third parties" shall be when the voter votes in the name and on behalf of other persons who are present or not in the voting centre. Except for cases of assisted voting in accordance with this law, voting for third parties shall be illegal and punishable under the Criminal Code.

30. "Family voting" shall be a form of voting for third parties and occurs when a family member, usually the head of the household, votes in the name and on behalf of other family members.

31. "Static propaganda materials" shall be materials that serve the electoral subject to promote the electoral campaign, which are placed or displayed in public spaces or in premises accessible to the public, such as light posts, facades of buildings, squares, front sides of shops or building, along city streets, interurban roads, etc.

Article 3

General principles

(point “5/1” and a sentence in point 8 added by Law No. 101/2020, dated 23 July 2020)

1. Elections shall be periodical.

2. Elections shall be conducted through free, secret, equal, and direct voting, in accordance with the rules provided for in this Code. Voters shall freely exercise their right to vote.

3. Every Albanian citizen, who has reached the age of 18, including on Election Day, without distinction according to race, ethnicity, gender, language, political conviction, religion, physical ability, or economic status, shall have the right to vote and to be elected, in compliance with the rules provided for in this Code.

4. Each voter shall have the right to only one vote for the election of an electoral subject.

5. Electoral subjects shall be free to present their electoral programmes in any lawful form and manner.

5/1. Electoral subjects shall benefit public and non-public funding to support their campaign, in accordance with the relevant legal provisions. Electoral subjects shall bear the obligation for transparency and disclosure of income and expenditures during elections to the CEC, to persons tasked with auditing or monitoring, and to the public.

6. Electoral commissions envisaged in this Code shall fulfil their functions in compliance with the law and in an impartial and transparent manner.

7. Except as otherwise provided for by law, it shall be prohibited to provide electoral subjects with the opportunity to use different equipment, funds, and materials that are public property, as well as with human resources of the public administration of any level.

8. Institutions of public administration of any level must not impair the conduct of elections with their activity. The State Police shall exercise its duties serving elections in full impartiality towards electoral subjects. Its activity shall be conducted in line with the rules laid down in this law and in the secondary legislation approved by the CEC.

Article 4

Electoral law and gender equality

(amended by Law No. 101/2020, dated 23 July 2020)

1. This law shall guarantee the principle of gender equality, in line with the provisions dedicated to this principle in the legislation in force of the Republic of Albania. The direct and active participation in the political and public life of the underrepresented gender represents a fundamental instrument in the consolidation of the democratic system. None of the provisions of this law may be implemented or interpreted to breach or violate this principle.

2. The obligation to respect the principle of gender equality shall rest on electoral subjects, electoral administration, and courts. The Central Election Commission shall be entitled to intervene at any time on the powers that electoral subjects have under this

law and demand that electoral subjects cease violation of this principle and, in case of omission, intervene proactively to ensure restoration of this principle.

3. The electoral law shall promote gender equality for the elected bodies and the electoral administration by:

- a) establishing gender quotas for the underrepresented gender at not less than 30% of the composition of the Assembly of Albania and of basic units of local government bodies;
- b) establishing gender quotas for the underrepresented gender at not less than 30% of composition of all levels of the electoral administration;
- c) taking measures to reduce and eliminate voting for third parties, family voting, as well as to preserve and guarantee vote secrecy.
- ç) compiling and publishing operational statistics on the participation of the underrepresented gender on Election Day, in order to raise awareness and take appropriate measures to further promote such participation.

Article 5

Prohibition on the use of special forces and structures

1. The use of commando forces and other forces of the military shall be prohibited during the entire electoral campaign, except in case the Minister in charge of public order and the Minister of Defence issue a written order, in the event such forces are needed to guard buildings of particular importance, to replace State Police officers, or for the purpose of international obligations. A copy of the written order shall be immediately sent to the CEC.

2. The use of commando forces and other forces of the military to guard buildings related to elections shall be prohibited.

3. During the entire electoral campaign, military forces shall be prohibited from conducting military exercises or manoeuvres outside their departments or places of deployment.

4. In all kinds of elections, the use or participation of State Informative Service officers or structures shall be prohibited.

CHAPTER II OBSERVERS

Article 6

Right to appoint observers

(points 1 and 4 amended and point 3 repealed by Law No. 74/2012, dated 19 July 2012;

words replaced in the first sentence of point 1;

words amended in point 6 by Law No. 118/2020, dated 5 October 2020)

1. Any political entity that is registered with the CEC as an electoral subject shall have the right to appoint one observer to the CEAZ, the VCC, and to each table of the Ballot Counting Centre after the registration of the candidate/s for the respective electoral zone or after submitting a multi-name list. In the event of political parties participating in elections as a coalition, the right to appoint observers shall solely rest with the coalition. The coalition may appoint no more than three representatives per coalition. Political party candidates shall not have the right to appoint observers.

2. Albanian and foreign non-governmental organisations, international organisations specialised or engaged in the area of good governance and democratisation, as well as representatives of foreign countries and of the media shall have the right to send observers to the elections.

3. *Repealed.*

4. Accreditation of observers to electoral commissions shall be conducted on the grounds of individual data for each observer. The accreditation may include one or more voting centres or one or more electoral zones. An Albanian non-governmental organisation or a coalition of such organisations, a political party, or a candidate proposed by voters, may not have more than one observer present at the same time in a voting centre. Any foreign non-governmental organisation and international organisations may not have more than two foreign observers at the same time in a voting centre. In the event of political parties participating in elections as a coalition, the right to appoint observers shall solely rest with the coalition. The coalition may appoint no more than three representatives per coalition.

5. Requests of Albanian observers for accreditation shall be submitted to the CEC no later than 15 days before the election date. The CEC shall approve requests no later than 5 days from their submission. Requests by foreign observers shall be submitted to the CEC no later than 72 hours before the election date. The CEC shall approve requests of foreign observers within 24 hours from their submission. An appeal against refusal or failure to grant accreditation may be filed, in accordance with the procedures provided for in this Code.

6. The CEC shall have the right to delegate CEAZs the competency of accrediting observers, through special instruction, in accordance with point 1 of this Article.

Article 7
Rights and duties of observers

1. During the discharge of duties, observers shall have the following rights:
 - a) observe all aspects of the preparation and conduct of elections and all the stages of the electoral process without hindrance;
 - b) submit written remarks to election commissions for every kind of irregularity they observe;
 - c) look at or examine documentation or materials of the electoral process;
 - ç) other rights provided for in this Code or in relevant secondary legislation.
2. Observers shall have the following duties:
 - a) respect the requirements of this Code and the instructions of the CEC on election observation;
 - b) act in an impartial manner and not to make propaganda for any candidate, party, or coalition in voting centres or in other places where propaganda is prohibited in accordance with this Code;
 - c) show up in election commissions with the authorisation issued by the CEC and an identification document recognised by the CEC;
 - ç) not to bear distinctive signs that serve as means of propaganda or that might influence voters' will;
 - d) not to violate the right of voters to a secret ballot and not to obstruct the voting process, counting process, and election management.

CHAPTER III
ELECTORAL PERIOD AND ELECTION DATE

Article 8
Electoral period
(amended by Law No. 101/2020, dated 23 July 2020)

General elections for the Assembly or for local government units shall be conducted simultaneously, in the entire territory of the country, within the period lasting from 15 April until 15 May, or from 15 October until 15 November. The cases provided for in points 5, 6, 7 and 8 of Article 9 of this Code shall be exempt from this rule.

Article 9
Determining the election date for the Assembly
(amended by Law No. 101/2020, dated 23 July 2020)

1. The date of the elections for the Assembly shall be determined by a decree of the President of the Republic, in accordance with the rules provided for in Article 65 of

the Constitution. Elections for the Assembly shall be conducted on a Sunday within the electoral period determined in Article 8 of this law.

2. For the purpose of determining the election date, the duration of the Assembly's mandate shall be calculated until the same date of the same month of the fourth year after its first meeting.

3. Between the election date and the Assembly mandate termination, there must be a difference of at least 30 days. In the event the difference is less than 30 days, then the election date shall be brought closer to that number of weeks needed to meet the condition in accordance with this point, regardless if the election date falls before the electoral period starts.

4. The President of Republic shall issue the decree on the determination of the date of elections for the Assembly no later than 9 months from the termination of Assembly's mandate.

5. Pursuant to point 5 of Article 87 of the Constitution of the Republic of Albania, the President of Republic shall issue the decree on the determination of the election date no later than 24 hours after the dissolution of the Assembly. Elections shall take place no earlier than 30 days and no later than 45 days after the Assembly's dissolution. The date of Assembly's dissolution shall be the date of the fifth round of voting, in accordance with point 5 of Article 87 of the Constitution of the Republic of Albania, when the Assembly fails to elect a new President.

6. Pursuant to point 4 of Article 96 of the Constitution of the Republic of Albania, when the Assembly fails to elect the new Prime Minister, no later than 24 hours after the vote envisaged in point 3 of the same Article, the President of Republic shall decree the Assembly's dissolution and determine the election date. Elections shall take place no earlier than 30 days and no later than 45 days after the Assembly's dissolution.

7. Pursuant to point 2 of Article 104 of the Constitution of the Republic of Albania, elections shall take place no earlier than 30 days and no later than 45 days after the Assembly's dissolution.

8. When the Assembly dissolves itself for reasons other than those mentioned in this Article, the President of Republic shall determine the election date no later than 24 hours after its dissolution. The Assembly shall be dissolved on the day it votes on its dissolution. Elections shall take place no earlier than 30 days and no later than 45 days after the Assembly's dissolution.

Article 10

Determining the election date for local government bodies

*(words amended in point 1; point 2 amended by Law No. 118/2020,
dated 5 October 2020)*

1. The election date for local government bodies shall be determined by decree of the President of Republic. For the purpose of determining the election date for local government bodies, the President shall apply the rules provided for in points 3 and 4 of Article 9 of this Code.

2. For the purpose of determining the election date, the duration of the mandate of local government bodies shall be calculated until the same date of the same month of the fourth year after the date of announcement by CEC decision of the election results for local government bodies at a national level.

3. In the event of mandate interruption on grounds provided in Article 115 of the Constitution of the Republic of Albania, elections shall be held no earlier than 30 days and no later than 45 days from the date of notification of the mandate interruption. In the event of an appeal by the dissolved or discharged body, elections shall be held no earlier than 30 days and no later than 45 days from the expiry of the deadline provided to the dissolved body to appeal the decision of the Council of Ministers to the Constitutional Court, when such a right has not been exercised, or the date of the decision of the Constitutional Court, if the appeal to the latter has been made within the timeframe provided for in point 2 of Article 115 of the Constitution of the Republic of Albania. In any case, the President of Republic shall issue the decree no later than 48 hours from the notification of mandate interruption.

Article 11

Voting hours

(points 1 and 2 amended by Law No. 101/2020, dated 21 July 2020)

1. When the election date is set in the election period from 15 April to 15 May, voting centres shall open at 07⁰⁰ hrs and close at 19⁰⁰ hrs.

2. When the election date is set in the election period from 15 October to 15 November, voting centres shall open at 07⁰⁰ hrs and close at 18⁰⁰ hrs.

3. Nobody may vote after the closing time of the voting centres, except for voters who are waiting to vote at the time of closing, in accordance with the procedures provided for in this Code.

PART II
INSTITUTIONS FOR THE PREPARATION AND
MANAGEMENT OF ELECTIONS

CHAPTER I
CENTRAL ELECTION COMMISSION (CEC)
(chapter amended by Law No. 101/2020, dated 23 July 2020)

Article 12

Composition and functioning of CEC
(amended by Law No. 101/2020, dated 23 July 2020;
words deleted in the third sentence of point 4;
words deleted in the third sentence of point 5 by Law No. 118/2020, dated 5 October 2020)

1. The Central Election Commission shall be the institution responsible for the organisation and management of elections and referendums, steering and supervising the activity of the election administration, monitoring the activity of electoral subjects, state bodies and institutions, and media concerning the elections, and administratively settling requests or complaints related to the electoral process.

2. CEC steering bodies shall consist of:

- a) State Election Commissioner;
- b) Regulatory Commission; and
- c) Complaints and Sanctions Commission.

3. The State Election Commissioner (Commissioner) shall be a monocratic body that exercises executive competencies, steers the CEC administration, and represents the CEC in relations with third parties.

4. The Regulatory Commission (the Regulator) shall be the body competent for the approval of acts of a normative nature pertaining to the area of elections and of setting election rules. The Regulator shall operate part-time and shall conduct its activity in open public meetings convened by the Commissioner. In the event the Commissioner does not engage the Regulator or the CSC for matters that fall under their competency, the bodies shall self-convene by request of each member. For their participation in meetings, members of the Regulator shall receive remuneration equal to 50% of the Commissioner's monthly salary, but not more than 80% of the annual salary of the latter.

5. The Complaints and Sanctions Commission (CSC) shall be the competent body to examine administrative complaints and impose sanctions for violations of the electoral law. The CSC shall operate part-time and shall exercise its activity in public administrative examination hearings convened by the Commissioner, with the participation of interested parties. In the event the Commissioner does not engage the CSC for matters that fall under their competency, the bodies shall self-convene by request of each member. For their activity during the period that starts 48 hours after the decreeing of the general elections for the Assembly, elections for local government bodies, or partial elections, until the completion of the administrative examination of electoral complaints or the expiry of timeframes for election complaints, CSC members shall receive remuneration equal

to the sum of five monthly salaries of the Commissioner. For activities conducted outside this period, CSC members shall receive remuneration equal to 50 percent of the monthly salary of the Commissioner.

6. Members of the Regulator and of CSC may not simultaneously exercise other duties in bodies, institutions, or entities that are part of the executive power.

7. The activity of the CEC, steering bodies, and of the administration shall be guided, as applicable, by this law and its relevant secondary legislation, as well as by law No. 44/2015 "Code of Administrative Procedure of the Republic of Albania".

Article 13

State Election Commissioner

(amended by law No. 101/2020, dated 23 July 2020)

1. The Commissioner shall be elected by the Assembly of the Republic of Albania for a 7-year mandate, which is renewable, in accordance with the procedure determined in this law.

2. The right to run or be proposed for commissioner shall be enjoyed by Albanian citizens from the ranks of former political or cabinet officials, former senior management officers, or former leaders of not-for-profit organisations operating in the area of elections and human rights.

3. The selection of the Commissioner shall be made on the grounds of previous successful experience with management, demonstrated or proven lawfulness during the exercise of duties or functions, and the public reputation of the candidate. Documents or references proving the success and lawfulness of the candidate during the exercise of duty must extend across a continued 3-year period of activity at least.

4. Persons running or proposed for commissioner shall not be included in the list of candidates to be voted upon in the event they, at the time of candidacy, are exercising the duty of official, cabinet member, senior management officer, or leader of a not-for-profit organisation, or in the event the competent Assembly committee develops the conviction they interrupted their working relationship for the purpose of the candidacy or proposal for commissioner.

5. Persons running or proposed for commissioner shall not be included in the list of candidates to be voted by the Assembly if they are active members of any political party, or if they have obvious or known private interests whose fulfilment depends on the central or local level government.

6. The salary and privileges of the Commissioner shall be the same as the salary and privileges of the Chair of the High Court.

7. The Commissioner shall be subject to the provisions of the legislation in force on declaration and audit of assets and conflict of interest.

Article 14
Deputy State Election Commissioner
(amended by Law No. 101/2020, dated 23 July 2020)

1. The Deputy State Election Commissioner (Deputy Commissioner) shall be elected by the Assembly for a 4-year term with the duty to monitor and oversee the implementation of electronic identification technology, recruitment and training of election officials.

2. The Deputy Commissioner shall be responsible of determining the applicability and shall lead efforts for the implementation of the voter electronic identification project. They shall have equal rights with the commissioner when co-exercising competencies pertaining to selection, monitoring, and implementation of the voter electronic identification technology.

Article 15
Regulatory Commission
(amended by Law No. 101/2020, dated 23 July 2020)

1. The Regulatory Commission (Regulatory) shall be composed of 5 members, one of whom shall exercise the duty of chair. The chair and members of the regulator shall be elected by the Assembly of the Republic of Albania for a 5-year mandate, in accordance with the procedure this law regulates for the Commissioner.

2. Candidates for chair or member of the Regulator must meet the conditions and criteria for Commissioner. The criterion on previous successful management experience shall be replaced for candidates for Regulator member with the criterion on successful experience in drafting, examining, and cross-examining legislation. Documents or references proving the success and lawfulness of the candidate during the exercise of duty must extend across a continued 3-year period of activity at least.

3. The functioning of the Regulator and the examination and approval procedures for acts shall be determined in the rules on meetings of the Regulator.

4. Members of the Regulator shall be subject to the provisions of the legislation in force on conflict of interest.

Article 16
Complaints and Sanctions Commission
(amended by Law No. 101/2020, dated 23 July 2020)

1. The Complaints and Sanctions Commission (CSC) shall be composed of 5 members who are elected by the Assembly of the Republic of Albania for a 9-year mandate, in accordance with the procedures determined in this law.

2. The right to run or be proposed for commissioner shall be enjoyed by Albanian citizens from the ranks of former judges, former advisors of the Constitutional Court or of the High Court, former CEC members, former senior management officers or freelance legal experts with experience in administrative adjudication.

3. The selection of CSC members shall be made on the grounds of previous successful experience with the examination and resolution of disputes, demonstrated or proved lawfulness during the exercise of duties or functions, and public reputation of the candidate. Documents or references proving the success and lawfulness of the candidate during the exercise of duty must extend across a continued 3-year period of activity at least.

4. Persons running or proposed for CSC members shall not be included in the list of candidates to be voted upon in the event they, at the time of candidacy, are exercising the duty of judge, advisor of the Constitutional Court or of the High Court, CEC member or senior management officer, or in the event the competent Assembly committee develops the conviction they interrupted their working relationship for the purpose of the candidacy or proposal for CSC member.

5. Persons running or proposed for CSC member shall not be included in the list of candidates to be voted by the Assembly if they are active members of any political party, or if they have obvious or known private interests whose fulfilment depends on the central or local level government.

6. Functioning of the CSC and the case examination procedures shall be determined in the CSC hearing rules.

7. CSC members shall be subject to the provisions of the legislation in force on conflict of interest.

Article 17

Election of the Commissioner, members of the Regulator, and members of the CSC

(amended by Law No. 101/2020, dated 23 July 2020)

1. The Commissioner, members of the Regulator and members of the CSC shall be elected by the Assembly of the Republic of Albania by no less than three-fifth of the votes of all deputies.

2. Submission of candidacies shall be conducted proactively or by proposal of parliamentary groups or particular deputies.

3. For the examination and selection of candidacies, the Assembly shall set up an ad hoc parliamentary committee with proportionate representation by each parliamentary group. The nomination and candidacy selection procedure shall be conducted in accordance with provisions of the Assembly's Rules of Procedure on elections to constitutional bodies or those established by law, unless otherwise provided for in this Article.

4. The ad hoc parliamentary committee shall give points to the candidates who meet the conditions and criteria set in Articles 13, 15 or 16 of this law, as applicable. The Commission shall submit the list of candidates, with the names of up to 20 shortlisted candidates with the highest score, to the Assembly. The proposing entity and supporting organisations or political parties, if any, shall be noted down for each candidate.

5. In the event the Assembly fails to elect the Commissioner or certain members of the Regulator or the CSC by the required majority of votes in accordance with the first point of this Article, the Assembly's administration shall draw a lot among all candidacies submitted for voting to the Assembly for the respective vacancy. The Assembly shall be notified on the winner and the Speaker of the Assembly shall announce their election in the plenary.

Article 18

Dismissal of the Commissioner, of members of the Regulator, and of members of the CSC

(amended by Law No. 101/2020, dated 23 July 2020)

1. The Commissioner may only be dismissed on the same grounds (conditions and criteria) that would have made them ineligible for the office. The grounds for dismissal must have occurred after taking office and must be verified by the state authorities competent of such a verification.

2. Members of the Regulator and members of the CSC may be dismissed on the same grounds (conditions and criteria) that would have made them ineligible for the office, as well as for the failure to exercise their duty, without a reasonable cause, for at least three consecutive meetings or hearings. The conflict of the member with the conditions and criteria constituting grounds for dismissal must have occurred after taking office and must be verified by the state authorities competent of such a verification.

3. In the dismissal procedure, the Assembly's competent committee may not verify the grounds, but only administer the official documents of final form that prove the existence of dismissal grounds.

4. The dismissal procedure shall be conducted in accordance with the provisions of the Assembly's Rules of Procedure on the dismissal of members of bodies established by law, unless otherwise provided for in this Article.

5. The Commissioner, members of the Regulator and members of the CSC shall be dismissed provided that no less than three-fifth of all deputies vote in favour of the dismissal.

6. When the Commissioner or members of the Regulator or of the CSC are dismissed, or when their position becomes vacant for any other reason, the new members shall be elected in office for a full mandate.

Article 19

Competencies of the Commissioner

(amended by Law No. 101/2020, dated 23 July 2020)

1. The Commissioner shall have the following competencies:

- a) manage the institution and represent it in its relations with third parties;
- b) manage and supervise, directly or through the CEC administration, the activity of the election administration during elections and referenda;

c) engage the Regulator and the CSC whenever matters under their legal remit emerge; prepare Regular and CSC meetings and hearings, and oversee the transcription and publication of legal acts. The Commissioner may not decide on matters that are under the remit of the Regulator or of the CSC;

ç) appoint and dismiss CEAZ members;

d) conclude, on behalf of the CEC, agreements and contracts with third parties and monitor or check on their implementation;

dh) ensure that this law is implemented fairly, strictly, accurately, and uniformly by all institutions, entities, or persons tasked with duties and obligations, in accordance with the law;

e) organise and administer the electoral processes of public institutions and bodies, when entrusted this duty by the law;

ë) monitor, through the CEC administration or contracted entities, the election campaign, all aspects related to the funding of the electoral campaign, as well as the media coverage of the campaign;

f) monitor, through the CEC administration or contracted entities, the conduct of public institutions during the campaign and the use of public resources;

g) attend to voter education, information and awareness-raising;

gj) manage the training and qualification process for the election administration, training of financial officers of electoral subjects, training of financial monitors and auditors, as well as training of NGO representatives who observe and monitor campaign funding aspects;

h) inform the public on CEC activities, decision-making, campaign, voting process, and election result;

i) approve the allocation of mandates in the elections for the Assembly and local councils, and distribute the mandate to each deputy and to mayor whose territory is divided into more than one EAZ;

j) produce and publish statistical data on elections over the years, statistical data on gender ratios in elections, administer such data during elections and for elected bodies, as well as data on lists of candidates for the Assembly and local government bodies;

k) manage the CEC budget in accordance with applicable rules;

l) prepare the draft annual budget and the election budget, in accordance with the applicable law, and determine the budget expenditure structure subsequent to approval of such budget by law.

ll) report to the Assembly on the activity of the institution, as well as provide recommendations on the improvement of the election-related legislation;

m) prepare and submit the CEC structure and staff structure, both full time and part time, for approval of the Assembly;

n) on behalf of CEC, exercise competencies assigned through special laws, as well as and other competence this law does not explicitly vest the Regulator or the CSC.

2. The fundamental administrative acts of the Commissioner in discharging their duty shall be decisions, orders and instructions.

Article 20

Competencies of the Regulator

(amended by Law No. 101/2020, dated 23 July 2020)

1. The Regulator shall examine and approve draft acts of a normative nature, as drafted by the CEC administration or by its members, on:

a) detailed rules on the organization and management of elections and referenda, duties of the election administration, and procedures applicable in elections;

b) rules and instructions on the consolidation and improvement of electoral practices, as well as on the activity of public institutions in the service of elections;

c) rules on reporting activities of a public nature conducted by public institutions, agencies and/or state enterprises, categories of activities prohibited during the campaign, as well the CEC procedure on the prohibition enforcement;

ç) rules on the media monitoring methodology, on the report examination procedure, and on imposing reprimanding or punitive measures;

d) rules on Regulator's meetings and rules on CSC's hearings;

dh) rules on the registration of out-of-country voters, their voting procedures, on the administration and counting of out-of-country votes and their inclusion in the overall result of Assembly elections;

e) type and technical specifications of information technology systems or equipment that are procured and used in elections in the Republic of Albania;

ë) rules on the use of information technology systems or equipment necessary to ensure their lawful, regular, transparent, efficient, and sustainable use;

f) rules on the financial reporting of electoral subjects, role and responsibilities of financial officers of electoral subjects, their independent monitoring and audit, and administrative investigation of information, requests, proposals, complaints or reports on violations related to campaign funding or expenditures;

g) rules on supply and administration of electoral materials;

gj) manuals or handbooks assisting the electoral administration, electoral subjects, and voters;

h) service fees of public institutions and bodies on the organisation and management of election processes, when entrusted this duty by the law.

2. The regulator shall examine and approve draft acts prepared by the CEC administration on:

a) boundaries of electoral administration zones, in compliance with this law;

b) number of mandates for each electoral zone in the Assembly elections;

c) use of information technology systems or equipment to cover specific aspects or procedures of the election process or their decommissioning;

ç) organisation of out-of-country voting for the first time, based on the Commissioner's reporting on the technical-organisational measures accomplished to enable the voting;

d) final election result at a national level, in accordance with this law.

3. Decisions shall be the fundamental administrative acts of the Regulator in discharging its duties. Decisions shall be taken when at least four members vote in favour, except for decisions under letters 'b' and 'd' of point 2 of this Article, which shall be approved by simple majority.

Article 21

Competencies of the CSC

(amended by Law No. 101/2020, dated 23 July 2020)

1. Pursuant to the provisions of this law, CSC shall exercise the following competencies:

a) decide on announcing the invalidity of elections in one or more voting centres, in one or more electoral zones, or in the entire country, as well as on the partial or full repetition of elections;

b) administratively examine and resolve complaints against acts of the Commissioner;

c) administratively examine and resolve complains of electoral subjects against CEAZ decisions;

ç) assess the performance of commissioners and counters in cases it examines.

d) upon the Commissioner's request, impose disciplinary measures to election officials in cases when, following the a posteriori inspection of the electoral material, finds violations or irregularities in administration;

dh) upon the Commissioner's request, impose administrative sanctions to people or electoral subjects and/or their candidates, who commit administrative infractions related to elections.

2. During the administrative investigation, each CSC member shall have the right to ex officio obtain, without debate and without voting, evidence that is administered by the CEC.

3. Fundamental administrative acts of the CSC shall be the decisions. Decisions shall be valid when at least three members vote in favour, except for a decision under letters 'a', 'b' or 'c' of point 1, when the scope of the complaint is to challenge the aggregate table of results in the electoral zone. In this case, the decision shall be valid when at least four members vote in favour of it.

Article 22

CEC competences concerning technology in elections

(amended by Law No. 101/2020, dated 23 July 2020)

1. The CEC shall have the competence to explore, experiment, and decide to on the use of information technology systems and/or equipment in elections, in order to cover

specific aspects and/or procedures of the electoral process, engage foreign consultancy for this purpose, as well as procure information technology systems or equipment and also their operation service. CEC shall have the obligation to implement the use of information technology systems and/or equipment in elections via pilot projects in no less than 10 percent of the number of voters in each implementation stage.

2. The CEC shall have the competence to install and use video-monitoring systems in voting centres, as well as when manual ballot counting is conducted in BCC, in order to monitor and prove the regularity of the process in their internal premises. The video-monitoring system may not be installed in voting centres in a manner that infringes or jeopardises voting secrecy. When it does not implement it by itself, the CEC shall have the right to procure the installation or also the operation of the video-monitoring system.

3. The use of information technology systems or equipment shall be carried out in compliance with the specific rules on special procedures and aspects of the process that are covered by information technology systems or equipment. Procedural rules for this purpose shall be approved by CEC normative act.

4. Information technology systems or equipment that CEC decides to use in elections must first of all seek to ensure the electronic identification of voters and their post-election verification, voting with and through electronic equipment, and machine-assisted counting of cast ballots, and they must be applicable for at least five consecutive electoral processes.

5. The identification, selection, and use of information technology systems or equipment shall be subject to the principles of legality, transparency, inclusiveness, security, efficiency, and sustainability.

6. Prior to each electoral process, information technology systems or equipment shall be subjected to operational testing by the CEC in public sessions and according to a precise and detailed procedure, selecting randomly from each electoral zone not less than three percent of equipment to be used and simulating electoral operations for a number of voters that is not lower than 50.

7. Following each electoral process, after the announcement of the final election results and the establishment of the elected bodies, the CEC shall, in public sessions and according to a detailed procedure, carry out the verification of information technology systems or equipment used to vote and count ballots in elections, by manually counting the ballots in no less than 10 percent of voting centres and comparing the result to the result produced by the information technology systems or equipment. The voting centres shall be selected randomly by the CEC from each electoral zone.

8. The results of pre-election testing and post-election verification of information technology systems or equipment shall condition the CEC decision-making on the future use of technology. The pre-election testing and the post-election verification results may become subject of criminal investigation in the event they disclose information and raise suspicions on the commission of criminal offences through misuse of information technology systems or equipment in elections.

Article 23
**Procedure on the introduction of technology in elections
and decision-making**
(amended by Law No. 101/2020, dated 23 July 2020)

1. Information technology systems or equipment shall be made operational by CEC qualified staff employed for this purpose, unless the Regulator decides that its operation is to be provided by private operators contracted in accordance with the legislation in force on service procurement. Service procurement may be part of the procurement contract for information technology systems or equipment and may be also carried out by the supplier of the latter.

2. The use of the information technology systems or equipment shall comply with the technical operation rules which, besides the rules stemming from their user manual, shall also include rules on pre-election testing, on documentation of operational procedures, on identification and reporting of defects, on breaches or violations during operation, on suspension of operations by or through systems or equipment and manual conduct of procedures, as well as on completion of operational tasks by and through information technology systems and equipment, and reporting of results. The technical rules on the use of information technology systems and equipment shall be approved by CEC normative act.

3. In case the pre-election testing finds that the information technology systems or equipment display defects or operational inaccuracies which might jeopardize their integrity or the integrity of procedures, the CEC may decide to conduct procedures manually and decommission the systems or equipment from use in the next elections.

Article 24
CEC competencies related to out-of-country voting
(amended by Law No. 101/2020, dated 23 July 2020)

1. The CEC shall lead and monitor the preparations to ensure conditions and implementation of measures that enable the out-of-country voting for elections for the Assembly, for voters whose permanent residence is outside the territory of the Republic of Albania, and have their out-of-country permanent residence address registered in the National Civil Status Register, and request from CEC to be equipped with the out-of-country voting documentation.

2. Out-of-country voting shall be organised and managed by the CEC, in all its components, after the Regulator approves all secondary legislation required for out-of-country voting, in accordance with this law.

3. The CEC must take a decision to include the out-of-country voting for the first time in the ordinary voting procedures. In the next elections, out-of-country voting shall automatically become an integral part of the voting procedures.

4. Detailed procedures on out-of-country voting shall be approved by CEC normative act.

Article 25

Out-of-country voting procedure

(amended by Law No. 101/2020, dated 23 July 2020)

1. Regardless of the voting procedure, manual or electronic, the out-of-country voters' ballots shall be administered by the CEC, safeguarding the voting integrity and secrecy of vote from any tempering with the ballot papers or with the electronic voting information it administers.

2. Out-of-country voting shall be considered open from the day the CEC starts the procedures of sending out the voting documentation or the instruction document addressed to out-of-country voters, as applicable. Out-of-country voting shall be closed on the voting day at the time determined by this law to close voting in voting centres. Upon closing the out-of-country voting, the CEC may not accept and count any ballot arriving afterwards. If the out-of-country voting is carried out electronically, the electronic voting system shall be closed at the time determined by this law to close voting in voting centres.

3. Rules on the administration of the election material or the voting information recorded and stored in information technology systems concerning out-of-country voting and pre-election testing and post-election system verification shall be part of the general rules the CEC approves on the administration of the election material or on the use of information technology systems in elections. Legal safeguards on the observation, monitoring, and access to the CEC during the administration of out-of-country ballots and on the testing, verification, and security of election material or information technology systems used for this voting may not be lower as compared to those for in-country voting.

Article 26

Electoral subjects' representatives to the CEC

(amended by Law No. 101/2020, dated 23 July 2020)

1. Political parties or coalitions of political parties that register to participate in elections, through their person responsible for communication with the CEC, may appoint by authorisation one representative to the CEC and one substitute to that representative, who have representation authority over the entire period until announcement of the final result. Representatives of parliamentary parties shall exercise their representation authority also outside the period mentioned in the first sentence of this point.

2. Electoral subjects' representatives to the CEC shall be entitled to:

a) submit requests and proposals to the CEC;

b) obtain copies of CEC acts;

c) get acquainted to and obtain information on all aspects of the electoral process, without obstructing the activity of the CEC, without infringing upon the secrecy of the subsequent administrative inquiries, or the activity of other electoral structures;

ç) get acquainted to and obtain a copy of the election documentation approved by the CEC.

d) participate in the meetings of the Regulator, discuss in upholding the legitimate interests of the subject, present amendments to the draft acts under examination, and take the floor to elaborate on their proposed amendments;

dh) when duly legitimated by the subject, appear as a party to the CSC hearings and protect the subject's interests. All actions carried out by electoral subjects' representatives to the CEC shall be considered as if carried out by the electoral subjects themselves.

3. Electoral subjects' representatives shall be obliged to abide by CEC rules, as well as by the ethics and communication norms in meetings. In the event of breach, measures stipulated in the rules shall be taken.

CHAPTER II

ELECTORAL ADMINISTRATION ZONES (EAZ) AND COMMISSIONS OF ELECTORAL ADMINISTRATION ZONES (CEAZ)

Article 27

Electoral Administration Zones

*(words amended in points 2 and 4 by Law No. 74/2012, dated 19 July 2012
and points 2, 3, 4, 5, and 6 amended by Law No. 31/2015, dated 02 April 2015;
point 4 amended by Law No. 101/2020, dated 23 July 2020)*

1. Electoral Administration Zones (EAZ) shall be established and function for every kind of election and referendum, in accordance with this Code.

2. The territorial jurisdiction of an EAZ, as a rule, shall be the same as the administrative territory of the municipality, in accordance with the law regulating the administrative-territorial organisation in the Republic of Albania. Municipalities that have more than 80 thousand citizens with the right to vote shall be divided by the CEC into more than one Electoral Administration Zone, in line with the following criteria:

- a) the inseparability of the territory of the administrative unit, except for those with more than 80 thousand voters;
- b) continuity and compactness of the territory, avoiding geographical barriers;
- c) good transportation opportunities within the territory;
- ç) similar number of voters.

3. No Electoral Administration Zone may geographically expand into two or more regions.

4. In the case of Tirana Municipality, each of the administrative units that are former municipal units shall comprise a separate election administration zone of its own.

5. No later than 9 months before the end of the Assembly's mandate, the CEC shall approve the Election Administration Zones, based on the number of citizens with the right to vote on the last date of the electoral period valid for determining the election date,

according to the information given by the General Directorate of Civil Status. No later than 10 months before the end of the Assembly's mandate, the General Directorate of Civil Status shall send the data to the CEC, broken down by local government units and administrative units they are comprised of.

6. No later than 5 months before the election date, the CEC may change the boundaries of an EAZ, in accordance with the requirements of this Article, only if there is a change in the criteria for their establishment according to points 2 and 3 of this Article.

Article 28

Establishment of the Commissions of Electoral Administration Zones

(point 2 amended by Law No. 101/2020, dated 23 July 2020)

1. The decision to establish Commissions of Electoral Administration Zones shall be taken by the CEC no later than 90 days before Election Day.

2. In the event of partial or early elections, the CEAZ shall be established no later than 10 days from the issuance of the decree of the President of the Republic on the determination of the election date.

Article 29

CEAZ composition

(point 5 amended by Law No. 74/2012, dated 19 July 2012)

1. The CEAZ shall be composed of 7 members and the secretary, who shall be appointed by the CEC according to the following procedure:

a) two members shall be proposed by the main party of the parliamentary majority, two members shall be proposed by the main party of the parliamentary opposition, one member shall be proposed by the second party of the parliamentary majority and one member shall be proposed by the second party of the parliamentary opposition. If political balance is not reached in accordance with this letter, the respective group shall be compensated with the candidacies of the main party until a political balance between the majority and opposition is reached;

b) in half of the CEAZs, the seventh member shall be proposed by the main party of the parliamentary majority, while in the other half, this member shall be proposed by the main party of the parliamentary opposition, according to objective criteria based on:

i) random selection;

ii) equal distribution in the electoral territory;

c) the secretary of the CEAZ must have a degree in law and shall be proposed by the party that proposes the deputy chair of the CEAZ;

ç) 30 percent of the members proposed respectively by the largest party of the majority and by the largest party of the opposition, at a national level, must be from each gender.

2. The Chair and Deputy Chair of the CEAZ shall be selected by the CEC upon the proposal of the CEAZ. In those CEAZs where the seventh member belongs to the main party of the parliamentary majority, one of the CEAZ members representing the main party of the parliamentary majority shall be elected Chair, while for the other half, one of the members of the CEAZ representing the main party of the parliamentary opposition shall be elected Chair. The Deputy Chair shall be of the opposite political affiliation to that of the Chair.

3. CEAZ members shall not work full-time. The CEC shall determine the working hours of the CEAZ during the election period and outside it. For the work performed, the members shall receive remuneration in an amount specified by CEC decision.

4. The ranking of the parties for the purpose of allocating the seats in the CEAZ, in accordance with the specifications of this Article, shall be carried out based on the number of seats won by the political party in the previous elections for the Assembly. In the event of local elections, the ranking shall be determined in accordance with the number of votes received at a national level by the parliamentary parties for local councils in the previous elections.

When two or more parties have the same number of seats and it is not possible to determine the beneficiary party, their ranking shall be determined based on the number of votes received at a national level. When two or more parties have the same number of votes, their ranking shall be determined by lot drawn by the CEC.

5. If the political parties of the parliamentary majority and of the parliamentary opposition that have the right to submit their candidacies for CEAZ fail to exercise this right by the deadline established in point 2 of Article 28 of this Code, this right shall be automatically transferred to the parties next in rank according to the number of seats in the Assembly, within the respective grouping. When this is not possible, proposals shall be made according to letter “a” of point 1 of this Article. If these parties also fail to propose members, the CEC shall appoint the CEAZ members upon its own initiative until the required number of members for decision-making is reached.

The members appointed upon the CEC’s initiative shall stay in office until the appointment of members proposed by political parties, in accordance with this Article. The replacement must be conducted no later than 30 days from the election date. In the event of early elections, the replacement shall be conducted no later than 5 days from the election date. Procedures for the selection and training of citizens that may be appointed on CEC’s own initiative shall be set out in a special instruction of the CEC.

6. In the event of partial or early elections, the CEAZ shall be established no later than 10 days after the date of the President’s decree on the determination of the election date.

7. In the event that the seat of a member of the CEAZ becomes vacant, it shall be filled, in compliance with the rules provided for in this Article, within 15 days from the date the vacancy is created. During the election period, vacant seats shall be filled within 3 days.

8. In the event that the seat of a member or secretary of the CEAZ becomes vacant on the Election Day, the proposal to the CEC must be submitted no later than 3 hours from the moment the vacancy is created. In the event the subjects entitled to make the

proposal fail to submit their candidacies to the CEC, this right shall be transferred to the political parties of the same grouping next in rank in the Assembly, according to the number of seats in the Assembly received in the previous elections. If these parties also fail to propose members, the CEC shall appoint CEAZ members on its own initiative until the required number of members for decision-making is reached.

Article 30

Incompatibilities with the duty of member and secretary of the CEAZ

CEAZ members and secretaries may not be:

- a) deputies or candidates for deputies to the Assembly;
- b) mayors;
- c) military personnel, members of State Police or State Informative Service structures; or
- ç) members or secretaries of another election commission.

Article 31

Requirements on the appointment of CEAZ members and secretaries

Any person who meets the following requirements may be appointed as CEAZ member and secretary:

- a) enjoys the right to be a voter;
- b) possesses higher education and, in the case of the secretary, has a degree in law;
- c) lives within the respective electoral zone;
- ç) has not been convicted by a final court decision for committing a crime;
- d) no disciplinary measures have been taken against them in previous electoral processes.

Article 32

Discharge and release from duty of CEAZ members and secretaries

1. CEAZ members and secretaries shall be discharged from duty by a CEC decision in the event they:

- a) violate the provisions of this Code or secondary legislation enacted pursuant to this Code, concerning CEAZ duties;
- b) are convicted by a final court decision for committing a crime;
- c) are absent without a reasonable cause for more than three consecutive CEAZ meetings, or are not present, without reasonable cause, for more than 2 consecutive days during the electoral period; or
- ç) do not participate in trainings or do not pass the tests organised by the CEC.

2. CEAZ members and secretaries shall be released from duty by a CEC decision when they:

- a) have a close relationship by marriage, or family relations, to the fourth degree, with any of the candidates running in that zone;
- b) have employment relations with any of the candidates included in the multi-name list of a party or a coalition running in that zone;
- c) no longer meet the criteria of being a voter;
- ç) no longer have their domicile in the electoral zone;
- d) the electoral subject that has proposed them requests their substitution.

3. The member and the secretary of the CEAZ shall be released/discharged from duty by the CEC, upon its own initiative or upon the proposal of electoral subjects, only for the causes provided for in this Article. In any case, the request for release or discharge from duty must also contain the arguments and facts concerning the alleged violation. In the case provided for in letter “d” of point 2 of this Article, this rule shall not be applicable and the request shall be accepted in any case.

Article 33 **CEAZ duties**

The CEAZ shall carry out the following duties:

- a) be responsible for the administration and conduct of elections in the EAZ, in accordance with the provisions of this Code and the secondary legislation issued by the CEC;
- b) appoint the chair, deputy chair, members, secretaries of the VCCs, and members of the counting teams included in the jurisdiction of the EAZ, in accordance with this Code;
- c) register information or claims from electoral subjects in the zone in the Meeting Records Book and verify them, as applicable;
- ç) in a visible place, post the final voter lists, the decree on the determination of the election date and other data related to the conduct of elections in the zone;
- d) manage the budget allocated by the CEC;
- dh) ensure the timely distribution of voting materials;
- e) receive the voting materials and ballot boxes by VCCs;
- ë) draft and approve the aggregate table of the election result for each electoral subject in the EAZ and send it to the CEC, together with other necessary materials, in accordance with Article 122 of this Code;
- f) register electoral subjects and candidates for elections for local government bodies;
- g) declare the winning candidates for mayor of the local government unit.

Article 34
Duties of the CEAZ secretary
(letter “h” added by Law No. 101/2020, dated 23 July 2020)

The CEAZ secretary shall have the following duties:

- a) be responsible of the technical administration and the working conditions of the CEAZ;
- b) protocol requests, complaints, and notices addressed to the CEAZ;
- c) keep archived electoral documentation;
- ç) draft, in line with instructions of the chair, materials relevant to CEAZ meetings and distribute them to members;
- d) keep minutes of CEAZ meetings;
- dh) perform the transcription of decisions taken by the CEAZ and stamp them;
- e) register CEAZ decisions in the official records and immediately forward them to interested subjects;
- ë) provide certified copies of CEAZ decisions or of the minutes of its meetings to electoral subjects or to third parties, free of charge and within 24 hours from the submission of their request;
- f) protocol the receipt of election materials sent by the CEC, in accordance with Article 99 of this Code, and be responsible for administering and keeping them in compliance with the requirements of this Code;
- g) upon a request from voters, issue attestations on whether a voter’s name is or is not found on the final voter lists of the respective Electoral Administration Zone;
- gj) protocol remarks that observers submit to the commission.
- h) coordinate measures for public order in elections with the State Police, and administer official documentation police interventions in restoring public order when, outside the voting centre, public order is jeopardized or due voting process is hampered.

Article 35
Meetings and decisions of the CEAZ
(a sentence added at the end of point 5 by Law No. 74/2012, dated 19 July 2012)

1. CEAZ meetings shall be public.
2. CEAZ meetings shall be valid when the majority of all CEAZ members participate. Decisions of a CEAZ shall be taken by a majority vote of all the CEAZ members. The secretary shall not have the right to vote.
3. CEAZ decisions shall be signed by all members who participate in voting. Beside their signature, each commission member shall declare their vote “in favour” or “against” and the respective reasoning.

4. The vote of members who have a conflict of interest, as provided for in point 2 of Article 32 of this Code, and who have not been released from duty in compliance with that Article, shall be invalid and shall not be taken into account in determining a quorum.

5. In the event the CEAZ fails to reach a decision by the respective deadline, the case shall be sent for examination by the CEAZ chair to the CEC within 24 hours, or by at least two CEAZ members, or it may be challenged at the CEC by an interested electoral subject. The CEC decision shall be binding for the CEAZ.

CHAPTER III

VOTING CENTRE COMMISSION (VCC)

Article 36

VCC composition

(amended by Law No.74/2012)

1. The VCC shall be composed of 7 members, with one of the members exercising the duty of secretary. The VCC shall be established in accordance with the manner and criteria provided for in Article 29 of this Code for all types of elections, with the exception of letter “ç” of point 1 of Article 29 of this Code.

2. VCC members and secretary shall be appointed only for the election period. Proposals for the VCC members and secretary shall be made no later than 30 days prior to the election date and, in case of partial or early elections, 20 days prior to the election date. The CEAZ shall appoint VCC members no later than 5 days after the submission of the proposals, when it observes the proposal is in compliance with the requirements of Articles 37 and 38 of this Code. In any case, the members and secretary shall be appointed no later than 20 days prior to the election date.

3. The VCC chair and secretary shall be selected by the CEAZ. In those VCCs where the seventh member belongs to the main party of the parliamentary majority, a member of the VCC representing the main party of the parliamentary majority shall be appointed as chair. In the rest of the VCCs, one of the members representing the main party of the parliamentary opposition shall be appointed as chair. The VCC secretary shall be of the opposite political affiliation to that of the VCC chair.

4. In the event the seat of a VCC member or of the secretary becomes vacant, it shall be filled within 3 days, but no later than 24 hours prior to the start of the voting process. The replacement of members, who leave on Election Day or who do not report to work on Election Day, shall be made no later than 2 hours from the notification of their absence.

5. In the event the VCC has no quorum due to the absence of its members and, upon the expiry of the deadline established in point 4 of this Article, members have not been replaced according to point 4 of this Article, the CEAZ shall order the continuation of procedures and take measures to fill the vacant position on its own initiative. The VCC shall make the relevant annotations in the Meeting Records Book and proceed to carry out its duties, regardless of the quorum.

6. As a rule, VCC members and the secretary shall be replaced by persons who are trained in electoral legislation.

Article 37

Incompatibilities with the duty of VCC member and secretary

VCC members and secretaries may not be:

- a) deputies or candidates for deputies in the Assembly;
- b) candidates or elected persons in elected local government bodies;
- c) military personnel, members of the State Police or of the State Informative Service structures; or
- ç) members or secretaries of another election commission.

Article 38

Requirements on the appointment of VCC members and secretaries

1. Any person who meets the following requirements may be appointed as VCC member or secretary:

- a) enjoys the right to be a voter;
 - b) possesses at least secondary education;
 - c) lives within the respective electoral zone;
 - ç) has not been sentenced by a final court decision for committing a crime;
- and
- d) no disciplinary measures have been taken against them in previous electoral processes.

2. As a rule, the VCC secretary must possess university education.

Article 39

Discharge and release from duty of VCC members and secretary

(amended by Law No. 74/2012)

1. VCC members and secretaries shall be discharged from duty, by CEAZ decision, in the event they:

- a) violate the provisions of this Code or of relevant secondary legislation pertaining to VCC duties;
- b) are sentenced by a final court decision for committing a crime;
- c) are not present, without reasonable cause, for more than 2 consecutive days; or
- ç) do not participate in trainings or do not pass the tests organised by the CEC.

2. VCC members and secretaries shall be released from duty, by CEAZ decision, in the event they:

- a) have a close relationship by marriage, or family relations to the second degree, with any of the candidates running in that electoral zone for the local government bodies;
- b) have employment relations with any of the candidates running in that zone;
- c) resign from duty;
- ç) no longer meet the criteria of being a voter.

Article 40 **VCC duties**

- 1. VCCs shall be established and function for all types of elections.
- 2. Members of the VCC shall be responsible of the conduct of elections in the voting centre, by performing the duties provided for in this Code and secondary legislation enacted on the grounds and for the purpose of this Code.

Article 41 **Duties of the VCC secretary**

The VCC secretary shall carry out the following duties:

- a) be responsible for the technical administration and working conditions of the VCC;
- b) protocol requests, complaints, and notices addressed to the VCC;
- c) keep archived election documentation;
- ç) draft materials for the VCC meeting and distribute them to members, in compliance with the chair's instructions;
- d) keep minutes of VCC meetings;
- dh) transcribe decisions of the VCC and stamp them;
- e) register the decisions of the VCC in the Meeting Records Book and immediately forward them to the interested subjects;
- ë) provide certified copies of VCC decisions or of the minutes of its meetings to electoral subjects or to third parties, free of charge and within 24 hours from the submission of their request;
- f) protocol the receipt of election materials from the CEAZ, according to Article 100 of this Code, and be responsible for administering and storing them in compliance with the requirements of this Code;
- g) registers in protocol the remarks that observers submit to the VCC;
- gj) be responsible for enclosing the election materials in the Box of Voting Materials and for sealing the box with security coded seals.

Article 42

VCC meetings and decisions

(point 2 amended by Law No. 74/2012, dated 19 July 2012)

1. VCC meetings shall be public.
2. VCC decisions shall be taken by a majority vote of all VCC members. When the VCC discharges its duties without the required quorum, in accordance with point 5 of Article 36 of this Code, the decisions taken shall be considered as valid.
3. VCC decisions shall be signed by all members who participate in the voting. Along with their signature, each member of the commission shall state their vote “in favour” or “against,” also providing the respective reasoning.
4. The VCC shall decide on:
 - a) opening the voting;
 - b) suspending the voting;
 - c) requesting assistance from the State Police to restore order in the voting centre;
 - ç) removing police forces after order is restored in the voting centre;
 - d) removing certain persons from the premises of the voting centre, in accordance with Article 110 of this Code;
 - dh) determining the number of persons who have voted in the voting centre in case of an objection, in accordance with point 2 of Article 113 of this Code;
 - e) closing the voting.
5. In the event the VCC fails to reach a decision by the respective deadline, the case shall be immediately sent for examination to the CEAZ by the Chair or by at least two members of the VCC, or it may be challenged at the CEAZ by an interested subject. The decision of the CEAZ shall be implemented by the VCC.

Article 43

Composition and responsibilities of special VCCs

In accordance with this Code and the instructions of the CEC, the CEAZ shall propose to the CEC the establishment of special VCCs in special institutions. Such commissions shall have the same composition and the same responsibilities as a VCC.

PART III
VOTERS AND COMPILATION OF THE VOTER LIST

CHAPTER I
CONTENT, COMPILATION AND APPROVAL OF THE VOTER LIST

Article 44

Criteria for inclusion of voters in the voter lists

*(Article amended by Law No. 74/2012, dated 19 July 2012;
letter “c” repealed by Law No. 101/2020, dated 23 July 2020)*

The criteria for the inclusion of a person in the voter list shall be as follows:

- a) have Albanian citizenship;
- b) have reached 18 years of age, even if during election date;
- c) *repealed*;
- ç) be registered with the National Civil Status Register (hereinafter NCSR);
- d) have the registered domicile in the territory of one of the polling units;
- dh) be registered as a voter in the voter list of only one polling unit.

Article 45

Electoral components

(amended by Law No. 74/2012, dated 19 July 2012 and Law No. 31/2015, dated 2 April 2015)

1. A voter shall be identified in the NCSR through the electoral components. Electoral components consist of the following civil status components:

- a) first name;
- b) father's name;
- c) mother's name;
- ç) surname;
- d) date of birth;
- dh) personal identification number;
- e) citizenship;
- ë) code of domicile;
- f) gender.

2. Electoral components determined in letters “a”, “b”, “c”, “ç”, “d”, and “ë” shall be published in compliance with Articles 51 and 56 of this Code. The list used by the VCC in the voting process shall contain the components determined in letters “a”, “ç”, “d”, “dh”, and “f” of point 1 of this Article.

Article 46

Voter list

(amended by Law No. 74/2012, dated 19 July 2012; point 2 amended and point 3 added by Law No. 101/2020, dated 23 July 2020)

1. The voter list shall be compiled for each polling unit and include all the voters with their domicile registered in the NCSR of that polling unit. The inclusion of voters in the list shall be carried out on the grounds of their code of domicile.

2. A polling unit shall have no less than 300 and not more than 1,000 voters with their domicile in its territory.

3. The out-of-country voters list shall include only voters with domicile abroad who declare their willingness to exercise their right to vote, in accordance with the rules for the purpose of Article 24 of this law.

Article 47

Compatibility with the NCSR

(amended by Law No. 74/2012, dated 19 July 2012; point 4 added by Law No. 101/2020, dated 23 July 2020)

1. The voter list shall be extracted from the NCSR.

2. The NCSR shall enable the administration, processing, and updating of electoral components, as well as their extraction at any time and in compliance with the provisions of this Code.

3. Changes to civil status components that are electoral components, in compliance with the legal provisions on the civil status, shall be conducted automatically in the NCSR.

4. Processing, alteration, modification, additions, or removal of names or other data from the list, outside the NCSR and in breach of procedures set out in this law, shall constitute a criminal offence punishable under Article 248 of the Criminal Code.

Article 48

Content and format of the voter list

(amended by Law No. 74/2012; amended by Law No. 31/2015)

1. The voter list shall contain the name of the electoral zone, the local government unit, administrative unit, type and date of elections, number of the voting centre and the electoral components of voters, in accordance with point 2 of this Article.

2. The voter list shall be compiled in the following formats:

a) a printed voter list for the purpose of publication, in accordance with the specifications of Article 56, broken down by voting centre and containing the electoral components determined in letters “a”, “b”, “ç”, “d” and “ë” of point 1 of Article 45 of this Code;

b) a printed voter list for the purpose of use by the VCC during the voting process, broken down by voting centre and containing the electoral components

specified in letters “a”, “ç”, “d”, “dh” and “f”, of point 1 of Article 45. This format shall also have a reserved blank space for recording the voter’s identification document number and for the voter’s signature during the voting process;

c) an aggregate list of voters in electronic format, printed by the General Directorate of Civil Status, at an electoral administration zone, by type of elections, containing the electoral components specified in letter “a” of this point, which is used by the CEAZ for voter information purposes,

ç) an aggregate voter list at the national level which is published in the official websites of the CEC and of the ministry responsible for the civil status service, broken down by region, districts of a region, local government units, and voting centres.

3. Voters in the voter list shall be listed alphabetically by their surname.

4. The voter list, in accordance with Article 56, shall also be kept electronically. An electronic copy, in accordance with letter “ç” of point 1 of this Article, shall be sent to the Central State Archive by the General Directorate of Civil Status no later than 10 days from the announcement of the voter list.

CHAPTER II

VOTER LIST COMPILATION PROCESS

Article 49

Body compiling the voter list

(amended by Law No. 74/2012)

1. Each civil status office shall be responsible of compiling the voter lists of the polling units in the areas under its jurisdiction, in compliance with the secondary legislation issued by the minister responsible for the civil status service. The civil status office shall have full access to the NCSR regarding the electoral components of the citizens in that local government unit, both individually and collectively, and shall be fully responsible for the accuracy with their administration and change.

2. The civil status office, after the start of voter lists compilation process, shall report to the mayor of the local unit monthly on the number and type of changes made to the electoral components, increase or decrease of the number of voters, and shall submit them the voter list for the purpose of announcement.

3. The lists compiled by the civil status office shall be announced by the mayor of the local government unit that has jurisdiction over the relevant civil status office. Every page of the published list shall bear the signature and stamp of the head of the civil status office. In the event the mayor fails to fulfil this obligation within the deadline, the civil status office shall immediately notify the General Directorate of Civil Status, which shall announce the lists.

Article 50

Methodology and supervision of the list compilation process

(amended by Law No. 74/2012)

1. The minister responsible for the civil status service shall issue orders and instructions on:

a) keeping, processing, updating, changing, extracting, and publishing the NCSR's electoral data;

b) procedures and deadlines for compiling and announcing the lists and extracts of electoral components, voter notification, as well as making voter lists available to the subjects envisaged in this Code;

c) administration of polling units, in compliance with Article 62, splitting or merging of voter lists, as well as any other aspects related with the compilation of voter lists pursuant to this Code and the civil status legislation;

ç) templates and forms used in the process of voter lists compilation.

2. The General Directorate of Civil Status shall supervise and monitor all actions conducted at the NCSR, instruct and manage, in terms of methodology, the work of the civil status offices, request them to verify and redress problems identified in the NCSR, take disciplinary measures against civil status officers who violate procedures on electoral component administration, and propose to the CEC to undertake disciplinary measures against mayors who violate the rules established in this Code.

3. The CEC shall supervise the process of the voter lists compilation, the administration of the polling units and the number of voters per voting centre. The CEC shall request information from the General Directorate of Civil Status and from local government units. The CEC shall impose sanctions to officials of the relevant institutions, in compliance with this Code, in the event of observed violations and failure to provide information.

Article 51

Publication of electoral components' extract

(amended by Law No. 74/2012; amended by Law No. 118/2020)

1. The General Directorate of Civil Status, no later than 5 days from the election date decree, shall order the civil status offices to start compiling the extract of electoral components in compliance with this Code. No later than 15 days from the date of the decree, the civil status office shall electronically issue the extract of electoral components of all citizens eligible to vote as of the election date, with the exception of those citizens who have reached 100 years of age as of this date.

2. In the event the extract of a polling unit has less than 300 voters, the NCSR shall not allow the compilation of the extract for the respective polling unit. In this case, the civil status office shall notify the mayor of the local government unit and the General Directorate of Civil Status no later than 48 hours from the moment this fact is identified. The mayor of the local government unit shall fulfil the obligations stemming from points 6

and 7 of Article 62 of this Code. The computer system shall allow for changes to the voting centre and the respective extract after the merge, in accordance with this point.

3. In the event the number of voters in a polling unit exceeds 1,000, the extract of voters shall be split equally according to the number of the voting centres established for that polling unit, in compliance with Article 62. The split lists shall be assigned to the voting centres in compliance with the ordinal number of voters, where the first part pertains to the voting centre with the basic number. In this case, the NCSR computer programme shall automatically split the list based on the number of the voting centre assigned to each voter. Voters with the same surname may not be assigned to different lists.

4. No later than 30 days from the decree of the election date, upon approval by the mayor of the local government unit, the civil status offices shall print and publish the extract of electoral components for all citizens domiciling in the polling units under the jurisdiction of every office. The publication shall be conducted in the premises of the civil status offices or in premises in their vicinity which provide free-access to the public.

5. No later than 30 days from the decree of the election date, the ministry responsible for the civil status service and the CEC shall publish the extract of voters at a national level on their respective official websites.

6. Citizens' data, in accordance with points 3, 4, and 5 of this Article, shall be published in groups by polling units and shall be sorted alphabetically by surname. When they are published in accordance with point 5 of this Article, the relevant websites must provide a search function for citizens' electoral components.

7. The publication in accordance with point 4 of this Article shall be performed periodically, every 30 days, until the announcement of the voter list. Every publication must reflect any changes made to electoral components in the NCSR from the preceding publication to the new publication.

Article 52

Written notification of voters

(amended by Law No. 74/2012, dated 19 July 2012;

last sentence of point 1 repealed and point 6 added by Law No. 101/2020, dated 23 July 2020)

1. Within 60 days from the publication of the extract of the electoral components of voters, in accordance with points 1, 2 and 3 of Article 51, the mayor of the local government unit shall issue a written notice for every voter included in the extract of electoral components of the voting centres in the respective local government unit.

2. The written notice shall contain the voting centre, its location and address, as well as the voter's ordinal number on the voter list of their voting centre.

3. For the purpose of notification, the mayor of the local government unit shall assign neighbourhood administrators or, as applicable, the village elders who are part of the respective local government unit and, if necessary, also other officials of the local government unit administration.

4. The persons assigned to notify voters shall deliver the notice to the voter in person or, in the absence of the voter, to an adult member of their family, who is present

at the voter's domicile, who signs to confirm the receipt of the notice. The mayor of the local government unit shall report on the fulfilment of this obligation, in accordance with the instruction of the minister responsible for the civil status service.

5. Expenditures on the notification, in accordance with this Article, shall be covered by the ministry responsible for the civil status service. The respective fund shall be allocated to local government units commensurate to the number of voters in each local government unit.

6. The mayor shall report at least once a week, and whenever required by the CEC, on implementation of provisions contained in this Article. Modalities of communication with the CEC and the amounts of administrative fines applicable on the mayor in case of failure to report, as well as the fine enforcement, shall be determined by CEC decision.

Article 53

Causes and procedures for changes to the electoral components' extract

*(amended by Law No. 74/2012, dated 19 July 2012;
point 3 repealed by Law No. 101/2020, dated 23 July)*

1. The extract of electoral components shall be subject to additions, changes, or deletions, when, from the publication of the electoral components to the announcement of the voter list, a person who has reached or reaches 18 years of age on election date:

- a) has acquired or relinquished Albanian citizenship;
- b) is found incapable to act by a final court decision;
- c) dies;
- ç) one or more civil status components, which constitute electoral components, change;
- d) is registered more than once in the list;
- dh) is registered in the wrong voting centre;
- e) is not assigned in any voting centre;
- ë) the polling unit is merged with another unit or the list is split in compliance with Article 62.

2. In the event data, or one or more electoral components, of a voter need to be added, changed, or deleted, the request shall be made to the relevant civil status office, in compliance with the law on civil status and legal acts issued for its purpose, as follows:

- a) in the case of letters "ç", "d", "dh" and "e" of point 1 of this Article, the request for changes to the electoral components shall be submitted by the citizen or an adult member of their family;
- b) in the case of letters "a", "b," and "c" of point 1 of this Article, the request to add or delete the electoral components may be submitted by the citizen when they acquire citizenship, an adult member of the person's family, the legal custodian, or the General Directorate of Civil Status on its own initiative or based on documentation submitted by third parties;
- c) in the case of letter "d" of point 1 of this Article, the General Directorate of

Civil Status shall have the right to request the relevant civil status office to delete the duplicate electoral component or the component that does not match the domicile as registered in the National Civil Status Register. Procedures on the identification and verification shall be determined by instruction of the minister responsible for the civil status service, through the use of all data in possession of the state, in accordance with the legislation in force;

ç) in the case of letter “ë” of point 1 of this Article, the change shall be made directly by the civil status office on the grounds of the decision taken in compliance with Article 62 by the mayor of the local government unit.

3. *Repealed.*

Article 54

Administrative procedure for revision and changes to the electoral components' extract

(amended by Law No. 74/2012, dated 19 July 2012)

1. Except for the case stipulated in letter “c” of point 2 of Article 53, requests for changes to the extract of electoral components may not be submitted later than 60 days prior to the election date.

2. The request for changes, in accordance with letters “a” and “b” of point 2 of Article 53, shall consist of a special form, which is submitted to the civil status office of the voter's domicile. One copy of the form, with the notation of the date of receipt and signature of the official who receives the application, shall be kept by the applicant. The form shall contain:

- a) full name and address of the applicant;
- b) reason for requesting the change;
- c) documents that prove the reasons for requesting the change.

3. Following the submission of the request, the civil status office shall carry out the respective verifications and, no later than 2 days from the submission of the request, shall either make the requested change or reject the request in a written form. The rejection act shall be drafted in no less than three copies, one of which is sent to the applicant no later than 3 days from the date the decision is taken, one copy is sent to the General Directorate of Civil Status at the end of the revision period, and a copy is kept by the relevant civil status office.

Article 55

Judicial appeal against the refusal of the request for changes

(amended by Law No. 74/2012, dated 19 July 2012)

1. Against the rejection of a request for changes to electoral components for causes envisaged under Article 53 and pursuant to procedures specified in Article 54 of this Code, an appeal may be filed by the applicant to the district court with jurisdiction in the relevant local government unit. The appeal may be filed no later than 5 days from the receipt of notification on the decision or the expiry of the deadline for the civil status office to take a

decision on the request. Lawsuits in accordance with this Article shall be exempted from paying the court service fee.

2. The court shall examine the case and take a decision within 5 days from the submission of the lawsuit. In the event the plaintiff or their legal representative does not show up in the trial, the court shall dismiss the case. In the event the defendant does not show up in trial, the case shall be tried *in absentia*. The court must notify the absent party of the decision, in accordance with the respective provisions of the Civil Procedure Code, within 24 hours from the date the decision is announced. The civil status office shall be obliged to execute the court decision within 48 hours from receiving the notification, without requiring the plaintiff to request the issuance of an execution order. In any case, the court must make its reasoned decision in writing available to the parties the same day the decision is announced.

3. The claim shall be substantiated with the same documentation and evidence that substantiate requests to the civil status office.

Article 56

Compiling and announcing the voter list

(amended by Law No. 74/2012, dated 19 July 2012)

1. The civil status office shall compile the voter list for each polling unit, no later than 40 days prior to the election date, by extracting from the NCSR electronic data all citizens who will have reached 18 years of age as of the election date, who reside in the polling unit under its jurisdiction. The list shall be approved by the mayor of the relevant local government unit.

2. The voter list shall be compiled in compliance with the criteria on the number of voters determined in point 2 of Article 46 of this Code.

3. No later than 35 days prior to the election date, the voter list shall be sent to the CEAZ in three formats listed under letters “a”, “b,” and “c” of point 2 of Article 48. The CEAZ, on a case-by-case basis, shall publish the list at the respective voting centre, in premises with free access for voters, and shall send to the VCC its copy of the voter list for purposes of use during voting.

4. In the event the mayor of the local government unit fails to exercise the competences provided for in this Article, the obligations deriving from this Article shall be immediately fulfilled by the General Directorate of the Civil Status.

5. The voter list shall not change under any circumstance or for any reason after the deadline envisaged in point 1. The computer software shall be designed so as not to allow any change to the voter list, despite changes to civil status components in the NCSR.

6. The General Directorate of the Civil Status shall send a printed copy of all voter lists to the Central State Archive for retention purposes, within 10 days from the expiry of the deadline set out in point 1 of this Article.

Article 57
Court decisions after the compilation of the voter list
(amended by Law No. 74/2012, dated 19 July 2012)

1. When a voter notices their electoral components are inaccurate, or that they are not registered in the voter list of the polling unit of their domicile, or in any of the lists of their domicile's local government unit, they shall have the right to submit a request to the respective district court until 24 hours before the election date. A request, in accordance with this point, shall be exempted from the payment of the court fee.

2. In the event the voter changes their domicile after the announcement of the voter list, list shall not be changed and the voter shall vote in the voting centre where their name appears on the approved voter list. If the voter submits a request to the court under the conditions set out in this point, the request shall be rejected.

3. District courts shall examine and decide on requests, in accordance with point 1 of this Article, on the last day before the Election Day, as well as on the Election Day, but no later than 6 hours before the closing of the polls. In the event the court decision edits electoral components, the electoral component subject to change shall be clearly specified. In the event it specifies the voting centre or the voter is added to the list, the court decision shall specify the voting centre where the voter is to vote and the number of the identification document.

4. The name of the voter who comes to vote with a court decision shall be written by the VCC in a special register and the court decision shall be attached to it. The number of the identification document used for voting shall also be recorded in this register. The same procedure shall apply when a decision is taken in accordance with Article 55, but it is not reflected in the voter list.

CHAPTER III
SPECIAL VOTERS

Article 58
Special voters
(amended by Law No. 74/2012, dated 19 July 2012)

1. VCC members shall vote at the voting centre where they serve as commission members, regardless of whether their name appears on the voter list of that voting centre or not. The voting of persons specified in this point, as well as their written statement that they have not voted in the voting centre of their domicile, shall be recorded in the minutes of the meeting.

2. CEAZ members and secretary shall vote in the nearest voting centre, as established by CEAZ decision, regardless of whether their name appears on the voter list of that voting centre. The persons specified in this point shall be provided with a specific attestation by the CEAZ secretary that bears the number of the voting centre the CEAZ has determined by decision.

3. In the event the names of the persons specified in points 1 and 2 of this Article do not appear on the list, their names shall be recorded in the special register kept in accordance with point 4 of Article 57 of this Code.

Article 59

Voter lists for partial, early, or repeated elections

(amended by Law No. 74/2012, dated 19 July 2012)

1. In case of partial or early elections, the civil status offices in co-operation with the General Directorate of Civil Status, shall compile the voter lists no later than 5 days from the issuance of the decree on the determination of the election date.

2. Within 48 hours from the completion of the update, the mayors of local government units shall approve and announce the voter lists, in compliance with Article 48 of this Code.

3. Changes to the voter list shall be made in compliance with Article 57 of this Code.

4. In case of repetition of elections, in accordance with Article 161 of this Code, the voter list shall not change.

Article 60

Making voter lists and extract of electoral components available to electoral subjects and the public

(amended by Law No. 74/2012, dated 19 July 2012)

1. Voter lists and extracts of electoral components shall be made available to electoral subjects or, as appropriate, to political parties, upon their request and free of charge, by the mayor of the respective local government unit and/or by the General Directorate of Civil Status.

2. Upon request and free of charge, electoral subjects registered with the CEC or political parties may receive from the General Directorate of Civil Status an electronic copy of the voter lists or the extract of electoral components at the national level, as well as any updated and published copy, in accordance with Article 51 of this Code. The electronic copy shall be conceived as such to allow for searching and crosschecking data.

3. Voter lists shall be made available to the abovementioned electoral subjects no later than 3 days after they submit their request.

4. In the event electoral subjects request more than one copy of the voter lists, they shall be provided against a fee. In this case, the fee for the voter lists must only cover the administrative costs for their reproduction.

5. Voter lists, in accordance with letter “ç” of point 2 of Article 48, shall be announced electronically on the official website of the Central Election Commission and of the ministry responsible for the local government. The electronic format must allow for multiple searches of voter list components by any interested person through the internet.

Article 61

CEC supervision of the voter lists compilation

*(amended by Law No. 74/2012, dated 19 July 2012; second sentence of point 2 amended;
a sentence added after the first sentence of point 3; points 5 and 8
amended by Law No. 101/2020, dated 23 July 2020)*

1. The CEC shall supervise the voter lists compilation process by requesting information from the General Directorate of Civil Status and local government units on the process for the establishment of the polling units and the number of voters for each voting centre, in compliance with the rules envisaged in this Code and the law on civil status.

2. No later than 30 days from the decree on the determination of the election date, the CEC shall appoint, by decision, two technical auditors to verify the transactions in the database of the NCSR. The right to appoint auditors shall rest on the Commissioner and Deputy Commissioner. The technical auditors may not be discharged from duty except for infringements set out in point 9 of this Article. Substitute technical auditors shall be appointed no later than 5 days following the same procedures and criteria stipulated in this Article.

3. Technical auditors must have a university degree and expertise in the field of information technology or statistics, and shall be knowledgeable in the process of voter lists compilation and/or civil status. Technical audits shall be assisted by no more than 2 assistants, who are appointed by the CEC upon proposal of the auditor. Special rules on the terms of the contract and audit procedures shall be established by a CEC normative act.

4. Technical auditors shall inspect the compliance of the transactions performed by the civil status offices and the General Directorate of Civil Status with the rules established in this Code, the law on civil status, and other legal acts issued for their purpose by the CEC and the minister responsible for the civil status service. Technical auditors shall also perform other duties determined in this Code and CEC acts.

5. Each technical auditor shall have access to the electronic system, database, and documentation of the NCSR and of civil status offices, to enable the reading and comparison of civil status components, their changes, time when transactions are made by system users or administrators, as well as any other reports generated by the electronic system, which trace all changes to the electoral components in the NCSR over the period under review, including the report generation methodology. The technical auditor shall have the right to obtain information or examine the register data that is used to allocate the mandates for electoral zones. The auditor's access to the NCSR, in any case, shall be no less than the access of the Director General of the Civil Status Service.

6. Each auditor shall have the right to visit the General Directorate of Civil Status as many times as they deem it fit, but at least once a month. They may not make or order transactions in the NCSR database. The General Directorate of Civil Status officials shall be obliged to cooperate with the technical auditors and provide any information or explanation regarding what is requested by them for the purpose of their duty, including details on changes made in the NCSR and on persons who have either made or authorised them. The General Directorate of Civil Status shall be obliged to provide adequate working conditions for the auditors for them to be able to work independently.

7. Technical auditors shall submit a monthly report to the CEC on their findings in line with the duties assigned by the CEC or remarks or issues related to the enforcement of the legislation on the civil status register. Each technical auditor may submit an individual report if they have an opinion or comment that is different from that of the other auditor.

8. CEC shall convey the findings and recommendations of technical auditors to the General Directorate of Civil Status within 48 hours, at the same time asking relevant explanations. Audit reports and GDSC explanations shall be published by the CEC. The duty of technical auditors concerning the supervision of the voter list compilation shall be fulfilled with the submission of the final report on the voter list, following its announcement.

9. Technical auditors shall be obliged to treat the data learned or administered during the exercise of their duty, only for the purposes of reporting to the CEC and in compliance with the legislation on personal data protection. Technical auditors may not transfer data that may not be published, in accordance with the law, to third parties. A violation of this obligation shall be punishable under provisions of the legislation in force.

CHAPTER IV

POLLING UNIT

Article 62

Establishment and location of polling units

(amended by Law No. 74/2012, dated 19 July 2012

and point 8 repealed by Law No. 31/2015, dated 2 April 2015;

figure amended in points 1 and 7 by Law No 101/2020, dated 23 July 2020)

1. A polling unit must be part of a compact and continuous geographic territory and the number of voters in each voting centre must not be lower than 300 and larger than 1,000 voters.

2. Special institutions shall constitute a special polling unit. A voting centre in such institutions shall be established when there are more than 15 voters.

3. The existing boundaries of the polling unit shall not change, except when the change is indispensable, because the requirements specified in point 1 of this Article are not met. The CEC, upon a special instruction, shall number polling units with unique numbers at a national level.

4. The voting centre shall be located at the same address as in previous elections, except when this is not possible due to objective reasons or reasons set forth in Article 93. The location of the voting centre may not change during the last 40 days prior to the election date, except for when, due to force majeure, such a change is authorised by the CEC.

5. No later than the deadline determined in point 1 of Article 51 of this Code, the mayor of the local government unit shall determine and announce the location of the voting centre, in compliance with the criteria determined in point 4 of this Article.

6. When a polling unit has more than 1,000 voters and the list is split according to Article 51 of this Code, the mayor of the local government unit shall decide to establish an additional voting centre within the same unit. In this case, the new voting centre shall be established, when possible, in the same building as the existing voting centre and shall be numbered according to the unique national system of numbering voting centres.

7. When a polling unit has fewer than 300 voters, the mayor of the local government unit shall decide to merge it with the nearest polling unit with the highest number of voters, which is also accessible by road. As a rule, the new voting centre shall not be farther than 5 km from the polling unit that is being merged in rural areas. If both these criteria cannot be met, the criterion of the minimal number of voters shall prevail. The number of the merged voting centre shall be suspended and such suspension shall not affect the existing numbering of the other voting centres. The CEC shall establish, by a normative act, the criteria and procedures for the merging of the voting centres in accordance with this point.

8. *Repealed.*

9. No later than 10 days from the establishment of the voting centre, in accordance with this Article, the mayor of the local government unit shall be obliged to notify the CEC. The notification on the location shall also be accompanied with the blueprint, the type of building, and other information determined in the CEC normative act.

10. Based on the information received by the mayors of local government units pursuant to this Article, the CEC shall create and update the polling units map and establish a database on the location of the voting centres. The representatives of the political parties accredited to the CEC shall have the right to access them at any time.

11. Within the deadlines envisaged in this Article, on its own initiative or upon a complaint by party representatives to the CEC, the CEC shall intervene to apply the requirements and criteria related to the voting centre, number of voters, and their location. The voting centre shall not change after the decision of the CEC.

12. In the event of refusal to apply CEC orders related to voting centres, the CEC shall fine the mayor of the local government unit from ALL 50,000 to ALL 100,000, and notify the prefect on the execution of the decision on the establishment of the voting centres. The fine shall constitute an executive title and shall be executed in accordance with the Civil Procedure Code.

PART IV

REGISTRATION OF ELECTORAL SUBJECTS

Article 63

Electoral subjects and candidates

(amended by Law No. 74/2012, dated 19 July 2012)

1. An electoral subject shall be a political party or a coalition of political parties that submit a list of candidates, in accordance with the rules provided for in this Code.

2. An electoral subject may also be an Albanian citizen with the right to vote who is proposed as a candidate for deputy or for local government bodies by a group of voters, in accordance with the rules set out in this Code.

3. A candidate shall be a citizen who fulfils the criteria provided for in Article 45 and Article 69 of the Constitution and who registered as a candidate for deputy with the CEC, or as a candidate for mayor or for local councils with the CEAZ.

4. In addition to the conditions envisaged in point 3, the following may not run as a candidate or be elected unless they first resign from duty:

- a) judges, prosecutors;
- b) military in active service;
- c) police and national security officers;
- ç) diplomatic representatives;
- d) mayors in the case of elections for the Assembly;
- dh) deputies, when running in elections for local government bodies;
- e) prefects in the regions where they discharge their duties, in case of elections for the Assembly and local government bodies;
- ë) chairs and members of election commissions;
- f) the President of Republic;
- g) high state administration officials determined by law.

5. In the event of elections for the Assembly and for local government bodies held at the same time, candidates shall register only for one type of elections.

Article 64

Registration of political parties in elections

*(amended by Law No. 74/2012, dated 19 July 2012;
letter "e" added by Law No. 101020, dated 23 July 2020)*

1. Each political party must submit to the CEC the request to be registered as electoral subject no later than 70 prior to the election date.

2. In order to register as an electoral subject for any type of elections, a political party must submit the following to the CEC:

- a) an attestation proving that the party is registered with the District Court of Tirana;
- b) name, surname, and address of the chair of the party, who is the person authorised to present candidates;
- c) official name, acronym, and address of the party;
- ç) specimen of the party stamp;
- d) name, surname, and address of the finance officer of the party; and
- dh) name, surname, and address of the person responsible for communication with the CEC;
- e) the written statement signed by the chair of the political party, which mentions the solemn commitment to reject involvement in any vote-buying practices,

accepting unlawful funding or benefits, particularly those generated from criminal activities, and the devotion to compete in elections with honesty and integrity. The text of the statement shall be determined by the CEC.

Article 65

Registration of electoral coalitions

*(amended by Law No. 74/2012, dated 19 July 2012;
point 3 added by Law No. 118/2020, dated 5 October 2020)*

1. Two or more political parties registered as electoral subjects with the CEC, in accordance with Article 64 of this Code, may register with the CEC as an electoral coalition at a national level no later than 60 days before the election date.

2. A political party that is a member of a coalition may not participate in another coalition, nor may it present candidates or a multi-name list of candidates outside the coalition they are a part of.

3. At the moment of registration, the coalition must declare the leading political party of the coalition. For the purpose of this law, all the rights and obligations of electoral subjects stipulated in this law shall be fulfilled by the leading party of the coalition. The relations among member parties of the coalition and mutual obligations among them shall be regulated in the coalition agreement, which is part of the documentation submitted by the coalition to the CEC.

Article 66

Identification of electoral subjects

In the event two political parties or coalitions have names or logos that are the same, or similar, to an extent that may create confusion or mislead voters, then the CEC shall decide which party or coalition will have the right to use the respective name or logo for electoral purposes, taking into consideration the date of the legal establishment of the parties or that of the first registration of a coalition with the CEC. In order to establish the date of the first registration of coalitions, the CEC shall also refer to previous elections.

Article 67

List of candidates of parties and party coalitions

*(amended by Law No. 74/2012, dated 19 July 2012
and points 3 and 6 amended by Law No. 31/2015, dated 2 April 2015;
points 5 and 6 amended by Law No. 101/2020, dated 23 July 2020;
points 1 to 5 amended by Law No. 118/2020, dated 5 October 2020)*

1. The political party or electoral coalition, in the context of Article 65, which is registered with the CEC as an electoral subject for the elections for the Assembly, shall submit to the CEC the multi-name list of its candidates for each electoral zone no later than 50 days before the election date. For elections for local government bodies, the candidate for mayor of the local government unit and the list of candidates for local councils shall be

registered with the CEAZ that covers that local government unit within the deadline set forth in this point. The CEAZ shall submit a copy of the list to the CEC within 48 hours.

2. Pursuant to the second paragraph of point 1 of this Article, the subject's list shall be submitted to the CEC in cases when the territory of the local government unit is not covered by a single CEAZ.

3. The candidate for deputy, registered in a multi-name list for an electoral zone, or the candidate for mayor or for municipal council member, may not be registered as such for another electoral zone, even on behalf of another party or coalition, nor as a candidate proposed by a group of voters. The exception to this rule shall be the chair of the party or the chair of the party leading the coalition, who may register in up to four electoral zones in the elections to the Assembly. After the distribution of mandates under this law, he/she may not hold more than one mandate, which they choose according to their own free will.

4. The names in the multi-name list of the electoral subject shall be presented in numerical order, starting from number one. The number of candidates in the multi-name list may not be less than the number of seats to be elected in the respective electoral zone, plus two. In any case, the number of candidates in the multi-name list must be divisible by the number three. In the case of coalitions, the party the candidate belongs to shall be indicated next to the name of the candidate.

5. The electoral subject may not change the ranking of the candidates in the list after its registration. Candidates shall be re-ranked only as required by the procedures of this law for the calculation of winning seats based on the preferential voting and on the legal requirement on the gender quota.

6. For each electoral zone, in the elections for the Assembly, not less than one in every three names on the multi-name list must belong to the underrepresented gender, whereas for elections for municipal councils, one in every two consecutive names on the list must belong to the same gender.

7. In the event of failure to fulfil any of the conditions provided for in this Article, in relation to the composition of the multi-name list, the CEC shall impose the sanctions stipulated in Article 175 of this Code.

Article 68

Supporting lists of political parties and coalitions

(amended by Law No. 74/2012, dated 19 July 2012;

phrase replaced in point 3 by Law No. 118/2020, dated 5 October 2020)

1. The lists of candidates for the Assembly submitted by political parties, which do not possess any seat in the Assembly, must be supported by no fewer than 5,000 voters at a national level. In case of an electoral coalition, the lists, in their entirety, must be supported by no fewer than 7,000 voters at a national level. This rule shall not apply to coalitions in which the participating parties together hold a number of seats in the Assembly that is not smaller than the number of parties participating in the coalition.

2. Candidates for local government unit bodies, presented by political parties that do not possess any seat in the Assembly or in the bodies of the respective local government

units, must be supported by no less than 1 per cent of the voters of that unit, but, in any case, by no more than 3,000 and no fewer than 50 voters. This rule shall not apply to coalitions where the participating parties together hold a number of seats in the Assembly, or in the respective municipal council, that is not smaller than the number of parties participating in the coalition.

3. For the purpose of this Article, the political party or the coalition shall submit a written attestation signed by the Assembly or the local government unit, certifying the possession of a seat for at least 6 months prior to the termination of the Assembly's mandate or that of the local government unit body, on the grounds of self-declaration of the mandate holders on their affiliation in the political party, to the relevant institution.

Article 69

Candidates proposed by voters for elections for the Assembly

(amended by Law No. 74/2012, dated 19 July 2012)

1. A group of voters in one electoral zone shall have the right to propose, for that electoral zone, a candidate who meets the criteria provided for in Article 45 of the Constitution and Article 63 of this Code, no later than 50 days before the election date.

2. A candidate proposed by a group of voters may not be part of any party or coalition that is running in the elections, nor can they openly or indirectly support any other subject or candidate running in the elections.

3. For the presentation of a candidate by the voters, an initiating committee shall be established, which shall be composed of no fewer than 9 voters from the respective electoral zone, who are tasked with organising the work for gathering the supporting signatures for the candidate in accordance with this Code. No later than 70 days before the election date, the initiating committee shall register with the CEC and submit the names of the committee members. The committee may register a candidate for deputy only if it has gathered support for the candidate from no less than 1 percent of the voters registered in the list of that electoral zone, but in any case, no more than 3,000 voters, in accordance with the procedures provided for in this Code.

4. The candidates proposed by the voters shall be exempted from the obligation envisaged in point 3 of this Article if they are deputies. In this case, the candidate shall submit a written attestation signed by the Assembly, certifying the possession of the seat for at least the last 6 months.

Article 70

Candidates proposed by voters for elections for local government bodies

(amended by Law No. 74/2012, dated 19 July 2012)

1. A group of voters residing in an electoral zone shall have the right to propose a candidate for mayor or a candidate for local council no later than 50 days before the election date.

2. A candidate proposed by a group of voters may not be part of any party or coalition that is running in that electoral zone, nor can they openly or indirectly support any other subject or candidate running in that electoral zone.

3. For the presentation of a candidate by the voters, an initiating committee shall be established, which shall be composed of no fewer than 9 voters from the respective electoral zone, who are tasked with organising the work for gathering the supporting signatures for the candidate. No later than 70 days before the election date, the initiating committee shall register with the CEAZ and submit the names of the committee members. The committee may register a candidate for mayor only if it has gathered support for the candidate from 1 percent of the voters registered in the list of that electoral zone, but, in any case, no fewer than 50 voters, in accordance with the procedures provided for in this Code.

4. Candidates proposed by voters shall be exempted from the obligation provided for in point 3 of this Article if they are mayors, members of the relevant local government unit council, or deputies. In this case, the candidate shall submit a written attestation issued by the Assembly or the local government unit certifying the possession of the seat for at least the last 6 months.

Article 71

Signature collection procedure

(amended by Law No. 74/2012, dated 19 July 2012;

points 4 and 5 added by Law No. 101/2020, dated 23 July 2020)

1. No later than 100 days before the election date, the CEC shall approve and provide the subjects specified in Articles 68 and 69 of this Code with a template form for the collection of the supporting signatures for the candidates proposed by a group of voters or for the parties and coalitions.

2. Voters shall personally submit their signatures in the template form. The form must contain the full identity of the voter, their birthday and phone number. In addition to signing, each voter shall submit a photocopy of a valid ID card, signed by them, which is attached to the list. Pursuant to Article 69 of this Code, the voter must be registered in the relevant electoral zone.

3. The signatures for elections for the Assembly shall be verified by the CEC administration, and those for elections for local government bodies shall be verified by the respective CEAZ, verifying 5 percent of the list of supporters required by law, and whether the voters are residents of the respective electoral zone upon signature submission. Following verification, the administration shall present a detailed report on the identified irregularities. The report shall be reviewed in a public hearing, in presence of the interested party. The CEC shall decide to accept or reject the supporting list. The list shall be accepted when the number of supporting signatures, excluding the number of irregular signatures, equals at least the minimum number of signatures required in accordance with this Code.

4. The signature verification procedure shall be public and shall be conducted in compliance with the modalities determined by CEC normative act.

5. Upon completion of the signature verification process, the CEC shall approve the relevant administrative act which can be challenged at the CSC by the interested subject within 3 days.

Article 72
Candidacy documents
(amended by Law No. 74/2012, dated 19 July 2012)

1. Candidacy documents must comply to the requirements of this Code and to the format specified in CEC instructions.
2. Candidacy documents shall contain the following data:
 - a) full list of candidates in the respective order, signed by the chair of the party, or the proposal from the initiating committee of a group of voters;
 - b) name, father's name, surname, date of birth, gender, and address of the candidate, as well as a copy of their identification document;
 - c) a declaration from the candidate stating the right and will to run as a candidate, which includes, as appropriate, a statement of resignation from the functions envisaged in Article 63 of this Code and the copy of the resignation statement filed with the relevant institution;
 - ç) declaration by the candidate proposed by a group of voters stating they will not be supported or will not support any electoral subject in the elections;
 - d) a list signed by the voters of the respective zone supporting the candidate or party, in accordance with Articles 69, 70, and 71 of this Code.
3. For elections for local government bodies, the requirement in letter "a" of point 2 of this Article may be also signed by a person authorised by the party chair.

Article 73
Verification of documentation
(amended by Law No. 74/2012, dated 19 July 2012)

1. The CEC or, depending on the case, the CEAZ, shall verify the regularity of candidacy documentation and, in case of irregularities or non-compliance with the requirements of this Code, shall return them to the electoral subjects for correction no later than 45 days before the election date.
2. The corrected documentation shall be submitted no later than 42 days before the election date. A decision to approve or reject the final documentation shall be made within 48 hours from their submission.
3. The CEC shall publish the full list of candidates in the media and on its official website. A copy of the list for each electoral zone shall be sent to the Prefect, the regional council, and CEAZs, which shall publish it in the local media and announce it in public premises in the respective zone, in accordance with the instructions received by the CEC.
4. Names on the multi-name lists and their order may not be changed after their final approval by the CEC or, when applicable, by the CEAZ, in accordance with point 2 of this Article.
5. No later than 24 hours from the final approval of the list, the CEAZ shall submit a copy of the list for the municipal councils to the CEC.

6. No later than 90 days from the election date, the CEC shall specify in a special instruction the rules on the verification of the candidacy documentation and the timeframes for the implementation of point 3 of this Article.

PART V

ELECTORAL ZONE AND NUMBER OF MANDATES FOR EACH ZONE

Article 74

Electoral zone for the Assembly

1. The electoral zone shall correspond to the territory of the region and shall serve as an electoral unit for the election of a specified number of mandates, in accordance with the rules stipulated in this Code.

2. Administrative boundaries of the regions shall be determined by the law on the administrative and territorial division in the Republic of Albania.

Article 75

Criteria and procedure for determining the number of mandates

1. The number of mandates for each electoral zone shall be determined in proportion to the number of citizens in each electoral zone. Each mandate shall represent an approximately equal number of citizens.

2. The total number of citizens, according to the National Civil Status Register, shall be divided by 140, the number of Assembly seats, thus determining the average number of citizens for each Assembly seat.

3. The number of mandates for each electoral zone shall be determined by dividing the number of citizens with domicile in the electoral zone, by the average number obtained in accordance with point 2 of this Article.

4. Each electoral zone is initially allocated a number of mandates equal to the full number obtained through the division, in accordance with point 3 of this Article.

5. If, upon the completion of the calculation made in accordance with point 4 of this Article, one or more mandates remain unallocated, such mandates shall be allocated to the zones based on the largest decimal remainder obtained from the division under point 3 of this Article. The allocation of the remaining mandates shall be carried out in descending order, starting from the zone with the largest decimal remainder.

6. If, even after the application of point 5 of this Article, the decimal remainder of two or more zones is the same, the last mandate shall be allocated to the zone that, according to the calculations of point 3 of this Article, has the largest remaining number of citizens who have not produced a full mandate.

7. If, even after the application of point 6 of this Article, two or more electoral zones have the same number of citizens who have not produced a full seat, the mandates shall

be allocated by a lot drawn by the CEC. The drawing of the lot shall always be public and carried out in the presence of subjects with permanent representatives to the CEC.

Article 76

Procedure and period for the allocation of mandates

(point 2 amended by Law No. 101/2020, dated 23 July 2020)

1. As a rule, 4 months before the starting date of the electoral period, which precedes the end of the Assembly's mandate, the General Directorate of Civil Status, on the request of the CEC, shall send the total number of citizens, as well as the number of citizens for each region, based on the National Civil Status Register.

2. Calculation and approval of the number of mandates for each electoral zone shall be conducted within 15 days from receiving the data in accordance with point 1 of this Article.

3. In any case, the number of mandates for each electoral zone shall be approved no later than 6 months before the end of the Assembly's mandate. The number of seats for each electoral zone shall not be revised in case of early elections.

PART VI

ELECTORAL CAMPAIGN AND THE MEDIA

Article 77

Campaign and electoral silence period

1. The electoral campaign shall begin 30 days before the election date and end 24 hours before the election date.

2. The day prior to the election date and the election date, until the hour of the closing of the polls, shall constitute the period of electoral silence. During the period of electoral silence, no electoral campaign through media outlets, as well as rallies or other electoral activities of electoral subjects shall be allowed.

Article 78

Rights and obligations of electoral subjects during the campaign

(amended by Law No. 74, dated 19 July 2012,

and Law No. 101/2020, dated 23 July 2020)

1. During the election campaign, every electoral subject shall have the right to conduct electoral propaganda in any lawful manner.

2. Relations of electoral subjects with radio-television operators concerning the coverage of their campaign activities, electoral messages or ads of the subject, shall comply with the rules, conditions, and limitations set out in this law.

3. Rules, conditions, and limitations set out in this law shall be aimed at guaranteeing equality among electoral subjects in the race, ensuring impartiality of radio-television operators towards the campaign and certain electoral subjects, as well as at protecting electoral subjects from practices of deformation of electoral messages, censorship, and unlawful use of media.

4. Electoral poll results may not be published during the last 5 days prior to the election date, including the election date, until the time polls are closed.

5. The publication of electoral poll results must also include the name of the poll organiser, the commissioning party, number of interviews, margin of error, as well as the period the poll was conducted.

6. Electoral campaigning in public institutions shall be prohibited.

7. Electoral subjects and candidates shall be forbidden and held criminally liable if they offer or give money, material goods, promise jobs or other favours, in whatever form, to the voter or other related persons, with the aim to obtain the signature for the presentation of a candidate in elections, to vote in a certain way, to participate or not in voting, or to engage in illegal activities when supporting a candidate or a political party.

8. Electoral subjects and their candidates, through the electoral subjects, shall bear the obligation for transparency of income and expenditures, in accordance to the rules stipulated in this law and in relevant secondary legislation.

9. Electoral subjects and their candidates shall be forbidden to organise, conduct, or cover expenditures, themselves or through third parties, for concerts, cultural and entertaining shows, or charity activities, regardless of whether they are organised during or in relation to electoral rallies, or as campaign activities or activities outside of the campaign.

10. The provision of printed campaign items and materials, on the condition that their value is smaller than five hundred Lek per item or material, shall not constitute a violation and electoral subjects and candidates shall be allowed to provide such. The CEC shall keep and update the list of items and materials allowed for the campaign, with the maximum values for each of them.

Article 79

Posting of propaganda materials

(amended by Law No. 101/2020, dated 23 July 2020)

1. No later than 35 days prior to election date, the mayor, in a fair and impartial manner, shall specify the public places in the territory of the relevant municipality to be used for posting of propaganda materials by political parties and electoral subjects. The places designated for this purpose must be located in environments that ensure public visibility and adequate space where all electoral subjects participating in elections can present their electoral programs and messages. The decision of the mayor shall be published on the municipality's website immediately upon approval.

2. During the electoral campaign, the use and display of any other static electoral propaganda materials, including flags and posters, shall be permitted at a distance of only up to 5 meters from the electoral office of the relevant political party or electoral subject.

3. Any visual propaganda materials used in campaign shall bear the note: "Produced under the legal responsibility of ... (name of electoral subject).

4. The use of static propaganda materials in violation of the provisions in points 2 and 3 of this Article shall be forbidden.

5. The Municipal Police and/or the State Police shall guarantee the implementation of the provisions of this Article, by immediately removing any propaganda material of electoral subjects in places different from those provided for in points 1 and 2 of this Article.

Article 80

Electoral campaign of electoral subjects on the Public Radio and Television

(amended by Law No. 74/2012, dated 19 July 2012)

1. During electoral campaign, the public radio and television shall provide registered political parties and the CEC with free airtime for campaigning, which shall be allocated in accordance with the following rules:

a) a total of two hours shall be provided to the CEC, according to the time slots it requests. At least two-thirds of this time must be between 18⁰⁰ and 22⁰⁰;

b) for parliamentary parties that have received more than 20 percent of the seats in the last elections to the Assembly, the CEC shall allocate airtime equal to no less than 30 minutes on the public television and the same airtime on the public radio; for other parliamentary parties, this airtime shall be no less than 15 minutes. If airtime is increased for one party or one respective coalition, the time allotted to another party or coalition shall be proportionally increased;

c) each non-parliamentary party that participates in elections shall benefit 10 minutes in the public television and 10 minutes in the public radio;

ç) the respective electoral subject must be clearly identified on any political programme or advertisement for purposes of electoral propaganda. If the political programme or advertisement is not clearly identifiable, the CEC shall order the immediate suspension of its broadcast until due identification is made as required in this point.

2. The public radio and television shall cover the electoral campaign through news and information programmes, in compliance with the principles of impartiality, comprehensiveness, truthfulness, and pluralism of information set forth in the legislation that regulates electronic media. The free airtime benefited by political parties, in accordance with point 1 of this Article, may not be allocated as part of news and information programmes.

3. The public radio and television shall broadcast free of charge political advertisements, calculating the broadcasting time within the allocated airtime in accordance with point 1 of this Article.

4. During the electoral campaign, advertisements of central and local public institutions shall be prohibited, except for those serving to raise the awareness of voters on election-related aspects and/or other announcements envisaged by law.

Article 81

News broadcasts of the public radio and television

(amended by Law No. 74/2012, dated 19 July 2012)

1. During the political airtime of news broadcasts, the public radio and television shall be obliged to apply an equal time ratio to all parliamentary parties that, in the last elections to the Assembly, have obtained up to 20 percent of the seats in the Assembly. The parties that have obtained more than 20 percent of the seats in the Assembly, shall benefit airtime that is allocated equally among them. Each of these parties shall benefit double the amount of airtime of a party that has obtained up to 20 percent of the seats in the Assembly.

2. In the event of violation of the ratio of coverage in favour of one party or coalition, the Central Election Commission shall order the reduction by the same airtime at the disposal of that political party or coalition, or the compensation of other political parties or coalitions with additional airtime within 48 hours.

3. The broadcasting of activities of central or local public institutions shall be calculated as part of the airtime of the electoral subject that the head of the institution adheres to, when the activity is for electoral purposes. An activity shall be considered to be for electoral purposes when it promotes the institutional achievements, investments, inaugurations or the progress in public works or when it promotes specific aspects of the electoral programme of the electoral subject.

4. To cover activities of the non-parliamentary parties, the public radio and television shall apply the professional news criteria. The allocated airtime may not be higher than the airtime allocated to parliamentary parties which have obtained no less than 20 percent of the seats in the Assembly.

5. Propaganda, political comments, or political stances by journalists of the public radio and television shall be prohibited during the news programmes.

6. In case of violation of the requirements specified in this Article, the CEC, depending on the case and the level of responsibility, shall fine the journalist who has prepared the report with ALL 20,000, the editor responsible with ALL 30,000, the news director with ALL 35,000 and the general director with ALL 60,000.

7. The CEC decision shall constitute an executive title and shall be implemented by the finance directorate of the public radio and television. A complaint against the decision shall not suspend its execution.

Article 82

Free of charge airtime for the CEC

In addition to the airtime provided under letter “a” of point 1 of Article 80 of this Code, the CEC shall be provided with a total of 90 minutes of free airtime for voter information by the public radio and television each year. This airtime shall be determined in accordance with letter “a” of point 1 of Article 80 of this Code.

Article 83

Broadcasting schedule

1. No later than 30 days before the election date, the Steering Council of the Public Radio and Television, based on the information on registered parties provided by the CEC, shall determine the airtime available for each party and, under the supervision of the CEC, shall organise a lottery for the allocation of time slots to each registered party.

2. The airtime provided to political parties shall be allotted between the time interval from 18⁰⁰ to 22⁰⁰ each day of the electoral campaign until 24 hours before the beginning of the voting.

Article 84

Electoral campaign on private radio and television broadcasters

(amended by Law No. 74/2012, dated 19 July 2012; letter “d” of point 2 added; acronym and deadline amended in point 10 by Law 101/2020, dated 23 July 2020)

1. Private radios and televisions shall cover the electoral campaign only during normal and special news broadcasts. Private radios and televisions shall not allocate airtime to political entities for their electoral campaign. Information on electoral campaign activities that are prepared and broadcasted in information programmes, on the grounds of material made available by electoral subjects, must be clearly identified in compliance with CEC instructions.

2. During normal and special news broadcasts, private radios and televisions must respect the following conditions:

a) the political airtime in the news broadcasts shall be divided in time ratios, in accordance with the provisions of point 1 of Article 81 of this Code. In case coverage ratios are violated in favour of one party, the CEC, on its own initiative or upon the proposal of CEAZs, shall fine the local radio-television operator with ALL 1,500,000 and the national radio-television operator with ALL 3,000,000. The CEC decision shall constitute an executive title and shall be executed by the bailiff's office. A complaint against the decision shall not suspend its execution. If the violation is repeated, the CEC shall order the audio-visual media regulatory entity to suspend the broadcasts of that radio-television operator for 48 hours. Such a suspension shall start no later than 18⁰⁰ of the following day;

b) the broadcasting of activities of central or local public institutions shall be calculated as part of the airtime of the electoral subject that the head of the institution adheres to when this activity is for electoral purposes. An activity shall be considered to be for electoral purposes when it promotes the institutional achievements, investments, inaugurations or the progress in public works or when it promotes specific aspects of the electoral programme of the electoral subject;

c) to cover the activities of non-parliamentary parties and candidates proposed by voters, private radio and television broadcasters shall apply professional news criteria;

ç) propaganda, political comments or stances by journalists shall be prohibited during information programmes. In the event of violation, the CEC shall fine the local radio-television with ALL 1,000,000 and the national radio-television with ALL 2,500,000. The decision of the CEC shall constitute an executive title and shall be executed by the bailiff's office. A complaint against the decision shall not suspend its execution. If the violation is repeated, the CEC shall order the audio-visual media regulatory entity to suspend the broadcasts of the local radio-television operator for 48 hours. Such a suspension shall start no later than 18⁰⁰ of the following day.

d) Audio-visual media shall prepare news in full editorial freedom. When, due to objective reasons, the media is unable to cover certain election activities, it shall be allowed to use and select footage from full recordings provided by the electoral subjects, on the condition that the news is accompanied by the note "footage provided by electoral subject ...".

3. Private radios and televisions shall have the right to organise electoral debates between the competing political parties or candidates. In these debates, private radio-television broadcasters shall be obliged to preserve the balance between the political parties participating in the debate.

In the event of violations, the CEC shall order the audio-visual media regulatory entity to suspend broadcasts of the radio-television operator for 48 hours. Such a suspension shall start no later than 18⁰⁰ of the following day.

4. Only electoral subjects registered for elections shall have the right to broadcast political advertisements during the electoral period on private radio, television, or audio-visual media, be they digital, cable, analogue, satellite or any other form or method of signal broadcast. Political advertisements of electoral coalitions shall be calculated within the airtime of the political parties that are members of the coalition, according to an individual agreement between each party and the radio-television broadcaster. Political advertisement must clearly identify the commissioning entity. In the event the political advertisement is not clearly identified, the CEC shall order the immediate suspension of its broadcast until its identification is made as required by this point.

5. The total airtime for political advertisements during the entire election campaign on each private radio and television broadcaster may not exceed 90 minutes for each party registered in elections. In any case, radio and television broadcasters shall apply the same fees for the same time slot throughout the campaign. Five days before the beginning of the electoral campaign, the radio and television broadcasters shall submit the fees for each time slot to the CEC. The fees shall be published on the official website of the CEC.

6. For elections for the Assembly, private national and satellite radios and television broadcasters, that accept paid advertisements in accordance with this Article, shall be obliged to provide electoral subjects, free of charge, with half of the total airtime for advertisement provided for in point 5 of this Article. The costs of private radio and television broadcasters for providing the free airtime to the electoral subjects shall be calculated as a deductible expenditure for taxation purposes. The CEC, the audio-visual

media regulatory entity, and the Minister of Finance shall be in charge of issuing the respective instructions.

7. Political advertisements of electoral subjects shall be broadcasted from 15⁰⁰ to 18⁰⁰ and from 21⁰⁰ to 24⁰⁰ of the daily programmes.

8. Advertisements for candidates for mayors of local government units shall be included in the airtime of the political entity they represent.

9. Private radio and television broadcasters shall provide extra airtime for the advertisements of non-parliamentary parties and candidates proposed by the voters, in addition to the airtime applied in accordance with point 5 of this Article. The airtime for the advertisements of each non-parliamentary party and candidates proposed by voters shall not exceed 10 minutes for the entire electoral campaign. For non-parliamentary parties and candidates proposed by the voters, the same rates as for parliamentary parties, as well as the same criteria for the free of charge airtime, in accordance with point 6 of this Article, shall apply. In the event of violation, the CEC shall fine the local radio-television operator with ALL 2,000,000 and the national radio-television operator with ALL 3,500,000. The decision of the CEC shall constitute an executive title and shall be executed by the bailiff's office. A complaint against the decision shall not suspend its execution.

In the case of violations, the CEC shall order the audio-visual media regulatory entity to suspend broadcasts of the radio-television operator for 48 hours. Such a suspension shall start no later than 18⁰⁰ of the following day.

10. Central and local level public institutions, 4 months prior to election date, shall be prohibited to air advertisements, except for those serving the purpose of voters' awareness raising about aspects of the electoral process or other announcements envisaged by the law.

Article 84/1

Electoral campaign coverage in local elections

(added by Law No. 74/2012, dated 19 July 2012)

1. In elections for local government bodies, political parties registered as electoral subjects shall have the right to ask the CEC to approve by decision the ratios of the airtime allotted to the respective electoral subject in accordance with Articles 80, 81, and 84 of this Code, according to the proposal of the subject itself. The party shall have the right to determine the time ratios allotted for covering the campaign for the councils and the campaign of its candidates for mayors of local government units. The respective request shall be filed with the CEC no later than 15 days before the beginning of the electoral campaign.

2. The CEC shall publish the time allocation for each electoral subject on its official website. These time allocations shall be applied by the radio-television operators no later than 10 days before the beginning of the electoral campaign.

Article 85

Electoral campaign monitoring in media

(first sentence of point 1 amended and point 5 repealed by Law No. 74/2012, dated 19 July 2012; amended by Law No. 101/2020, dated 23 July 2020)

1. Election campaign monitoring on radio and television broadcasters shall be conducted by the regulatory entity that regulates and oversees the audio and audio-visual broadcasting services. Monitoring shall be conducted across the entire territory where elections are held.

2. The regulatory entity that regulates and oversees the activity of radio-television operators shall monitor the implementation of rules of this law, and secondary legislation of a normative nature issued by CEC, by radio and television broadcasters and electoral subjects.

3. No later than 3 months prior to the election date, the CEC shall approve and publish the Media Monitoring Methodology.

4. The regulatory entity shall present its findings in detailed reports, at least weekly, which shall be submitted to the CEC for relevant actions. Reports shall, where appropriate, be accompanied by proposals for administrative measures. The media monitoring reports shall be published on the CEC's website immediately upon submission to CEC. Representatives of electoral subjects shall have the right to submit comments and proposals to the CEC, which shall be examined together with the report.

5. The CEC shall order the correction of conduct by radio and television operators or electoral subjects, or, where appropriate, impose administrative sanctions on them, based on its own findings, those of monitoring reports, as well as on information, complaints, or third-party reporting it verifies itself. CEC decisions shall be subject to complain in accordance with the procedures set forth in this Law. The complaint shall not suspend the execution of the CEC decision.

6. Public and private radio and television broadcasters shall be obliged to record all their broadcasts throughout the electoral campaign period. Such recordings shall be kept for a 10-month period after the election date and shall be made available to the CEC immediately upon request.

Article 85/1

Establishment of the Media Monitoring Board

(added by Law No. 74/2012, dated 19 July 2012, repealed by Law No. 101/2020, dated 23 July 2020)

PART VII

ELECTIONS AND CAMPAIGN FUNDING

CHAPTER I

ELECTIONS FUNDING

(Chapter amended by Law No. 101/2020, dated 23 July 2020)

Article 86

Sources of funding for the electoral campaign

(amended by Law No. 101/2020, dated 23 July 2020)

Sources of campaign funding for electoral subjects shall include:

- a) advance funds from the State Budget for political parties registered as electoral subjects;
- b) income generated by the electoral subject itself, in accordance with the law;
- c) gifts to the electoral subject and its candidates, in monetary value, in kind, or services provided, in accordance with Article 92/1 of this law;
- ç) borrowing or loans taken by political parties or their candidates, in accordance with the law. The value of a borrowing or a loan must not exceed the amount of funds determined in accordance with point 2 of Article 92/1 of this law.

Article 87

Funds for the preparation and conduct of elections

(amended by Law No. 101/2020, dated 23 July 2020)

1. The CEC budget shall represent a separate budget item in the State Budget.
2. In the annual budget in the year elections are to be held, the Assembly shall make available to the CEC and other relevant institutions the funds for the preparation, conduct, oversight, and any other aspect of the election process.
3. In the event of a budgetary year that is not an electoral year, the CEC shall be provided with adequate funds to ensure its functioning and discharge of its responsibilities in accordance with the law.
4. The CEC shall manage the funds allocated for the conduct of elections in line with rules set out in this law.
5. In the event of early elections, the Council of Ministers shall make available to the CEC the funds, no later than 5 days from the date the Assembly or the relevant local government body is dissolved.

Article 88

State budget funds to finance parties running in elections

(amended by Law No. 101/2020, dated 23 July 2020;

sentence added at the end of point 3 by Law No. 118/2020, dated 5 October 2020)

1. Political parties participating in elections, which obtained not less than 1% of votes at a national level in the last elections of the same type, shall benefit State budget funds based on the number of votes that each party received in those elections. Funds for this purpose shall be defined in an Assembly decision and comprise a separate budget item in the State Budget of the corresponding electoral year. This fund may not be less than the total amounts distributed to political parties in the previous elections.

2. Within 10 days from the announcement of the final result at a national level, the CEC shall determine, by decision, the monetary value of a valid vote, by dividing the total funds approved with the total valid votes received by the political parties participating in the elections, which have received no less than 1% of valid votes at a national level. For elections for local government bodies, the calculation shall be based on votes received for local councils at a national level.

3. The CEC shall calculate the amount that belongs to each party, by multiplying the monetary value of a valid vote, as provided for in point 2 of this Article, to the number of valid votes received by each party in the previous elections of the same type. For parties participating in a coalition, the number of respective valid votes shall be calculated by adding up the average of votes per mandate for each candidate elected from their ranks.

4. The CEC shall deduct from the amount calculated according to paragraph 3 any financial sanction imposed to the relevant party, in accordance with the law, which has become an executive title.

5. The amount resulting from the calculations conducted as per point 4 shall represent the amount from the State Budget benefited by a party participating in elections.

6. The fund earmarked to be distributed under this Article shall be given to each party no later than 5 days from the registration of the multi-name lists or candidates for mayor of local government units of the relevant party. Political parties that benefit funds from the State Budget and CEC, prior to the distribution of the fund, shall sign an agreement in which the political parties acknowledge to accept the fund, use it in compliance with all conditions and obligations laid down in this law, accept monitoring of expenditures conducted by the subject and its candidates, as well as respect all relevant prohibitions laid down in this law. By secondary legislation, the CEC shall determine other modalities of the agreement signed between the parties.

7. In the event the amount calculated in point 5 of this Article is higher than the total electoral campaign expenditures reported by the political party, or is estimated as such by the CEC following independent audits or verifications conducted by it, the political party shall be obliged to return the difference to the CEC.

8. In the event a political party fails to enforce the provisions of point 7 of this Article, it shall be excluded from the right to benefit public funds for a period of no less than 5 years, unless it pays the dues and the fines.

Article 89
Post-election financial compensation
(amended by Law No. 101/2020, dated 23 July 2020)

For electoral subjects participating in elections, which have not benefited funds under Article 88 of this law, provided that they obtain no less than 1% of valid votes at a national level, the CEC shall, no later than 30 days from the announcement of the election final result, compensate their funds against the amount resulting from the multiplication of valid votes received by them to the vote value determined in point 2 of Article 88 of this law.

Article 90
Handling of donations, borrowings, and loans
*(amended by Law No. 101/2020, dated 23 July 2020;
second sentence of point 2 repealed by Law No. 118/2020, dated 5 October 2020)*

1. The CEC shall define by decision the rules and modalities required to calculate the monetary value of in-kind donations or services delivered, according to the market value at the moment of their provision.

2. For the purpose of this Law, donations in monetary values, in kind, or in the form of services provided to candidates of electoral subjects, as well as borrowings or loans taken by candidates to fund, shall be considered as contributions to the political party for which they are standing.

3. The electoral subject shall take measures for the coordination of information by its candidates during the electoral campaign, and shall determine rules and sanctions on income and expenditure reporting by the candidate to the electoral subject, so that no donor, lender, or creditors exceeds the limit set out in point 2 of Article 92/1 of this law.

4. Electoral subjects shall be held liable as per this law for violation of funding conditions and obligations by their own candidates, except when an administrative investigation establishes that it was impossible for the electoral subject or, despite efforts made, could not prevent or correct the violation committed by the candidate. In this case, the administrative liability and sanctions for the violation shall rest with the candidate.

Article 91
Prohibition on the use of public resources to support electoral subjects
(amended by Law No. 101/2020, dated 23 July 2020)

1. Except when otherwise provided by law, resources of central or local public bodies or entities, or of any other type of entity in which the state holds capital or shares or/and appoints the majority of the supervisory or administrative body of the entity, regardless of the source of the capital or ownership, may not be used or made available to support candidates, political parties, or coalitions in elections.

2. For purposes of this Article, “resources” shall mean movable and immovable assets provided for in Article 142 of the Civil Code, as well as any human resources of the

institution. Use of “human resources” shall mean the obligatory use for electoral purposes of the institution’s administration within the working hours, as well as the obligatory and organised use of students of the pre-university system within the school hours, in the electoral campaign. Use of human resources shall also include promises or provision of benefits to public employees or students to participate in election campaign-related activities outside working or school hours, as well as pressure exercised on them for this purpose.

3. During the electoral campaign, the recruitment, dismissal, release, movement or transfer from duty in public institutions or entities shall be prohibited, except for justified cases. Justified cases shall refer to cases when movement or release from duty is a result of violations, in accordance with the legislation in force, or when the recruitment is conducted within the structure and staff structure in force before the electoral campaign by the public institution or entity for the purpose of its mission. Cases of emergencies due to unpredicted events, which dictate recruitment, shall represent an exclusion to this rule.

4. Four months before the election date until establishment of the new government after the elections, it shall be prohibited to propose, approve, or issue legal or secondary legislation which stipulate the provision of benefits to certain categories of population, such as acts stipulating increases in salaries, pensions, economic and social aid, tax reduction or removal, fiscal amnesty, privatisation or provision of assets or rewards, etc., except for when such an initiative is conditioned by a state of natural disaster.

5. The CEC shall issue detailed guidelines to specify the use and misuse of public resources.

Article 92

Activities of public institutions during the campaign

(amended by Law No. 101/2020, dated 23 July 2020)

1. Central and local public institutions, as well as state agencies and/or enterprises shall be obliged to report to the CEC all activities of a public nature that they plan to conduct in period coinciding with four months prior to the election date until Election Day. Public activities shall be all those that are open to public or media participation, as well as those with public information in their agenda, in the period from four months from the election date until Election Day.

2. Reporting shall be the personal responsibility of the person responsible for the administrative management of public institutions, agencies, and state-owned enterprises (the institution’s secretary-general or, according to the circumstances, the general director or executive director). Reporting must be conducted no later than five days before timeframe planned for the organisation of the activity.

3. Reporting under point 1 of this Article shall be carried out through the public activity reporting interface, which shall be maintained and managed by the CEC. The responsible persons shall receive personalised access to this interface and shall enter data on the date and time of the event, its type, topic, highest level of participation, guests of honour, scheduled speakers, and media coverage. The information under this point shall be accessible to all interface users from the moment data are entered until the final election result is announced.

4. In case the CEC, by its own initiative or upon third-party request, observes from the information in accordance with point 3 of this Article that the activity may constitute an abuse of state resources, it shall order its prohibition. Prohibition shall be carried out by placing the note "Prohibited by the CEC" in the reporting interface, in the section pertaining to the activity. The note "Prohibited by the CEC" shall be placed no later than two days prior to the timeframe planned for the organisation of the activity. The information under this point shall be accessible to the public, from the moment data are entered until the final election results are announced.

5. Activities prohibited by the CEC shall not be allowed to be aired or featured in news programmes or radio and TV programmes dedicated to campaign coverage. Their broadcasting or coverage in breach of this point shall result liability of the radio-television broadcaster, in accordance with this law.

6. Failure to report scheduled activities of a public nature by public institutions, state agencies and/or enterprises, or their conduct despite the CEC prohibition, shall be cause for liability of the responsible person and of the head of the relevant institution, in the event they obstructed the enforcement of this provision.

7. Rules on the examination, by own initiative or upon request, of the cases that may constitute misuse of state resources, in accordance with points 1 and 4 of this Article, shall be approved by CEC normative act.

Article 92/1

Funding of electoral subjects through non-public funds

1. Electoral subjects and their candidates may receive funds for the purposes of their electoral campaigns only from domestic natural or legal persons. For the purposes of this law, an Albanian citizen who resides outside the territory of the Republic of Albania shall also be considered a domestic natural person.

2. The amount that each natural or legal person may give to an electoral subject, including its candidates, may not be larger than ALL 1 million or the equivalent value in kind or services. The amount in the first sentence shall be indexed by the CEC each five years against the inflation rate.

3. Donation of funds by a legal person or any of its shareholders is prohibited if one of the following conditions apply:

a) has received public funds, public contracts, or concessions in the last 3 years, exceeding ALL 10 million. This prohibition shall also apply to sub-contracting or public-private partnership contracts;

b) exercises media activity;

c) has been a partner in different projects with public funds;

ç) has monetary obligations towards the State Budget or any public institution. This obligation shall not apply if the shareholder owns these shares as a result of a public offer.

4. Natural or legal persons who have donated to an electoral subject or their candidates in elections may not receive public contracts, public-private partnership

contracts, or in any other way, funds with a total value exceeding ALL 10 million, including as a sub-contractor on a public contract/concession, for up to 3 years following the election date.

5. The electoral subject shall be obliged to disclose and provide full and uninterrupted access to third parties in its database where it records donations, borrowings, or loans benefited by the electoral subject and its candidates, for any amounts equal to and above 50 thousand ALL.

Article 92/2

Recording non-public funds

1. Every electoral subject must record in a designated register, whose template is approved by a CEC decision, the amount of funds benefited by every natural or legal person and other data related to the clear identification of the donor, lender, or creditor. Upon donation, the donor shall sign a declaration stating they are not in any of the circumstances provided for in Article 92/1 of this law and that they hold personal liability for false declaration. The form and content of the declaration shall be approved by the CEC and shall be mandatory to be signed in any case of donation.

2. Donation of non-public funds over 50 thousand ALL must be made only in a designated bank account opened by the electoral subject. The accounts shall be declared upon registration under Article 64 of this law. The declaration form shall also include the authorisation for CEC and its assignees to obtain data on all account transactions directly from the bank. Electoral subjects may not use any other bank account, except for the declared ones, to receive donations for the electoral campaign, even for amounts smaller than 50 thousand ALL.

3. If they plan to accept donations of an amount higher than 50 thousand ALL for their campaign candidates of electoral subjects shall be obliged to open specific bank accounts in order to accept donation of non-public funds. The accounts shall be declared upon registration in accordance with Article 67 of this law. The declaration form shall also include the authorisation for CEC and its assignees to obtain data on all account transactions directly from the bank. Candidates of electoral subjects may not use any other bank account, except for the declared ones, to receive donations for the electoral campaign, even for amounts smaller than 50 thousand ALL.

4. The total expenditures made by an electoral subject, including its candidates, for an electoral campaign must not exceed 3 times the highest amount that an electoral subject has received from public funds for electoral purposes, in accordance with Article 88 of this Law. Any electoral campaign expenditure shall be documented and implemented in compliance with the effective fiscal legislation. For the purpose of this Law, "campaign expenditure" shall mean any expenditure made by a party or its candidates for electoral campaign purposes, regardless of the date it is made.

5. Obligations provided for in this Article shall also apply to candidates proposed by voters, registered in accordance with Articles 69 and 70 of this law. The total expenditures a candidate proposed by the voters may make must not exceed 50% of the highest amount that an electoral subject has obtained from public funds, in accordance with Article 88 of this law.

Article 92/3
Declaration and publication

1. Electoral subjects shall be obliged to submit an electoral campaign financial report to the CEC within 60 days from the announcement of the election result.

2. Financial reports shall be designed according to templates approved by the CEC. As a rule, the report must contain information on:

- a) every donation, borrowing, or loan made to the electoral subjects (including its branches and candidates) during the electoral campaign and six months prior to the campaign and the source thereof, including in-kind donations and services;
- b) income for the purpose of electoral campaigning from all other permitted sources;
- c) all expenditure items for the purpose of the electoral campaign, as determined in the CEC decision and in point 4 of Article 92/2 of this law;
- ç) the balance sheet of assets and liabilities of the political party for the period from the decree of the election date to the election date.

3. Every political party participating in elections shall keep and maintain in its archives, for a period of 7 years, complete and detailed documentation of its financial standing and of all its branches for the period covered by this report, including:

- a) accounting books, kept in line with the legislation in force, indicating all the income by source and amount, identifying how the payment was made, as well as all payments made to third persons, the purpose of payments, and how each payment has been effectuated;
- b) documentation of all expenditures made;
- c) state and transactions in its bank account;
- ç) complete documentation of immovable properties owned by the political party, as well as any contract concluded for hiring, renting, commissioning, or sale of movable and immovable properties;
- d) register of donors, lenders, and creditors according to the template determined in point 1 of Article 92/2.

Article 92/4
Electoral campaign monitoring

1. No later than six months prior to the election date, the CEC shall appoint an adequate number of persons to monitor that electoral subjects comply with the obligations concerning campaign funding and other obligations under this chapter.

2. The CEC shall determine, by special instruction, the criteria on the selection of monitors, as well as on the scope of monitoring. Monitoring shall be limited to observing easily verifiable abidance of electoral subjects by their obligations pertaining to the electoral campaign, including here abidance by prohibitions and limitations on certain forms of campaigning, and misuse of state resources.

3. Monitoring must not expose monitors to unnecessary risks.

4. Monitoring shall not require monitors to calculate the total electoral campaign expenditures made by the electoral subject or various financial variables that require collection of extensive metadata.

5. In the event monitors observe violations during the monitoring process, they shall inform the CEC, in the manner determined by the CEC, on the day the observation is made.

Article 92/5

Funding-related denunciation's portal

1. The CEC shall establish and maintain an online portal, with free access for anyone to report potential violations of this law by electoral subjects or their candidates in relation to campaign financing.

2. Detailed criteria and procedures on the operation and maintenance of the portal, and the administrative investigation procedures and its deadlines, as well as the conclusions to be reached upon its completion, shall be determined by CEC normative act.

Article 92/6

Auditing of election campaign funds and expenditures

1. No later than 5 days after the announcement of the final election result, for every political party registered as electoral subject, or for candidates proposed by the voters, the CEC shall appoint by lot one or more certified accounting experts, selected in accordance with Article 92/7 of this law, to perform an audit of the funds received and spent for the electoral campaign. The audit report shall be submitted to the CEC by the deadline provided for in the appointment decision. The report may not include personal data of donors under the value provided for in points 2 and 3 of Article 92/2 of this law.

2. The electoral subjects specified in point 1 of this Article shall make available to the auditor appointed by the CEC all information, documents, or data that are related to funding and expenditures of the electoral campaign, in accordance with this law.

3. The electoral subjects that under audit shall make available all the information they have from the banks, institutions, or third parties related to the audit, or authorise the auditor to obtain such information from third parties. The CEC shall make available to the auditor the information it receives from third parties about the subject of audit, at each phase of the auditing process.

4. The CEC shall publish the audit reports for electoral subjects no later than 30 days from the date the report is submitted, or depending on the case, from the date the respective verifications are completed.

5. Failure of electoral subjects or donors to comply with the rules provided for in this chapter, when it does not constitute a criminal offence, shall constitute an administrative offence and shall be punishable in accordance with the provisions of Part XIII of this law.

6. The CEC shall have the right to directly verify electoral campaign income and expenditures of any political party registered as an electoral subject, or candidates proposed by voters, the audit report in accordance with point 1 of this Article, as well as any other information relevant to the subject matter that it becomes aware of. For the purpose of this Article, CEC shall have the right to request data, documents, or information from electoral subjects or third parties, who must respond to the CEC request within 15 days from its receipt. Failure to cooperate or refusal to cooperate, destruction of documents, delays or inappropriate behaviour during the verification process conducted by the CEC, shall be reported to the prosecutor's office as a criminal offense, in accordance with Article 248 of the Criminal Code, and shall be administratively sanctioned by the CEC in compliance with Article 173 of this law.

Article 92/7

Selection of auditors by the CEC

1. At the start of the electoral year, the CEC shall select by competition a list of licenced expert accountants.

2. The list must contain at least 20 experts, who have been exercising this profession in the last 5 years.

3. Procedures, criteria for the selection of the preliminary list, and their appointment shall be determined by CEC instruction. In any case, one auditor may not audit the same electoral subject for two consecutive elections.

4. The budget for elections must include the fund necessary for auditing electoral subjects and monitors of electoral campaign expenditures. The CEC shall define by decision the relevant contractual terms.

PART VIII

PREPARATION OF THE ELECTION INFRASTRUCTURE AND BALLOT COUNTING TEAMS (BCTs)

CHAPTER I

LOCATION OF VOTING CENTRES, CEAZ HEADQUARTERS, BALLOT COUNTING CENTRES, AND BALLOT COUNTING TEAMS

Article 93

Location of voting centres, CEAZ headquarters, and Ballot Counting Centres

(amended by Law No. 74/2012, dated 19 July 2012)

1. Voting centres, CEAZ headquarters and Ballot Counting Centres shall be established, to the extent possible, in public buildings with free access.

2. Voting centres, CEAZ headquarters and Ballot Counting Centres may not be established in:

- a) private buildings, without CEC decision. In any case, a voting centre may not be established in a private dwelling;
- b) buildings used by the public administration, except for educational, cultural, and healthcare institutions;
- c) buildings used or owned, partially or fully, by a political party, candidates or their relatives, or that have served as electoral offices during the electoral campaign.

3. The CEC may establish voting centres in private buildings when there are no objective possibilities to use a public building in the polling unit or in a neighbouring polling unit. The proposal for their designation shall be submitted with two alternative buildings, together with the respective blueprint or pictures of the premises, a description of facilitations offered by the building for the normal conduct of elections and of the fact it meets the criteria set out in this Article. This shall not apply for cases when it is not possible to find an alternative building.

4. Upon the request of one of its members, the CEC shall order its administration to conduct the respective verification on the ground, and the administration shall submit a report on the fulfilment of the criteria stipulated in this Code or in other acts. The decision shall be taken in consultation with the representatives of subject accredited to the CEC. A copy of the CEC decision shall be visibly posted at the entrance of the respective voting centres or ballot counting centres on the Election Day.

Article 94

Location and preparation of the Ballot Counting Centres

*(word amended in point 1 by Law No. 74/2012, dated 19 July 2012
and point 2 amended by Law No. 31/2015, dated 2 April 2015)*

1. No later than 60 days prior to the election date, the prefect of the region shall submit to the CEC a complete list of buildings within the territory of the region that meet the criteria specified in points 1 and 2 of Article 93 and of this Article. No later than 40 days from the election date, the CEC shall designate the Ballot Counting Centre by decision. In designating the Ballot Counting Centre, the CEC may select the municipality that is the centre of the region even if it is located outside the territorial jurisdiction of the EAZ, or a municipality within the territory of the EAZ, or even the largest administrative unit, if the municipalities do not meet the criteria specified in Article 93 and in this Article. In selecting the location of the BCC, the CEC shall give priority to the logistical facilitations related to road transportation, distance from the voting centres, and the space of the potential premises. As a rule, the Ballot Counting Centre shall not change from one election to another.

The BCC shall be designated in large rooms or in gymnasiums. The Ballot Counting Centres shall be made available to CEAZs no later than 10 days prior to the election date. The CEAZ, no later than 5 days before the election date, shall invite the electoral subjects and VCC members to get to know the Ballot Counting Centre. In selecting the location,

the CEC must also take into consideration the possibility of applying the supporting technology for counting the votes, in accordance with point 4 of this Article.

2. Before introducing the Ballot Counting Centre to the relevant electoral subjects and respective VCCs, the CEC shall prepare the necessary logistical infrastructure for the counting centre, including uninterrupted lighting for the beginning and successful execution of the vote counting process according to a model of arrangement approved by the CEC and the relevant CEC instructions. For this purpose, the CEC shall arrange working tables for each counting team, ensuring they have sufficient space for conducting the vote counting process. The working tables shall be arranged in such a way that they are visible for the CEAZ members and observers, candidates or media representatives, and that they allow for the application of the supporting technology in accordance with point 4 of this Article. Observers shall stay in front of the counting teams at a short distance from the working tables or, if the technology in accordance with point 4 of this Article is used, in front of the screens. Observers must not have physical contact with the voting materials. The working tables of the counting teams, as well as the seats of the CEAZ members, must be in the same room where the vote counting process takes place. A Ballot Counting Centre may not have fewer than 3 and more than 10 working tables. The organisational scheme of functioning and the number of counting tables for each Ballot Counting Centre shall be established by CEC normative act.

3. The logistical equipment necessary for the vote counting process shall be provided by the CEC in cooperation with other central or local bodies.

4. The CEC shall decide on the use of recording cameras and screens for displaying the ballot papers before their evaluation. High resolution cameras shall be installed above the counting table in such a way as to allow for the recording of the evaluation of each ballot paper. The recording shall be transmitted in real time on screens placed in front of the observers of electoral subjects. The recording of the process shall be stored electronically and delivered to the CEC together with other election materials. The CEC or, when it is possible, the CEAZ as well, must reproduce copies and make them available to electoral subjects against payment of a fee that covers the reproduction cost.

Article 95

Establishment of Ballot Counting Teams (BCTs)

(word amended in point 1 by Law No.74/2012, dated 19 July 2012)

1. For the purpose of counting the votes at the EAZ level, Ballot Counting Teams shall be established by CEAZ decision 10 days prior to the election date. There shall be two counting teams for each counting table, in accordance with point 2 of Article 94 of this Code. Members of Ballot Counting Teams must meet the criteria provided for in Articles 30 and 31 of this Code. Proposals for the appointment of members must be submitted to the CEAZ at least 12 days prior to the election date.

2. Ballot Counting Teams shall be composed of four members and, in any case, one member shall be appointed by proposal of the party to which the chair of the CEAZ belongs, one member by the proposal of the political party to which the deputy chair belongs, whereas the third member shall be proposed by the parties of the governing

majority and the fourth member shall be appointed by the proposal of the opposition parties that have the right to propose members of the BCTs for the respective EAZs, in accordance with the procedure stipulated in Article 96 of this Code.

In its decision to appoint the Ballot Counting Team, the CEAZ shall appoint one of the members as first counter and one member as the secretary. In half of the Ballot Counting Teams, the first counter shall be proposed by the largest party of the majority and, in the other half, by the largest party of the opposition. The secretary of the Ballot Counting Team shall belong to the political party opposite to the party that proposes the first counter. The CEC shall determine by instruction the procedure for drawing the lots.

3. In the event an electoral subject does not submit its proposals within the deadline specified in point 1 of this Article, the CEAZ shall determine the replacement members by lot among the members of the VCCs who belong to the same electoral subject at the electoral zone level. In the event it is not possible to complete the number of Ballot Counting Team members, it shall function with no fewer than two members.

4. A counting team shall count not fewer than 5 voting centres and not more than 10 voting centres. At the end of this process, the counting team shall be replaced by the other counting team, in accordance with point 1 of this Article.

5. The CEC shall determine by normative act the criteria on the number of counting teams for each ballot counting centre, organisation, the division of duties among members of the counting team, and the rules on the order of actions.

Article 96

Procedure on the determination of parties that propose BCT members

(point 1/1 added by Law No. 74/2012, dated 19 July 2012)

1. The political parties with the right to propose the third and the fourth member of the BCTs, with the exception of parties that propose the chair and deputy chair of the CEAZ, shall be determined by drawing lots at the CEC between the list of political parties of the parliamentary majority and the list of parties of the parliamentary opposition that are registered in the elections and that have won no fewer than two seats in the preceding elections for the Assembly. In any case, after the drawing of lots for each EAZ, the right to propose two members of the Ballot Counting Teams shall belong to one party of the parliamentary majority and to one party of the parliamentary opposition.

1/1. If none of the political parties with the right to propose the third and fourth member meet the requirement determined in this Article, the right to propose shall be transferred, on a case-by-case basis, to the political party that proposes the chair or deputy chair of the CEAZ within the same political grouping.

2. No later than 30 days before the election date, the CEC shall organise the drawing of lots for each EAZ in the presence of the interested political parties. The procedures for drawing lots shall be determined by a special instruction of the CEC.

CHAPTER II

PREPARATION OF ELECTORAL DOCUMENTATION AND DELIVERY OF THE ELECTION MATERIAL

Article 97

Ballot papers

*(point 3/1 added by Law No. 74/2012, dated 19 July 2012 and
point 3 repealed by Law No. 31/2015, dated 2 April 2015)*

1. For elections for the Assembly, a voter shall vote with one ballot paper of the same colour and shape for all electoral zones.

2. For elections for local government bodies, a voter shall vote with two ballot papers of the same shape and of different colours, one for the mayor of the local government unit and the other for the municipal council.

3. *Repealed.*

3/1. The ballot paper for local government elections shall have the same colour on both sides.

4. The number of ballot papers shall be equal to the number of voters, with an addition of 2 percent.

Article 98

Content of ballot papers

*(amended by Law No. 74/2012, dated 19 July 2012; point
4 amended by Law No. 118/2020, dated 5 October 2020)*

1. The ballot papers for elections shall be prepared by the CEC. The ballot papers must be made of paper, with such colour, thickness, or configuration elements that do not allow the reading of the vote on its reverse side, as well as contain security elements in accordance with the provisions of a CEC normative act.

The ballot paper shall contain technical elements in the form of codes that identify the electoral zone, voting centre, as well as other identification elements that cannot be read with a naked eye.

2. The ballot papers shall be produced in blocks without counterfoils. The serial number of the ballot papers' block shall be noted on the document that accompanies the enwrapped block, in accordance with CEC specifications.

3. The names of electoral subjects shall be placed on the ballot paper according to a random order drawn by lots. The logo, initials, and name of the party chair shall be placed next to the name of the party. Each subject listed on the ballot paper shall have a corresponding space for the voter to mark the vote.

4. The ballot paper for elections for the Assembly must contain a special space for the exercise of the preferential vote for the candidates of the electoral subject. The manner of preferential voting shall be determined by the CEC, depending on the number of subjects participating in the elections, provided the information contained in the ballot

paper is not overloaded, the configuration of the ballot is clear and understandable to the voter, and that the voter can get easily oriented to vote the electoral subject and the preferred candidate.

5. Immediately following the completion of registration of the multi-name list at the CEC or, as the case may be, at the CEAZ, the CEC shall organise the drawing of lots for obligations stemming from this Article. The rules for drawing lots shall be determined by CEC normative act.

Article 99

Delivering election materials from the CEC to the CEAZ

(a sentence added to letter “a”;

words added in the last paragraph by Law No. 74/2012, dated 19 July 2012)

1. The CEC shall send the following election materials, divided into separate boxes for each voting centre, to CEAZs headquarters no later than 3 days before the election date:

a) the necessary number of ballot papers, in compliance to the number of voters registered in that voting centre, together with the additional ballot papers. As a rule, ballot papers shall be delivered enwrapped in blocks of 100 ballot papers, together with the document that indicates the respective serial number of the ballot papers block;

b) VCC stamp;

c) the official records of the voting centre, including the templates of the official records and of the decisions for the sealing of the ballot boxes, the opening of the voting centre, the suspension of voting, requesting police assistance and police departure, as well as the closing of the polls;

ç) the Meeting Record Book of the VCC;

d) an envelope marked “SPOILED BALLOT PAPERS”;

dh) an envelope marked “UNUSED BALLOT PAPERS”;

e) an envelope marked “ENVELOPE FOR THE SEALING RECORD”, and

ë) the special ink to mark the voter and the equipment for checking it.

2. Apart from the boxes with the election materials, in accordance with 1 of this Article, CEAZs shall also be provided with the following:

a) ballot boxes for each voting centre, in compliance to the requirements of this Code;

b) a sufficient number of security codes, according to the CEC decision;

c) a sufficient number of voting booths;

ç) a sufficient number of copies of the Electoral Code and election manuals;

d) a sufficient number of stamps for the VCC chairs; and

dh) other equipment necessary for the voting process.

3. The CEC shall provide CEAZs with packaged seals, in accordance with Article 100 of this Code, enclosed in security packaging and without identifying the serial number of the seal.

4. Apart from the materials for the VCCs, in accordance with point 1 of this Article, the CEC shall deliver to the CEAZ the Meeting Record Book of the CEAZ, the Tables for VC Results by the counting teams, the Tables of Election Results for the Electoral Administration Zone, the stamp of the CEAZ, as well as other materials it needs for the management of elections.

The equipment and technological materials stipulated in point 4 of Article 94 and in Annex III of this Code shall be sent and installed in accordance with the procedures stipulated by special CEC instruction.

Article 100

Delivering election materials from the CEAZ to the VCC

(point 1 amended by Law No. 74/2012, dated 19 July 2012)

1. No later than 15 hours prior to the opening of the polls, the CEAZ shall deliver the election materials to the VCCs under its jurisdiction. The chair and the secretary of the VCC, accompanied by any other member upon request, shall go to the CEAZ headquarters and receive the following:

- a) the box with election materials, in accordance with point 1 of Article 99 of this Code;
- b) the ballot box/boxes;
- c) the voter list;
- ç) the voting booths;
- d) seals with the security codes; and
- dh) other equipment necessary for the voting process.

2. The chair of the VCC shall receive the stamp of the chair from the CEAZ. The chair of the respective VCC, in the presence of the CEAZ members, shall perform the following actions in turn:

- a) randomly takes a stamp from the relevant pile of packaged stamps;
- b) tears the wrapping of the stamp;
- c) stamps, on a white sheet of paper, a sample for the comparison of the stamp; and
- ç) under each stamp, writes his/her name and surname by hand and sign in the presence of the CEAZ members.

3. The white paper with the sample for the comparison of each stamp, in accordance with point 2 of this Article, shall be signed on its reverse by the CEAZ members and shall be kept safely by the secretary of the CEAZ.

4. The seals with the security codes shall be handed over with a separate official record, where the security codes for each seal are noted. The VCC shall receive as many seals with security codes as are needed to seal the ballot boxes and the box with election materials, as well as three additional seals to be used only in the event they get damaged. The additional seals must be of a different colour from those that, as a rule, are to be used for sealing the ballot box. One copy of the official record where the security codes are

noted, including the additional security codes, shall be kept by the CEAZ and one copy is given to the VCC.

5. The stamps of the VCCs and those of the VCC chairs, each separately, shall be produced and delivered to the CEC in a security package. Stamps of VCCs and of VCC chairs shall be produced in equal number with the number of VCCs and VCC chairs at a national level.

PART IX VOTING

CHAPTER I VOTING OPENING PROCEDURES

Article 101

Preliminary actions of the VCC

*(point 1 amended and point 3 added by Law No. 74/2012, dated 19 July 2012;
point 3 repealed by Law No. 118/2020, dated 5 October 2020)*

1. The VCC, under the direction of its chair and secretary and in the presence of observers of subjects, one hour prior to the opening of the voting, shall perform the following duties:

a) arrange the tables, chairs, and voting booths in such a manner as to ensure the secrecy of the voting and the free and rapid movement of voters;

b) remove any propaganda material that may be found in the voting centre and within a range of 150 meters around it;

c) post instructions for conducting the voting at a suitable and visible place in the voting centre;

ç) place other materials required by the CEC;

d) inspect all materials received;

dh) show observers the empty ballot boxes and close them in accordance to the procedure determined in letter “e” of this point;

e) seal the ballot boxes with the security codes and record the numbers of the security seals in the Record of Sealing of the ballot boxes and in the VCC Meeting Record Book, which shall be signed by all VCC members. In the event any of the seals with the security codes is damaged during the closing of the box, it shall be replaced by one of the additional seals. The number of the security code of the damaged seal and that of the additional one shall be noted in the VCC Meeting Record Book and the Record of Sealing. The original official record shall be enclosed within the envelope marked “ENVELOPE FOR THE RECORD OF SEALING,” which shall be put into the ballot box for the electoral subjects before the beginning of the voting process. Copies of the Record of Sealing with

the stamp of the VCC shall be given to the VCC members and to observers of parliamentary parties;

ë) clearly write the number of the voting centre on one of the lateral sides of the box, as well as place distinguishing signs that make it clear to the voter where to cast each of the ballot papers.

2. In the presence of observers, VCC members shall take a decision on opening the voting and sign it.

3. *Repealed.*

Article 102

Opening the voting and presence of VCC members and secretary

1. After performing the duties provided for in Article 101 of this Code, the chair of the VCC shall declare the voting open, but not before the time prescribed in Article 11 of this Code.

2. The secretary of the VCC shall note in the VCC Meeting Record Book the time of departure and return of any VCC member who leaves the voting centre. When the chair leaves the voting centre, they shall pass the chair's stamp to the other member of the same political affiliation, to use it until their return. The VCC secretary shall make the respective annotation in the VCC Meeting Record Book. When the secretary leaves the voting centre, the VCC stamp and the Meeting Record Book shall be transferred for use to the deputy chair until the return of the VCC secretary. The respective annotation shall be made in the VCC Meeting Record Book to reflect this fact.

Article 103

Stamping the ballot papers

*(amended by Law No. 74/2012, dated 19 July 2012;
point 4 repealed by Law No. 118/2020, dated 5 October 2020)*

1. The ballot papers shall be stamped on their reverse with the stamp of the VCC and that of the VCC chair. In the event one of the stamps is damaged or taken out of the voting centre, the VCC shall be immediately provided with a spare stamp to replace the stamp rendered out of use. Rules on the administration and delivery of the spare stamp shall be determined by CEC normative act. The rendering of the stamp out of use, as well as the respective time, shall be noted in the VCC Meeting Record Book. Damaging the stamp intentionally or taking it out of the voting centre shall constitute a criminal offence and shall be punishable in accordance with Article 326/a of the Criminal Code.

2. The stamp of the VCC shall contain the text "VOTING CENTRE COMMISSION" and the number of the respective voting centre. The stamp of the VCC chair shall contain the text "CHAIR" and a five-digit serial number. The text of the spare stamp shall be determined by the CEC and shall be unique for each stamp.

3. The stamp of the VCC chair shall be used only to stamp the ballot papers and no other election document.

4. *Repealed.*

CHAPTER II

PROCEDURES DURING VOTING

Article 104

Number of ballot boxes

(point 3 repealed by Law No.31/2015, dated 2 April 2015)

1. In elections for the Assembly, only one ballot box shall be placed in the voting centre.
2. In elections for local government bodies, two ballot boxes shall be placed in the voting centre, one for the mayor of the local government unit and one for the municipal council.
3. *Repealed.*

Article 105

Presentation of voters at the voting centre

*(letter “a” of point 1 amended and sentence added in letter “d” by Law No.74/2012,
dated 19 July 2012;*

second sentence of letter “d” repealed by Law No.118/2020, dated 5 October 2020)

1. After the voter enters the voting centre:
 - a) the voter shall state their name and present to the VCC one of the following official valid identity documents with biometric data:
 - i) identity card; or
 - ii) passport;
 - b) upon the voter’s presentation at the VCC and before the voter is given the ballot paper, one of the members assigned by a decision of the VCC shall check the voter on both hands to determine whether or not they have been marked with the special ink. If the voter is marked, the VCC member shall immediately inform the other VCC members, who shall immediately verify it. The name and surname of that voter shall be recorded in the VCC Meeting Record Book and they shall not be given a ballot paper;
 - c) after verifying that the data about the identity of the voter correspond to those on the voter list and that the voter is the same as the person on the identity document, the chair shall record the type and serial number of the identity document on the voter list and draw a line through the name of the voter on this list;
 - ç) the voter shall sign the voter list next to their name;
 - d) the ballot paper shall be stamped on its reverse side with the stamp of the VCC and the stamp of the VCC Chair;
 - dh) one of the members of the VCC, assigned by VCC decision, shall mark the left hand of the voter with a special ink, visible to the naked eye and indelible for at least 24 hours, in order to avoid voting more than once and,

after that, the voter shall be given the ballot paper. If the voter refuses to be marked with the special ink, they shall not be given the ballot paper and their identity shall be recorded in the VCC Meeting Record Book.

2. One of the members assigned by decision of the VCC shall take care of the orderly queuing of the voters.

3. If a voter who is not registered on the final voter list, but who has obtained a court decision recognising their right to vote in that voting centre in accordance with Article 55 of this Code, appears before the VCC, the latter shall record the voter's name and number of the identification document on a special register, with the court decision attached.

Article 106

Voting

*(words under point 5 amended by Law No. 74/2012, dated 19.07.2012
point 1 amended by Law No. 118/2020, dated 5.10.2020)*

1. On receipt of the ballot paper, the voter shall proceed alone to the voting booth and shall vote by marking the ballot paper by the sign "x" or "+", or any other signs that indicates clearly their choice, on the space designated on the ballot paper to the electoral subject and/or their preferred candidate of the electoral subject.

2. After making his/her mark on the ballot paper, the voter shall fold the ballot paper so that the mark is not visible, but that at least one of the stamps on the reverse side of the paper is visible. After leaving the voting booth, the voter shall deposit the ballot paper in the respective ballot box and shall leave the voting centre.

3. A voter shall only vote on his/her own behalf, except for the case specified in Article 108 of this Code.

4. The VCC members and secretary shall vote after all the voters present in the voting centre have voted by the time scheduled for closing the polls. The rules determined by this Article shall be also applicable to the voting by the VCC members and its secretary.

5. The VCC members, who have allowed a voter to vote more than once, or on behalf of other voters, shall be subject to criminal liability in accordance with Article 248 of the Criminal Code. except for the case provided for in Article 108 of this Code.

Article 107

Spoiled ballot papers

1. If the ballot paper, or at least one of the ballot papers, is marked outside the voting booth, the voter shall not be permitted to deposit the ballot paper(s) in the box. The VCC Chair shall take this ballot paper, write "SPOILED" on its back and place it in the envelope "SPOILED BALLOT PAPERS". In this case, the voter shall be provided with another ballot paper of the same type and the case shall be recorded in the VCC Meeting Record Book. If the voter marks the ballot paper outside the voting booth again, the second ballot paper shall also be placed in the envelope "SPOILED BALLOT PAPERS" and the voter shall not be given another ballot paper.

2. If a voter marks or damages a ballot paper accidentally and requests a second ballot paper, the ballot paper shall be considered spoiled and shall be placed into the envelope "SPOILED BALLOT PAPERS", and the voter shall be given a second ballot paper. The case shall be recorded in the VCC Meeting Record Book. If the voter again marks or damages the second ballot paper accidentally, the second ballot paper shall also be placed in the envelope "SPOILED BALLOT PAPERS" and the voter shall not be given another ballot paper.

3. Under no circumstances shall the spoiled ballot papers be placed into the ballot box.

Article 108

Voters who cannot vote themselves

1. A voter who, for physical reasons, is unable to perform the voting procedures him/herself, may request the assistance of a family member or another voter, who is on the voter list for that polling unit. Both voters must be present in the voting centre when this procedure is used.

2. A person may assist only one voter who cannot vote him/herself.

3. Before marking the ballot paper, the person who assists another voter, shall make a statement in the VCC Meeting Record Book that he/she will vote as instructed, will not influence the voter's decision, will not make the vote public, and that he/she has not voted on behalf of any other voters.

4. The members and secretaries of the election commissions may not help any voters who are unable to vote on their own.

5. The mark on the ballot paper must be necessarily made inside the voting booth.

6. Within the period of revision of voter lists, voters specified under point 1 of this Article shall have the right to request the mayor of the local government unit, who prepares the voter list for the respective voting centre, to register them as voters who cannot vote themselves. The request for registration shall be accompanied by the official documentation that proves the type and category of disability. Registration as a voter who cannot vote him/herself shall be done with a view to facilitating the voting process for these voters.

7. In any case, when there are voters registered according to point 6 of this Article, who have difficulties accessing the voting centre premises, the voting centres shall be designated and organized in such a manner that they guarantee free access for this category of voters. If this is impossible, the mayors of the local government units shall appoint support personnel or equipment to guarantee free access in compliance with the instructions of the CEC and at CEC expense.

8. In case of blind voters, the mayor of the local government unit shall notify the CEC on the number of blind voters and their voting centres. The CEC, in accordance with the procedures and deadlines for the distribution of the election materials, shall supply the commissions of these voting centres with special voting devices that allow voters to read or understand the ballot paper and vote independently. Blind voters shall be informed by the VCC of the manner of voting with special voting devices and shall be provided with such devices upon their request. Otherwise, the voter shall vote in accordance with points 1 and 3 of this Article.

Article 109

Order and orderly voting

*(amended by Law No. 74/2012, dated 19 July 2012,
points 6 and 7 added by Law No. 101/2020, dated 23 July 2020)*

1. The voting centre shall be arranged in a way that it facilitates the voting process and guarantees the secrecy of vote. The voting centres shall be arranged according to a standard design specified by a CEC instruction.

2. The use of mobile telephones at the voting centre shall be prohibited and voters shall not be allowed to vote holding a mobile phone in their hands. If a voter attempts to use a mobile phone or any other recording devices in the voting booth, the procedure laid down in point 1 of Article 107 shall be applied.

3. When order or orderly voting are endangered at the voting centre, the VCC informs the State Police and the CEAZ, and fills in the voting suspension record form for that reason. The time of the notification and suspension shall be noted down on the official records. The VCC shall also note in the Meetings Records Book the incident, the time the voting was suspended, and the time voting resumed.

4. The Chair or any member of the VCC shall immediately notify the CEAZ of the incident. The CEAZ shall be obliged to record the notification and the time it was received on the Meeting Records Book. The CEAZ shall forward the request immediately to the State Police.

5. Once order is restored in the voting centre, the VCC shall request the State Police to leave the voting centre and shall take measures to immediately resume voting. This fact shall be reflected in the official records for resuming the voting.

6. The presence or assembly of people shall not be allowed in the premises outside the voting centre, at the building's yard, entrance, and internal corridors, except for the voters waiting in line to vote. By derogation to this rule, observers and authorized media representatives shall be allowed to be present, as well as persons tasked with conducting election polls, when the organization they represent is authorized for this purpose by the CEC. Interviewing of voters for purposes of polls shall take place outside the surrounding of the building, at interviewing spots with clear distinguishing and explanatory signs displayed, and without hampering in any way or reason the free access and entry-exit of voters in/from the voting centre.

7. The presence of other persons not prescribed in this Article at the premises where electoral administration is carried out, or in their surroundings, shall be a reason for suspending the process and requesting the intervention of the State Police to restore the order. The intervention of the State Police shall be done according to the procedures approved by the CEC and shall be documented in details by the election administration.

Article 110
Persons present at the voting centre

1. Only the following persons may stay in a voting centre:
 - a) the members and the secretary of the VCC;
 - b) voters who are carrying out the voting procedures until they are completed;
and
 - c) accredited Albanian and foreign election observers.

2. No armed persons shall be allowed to stay within the premises of a voting centre. State Police employees, when carrying out their duty according to Article 109 of this Code, as well as prison police employees within the territory of a prison or detention centre where a special voting centre has been established, shall be excluded from this rule.

Article 111
(repealed by Law No. 74/2012, dated 19 July 2012)

CHAPTER III
CLOSING OF THE POLLS AND COUNTING OF BALLOTS

Article 112
Closing of the polls

1. Voting centres shall close at the hour established in accordance with points 1 and 2 of Article 11 of this Code. If, even after the closing time, there are still voters queuing, the VCC shall collect the identification documents of all the voters present and shall call them one by one in order to conduct the voting. No other voter shall be allowed to vote if he/she was not in the queue at the time identification documents were collected.

2. After the last person present has voted, the VCC makes a decision to close the polls by filling in the respective type of form, writing on it also the time of closing of the polls. The decision for the closing of the polls and the exact time of closing are recorded in the VCC Meeting Record Book. Afterwards, only the members and secretary of the VCC, as well as the accredited Albanian and/or foreign observers and accredited representatives of the media, may remain in the voting centre.

Article 113
Actions performed after closing of the polls
(amended by Law No. 74/2012, dated 19 July 2012)

After making the decision to close the polls, the Chair, together with the members of the VCC, shall perform the following actions according to this order:

1. The Chair, under the observation of all members of the VCC, shall:

a) record the number of the voters who have voted, according to their signatures on the voter list, as well as on the special register, in accordance with Article 57 of this Code;

b) state the figure aloud to the other members of the VCC and the observers that are present;

c) invite them to verify the figure stated by him/her; and

ç) order the secretary of the VCC to record the number of persons who have voted in the voting centre, according to letter “a” of this point, in the Records of the Closing of the Polls and in the VCC Meeting Records Book. In case of an objection to the figure, the claims shall be written in the records. The VCC secretary shall write the claim in the Records of the Closing of the Polls and in the VCC Meeting Records Book.

2. The Chair, under the observation of all VCC members, shall reflect the full number of ballot papers of that voting centre in the Records of the Closing of the Polls and in the VCC Meeting Records Book, based on the data that have accompanied the receipt of the ballot papers from the CEAZ.

3. The Chair, under the observation of all members of the VCC, shall start the count of unused ballot papers and, at the end of the count, informs the members of the VCC of this number. When requested by a member of the VCC or any of the observers, the Chair shall be obliged to restart the count of unused ballot papers. Upon completion of the count, unused ballot papers shall be enclosed within the envelope marked as “UNUSED BALLOT PAPERS”. The number of unused ballot papers shall be reflected in the Records of the Closing of the Polls and in the VCC Meeting Records Book.

4. The Chair, under the observation of all members of the VCC, shall count the spoiled ballot papers that are found in the envelope for “SPOILED BALLOT PAPERS”. The number of spoiled ballot papers is reflected in the Records of the Closing of the Polls and the VCC Meeting Records Book.

If any of the observers has objections, they shall be recorded immediately in the Meeting Records Book or submitted by the observer in writing. The written objections shall be administered by the secretary and shall be enclosed inside the box of election materials together with the rest of the documentation for that voting centre.

5. Upon conclusion of the actions envisaged in points 1 to 4 of this Article, the following shall be enclosed inside in the box of election materials:

a) the envelope marked as “UNUSED BALLOT PAPERS”;

b) the envelope marked as “SPOILED BALLOT PAPERS”;

c) the voter list, including the special register, in accordance with Article 57 of this Code;

ç) the original of the VCC decisions and the unused templates of the VCC decisions;

d) the stamp of the VCC;

dh) the stamp of the VCC Chair;

e) seals with the unused security codes;

- ë) seals with the damaged security codes; and
- f) the VCC Meeting Records Book.

6. The numbers of the security codes to seal the ballot box and the election materials box shall be first written down in the Records of the Closing of the Polls and in the VCC Meeting Records Book. After all the data are recorded in the Record of the Closing of the Polls, the exact time of closing the records shall be noted. The original of the Records of the Closing of the Polls shall be placed in the ballot box which is sealed immediately with the last security code, whereas its copy shall be placed in the box with voting materials, which shall be then sealed with the respective security codes. Copies of the Records of the Closing of the Polls shall be given to members of the VCC and to observers of the parliamentary parties.

7. When the seal with the security codes is damaged during the closing of the ballot box, it shall be replaced by one of the spare seals. The number of the security code of the damaged seal shall be written down in the Records of the Closing of the Polls and in the VCC Meeting Records Book.

8. The Records of the Closing of the Polls shall be signed by all VCC members. If any of the VCC members has any remarks, they shall be written in the space dedicated to remarks in the official records.

Article 114

Accompaniment of the ballot boxes and voting materials to the Ballot Counting Centre

1. Immediately after the completion of the actions specified in Article 113 of this Code, the ballot boxes with the ballot papers and the box with voting materials shall be sent to the Ballot Counting Centre, designated in accordance with Article 94 of this Code. Other materials used during the voting process shall be submitted to the CEAZ within the deadlines and in the manner specified by the CEC.

2. The ballot box/es with the ballot papers and the box with voting materials shall be delivered to the Ballot Counting Centre as early as possible, but no later than 3 hours from the closing of the polls in the voting centre. Their delivery shall be performed with a motor vehicle, in which are seated the members and the secretary of the VCC, as well as a police officer who is charged with guaranteeing the accompaniment and the integrity of the ballot box with the ballot papers and of the box with voting materials. The CEC shall authorize the CEAZ, while also providing it with the necessary funds, to secure the transportation by motor vehicle of the ballot boxes with the ballot papers and the box with voting materials.

3. The police officer, under point 2 of this Article, shall be a permanent police officer of the State Police, except for the criminal police, charged with the duty of accompanying by the CEC upon a proposal of the General Director of the State Police. The accompanying police officer shall, at all times, wear the uniform of the State Police and, in a visible place, the number assigned to him/her by the CEC, as well as his/her surname in a legible size.

CHAPTER IV

DELIVERY OF VOTING MATERIALS AND COUNTING OF BALLOTS

Article 115

Receipt of voting materials by the CEAZ

*(words under point 5 amended, and point 10 added
by Law No. 74/2012, dated 19 July 2012)*

1. The CEAZ shall assign one or more receiving teams to receive the ballot box/es with the ballot papers and the box/es with voting materials. The receiving teams shall consist of two CEAZ members with different political affiliations, proposed respectively by the Chair and Deputy Chair of the CEAZ. If deemed necessary, the CEAZ may appoint two persons for each team to assist the team with receiving the boxes, and to mainly deal with the arrangement of the boxes under the direction of the CEAZ. The support personnel shall be selected from the list of the members of the counting teams, while guaranteeing, in any case, the political balance between the majority and the opposition. The ballot box/es with the ballot papers and the box/es with voting materials shall be received as soon as they arrive at the Ballot Counting Centre, according to the rules established by the CEC.

2. During the receiving process, the receiving teams shall:

a) record in the Records of Receipt the numbers of the security codes of the seals, with which the ballot box with the ballot papers and the box with voting materials has been closed;

b) verify immediately whether the numbers of the security codes of the seals with which the ballot box with the ballot papers and the box of voting materials are closed match the numbers of the security codes, according to the records kept for this voting centre, in compliance with Article 113 of this Code. If these codes do not match, the receiving team shall inform the CEAZ of the discrepancy and request it to mark the box as an "IRREGULAR BOX". The CEAZ shall verify the discrepancy immediately and make a decision, in accordance with point 4 of this Article. The discrepancies found shall be recorded in the Records of Receipt and the CEAZ Meeting Records Book.

3. When, while receiving the ballot boxes with the ballot papers and the box with the voting materials, the receiving team finds that:

a) one or more seals with security codes are missing or broken;

b) the seals with the security codes have been placed in a way that allows space between the body of the box and its lid;

c) the box has fissures or cracks in its body or lid that make it possible to insert or retrieve ballot papers or other voting materials; or

ç) the box is of a different type, shape or size from those established by the CEC;

then the receiving team shall immediately inform the CEAZ about the irregularity and request it to mark the box as an "IRREGULAR BOX". The CEAZ shall immediately verify the irregularity and makes a decision, according to point

4 of this Article. The irregularity found shall be recorded in the Records of Receipt and the CEAZ Meeting Records Book.

4. In cases when receiving teams find irregularities in one of the boxes with ballot papers, in accordance with points 2 and 3 of this Article, while receiving the boxes with ballot papers for a voting centre, then that box shall be considered an “IRREGULAR BOX” and shall be sent to the corner of irregular boxes, whereas the box with voting materials - and in the case of local elections, the other box with ballot papers - shall be subject to procedures in accordance with Articles 116 to 119 of this Code.

If, in the case of local elections, both boxes with ballot papers are considered irregular, then both boxes with ballot papers and the respective box of voting materials shall be placed in the corner of irregular boxes. When only the box of voting materials is defined as an “IRREGULAR BOX”, it is subject to the opening and counting procedures along with the ballot boxes with the ballot papers.

5. The ballot boxes defined as “IRREGULAR BOXES” shall not be opened at any time and for any reason by the CEAZ and shall not be forwarded to the counting team. They shall be sent, together with the box of voting materials, to the CEC for administrative investigation purposes, in accordance with Article 136 and point 4 of Article 138 of this Code.

6. The CEAZ shall keep a Record of Findings, in which it shall note data about the ballot boxes with ballot papers or boxes with voting materials declared as irregular, in accordance with points 2, 3 and 4 of this Article, as well as data on the inaccuracies or irregularities found during the application of the procedures of Article 116 of this Code. Copies of the Record of Findings shall be given to the CEAZ members and to observers of parliamentary parties.

7. The members of the receiving team, the Chair, Deputy Chair and secretary of the VCC, as well as the police officer assigned with the duty of accompanying, shall sign the Records of Receipt. The original Records of Receipt shall be administered by the CEAZ, which shall give a copy respectively to the Chair, Deputy Chair of the VCC, and to the police officer assigned with the duty of accompanying. The police officer must leave immediately after receiving a copy of the Records of Receipt, which shall be delivered together with the service report to his/her respective command structure.

8. The Records of Receipt shall be prepared by the CEC as a template and shall contain the time of receipt, the number of the voting centre, the seals with the security codes with which the boxes with the ballot papers and boxes of voting materials are sealed, the space for describing discrepancies or irregularities found, as well as the space for signatures.

9. The ballot boxes with the ballot papers and the boxes of voting materials, received by the receiving teams, shall be placed in the place designated in advance for that purpose by the CEAZ. This place shall be in the same premises where the count of ballots takes place and shall be secured from any interference by unauthorised persons.

10. The ballot boxes with the ballot papers received as regular shall, in any case, be subject to procedures for opening and counting at the Ballot Counting Centres in accordance with the provisions of this Code. Refusal to count shall lead to immediate discharge of persons responsible for counting or, as the case may be, of the CEAZ. Refusal to count

a box received as regular shall constitute a criminal offence and shall be punishable according to Article 330/a of the Criminal Code.

Article 116

Counting the ballots

(amended by Law No. 74/2012, dated 19 July 2012;

second sentence of point 1 repealed by Law No. 31/2015, dated 2 April 2015)

1. The CEAZ shall make a decision to start the counting of votes only after having received all boxes with the ballot papers and boxes of voting materials from all the voting centres under its jurisdiction.

2. The counting team members shall take from the stack of ballot boxes, one after the other and in ascending order of the ordinal numbers of the voting centres, the ballot boxes with the ballots of only one voting centre and place them by the table of the respective Counting Team. Next, the Counting Team members shall receive from the secretary of the CEAZ the sample of the VCC Chair stamp, deposited in compliance with point 2 of Article 100 of this Code.

3. Then, the first counter shall place the ballot box with ballot papers on the table and opens it by breaking the seals with the security codes. The Counting Team shall verify first the data in the Records of the Closing of the Polls.

4. If the Records of the Closing of the Polls is found in the box and is filled in accordance with Article 113 of this Code, the counting will continue in accordance with the procedures set out in this Article. If the Records of the Closing of the Polls is missing, or if the data under Article 113 of this Code are not filled in, the procedure specified in Article 116/1 shall apply.

5. After the Records of the Closing of the Polls is taken out, or after the Records of Findings is filled in, the first counter and members of the Counting Team shall take the ballot papers and the envelope with the Records of Sealing out the box, unfold the ballot papers and place them on the table with the reverse of the sheet facing up.

6. The stacked ballot papers shall be counted by the first counter, who, at the conclusion of the count, shall declare the figure to the Counting Team members and the observers of electoral subjects. The declared figure shall be checked against the figure on the voter turnout that is written down in the Records of the Closing of the Polls. If the figures do not match or if requested by any of the Counting Team members, the first counter is obliged to recount the ballot papers again.

7. If the verification reveals discrepancies, then the Counting Team or any of the observers of the electoral subjects who identifies the discrepancies, shall notify immediately the CEAZ about them. The notification is done by raising one's hand and without moving from own place. The raising of the hand shall suspend any further action of the Counting Team until the CEAZ is informed of the issue and verifies it. If the CEAZ confirms the irregularity, it shall reflect it in the Records of Findings. The CEAZ shall make a decision to continue the procedures for the counting of votes by the Counting Team only after recording the inaccuracy or irregularity in the Records of Findings. The Counting Team shall be informed immediately about the decision of the CEAZ.

Article 116/1
Opening of the boxes with voting materials
(added by Law No. 74/2012, dated 19 July 2012)

1. The box with voting materials shall be opened during the counting process at the Ballot Counting Centre only when the Records of the Closing of the Polls is missing from the box with ballot papers, or when the data according to Article 113 of the Code are not recorded in the Records of the Closing of the Polls.

2. In this case, the Counting Team or any of the observers of the electoral subjects who identifies this, shall notify immediately the CEAZ about it. The notification shall be done by raising one's hand and without moving from own place. The raising of the hand shall suspend any further action of the Counting Team, until the CEAZ is informed of the issue and verifies it. If the CEAZ confirms the inaccuracy or irregularity, it shall reflect it in the Records of Findings. The CEAZ shall make a decision to continue the procedures for the verification of the voting material and the suspension of the counting of votes by the Counting Team only after recording the inaccuracy or irregularity in the Record of Findings. The Counting Team shall be informed immediately about the decision of the CEAZ.

3. The box with ballot papers, the counting of which is suspended, shall be placed by the counting table and the first counter shall take the box with voting materials of the respective voting centre. Then, the Counting Team shall open the box with voting materials, by breaking the security seals. First, it is verified whether the Records of the Closing of the Polls is found in the box, [and whether it is] filled in according to the requirements of the Code. In this case, the Records of Findings shall be filled in and the Records of the Closing of the Polls shall be given to the CEAZ. Next, the box shall be closed with security seals and the Counting Teams shall continue the counting of the ballots, according to the procedures set out in point 5 and onward of Article 116 of this Code.

4. When the Records of the Closing of the Polls is not found in the box with voting materials or it is not filled in according to Article 113, the Counting Team shall fill in the Records of Findings and then perform the following procedures:

- a) it shall verify whether the following are found in the box:
 - i) the envelope marked as "UNUSED BALLOT PAPERS";
 - ii) the envelope marked as "SPOILED BALLOT PAPERS";
 - iii) the voter list, including the special register, in accordance with Article 57 of this Code;
 - iv) the originals of the VCC decisions and unused templates of the VCC decisions;
 - v) the stamp of the VCC;
 - vi) the stamp of the VCC Chair;
 - vii) the seals with the unused security codes;
 - viii) the seals with the damaged security codes, if any;
 - ix) the VCC Meetings Record Book; and
 - x) the accompanying documentation of ballot papers with the respective serial numbers;

b) initially, the first counter shall compare the stamp of the VCC Chair with the sample stamp and present the finding to the team members;

c) the first counter shall count the unused ballot papers and, at the conclusion of the counting, declares the figure to the Counting Team members and the observers of the electoral subjects. If any of the members of the Counting Team requests a recount, the first counter is obliged to recount the unused ballot papers again;

ç) the first counter shall count the spoiled ballot papers and, at the conclusion of the counting, declares the figure to the Counting Team members and the observers of electoral subjects. If any of the members of the Counting Team requests a recount, the first counter is obliged to recount the spoiled ballot papers again;

d) the first counter shall count the voters who have voted, according to their signatures on the voter list, including those in accordance with Article 57 of this Code, and, at the conclusion of the count, declares the figure to the members of the Counting Team. If the figures do not match, or if any of the members of the Counting Team requests a recount, the first counter is obliged to recount again the voters who have voted. The remarks shall be written down in the Records of Findings;

dh) the first counter shall record the data on the total number of ballot papers delivered to the VCC, according to their accompanying documentation;

e) then the box shall be sealed with security codes and the Counting Team shall continue with counting of the ballots in accordance with the procedures set out in point 5 and onward of Article 116 of this Code.

5. Upon conclusion of the counting and tabulation of the EAZ result, boxes with voting materials shall be sent to the CEC together with the ballot boxes. Boxes with voting materials shall be opened at the CEC during the examination of complaints, in accordance with Article 136 and/or point 1 of Article 138 of the Code, if the requested evidence is administered according to this Code, in the box with voting materials.

Article 117

Types of votes and criteria for evaluating a vote

(point 4 added by Law No. 74/2012, dated 19 July 2012; point 2 is amended, letter "e" of point 3 is amended, and letter "e/1" is added by Law No. 118/2020, dated 5 October 2020)

1. Ballot papers shall be divided into valid or invalid votes.

2. Only ballot papers on which a vote has been clearly cast for only one of the electoral subjects and/or for one of its candidates shall be valid. When it is voted for more than one candidate of the same electoral subject, the vote shall be accounted for the electoral subject only.

3. Invalid votes shall be the ballot papers where:

a) the ballot paper does not have the same size, colour or format as the ballot paper approved by the CEC;

b) the stamps provided for in Article 103 of this Code are missing from the ballot paper;

c) notations or signs are made on the ballot paper that make the evaluation of the vote impossible;

ç) notations in favour or in disfavour of certain electoral subjects are made on the ballot paper;

d) more than one electoral subject on the ballot paper are voted for;

dh) no electoral subject is voted for on the ballot paper;

e) an electoral subject and a candidate of another electoral subject are voted for;

e/1) it is not clear for whom the vote is cast; or

ë) the voter has voted for a person or a subject that is not on the ballot paper.

4. The evaluation of votes shall aim at identifying, as much as possible, the voter's intent. Pursuant to this Article, the CEC shall draft special guidelines to facilitate the work and unify the practice of evaluation of the ballot papers by commissions and persons tasked under this Code for the counting and evaluation of votes.

Article 118

Evaluation of votes

*(point 7 is added by Law No. 74/2012, dated 19 July 2012;
second sentence of point 3 is repealed,
and point 6/1 is added by Law No. 118/2020, dated 5 October 2020)*

1. The evaluation of votes shall begin immediately after the completion of the counting of ballot papers. The first counter of the Counting Team shall unfold completely every ballot paper, evaluate it aloud, and act in the following order:

a) he/she shall verify whether the ballot paper has the same size, shape and colour as the ballot paper approved by the CEC; if not, he/she shall evaluate the vote as invalid;

b) he/she shall verify whether the ballot paper carries the stamp of the VCC and the stamp of the VCC Chair; if not, he/she evaluates the vote as invalid;

c) he/she shall verify whether there is any of the other reasons for declaring the vote invalid, as described in letters "c" to "ë" of Article 117 of this Code; if one of these reasons exists, he/she shall evaluate the vote as invalid.

2. If none of the circumstances described in point 1 of this Article applies, the first counter of the Counting Team shall give his/her evaluation and then propose to the other members to evaluate which political party or candidate the vote is cast for. The first counter is obliged to show the ballot papers to the members of the Counting Team, as well as make possible the reading of the ballot paper by the recording camera in accordance with point 4 of Article 94 of this Code.

If the members of the Counting Team and observers of the electoral subjects at the count agree with the first counter's evaluation, the ballot paper shall be categorised according to the evaluation and the first counter shall proceed with the next ballot paper.

If any of the members of the Counting Team or any of the observers of electoral subjects does not agree with the first counter's evaluation, the latter shall place the

contested ballot paper in a special place designated for contested ballot papers and proceed with the next ballot paper.

3. In accordance with the evaluation described in point 1 of this Article, the ballot papers shall be divided on the work table into specific and separate places in groupings of votes for each electoral subject, as invalid votes and contested votes.

4. At the end of counting of the ballot papers for each ballot box, the Counting Team shall re-evaluate the contested ballot papers, in accordance with the third paragraph of point 2 of this Article.

If there are still contested ballot papers after the re-evaluation, the first counter or each member shall call the CEAZ for the evaluation of the contested votes of that box. The CEAZ shall make immediately an evaluation of each of the contested ballot papers and take a decision on it. The result declared by the CEAZ shall be noted in the record book of CEAZ and shall be included in the respective table of results of the VC, which is compiled by the Counting Team.

5. For each contested ballot paper, the first counter of the Counting Team shall note clearly on its reverse side the reasons for contesting it.

A special official record shall be kept for contested votes, in accordance with a template determined by a decision of the CEC, in which the total number of contested ballot papers for the respective VC shall be reflected. Upon the tabulation of the result, according to Article 119 of this Code, the contested ballot papers and the respective official record shall be enclosed in the envelope marked as "CONTESTED BALLOTS".

6. After the counting and evaluation of the votes, according to this Article, the first counter shall count the votes for each electoral subject, for each box with ballot papers, starting according to the order of the subjects on the ballot paper. After each count, he/she shall make the figure known to the Counting Team members and to observers of electoral subjects. If requested by any of the members of the Counting Team, the first counter shall restart once again the counting of the votes for that electoral subject.

If there are still objections after this second count, the first counter of the Counting Team or the objecting member shall inform the CEAZ by raising his/her hand. The raising of the hand shall suspend any further action of the Counting Team until the CEAZ makes a decision. The CEAZ shall count on the spot the votes for the electoral subject, which are subject to contestation, and order the Counting Team to record the figure decided by it in the table of results for that Voting Centre.

6/1. For elections to the Assembly, after the completion of procedures under point 6 of this Article, the preferred votes for each candidate of the electoral subject shall be counted according to the same procedure.

7. The first counter and the secretary of the Counting Team shall be responsible for implementing the obligations arising from the contestation of the ballot paper, according to this Article. Failure to comply with this obligation shall be punishable by a fine according to Article 171 of this Code.

Article 119
Tabulation of the election result by the Counting Team
(amended by Law No. 74/2012, dated 19 July 2012)

1. Upon conclusion of the procedure specified in Article 118 of this Code, the first counter, together with the other members of the Counting Team, shall complete the table of results for that voting centre according to the template form prescribed by the CEC.

2. The original table of voting results, according to point 1 of this Article, including contestations, if any, by a member of the Counting Team, shall be delivered immediately in person to the CEAZ by the Counting Team. A copy of the table of results shall be given to each member of the Counting Team and to the observers of electoral subjects. If any of the observers of electoral subjects has contestations regarding the tabulated results, they shall be recorded immediately in the CEAZ Book of Records.

One copy shall be immediately sent electronically to the CEC. The CEC shall publish immediately on its website the official results for each voting centre, upon their official receipt from the CEAZ. The publication shall clearly state that this is a preliminary result.

3. After the completion of the procedures specified in points 1 and 2 of this Article, the ballot papers shall be put in separate envelopes by electoral subjects, except for the contested ballot papers, whereas the invalid ballots shall be put in the envelope marked "INVALID VOTES". The envelopes with the ballot papers for the electoral subjects, the envelope with the invalid ballot papers, the envelope with the contested ballot papers, and the envelope with the Records of Sealing, shall be put inside the ballot box. The box shall be sealed with seals with new security codes. The numbers of the codes shall be recorded in the table of results.

One copy of the Records of Sealing, together with the Records of the Closing of the Polls, shall be given to the CEAZ secretary, who shall be responsible for their administration. The box shall be sealed with seals with new security codes. A copy of the Records of Sealing shall also be given to observers from electoral subjects.

After that, in case of local elections, the box shall be placed near the table of the Counting Team and the box with the ballot papers for the council shall be taken. In case of local elections, for the ballot boxes with the ballot papers for the political parties or electoral coalitions, the Counting Team shall perform the same actions specified in Articles 116 to 119 of this Code.

4. The Counting Team shall take the ballot boxes with the ballot papers of the next voting centre from the stack of the ballot boxes only after it has sent the processed boxes to the designated place inside the room of the Ballot Counting Centre and has handed over the respective table of results for the counted voting centre to the CEAZ.

5. Counting shall continue uninterruptedly until the completion of counting of all ballot boxes received as regular by the CEAZ. Counting may be interrupted by a CEAZ decision only for reasons that do not depend on the election administration and that hamper the normal counting process. The reasons shall be explained in the CEAZ Meeting Records Book, including the decision to resume counting.

Article 120
Order of counting for local government elections
*(amended by Law No. 74/2012, dated 19 July 2012;
points 1 and 2 amended by Law No. 31/2015, dated 2 April 2015)*

1. For the elections for local government bodies, the CEAZ shall group the ballot boxes by the respective body.

2. For each municipality, the counting shall start with the counting of the votes for the mayor and then with the counting of the votes for the respective council.

3. Vote count for one body shall not start unless all the ballot boxes for the preceding body are counted.

4. Upon completion of the counting of a box, the table of its results shall be filled according to Article 122 of this Code. The table of results for the voting centre shall contain also a column for votes for other bodies, but miscast in that box, which clearly specifies the number of miscast ballots in that box divided by the body for which the votes are cast.

5. When such ballots are found, the Counting Team shall set them apart, folded, and shall not evaluate them. Upon conclusion of the counting for that box, these ballot papers shall be put in the envelope marked "MISCAST VOTES", divided into separate envelopes by the body for which the votes were cast. The number of miscast votes found in that box for each body shall be recorded in the special column of the table of results. The next box shall be opened only after procedures are completed and the previous box is sealed.

6. After the respective Counting Team completes the counting of the last box, the first counter shall fill in the Records of Findings, writing down the number of miscast ballots for each body found in each envelope. The envelopes with the miscast votes shall be sealed and delivered to the CEAZ along with the Records of Findings. The CEAZ shall open the envelopes, make the relevant annotations in the Meeting Records Book, and place these votes in special boxes, without opening the ballot papers. These boxes shall be the same as ballot boxes, and shall be opened and closed according to the procedures for the ballot boxes specified in this Code. The CEAZ has one box for miscast votes for each body for which elections are held in its territory.

7. Upon completion of the counting of all boxes for one body, the CEAZ shall compile the Preliminary Aggregate Table of Results for the EAZ reflecting the result for the body for each voting centre. This table shall not include the result of the box with the votes for the relevant body which are cast in the wrong box, specified in point 8 of this Article.

The result reflected in the Preliminary Aggregate Table of Results for the EAZ shall not be final. The table and any of its publication shall display the note that this result is not final.

8. Upon conclusion of the vote counting for all ballot boxes of the EAZ, the CEAZ shall appoint immediately one of the Counting Teams to evaluate and count the votes cast in the wrong boxes for each body, administered according to this Article. These votes shall be counted in accordance with the procedures specified in Articles 116, 117 and 118 of this Code. The box with miscast ballots for one body shall be opened upon the completion of the counting of boxes for the respective body.

9. The result of the box shall be entered into a separate table of results for miscast votes, which specifies the body for which the votes are cast. The table shall be filled in and signed according to the procedures specified in Article 119 of this Code.

10. Upon completion of the procedure specified in point 8 of this Article, the CEAZ shall fill in the Aggregate Table of Election Results for that EAZ, reflecting the results of each counted box and the result of the box with miscast votes, filled in according to point 8 of these Articles.

Article 121

Persons present during the vote counting process

1. Only the members and secretary of the CEAZ, the members of the Counting Teams, the candidates, observers of the electoral subjects, other accredited observers, accredited media representatives, and the technical personnel authorized by the CEC for the maintenance of the camera system, are to be present during the vote counting process at the Ballot Counting Centre.

2. The CEAZ shall take measures and shall be responsible for not allowing persons other than those specified in point 1 of this Article in the Ballot Counting Centre. When persons other than those according to point 1 of this Article are present, the CEAZ by decision shall immediately notify the State Police officers and the case shall be recorded in the CEAZ Meeting Records Book, including the precise time of arrival and departure of the State Police officers.

Article 122

Issuance of the Aggregate Table of Election Result by the CEAZ

(amended by Law No. 74/2012, dated 19 July 2012;

point 5 and 6 amended by Law No. 31/2015, dated 2 April 2015)

1. The Aggregate Table of Election Result for the respective Electoral Administration Zone shall be issued by the CEAZ no later than 22⁰⁰ of the day following the Election Day.

2. Immediately after the completion of the counting, in accordance with the procedures provided for in Articles 116 to 119 of this Code, the CEAZ shall complete the Aggregate Table of Election Results for the zone it administers, which reflects the results of each subject for each voting centre, based on the original tables of results of each voting centre filled in by the Counting Teams.

3. The Aggregate Table of Election Results of the EAZ shall be approved by the CEAZ by decision. If this is not the case, point 5 of Article 35 of this Code shall apply. One copy of the Aggregate Table of Results and of the tables of results for each voting centre shall be immediately sent to the CEC, including by electronic means of communication.

4. Copies of the Aggregate Table of Election Results of the EAZ, of tables of results of the voting centres, and copies of the Record of Findings shall be given to the members of the CEAZ and to the observers of electoral subjects, whereas their originals, stamps and any other voting materials shall be handed over to the CEC.

5. In the case of local elections, the CEAZ shall approve by decision the Aggregate Table of Results of the municipality. In case the territory of a municipality is not subject to a single CEAZ, each CEAZ shall approve by decision the Aggregate Table of Results for the respective part of the territory of the municipality. In any case, the CEAZ shall apply the same criteria and procedures specified in this Article. The decision may be challenged in compliance with the procedures provided for in Part X of this Code.

6. The original of the Aggregate Table of Results of the CEAZ and the Tables of Results for each voting centre shall be sent to the CEC to issue the result, in accordance with Article 123 of this Code.

Article 123

Tabulation of results by the CEC

*(amended by Law No. 74/2012, dated 19 July 2012;
point 4 and 5 amended by Law No. 101/2020, dated 23 July 2020)*

1. The CEC shall verify and tabulate the election results for the electoral zone for the Assembly or local government unit, the territory of which is divided into two or more EAZs, based on the table of results issued by each CEAZ of the respective electoral zone. For this purpose, the CEC shall fill in the Aggregate Table of the Results for the Electoral Zone and approve it by a decision no later than 48 hours from the receipt of all the tables of the Electoral Zone.

2. Before filling in the Aggregate Table of the Results for the Electoral Zone, according to point 1 of this Article, the CEC shall verify, on its own initiative or upon request of the parties and before making a decision according to this Article, whether the tables of the EAZ results for the respective zone include all the tables of the voting centres of that zone. When the CEC finds that the table of results for one EAZ does not include the tables of all voting centres of that EAZ, the boxes of which are received as regular, it shall order the CEAZ to fill in immediately the table and resubmit it to the CEC within 24 hours. In case of failure to comply with this deadline, the table shall be filled in by the CEC. If the votes in a box which is received as regular are not counted, the CEC shall order the initial counting of uncounted votes for the Voting Centre that is not included in the table of results. The deadline specified in point 1 of this Article shall start after the filling in of each table of results for the EAZ according to this point.

In any case, the Aggregate Table of Results for the Electoral Zone, according to this Article, shall not be approved by the CEC unless all the boxes received as regular according to this Code are counted; otherwise, the decision to approve the Aggregate Table of Results for the Electoral Zone, according to this Article, shall be invalid.

3. If the CEC, during the compilation of the table, according to point 1 of this Article, upon its own initiative or upon request of the parties, notices discrepancies between the number of votes for the subjects in the table of results for the EAZ and the tables of results of the voting centres, it shall take a decision to approve the Aggregate Table of Results with the corrected figures, based on the originals of the tables of the voting centres. One copy of the decision on the approval of the Aggregate Table of Results for

the Electoral Zone shall be given to all electoral subjects that participated in the elections in the respective electoral zone.

4. The CEC decision to approve the Aggregate Table of Results for the Electoral Zone under this Article may be challenged at the CSC, according to procedures set out in Part X of this Code.

5. The CEAZ decision for the approval of the Aggregate Table of the EAZ Election Result, any decision taken by the CEAZ during the procedure of receiving the electoral material and documentation from the VCCs, as well as during the counting and tabulation of the voting result, shall be interim decisions and may be challenged at the CSC together with complaints against the CEC decision on the approval of the Aggregate Table of Results of the Electoral Zone, taken in accordance with point 1 of this Article.

Article 123/1

Right to engage the CEC

(added by Law No. 101/2020, dated 23 July 2020)

1. The CEC shall be engaged *ex officio*, upon request of electoral subjects in accordance with the rights vested on them by this law, as well as upon request of third parties in upholding their legitimate interests and in matters falling within the scope of the CEC powers.

2. Requests or complaints by electoral subjects shall be handled in accordance with the procedure established by this law and the secondary legislation issued for its implementation. Requests, complaints, information, proposals or denunciations of third parties shall be handled in accordance with the procedure set forth in the Administrative Procedure Code and within the deadlines set by the CEC through its secondary legislation.

3. When requests, complaints, information, proposals or denunciations by third parties relate to administrative investigations conducted pursuant to this law on activities carried out in elections by electoral subjects, they shall form part of administrative investigations against the electoral subjects.

Article 123/2

Powers in administrative investigation

(added by Law No. 101/2020, dated 23 July 2020)

1. As a rule, the administrative investigation shall be carried out by the CEC administration, except when, in the investigation of particular issues, the electoral legislation requires the appointment of experts outside the administration.

2. Administrative investigations carried out by external experts shall only become legally valid upon approval by the CEC in accordance with the applicable procedural rules.

Article 123/3
Public participation in denouncing facts
(added by Law No. 101/2020, dated 23 July 2020)

1. Anyone who becomes aware of facts or circumstances that might constitute violations of any legal stipulations of administrative or criminal nature in the area of elections, shall be entitled to directly inform the CEC.

2. Rights and interests of persons who denounce according to paragraph 1 of this Article shall be automatically protected in a reliable, effective and appropriate manner as per the standards set out in the legislation in force on whistleblowing and protection of whistleblowers.

3. The CEC shall approve the denouncing template in order to facilitate submission of information by the public.

PART X
ADMINISTRATIVE COMPLAINTS AGAINST DECISIONS
OF ELECTION COMMISSIONS

Article 124
The right to complain
(amended by Law No. 74/2012, dated 19 July 2012)

1. Any political party, whether or not a member of a coalition, and a candidate proposed by the voters shall have the right to complain to the CEC against CEAZ decisions which affect their legal interests, within three days from the announcement of the decision.

2. The CEAZ decision on the declaration of election results for local government units under its jurisdiction, taken according to Article 122 of this Code, may be challenged to the CEC no later than 5 days from the announcement of the decision for the approval of the Aggregate Table of Results of the Electoral Zone. The complaint against the decision may seek the amendment of the Aggregate Table of Results of the Electoral Zone or/and invalidation of the result in one or several Voting Centres, according to Article 160 of this Code.

3. The CEC decision on the approval of the Aggregate Table of Results of the Electoral Zone, taken in accordance with Article 123 of this Code, may be challenged to the CEC no later than 5 days from the announcement of this decision. The complaint against the decision may seek the amendment of the Aggregate Table of Results of the Electoral Zone or/and invalidation of the result in one or several Voting Centres, according to Article 160 of this Code.

4. In any case, the complaint for invalidation, according to Article 160, and the complaint for the amendment of the table of results shall be submitted in the same administrative complaint, according to points 2 and 3 of this Article. The complaint shall specify the Voting Centres for which the amendment of the result or invalidation is requested.

5. The right to complain, according to point 1 of this Article, shall be granted also to those individuals or political parties whose requests for registering as an electoral subject have been refused, and to those subjects referred to in Article 6 of this Code complaining against the rejection of requests for accreditation as observers, when the accreditation of the observers is delegated to the CEAZs. The CEC decisions for the registration or rejection to register as an electoral subject, taken in accordance with Part IV of this Code, may be challenged to the Electoral College, in accordance with Chapter I, Part XI of this Code.

6. During the examination of the submitted administrative complaints, the CEC shall examine the entirety of the case therein, including the invalidation of elections in specific voting centres, but not limited to the object of the administrative complaint submitted by the electoral subject.

Article 124/1

Administrative complaint by third parties

(added by Law No. 101/2020, dated 23 July 2020)

1. Albanian and foreign non-governmental organizations, as well as international organizations specialized or engaged in good governance and democratization, representatives of foreign countries and the media, shall have the right to complain to the CSC against decisions refusing to register observers, within 3 days from the date of the announcement of the decision.

2. The Commissioner's acts may be challenged administratively to the CSC by parties demonstrating a legitimate interest in the subject matter of the complaint. In the period from the President's decreeing of the election date until announcement of the final result, the complaint shall be filed within 3 days from the date the decision is taken. For the remaining period, the complaint shall be filed within 30 days from issuance of the decision.

Article 125

Calculation of deadlines

(first sentence of point 1 amended by Law No. 74/2012, dated 19 July 2012)

1. The deadlines, which are specified by hours in Parts X and XI of this Code, shall be calculated by excluding the hour in which the right to complain or the administrative obligation arises. Whenever the deadlines in this Code are calculated in hours, the administrative body assigned by this Code shall be required to mark on an administrative act the hour when the act was announced. Otherwise, the deadline shall be calculated beginning at 8⁰⁰ of the following day.

2. The deadlines in this Part that are stated in days shall be calculated by excluding the day on which the right to complain or the administrative obligation arises.

3. If the end of a deadline, according to point 2 of this Article, falls outside the official working hours determined in the CEC decision, then the running of the time shall be

suspended at the close of the official working hours and resume at the starting time of the official working hours of the following day.

4. If the end of the deadlines falls on days of rest or on an official holiday, the deadline shall resume on the next working day.

5. Deadlines for complaints, according to this Part, cannot be reset.

6. For purposes of this Article, unless otherwise specified by a CEC decision, the official working hours shall be calculated from 8⁰⁰ until 16⁰⁰, and Saturdays and Sundays shall be days of rest.

Article 126

Form and content of a complaint against decisions of a CEAZ and decision of the CEC to declare the election result

1. Electoral complaints against decisions of a CEAZ or against the decision of the CEC, in accordance with Article 123 of this Code, shall be submitted in the form of an administrative complaint and must contain the following elements:

- a) the full name of the electoral subject making the complaint and its address;
- b) reference to the decision which is challenged;
- c) the legal grounds;
- ç) a short description of the violation claimed;
- d) a description of facts, arguments and legal provisions supporting the complaint;
- dh) an indication of the evidence, requested to be examined during the process of the review of the complaint, as well as its source; and
- e) the date and the signature of the complainant.

A request for the invalidation of elections shall contain, to the extent possible, the elements provided for in this point.

2. The complaining electoral subject shall deposit, together with the administrative complaint, the full decision against which the complaint is made, except for when the CEAZ fails to make a decision.

Article 127

Registration of administrative complaints by the CEC

(amended by Law No. 74/2012, dated 19 July 2012)

1. Administrative complaints shall be deposited at the headquarters of the CEC. The CEC shall create and keep a special register for the registration of administrative complaints. The Register of Electoral Complaints shall be valid only for on-going elections.

2. The Register of Electoral Complaints shall contain:

- a) the ordinal number of the administrative complaint;
- b) the date and time when the complaint was submitted;
- c) the complaining subject;
- ç) the object of the complaint;
- d) the number and type of documents attached to the administrative complaint.

3. After annotations have been made in the register, the complaining subject shall receive from the CEC an attestation, which bears evidence of the delivery and receipt of the administrative complaint.

4. The CEC shall not refuse, for any reason, to record administrative complaints.

5. The Register of Electoral Complaints shall only serve for the current elections. The Register of Electoral Complaints for the current elections is opened no later than 24 hours from the declaration of the final result of previous elections. Administrative complaints related to partial elections held between two general elections are also recorded in this register.

Article 128

(repealed by Law No. 74/2012, dated 19 July 2012)

Article 129

Verification of completion of the form and content of the administrative complaint

1. The CEC shall designate, by lot, one of its members as a rapporteur for each administrative complaint recorded. The rapporteur shall verify the existence of the formal elements, according to Article 126 of this Code, and of the elements stipulated in Article 130 of this Code. The verification result shall be reported at a CEC meeting no later than 24 hours from the moment the administrative complaint has been recorded.

2. The rules for drawing the lot to appoint a rapporteur, according to point 1 of this Article, shall be established by a CEC decision.

3. The CEC shall perform the preliminary verification of the administrative complaint and shall decide:

- a) to accept the complaint for review;
- b) not to accept the complaint due to lack of the elements stipulated in Article 130 of this Code; or
- c) to send back the complaint for completion of the formal elements stipulated in Article 126 of this Code.

4. In the case provided for in letter “c” of point 3 of this Article, the complainant shall complete the complaint and resubmit it within 24 hours from the moment this decision is announced. The administrative complaint may be sent back for completion only once. The second verification of the administrative complaint shall be completed within 24 hours of its resubmission.

Article 130

Object of preliminary verification

The CEC shall make a decision on whether or not to accept the administrative complaint after it verifies the following elements:

- a) the competency of the CEC to examine the complaint;
- b) the complainant’s standing; and
- c) compliance with the legal deadlines for a complaint.

Article 131

Content of the decision to accept for review the administrative complaint

1. In the decision to accept for review an administrative complaint, the CEC shall specify the date and hour of the examination of the case in a public session. The decision shall be posted for the public at the entrance of the CEC headquarters no later than two hours after it has been taken.

2. The review hearing shall take place no earlier than 24 hours and no later than 48 hours from the date the decision to accept the request has been announced.

Article 132

Joining administrative complaints

(amended by Law No. 74/2012, dated 19 July 2012)

1. The examination of administrative complaints against the result of an electoral zone, according to Article 124, shall only start after the deadline specified in points 2 and 3 of Article 124 of this Code has expired. The CEC, prior to or during the examination of an administrative complaint, shall decide to examine it jointly with one or more other administrative complaints submitted by various entities against the same decision of the CEAZ, according to Article 122, or, depending on the case, of the CEC, taken in accordance with Article 123 on the election result and/or invalidation.

2. When several administrative complaints are submitted to the CEC for the same electoral zone and when at least one of them seeks the invalidation of elections in one or more voting centres, in accordance with Article 160 of this Code, the CEC shall examine first the claim for the invalidation of elections in those voting centres. The CEC decision for the invalidation of one or more voting centres, according to Article 160, shall be an interim decision, and may be appealed to the Electoral College together with the CEC decision that adjudicates the complaint submitted in accordance with Article 124 of the Code.

3. The CEC decision to join administrative complaints shall be final.

4. The CEC decision to join administrative complaints shall be posted for the public at the entrance of the CEC headquarters no later than two hours after it has been taken.

Article 133

Parties to the administrative review

1. In the CEC's examination of a complaint, only the following shall have the right to take part by submitting a request, making and refuting claims, as well as submitting evidence:

a) the complainant;

b) an interested party. An interested party is any electoral subject whose rights and legitimate interests, be they individual or collective, are or could be violated by a decision that may be made at the conclusion of the administrative procedure.

2. An interested party shall file a request to participate in an administrative review no later than by the time set for holding the session. Filing the request beyond this deadline shall lead to the rejection of the request.

3. The acceptance of a party as an interested party in an administrative procedure shall be made by a decision of the CEC at the beginning of the respective session and after verifying the participation of the other parties.

4. The parties shall be entitled to be represented during the administrative procedure by their authorized representatives or by making a declaration in the session. As a rule, the electoral subjects represented at the CEC shall be represented by their accredited representatives to the CEC.

Article 134

Administrative review

1. The administrative review of an administrative complaint shall be performed by the CEC in a plenary session.

2. The Chair of the CEC shall chair the plenary session.

3. The time limits for performing the administrative investigative actions shall be established by the CEC in consultation with the parties.

4. The review of an administrative complaint in front of the CEC shall be done verbally, but the parties may present their explanations and claims about the case in writing.

5. During the examination of an administrative complaint, a staff member appointed by the CEC shall keep the minutes, and, to the extent possible, an audio and/or video recording of the session shall be made. The explanations of the parties shall be summarized in the minutes, while the evidence received shall be fully reflected, together with the orders and intermediate decisions of the CEC.

Article 135

The opening of the session for the review of an administrative complaint

1. On the day and at the hour designated, the parties shall give notice of their presence to the secretariat specifically established by the CEC.

2. Before the session begins, the administration of the CEC shall summon the parties or their representatives and invite them to take their designated places.

3. After the examination session is declared open, the procedural standing of the parties shall be verified, in accordance with Article 133 of this Code.

4. If one or several of the parties do not appear on the day and at the hour designated, the session shall be held regardless of their participation.

5. Before the parties present their claims, the CEC shall:

a) accept or reject the individual statements of the CEC members on the existence of conflicts of interests, according to point 3 of Article 17 of this Code;

b) decide on the requests of the parties concerning the exclusion of CEC members due to the existence of a conflict of interests, in accordance with point 4 of Article 17 of this Code;

c) decide on the requests of the parties or of the rapporteur for the CEC not to review the case because of a lack of competence on the part of the CEC or because of the expiry of the deadline for complaints.

6. After it has made a decision on the preliminary requests of the parties, and if these do not lead to the dismissal of the administrative review, the CEC shall review and decide the case on its merits without interrupting the session. The session shall be interrupted only when the acquisition of evidence from third parties is necessary.

Article 136

Submission of claims and request for evidence

(amended by Law No. 74/2012)

1. Upon conclusion of the actions specified in Article 135 of this Code, the CEC shall invite the parties to submit their claims and to:

- a) provide explanations about the requests specified in the complaint;
- b) demonstrate the facts and evidence on which their claims rest. The types of the evidence are provided for in the Civil Procedure Code; and
- c) request the acquisition of evidence to prove facts, if the preliminary provision of this evidence was impossible for them, while submitting at the same time the reasons why it was not possible for them to secure this evidence.

2. After the submission of the claims of the parties, the CEC, at the request of each of them or on its own initiative, may decide to receive other evidence when it considers it to be useful for reaching a judgement.

3. The request to obtain evidence, in accordance with letter “c” of point 1 of this Article, when endorsed by two CEC members and when the evidence is administered only by the CEC, shall be accepted immediately without being subjected to debate or voting at the CEC. The CEC shall be bound to proceed immediately with receiving and examining the requested evidence.

4. The CEC may refuse a request of the complainant or of the interested party to obtain evidence, under letter “c” of point 1 and point 2 of this Article, only if it considers that the evidence does not serve the purpose of proving the facts claimed. The CEC’s reasoning for refusing to receive evidence shall be provided in detail in its final decision. The CEC cannot refuse a request for evidence made in accordance with point 3 of this Article.

5. The submission of the claims of the parties shall begin with the complainant and continue with the interested parties, in the order decided by the CEC Chair. This order shall be retained during the entire proceeding.

6. Regardless of the specifications made in this Article, when the CEC assesses that a fact, circumstance or event has occurred, it shall be accepted as evidence regardless of it not being recorded in any electoral document.

Article 137

Obligation for other bodies to make evidence available

1. The CEC shall request other bodies of public administration to make available information, documents or any other evidence required or considered necessary for the administrative investigation.

2. Public administration bodies shall be required to make evidence available, in accordance with point 1 of this Article, upon receiving the request from the CEC and by the deadline established in it.

3. If the public administration body, without legal reasons, refuses to fulfil the request or does not fulfil it by the deadline, the CEC, in accordance with Article 172 of this Code, shall fine or, as appropriate, file criminal charges against the persons responsible specified in Article 4 of this Code.

Article 138

Examination of election material

(amended by Law No. 74/2012, dated 19 July 2012;

last sentence of point 3 amended by Law No. 101/2020, dated 23 July 2020)

1. For purpose of administrative investigation, the CEC, when it has accepted the request of the parties or in accordance with the provisions of point 3 in Article 136 of this Code, shall examine the documentation and election material that are found inside the box of election materials and/or ballot boxes and the ballot papers, as well as any other documentation or other election material. If the election material is inside the boxes with security seals, they shall be opened and resealed according to procedures provided for in this Code for the opening and closing of the boxes, by showing and recording the codes with which the respective boxes are sealed by the CEAZ, as well as the numbers with which they are reclosed.

2. The election material shall be examined in the presence of the parties and the public. After the examination of the election documentation and/or material, the parties shall have the right to present their assessments and claims. The evidence found shall be recorded in the minutes of the CEC meeting.

3. When the CEC, upon the request of parties or upon its own initiative, deems that a recount and/or re-evaluation of certain votes is needed in order to make a decision, it shall recount and/or re-evaluate the votes in the presence of the parties, and shall reflect the conclusion and its respective decision in the minutes of the CEC meeting. Certain votes are votes identified or contested, according to procedures set out in Articles 116 and 118 of this Code, the evaluation or number of which has been contested during the counting process, as well as the votes of the table of the contested result, according to point 2 of Article 119 of this Code. Each member shall have the right to request a recount and/or re-evaluation of the certain votes in the framework of this procedure, and the CEC shall be obliged to carry such request.

4. When the object of the complaint are ballot boxes found to be “IRREGULAR BOXES” by the CEAZ, in accordance with Article 115 of this Code, the CEC shall be

obliged to conduct an administrative investigation during the examination of the complaint for that electoral zone, according to Article 124 of this Code. The investigation shall not be limited to examining the box externally by evaluating the entire facts and circumstances that have led to the evaluation of the box as an “IRREGULAR BOX”, but also whether these irregularities have affected the electoral material. If the CEC, upon its own initiative or upon the request of the electoral subject, makes a decision that the boxes are regular, the CEC shall conduct the initial counting of the votes in these boxes.

The voting in those voting centres the box/es of which have been evaluated as “IRREGULAR BOXES”, according to Article 115 of this Code, and no complaint has been made against them according to Article 124, shall be considered invalid.

5. The CEC decisions taken in accordance with points 3 and 4 of this Article, may be challenged together with the decision of the CEC.

Article 139

Universally known facts and expert testimony

1. There is no need for verification of universally known facts and facts known to the CEC due to its functions. During the administrative investigation of a case, the CEC shall confirm in the session its knowledge and the taking into consideration of these facts during the review of the case.

2. When special knowledge in scientific or technical fields is needed for the ascertainment or clarification of facts related to the review of administrative complaints, the CEC may summon one or more experts.

Article 140

Rebuttals of evidence

1. The parties in an administrative review shall be entitled to submit their rebuttals to challenge:

- a) the method of obtaining the evidence submitted by other parties;
- b) the facts shown by this evidence; or
- c) the veracity and reliability of the facts that are shown by this evidence.

2. In support of these rebuttals, the parties shall have the right to submit other evidence in addition to that required in accordance with Article 136 of this Code.

Article 141

Closing of the administrative investigation

(amended by Law No. 74/2012, dated 19 July 2012)

1. If new facts or evidence emerge during the administrative investigation, which the complainant could not have known before the complaint was submitted, the object of the complaint may be added or changed before the CEC ends the administrative investigation, in accordance with point 2 of this Article. The request may include the amendment of the

table of result or the invalidation of elections in certain voting centres. The CEC shall be obliged to examine the new claim and reopen the administrative investigation.

2. After the conclusion of the administrative investigation, the CEC shall ask the parties for any additional requests or evidence useful for the examination of the case; if they are not accepted, the CEC shall end the administrative investigation and invite the parties to present their closing arguments.

3. The CEC shall decide, on a case-by-case basis, whether the parties will present their closing arguments verbally or in writing.

Article 142

Withdrawal of claims or their renunciation

(amended by Law No. 74/2012, dated 19 July 2012)

The complainant shall have the right to fully or partially withdraw the object of the complaint at any stage of its examination. In this case, the CEC shall decide to dismiss the case as a whole or the part which has been renounced. After this, the complainant may not resubmit a complaint for which the dismissal of the case was decided.

Article 143

Type of CEC decisions after examining complaints and deadlines

(letter "d" of point 1 amended by Law No. 74/2012, dated 19 July 2012)

1. Upon conclusion of examining the complaint, the CEC shall decide, on a case-by-case basis, to:

- a) dismiss the examination;
- b) uphold the CEAZ decision;
- c) amend the CEAZ decision;
- ç) declare the elections invalid in one or several voting centres of the electoral zone or in the entire electoral unit;
- d) uphold or amend the decision on approving the Aggregate Table of Results, in accordance with Article 122 and Article 123 of this Code.

2. Regardless of what the complainant has requested in his/her complaint, the CEC shall take a decision according to one of the cases provided for in point 1 of this Article.

3. The CEC shall take a final decision concerning a complaint against the decision on the approval of the Table of Election Results no later than 10 days from the date the respective complaint is recorded. In any other case, the CEC shall take a decision no later than two days from the date the complaint was submitted.

4. In case administrative complaints are joined, deadlines shall be calculated from the date the last administrative complaint was recorded.

Article 144
Content of CEC decisions

1. A CEC decision shall always be in writing.
2. CEC decisions pertaining to electoral complaints shall consist of:
 - a) the parties participating in the administrative review;
 - b) the requests of each party;
 - c) an indication of any evidence taken under review;
 - ç) an explanation of circumstances and facts that have emerged from this evidence;
 - d) a legal analysis of the case;
 - dh) a section providing the order.
3. A CEC decision shall contain the number, date, respectively the hour when it is announced, as well as the signatures of the CEC members together with the declaration of their vote.
4. A decision shall be accompanied by the minority opinion or the concurring opinion signed by the members who support it.
5. A decision shall also contain the explanation of the right of the parties to make a court appeal against the decision, as well as the time limits for appeals.
6. In no case shall the CEC issue decisions that do not contain all the elements mentioned in this Article.

PART XI
COURT APPEALS AGAINST CEC DECISIONS
AND INVALIDATION OF ELECTIONS

CHAPTER I
COURT APPEALS AGAINST CEC DECISIONS

Article 145
The right to appeal to court

1. Electoral subjects shall have the right to appeal to the Electoral College of the Court of Appeals in Tirana against CEC decisions which affect their legal interests, by the deadline established in Article 152 of this Code. Individuals or political parties whose request to be registered as an electoral subject have been rejected, shall also have the right to appeal according to this Article.
2. Electoral subjects shall have the right to appeal to the Electoral College against the CEC failure to make a decision by the legal deadline. In this case, the Electoral College shall not examine the case on its merits and, if it accepts the request, shall compel

the CEC to make a decision. This rule shall not apply to CEC decisions to reject an administrative complaint in relation to decisions taken in compliance with letters “a”, “b”, “c” and “ç” of Article 24 of this Code.

3. Subjects mentioned in Article 6 of this Code who have been refused a request for accreditation as observers, shall also have a right to appeal according to this Article. If accreditation of observers has been delegated to CEAZs, then the right to appeal according to this point shall begin with an administrative appeal, in accordance with Article 124 of this Code.

Article 146

Judicial Electoral College

*(point 3 amended by Law No. 74/2012, dated 19 July 2012;
amended by Law No. 101/2020, dated 23 July 2020)*

1. The Judicial Electoral College shall consist of eight judges selected by a drawing of lots conducted by the High Judicial Council, among the judges who have successfully passed the transitional re-evaluation of judges under Law no. 84/2016 by a final decision, from first-instance courts, appellate courts, first-instance administrative courts and the Administrative Court of Appeal in Tirana. The judges of the [Special] Court against Organized Crime and Corruption shall be excluded from the lot.

2. The drawing of lots for the selection of the judges of the Judicial Electoral College shall be conducted no later than 48 hours after the setting of the date for the closest elections, as per this law. The lot shall be drawn in the presence of the public, representatives of the CEC, political parties and non-profitable organizations engaged in the areas of elections and justice.

3. The High Judicial Council shall, within 24 hours from the drawing of lots, approve by decision the election of the judges as members of the Judicial Electoral College. The members of the Judicial Electoral College shall be seconded to this position for a 4-year term. Renewal shall comply with the procedures and time-limits of this law on the selection, secondment, oath and establishment of the Judicial Electoral College.

4. No later than 3 days from secondment to this position, the judges of the Judicial Electoral College shall take an oath in a public ceremony, in the presence of the High Judicial Council. The oath shall have the following content: “I do solemnly swear that I shall respect, defend, and obey the Constitution and laws of the Republic of Albania, that I shall respect the rights and freedoms of citizens, and I shall fulfil my duties. I swear that I shall discharge my duties to the best of my ability and in an impartial and just manner, and without favouring any person, political party, or electoral subject”.

5. The inaugural meeting of the College shall take place immediately after the oath and shall be convened by the Chair of the High Judicial Council.

6. If vacancies arise in the composition of the Judicial Electoral College, vacancies shall be filled according to the stipulations made in this law only among judges who have successfully passed the transitional re-evaluation under Law 84/2016 until the date the vacancy arised.

7. The Administrative Court of Appeal in Tirana shall make available to the Judicial Electoral College sufficient working premises, equipment and staff in order to ensure timely and professional discharge of its duties. The decisions of the College shall be published on the official website of the Administrative Court of Appeal.

8. Upon request of the Chairperson of the Administrative Court of Appeal in Tirana, the College shall be re-convened any time this court receives complaints against the CEC decisions, as provided for in Article 145 of this law.

Article 147

The term of office and sessions of the Electoral College

(amended by Law No. 118/2020, dated 5 October 2020)

1. The Judicial Electoral College shall exercise its functions for all types of elections and referenda during its 4-year term of office.

2. The Judicial Electoral College shall be convened by the Chair of the High Judicial Council no later than 50 days before the elections. The College shall meet until the end of the adjudication of appeals or the expiry of the appeal deadlines for the respective election process.

3. The College shall be re-convened by the Chair of the High Judicial Council no later than 48 hours after the decree of partial elections or referenda. The College shall meet until the end of the adjudication of the appeals or the expiry of the appeal deadlines for these elections or referenda.

Article 148

Criteria for the exclusion of judges from the drawing of lots

(point 2 added by Law No. 74/2012, dated 19 July 2012)

1. Judges against whom:

- a) criminal proceedings are underway;
- b) a disciplinary measure is in force;
- c) disciplinary proceedings have been initiated

shall not be included in the drawing of lots, according to Article 146 of this Code.

2. Besides the cases envisaged in point 1 of this Article, the incumbent judges of the Electoral College shall not be included in the drawing of lots.

Article 149

Special protection of the Electoral College judges

(amended by Law No. 101/2020, dated 23 July 2020, phrase under letter "b" of point 1 repealed by Law No. 118/2020, dated 5 October 2020)

1. A judge, during the exercise of duty at the Judicial Electoral College, shall not:

- a) be subject to disciplinary investigation or proceedings during the entire term for which the College is constituted;

b) be transferred from duty temporarily or permanently due to disciplinary grounds, judicial organization;

c) be evaluated as “unsufficient” for the professional capacities and ethical activity/commitment to professional values of a judge.

2. Upon a justified request of the judge, the High Judicial Council shall, after having also received the opinion of the Chair of the Court where the judge exercises his/ her duty, decide to alleviate his/her workload.

3. Upon termination of the secondment to the Judicial Electoral College, the exercise of duty in this College shall be considered an added value in terms of experience for promotion purposes.

Article 150

Invalidity of secondment

1. The secondment of judges to the Electoral College shall be invalid if they have been included in the drawing of lots in violation of the requirements specified in Article 146 of this Code.

2. The invalidity of the secondment shall constitute grounds for the exclusion of the judge from the adjudication of electoral disputes.

Article 151

Excluding a judge from hearing a case

(point 4 amended by Law No. 74/2012, dated 19 July 2012)

1. The parties to a case before the Electoral College shall have the right to request the exclusion of any of the judges of the Electoral College from adjudicating a case.

2. An exclusion shall take place if it turns out that the judge has any interests in the case, has been an employer, employee, advisor, representative or attorney of any of the parties, has family relations or a close relation by marriage to any of the parties, or it turns out that he/she cannot fulfil his/her task impartially, fairly and without favouring any of the parties.

3. The exclusion of the judge from adjudicating a case shall be performed by the Electoral College. All judges of the Electoral College shall decide together on the validity of a challenge to any of the judges.

4. The appellant or the interested party shall submit the request for exclusion to the court secretary after the names of the judges who will judge the case are announced.

5. The request for exclusion shall contain the specific reason why it is not suitable for a certain judge of the Electoral College to adjudicate the appeal.

6. Requests for excluding a judge submitted beyond the deadlines and procedures of this Article shall not be taken into consideration.

Article 152

The deadline for a court appeal

1. Appeals, according to this Code, shall be submitted to the Court of Appeals of Tirana, which forwards them to the Electoral College.

2. An appeal against all decisions that the CEC makes during the period that starts 48 hours after the issuance of the decree for partial or general elections until the termination of administrative review of election complaints or expiry of deadlines for election complaints, is made within 5 days after their declaration. The deadline to appeal to the Electoral College against CEC decisions taken outside this period shall be 30 days.

Article 153

Form and content of the appeal

1. An appeal shall be submitted in the form of a court complaint and shall contain:

- a) information on the identity of the plaintiff;
- b) an indication of the defendant;
- c) an indication of the interested parties. Interested parties are the parties participating in the administrative review at the CEC;
- ç) the object of the request;
- d) the legal grounds;
- dh) a description of the alleged violation and the points of the CEC decision to which the appellant objects; and
- e) facts, arguments and legal provisions supporting the appeal.

2. The court complaint shall be filed in as many copies as the number of parties in the proceedings and shall also be accompanied by a copy of the CEC decision and, as appropriate, by a request for excluding a judge.

3. The court complaint shall be recorded upon its submission.

Article 154

Preliminary actions related to the court complaint

1. After recording the court complaint, the Chair of the Court of Appeals in Tirana shall forward the case to the Electoral College for examination.

2. The Electoral College shall acquaint itself with the court complaint no later than 24 hours after it has been sent, according to point 1 of this Article and shall:

- a) take a decision on the plaintiff's request to exclude a judge;
- b) draw lots for the composition of the judicial panel and the rapporteur of the case; and
- c) set the date and starting time of the judicial examination.

3. Immediately after his/her selection, the rapporteur shall perform the following preliminary actions:

a) notify the parties of the date and time of the judicial examination and the composition of the judicial panel;

b) when appropriate, request the plaintiff to complete the court complaint no later than 24 hours before the date set for the judicial examination;

c) send the interested parties copies of the court complaint and inform them about their legal right to request the exclusion of a judge of the panel, according to Article 151 of this Code. The interested parties shall submit any request for the exclusion of a judge within 48 hours of receipt of notification, according to letter “a” of this point. Requests, according to this letter, shall be examined by the Electoral College within 24 hours of the submission of the request;

ç) if the CEC has not issued a decision according to Article 144 of this Code, he/she shall request the CEC to submit its decision to the court no later than 24 hours prior to the date set for the judicial examination.

Article 155

Procedures for examining the court complaint

1. During the judicial examination of court complaints concerning all procedural actions that are not regulated by this Code, the Electoral College shall apply the rules provided for in the Civil Procedure Code on the adjudication of cases at the first instance.

2. The Electoral College shall judge with a judicial panel consisting of five judges. The panel shall be presided over by the rapporteur of the case.

Article 156

Rights of the parties in the proceedings

(amended by Law No. 74/2012, dated 19 July 2012)

1. The parties at the judicial examination proceedings of the appeal shall be entitled to all procedural rights provided for in the Civil Procedure Code, except when this Code provides otherwise.

2. The CEC shall bring in the trial all evidence it administers during the administrative examination, regardless of whether this is requested by the parties, as well as any other evidence requested by the Electoral College.

3. When new facts or evidence have emerged during the judicial investigation, of which the appellant could not be aware of before the court complaint was submitted, the scope of the appeal may, upon a request of the appellant, be expanded or amended before the Electoral College ends its judicial investigation. The request may include the amendment of the table of results, or the invalidation of elections for voting centre/s.

4. The absence of one party in the proceedings does not constitute an impediment for the Electoral College to continue the adjudication, unless the College decides otherwise.

Article 157
Deadline for adjudication by the Electoral College

1. The Electoral College shall adjudicate and decide on an appeal within 10 days of the deposit of the court complaint.

2. For cases provided for in the last sentence of point 2 of Article 152 of this Code, the Electoral College shall decide within 30 days of the deposit of the court complaint.

Article 158
Types of decisions of the Electoral College

1. Depending on the case to be examined, the Electoral College shall decide to:
- a) dismiss the case;
 - b) judge the case on its merits; or
 - c) compel the CEC to make a decision.

2. The Electoral College shall decide to dismiss the case when it finds that the appeal has been submitted beyond the deadlines stipulated in this Code, or that it lacks the competence to adjudicate it. When the Electoral College finds that it lacks competence, it forwards the case to the competent body.

3. In judging the case on its merits, the Electoral College shall decide on the full or partial acceptance of the appeal, or on its full or partial rejection.

4. The Electoral College shall compel the CEC to make a decision in compliance with point 2 of Article 145 of this Code. In this case, the Electoral College shall set a fixed time limit of no longer than 10 days for making a decision.

5. The decision of the Electoral College shall be final. No appeal may be made against it.

6. The Electoral College shall be required to transcribe its decision no later than three days from the day the decision is given.

Article 159
Content of decisions of the Electoral College

1. A decision of the Electoral College shall consist of an introduction, a descriptive-reasoning section, and a section that includes the court order.

2. The introduction of the decision shall mention:
- a) the court, panel of judges, and the secretary;
 - b) the time and place the decision was announced;
 - c) the parties, indicating their identity and their role as plaintiff, defendant, interested party, as well as their representatives;
 - ç) the object of the court complaint; and
 - d) final requests of the parties.

3. The descriptive-reasoning section of the decision shall mention:
 - a) the circumstances of the case, as they have been found during the proceedings and the conclusions drawn by the court;
 - b) the evidence and reasons supporting the decision; and
 - c) the legal provisions supporting the decision.
4. The section of the decision that includes the court order shall mention, *inter alia*:
 - a) what the court has decided; and
 - b) when appropriate, who is responsible for bearing the court costs.
5. The decision shall be accompanied by the minority opinion or the concurring opinion signed by the judges who support it.

CHAPTER II

INVALIDATION AND REPETITION OF ELECTIONS

Article 160

Invalidation of elections in a Voting Centre

(points 1 and 2 amended by Law No. 74/2012, dated 19 July 2012)

1. The CEC, upon its own initiative or upon the request of electoral subjects, shall declare elections invalid in one or more voting centres when:
 - a) there have been violations of the law, which have seriously affected the electoral process, or when the entirety of the violations of the law occurring in those voting centres, in accordance with this point, may have affected the electoral process to such an extent that the distribution of seats in the electoral zone may have been affected;
 - b) there have been natural disasters of such proportions that the participation of voters in the voting has been hindered; or
 - c) voting has not begun or has been suspended for more than five hours.
2. Electoral subjects, in compliance with the rules and the deadline specified in Article 124 of this Code, shall have the right to request at the CEC the invalidation of elections in specific voting centres.
3. A request for the invalidation of elections shall include the legal causes, a description of cases of violation, and a detailed reasoning of their consequence.
4. Requests shall be examined in accordance with the procedures specified in Part X of this Code. The CEC, in taking a decision on the invalidity of elections, may consult with the respective CEAZ. The legal causes, the proved cases of violations, and the detailed reasoning of their consequence shall be described in the reasoning of the CEC decision.

Article 161

Repetition of elections

(points 3 and 4 amended by Law No. 74/2012, dated 19 July 2012)

1. After the completion of the appeals process, no later than three days from the tabulation of the result of the electoral zone, the CEC, upon its own initiative or upon a request of the subject, shall declare elections invalid and order their repetition in an entire electoral zone, if the invalidation that is declared for one or more voting centres, in accordance with Article 160 of this Code, impacts the allocation of seats in the electoral zone or nationwide.

2. A case when the number of voters who have voted or could have voted in the voting centre or centres declared invalid is equal to or larger than the number of voters required for the allocation of one seat in the respective electoral zone, based on the calculation of valid votes in the electoral zone, performed in accordance with Article 162, shall be considered an impact on the allocation of seats for the elections to the Assembly. For elections of a mayor of a local government unit, a case when the number of voters in centres declared invalid is larger than the difference between the two candidates who have received the highest number of valid votes shall be considered an impact on the result.

3. In the event of invalidation due to a natural disaster, in accordance with letter “b”, or failure to start the voting or its suspension for more than five hours, in accordance with letter “c” of point 1 of Article 160, the total number of the voters registered in the voting centre that was declared invalid shall be taken into consideration.

4. In the event of invalidation due to violations of the law, in accordance with letter “a” of point 1 of Article 160, or when the voting is declared invalid in accordance with the second paragraph of point 4 of Article 138 of this Code, and in the event the voting process has ended in accordance with this Code, the number of the voters who have voted in the voting centre that was declared invalid shall be taken into consideration when determining the impact.

5. A repetition of the elections shall be ordered by the same decision of the CEC that declares them invalid. Elections for local government councils shall not be repeated.

6. Elections declared invalid and which the CEC has decided to be repeated, in accordance with this Article, shall be repeated on the same day for all the electoral zones where their repetition has been decided. The decision for determining the date of repetition of elections shall be taken by the CEC upon the completion of the appeal procedures, in accordance with this Part, or upon the expiry of the legal deadlines for the appeal provided for in this Part. The repetition of elections shall take place no later than 4 weeks from the date of the decision.

7. An appeal against a CEC decision whether or not to declare elections invalid shall be made in accordance with the deadlines and procedures set in this Part.

PART XII ALLOCATION OF SEATS

CHAPTER I SEATS FOR THE ASSEMBLY

Article 162

Calculation of seats of the electoral subjects

(second sentence of point 1 amended by Law No. 118/2020, dated 5 October 2020)

1. No later than 3 days from the completion of the appeals process against a decision on the approval of results of the electoral zone or the invalidation of elections, in accordance with this Code, the CEC shall calculate the allocation of seats for each electoral zone based on the number of valid votes obtained by the subjects in the electoral zone. For elections to the Assembly, electoral subjects receiving less than 1 percent of the valid votes countrywide shall be excluded from the distribution of mandates.

2. The number of valid votes in the electoral zone for each subject shall be divided continuously by consecutive natural numbers, called denominators, starting with the number 1 and ending with the natural number that corresponds to the number of seats allocated to the respective electoral zone. The step from one denominator to the next is 1. If the quotient obtained through the division is a decimal number, the nearest whole number shall be considered the quotient.

3. When the electoral subject is a candidate proposed by the voters, his/her votes shall be divided only by the denominator 1.

4. The quotients obtained through each division, including also the result of point 3 of this Article, shall be placed on a list ranked from the largest quotient to the smallest one, listing alongside them the subject to which the respective quotient belongs. If the quotient is a decimal number, the nearest whole number shall be considered the quotient. The ranking shall continue until as many quotients as the number of seats to be allocated in the respective electoral zone are ranked.

5. An electoral subject shall be allocated the number of seats equal to the number of quotients included in the list specified in point 4 of this Article. If there are two or more [electoral] subjects with the same quotient for the allocation of the last seat in the list specified in point 4 of this Article, the seat shall be allocated to the subject that has obtained the largest number of votes and, if they have obtained the same number of votes, then it shall be decided by lot among those subjects. The lot is drawn publicly at the CEC in the presence of the interested subjects.

Article 163

Distribution of mandates among winning candidates from the list

*(point 6 repealed and point 7 amended by Law No. 101/2020, dated 23 July 2020;
amended by Law No. 118/2020, dated 5 October 2020)*

1. Immediately after the completion of the calculation of the result under Article 162 of this Code, the CEC shall calculate the distribution of mandates for the winning candidates for each subject.

2. The distribution of mandates shall start by a descending order, based on the candidates' ranking on the list submitted according to Article 67 of this Code, starting from the ordinal number one, and the number of preferential votes for each candidate pursuant to the following procedures and criteria.

3. Mandates shall be first allocated to the candidates who have received a number of preferential votes higher than the quotient resulting from the division of the number of votes for the subject by the number of mandates won by the [same] subject, under Article 162 of this Code. In any case, the quotient may not be bigger than 10,000 votes. If the quotient obtained from the division is a decimal number, the nearest whole number shall be considered the quotient.

4. The candidates with a higher number of preferential votes than the quotient, according to point 3 of this Article, shall successively replace the candidates on the list with a lower number of preferential votes, who could have [otherwise] won mandates.

5. This rule shall not apply if the candidate with fewer votes belongs to the less represented gender. In this case, the replacement shall pass to the other candidate ranked immediately higher in terms of vote number, until the list is exhausted according to the same criteria. When the candidate with a higher number of votes than the quotient belongs to the same gender, the provisions of point 4 of this Article shall apply.

6. After the exhaustion of the replacement of the candidates according to points 3 and 4 of this Article, the distribution of mandates shall continue with the remaining candidates according to the ordinal number of the list.

7. The remaining candidates on the list, who do not receive mandates according to points 2 to 6 of this Article, shall be reranked based on the number of preferential votes starting from the highest number of votes. When the number of votes is equal, the ranking is determined by lot. Reranking according to this point shall be applied in accordance with Article 164 of this Code.

8. The calculation and distribution of mandates, according to Article 162 and this Article, for each electoral zone, shall be approved by decision. The decision shall be issued for each electoral zone separately. Administrative appeals may be lodged with CSC against this decision.

Article 164

Interruption of a mandate and filling in the vacancy

(amended by Law No. 74/2012, dated 19 July 2012;

words added under point 2 by Law No. 31/2015, dated 2 April 2015;

content of article changed by Law No. 101/2020, dated 23 July 2020;

and point 5 repealed by Law No. 118/2020, dated 5 October 2020)

1. The mandate of a deputy, won in accordance with Articles 162 and 163 of this law, may be interrupted only for the reasons provided for in Article 71 of the Constitution. Preliminary individual or collective agreements or declarations to withdraw from a seat shall not constitute reasons for the interruption of the mandate. In case of letters “a” and “b” of point 2 of Article 71 of the Constitution, the deputy shall declare publicly, in front of the respective Assembly committee, his/her refusal to take the oath or his/her withdrawal from the mandate. In this case, the Assembly shall notify the CEC of the creation of the vacancy no later than 30 days.

2. The interrupted mandate of a deputy or of a member of the municipal council shall be transferred to the next candidate on the list of the same political party in the respective electoral zone, except when the filling of the vacancy with the next candidate on the list reduces the representation of the under-represented gender. In this case, the vacancy shall be filled with the first candidate on the list belonging to the underrepresented gender, regardless of the ranking in the list. The other names belonging to that gender go up in the list taking the ranking of the preceding candidate of the same gender. This rule shall not apply when the names of the respective gender are exhausted.

3. The CEC shall take a decision to fill the vacancy in the Assembly. The decision shall be notified to the candidate and published on the Official Journal. If the next candidate in line fails to appear before the Assembly within 30 days from the notification, without legitimate reasons, the mandate shall pass to the next candidate on the list, in accordance with the procedure specified in point 2 of this Article. The same procedure shall apply until the exhaustion of the list of candidates of the same political party.

4. The CEC shall take a decision to fill the vacancy in the municipal council. The decision shall be notified to the candidate. If the next candidate in line fails to appear before the municipal council within 30 days from notice, without legitimate reasons, the mandate shall pass to the next candidate in line according to the procedure set out in point 2 of this Article.

5. *Repealed.*

CHAPTER II

ELECTION SYSTEM FOR LOCAL GOVERNMENT BODIES

Article 165

The system of local elections

(point 3 amended by Law No. 118/2020, dated 5 October 2020)

1. Both mayors and the municipality councils shall be elected by a direct vote by the voters with a domicile in the territory of the municipality.
2. The members of the municipality councils shall be elected on the basis of the multi-name lists submitted by the political parties, coalitions or of candidacies proposed by the voters.
3. Electoral coalitions shall nominate only one joint candidate for mayor and one list of candidates for the municipality council.

Article 166

The election of local government bodies

(point 3 amended by Law No. 118/2020, dated 5 October 2020)

1. The candidate who obtains the largest number of valid votes of the voters who have voted in the respective local government unit shall be elected mayor.
2. When two or more candidates obtain an equal number of votes, lots shall be drawn between them. The drawing shall be organized by the CEC in a public session, with the participation of the candidates. The rules of the drawing shall be determined by the CEC.
3. The mandates of the local councils shall be divided by the CEC on the basis of the proportional system, according to the same procedures provided in Article 162 of this Code. The nominal seats of local councils shall be divided based on the list of candidates in descending order, starting from the ordinal number one.

CHAPTER III

DECLARATION OF THE FINAL ELECTION RESULT

Article 167

The final election results

The final election result shall be declared by the CEC no later than 5 days from the date of the declaration of results for allocation of the seats for each electoral zone, in accordance with point 7 of Article 163 of this Code, and after the procedures on appeals set out by this Code have been completed.

Article 167/1
Reporting for criminal investigation
(added by Law No. 101/2020, dated 23 July 2020)

1. The CEC shall request regular information from the police and prosecution authorities on the investigation of electoral crimes. The information shall be requested with data on criminal cases, persons under investigation, duration of investigation and its conclusion, prosecutors' requests for trial, duration and conclusion of trial, data on appeal of judicial decisions, grounds of appeal, as well as details of whether the cases were adjudicated at the Appeal Court or the High Court and the outcome of such judgment. Information about the execution of sentences shall also be part of this information.

2. The information according to point 1 of this Article shall be made available to the CEC no later than 15 days from the date of submission of the information request.

3. The CEC shall be obliged to maintain, update and publish regular statistics on criminal investigations, including all the information specified in point 1 of this Article, and shall inform the Assembly, under a separate section of its periodic or annual reports, about the state of criminal investigations into electoral offences.

Article 167/2
Ex post examination of ballot papers and election materials
(added by Law No. 101/2020, dated 23 July 2020)

1. The ex post examination of the ballot papers and election material shall be carried out to verify the regularity and accuracy of the activity of the election administration in the course of process administration and ballot evaluation and counting. During the examination, the CEC staff assigned with the examination shall follow the same procedure followed by the Counting Teams when evaluating and counting ballots.

2. Examination shall be allowed only after the final result has been announced, the appeals procedures concluded, and the election completed. This rule shall not apply to examinations in the course of appeal processes as a means of securing evidence.

3. Examination shall be done by the CEC, based on random selection, or upon a request of the interested parties, with an indication [what to examine]. As a rule, ex officio examination shall extend to no more than 10% of the voting centres. Regardless of who initiates the examination, the process shall be conducted by the CEC staff at a public hearing, in which the petitioner/applicant and representatives of parliamentary parties at the CEC shall be invited to participate. The process shall be video-recorded and the video-recording shall be stored in the CEC archive.

4. Pursuant to this Article, the CEC shall verify based on the dactiloscopic data collected by the electronic identification devices whether there are any multiple voters and [if any] shall prepare the criminal referral material for the Prosecutor's Office.

5. When examination takes place at the request of interested parties, the latter shall cover the administrative costs of the process. Examination of ballot papers or election material previously examined, ex officio or at the request of interested parties, shall not be allowed. If an interested party requests the examination of ballot papers or election

material previously examined, such request shall be rejected and the interested party shall be forthwith provided with the video-recording of the previous examination.

6. Fees for the administrative service of examination and the price of video-recordings shall be set by the Regulator in a normative act.

7. The examination procedure shall be similar to the procedure followed by the election administration during election activities.

8. In case the examination of the ballot papers or the election materials reveals irregularities or inaccuracies, for which responsibility is attributed to certain election officials, the CEC is obliged to initiate disciplinary proceedings and file a criminal report against the relevant officials.

PART XIII

RESPONSIBILITIES AND SANCTIONS

Article 168

Responsibility of persons charged with the administration of elections

Members of election commissions and public administration employees in the service of these commissions shall bear criminal and administrative liability for violations of the provisions of this Code, according to the legislation in force.

Article 169

Failure to cooperate with the CEC

(amended by Law No. 74/2012, dated 19 July 2012)

The refusal of the local or central government officials to cooperate with or provide information to the CEC as specified by this Code, shall be punishable by a fine of ALL 10,000 to 50,000.

Article 170

(repealed by Law No. 74/2012, dated 19 July 2012)

Article 171

Administrative sanctions

1. A violation of the provisions of this Code by members of the election commissions or by persons charged with duties according to this Code, when it does not constitute a criminal offence, shall be punishable by a fine of ALL 3,000 to 90,000.

2. Other violations of the provisions of this Code, when they do not constitute a criminal offence, shall be punishable by a fine of ALL 1,000 to 2,500.

3. The violation of rules provided for in Articles 34 and 41 of this Code, respectively by the secretary of the CEAZ or of the VCC, shall be punishable by a fine of ALL 30,000 to 60,000 or imprisonment of up to 6 months.

4. Persons charged by this law with the preparation and approval of voter lists shall be subject to criminal liability under Article 186 of the Criminal Code when they include in these lists false data or when they leave out voters.

5. The violation of other rules and deadlines specified in Part II of this Code, when it does not constitute an abuse of duty according to Article 248 of the Criminal Code, shall be punishable by a fine of ALL 10,000 to 100,000. The fine shall be imposed by the head of the institution; it shall constitute an executive title and shall be executed by the respective finance office.

Article 172

Sanctions on electoral subject for violating the prohibitions of this law

(amended by Law No. 101/2020, dated 23 July 2020)

1. The electoral subjects shall be considered to have committed an administrative offence where prohibitions laid down in this law are violated in their favour, and when after being informed, the electoral subjects fail to take immediate action to stop the violation. The administrative offence under this point shall be punishable by a fine of ALL 100,000 to 500,000.

2. The amount of the fine shall be determined by the following circumstances:

a) the risk posed by the violation to the organization and administration of future elections;

b) the fact whether the perpetrator of the offence is a member of, or employed by, the electoral subject;

c) the duration and the range of actions that led to the commitment of the offence;

ç) the fact whether there have been efforts by the electoral subject to hide the violation and the extent of these efforts;

d) the action of the electoral subject upon detection of the offence;

dh) dh) the fact whether officials have taken part in the commitment of the offence or whether public resources have been used for it;

e) the fact whether the violation has been repeated;

ë) the fact whether it has been committed in co-operation with others;

f) the potential risk to free, fair, democratic and transparent elections.

3. Fines, in accordance with point 1 of this Article, shall be imposed by the CEC.

4. When violations specified in point 1 of this Article have affected the election results, they shall constitute a criminal offence and shall be punishable by imprisonment of 6 months up to 2 years.

Article 173

Sanctions related to campaign financing

(amended by Law No. 101/2020, dated 23 July 2020)

1. A violation of the provisions on electoral campaign financing by the person in charge of the finances of a political party shall be punishable by a fine of ALL 100,000 to 200,000.

2. Obstructing or failure of the electoral subject to cooperate with the CEC auditor shall be punishable by a fine of ALL 2,000,000 to 3,000,000, and suspension of the public financing of the political party for up to 5 years. The same violation committed towards the CEC monitor shall be punishable by a fine of ALL 50,000 to 100,000.

3. Failure to submit a campaign financial report within the legal time-limit shall be punishable by a fine of ALL 2,000,000. Submission of reports in breach of rules and standardized formats approved by the CEC shall be punishable by a fine of ALL 500,000 to 1,000,000.

4. Non-public funds obtained by a political party, whose donor's identity is not known or is not clearly defined, shall be transferred to the account of the CEC. Failure to do so shall result in forfeiture of the funds obtained and a fine equal to the amount of the funds obtained.

5. Acceptance of private funds worth more than ALL 50,000 through forms other than transfer to the bank account shall be punishable by a fine equal to the amount donated and forfeiture of the funds received to the CEC.

6. Acceptance of funds from prohibited donors, as specified in point 3 of Article 92/1, shall be punishable by forfeiture of the funds received to the CEC, and a fine of up to twice the amount of the funds received.

7. Violation of stipulations made in Article 92/2 of this Law by donors shall be punishable by a fine of up to 30 percent of the donated amount.

8. Failure or refusal to cooperate, destruction of documents, delays or inappropriate conduct during the CEC verification process pursuant to point 6 of Article 92/6, shall be punishable by the CEC by a fine of ALL 100,000 up to ALL 3,000,000.

9. Violation of the maximum limit of expenses by an electoral subject shall be punishable by a fine of ALL 5,000,000 or a fine equal to the amount which exceeded the limit, whichever is higher.

10. The filed complaint shall not suspend the execution of the decision imposing a fine under this Article. The fine imposed by the CEC shall constitute an executive title and shall be executed within 30 days from the served notice. The CEC shall be excluded from

Article 174

Violation of the electoral silence

1. The electoral subject which violates the electoral silence, according to Article 77 of this Code, shall be fined by the CEC by ALL 500,000.

2. The publisher or radio/television broadcaster which violates the electoral silence, according to Article 77 of this Code, shall be fined by the CEC by ALL 2,000,000.

3. An appeal against a CEC decision on a fine shall not suspend its execution.

Article 175

Sanctions for failure to respect gender equality

*(amended by Law No. 74/2012, dated 19 July 2012;
point 1 amended by Law No. 31/2015, dated 2 April 2015;
amended by Law No. 101/2020, dated 23 July 2020)*

Failure by the electoral subject to comply with the obligation specified in point 6 of Article 67 of this law shall result in the refusal to register the [political party's] multi-name list with the CEC, or with the CEAZ in the case of local elections.

Article 176

Execution of administrative sanctions

A fine imposed by the CEC, in accordance with this Part, shall constitute an executive title and shall be executed in accordance with the procedures provided for in Article 510 of the Civil Procedure Code.

PART XIV

FINAL AND TRANSITIONAL PROVISIONS

Article 177

(repealed by Law No. 31/2015, dated 2 April 2015)

Article 178

Retention of records

(point 6 amended by Law No. 74/2012, dated 19 July 2012)

1. No official records of a VCC, CEAZ or any other electoral commission may be destroyed without the prior consent of the CEC.
2. All official records of a VCC or any other commission established by the CEAZ shall be given to the CEAZ in the manner and at the time established by the CEC.
3. The CEAZ shall retain a copy of:
 - a) the documentation of candidates and political parties taking part in the election;
 - b) the list of names and addresses of all members of a VCC and other commissions;
 - c) the list of voting centres;
 - ç) the voter lists for the electoral zone;
 - d) the names and addresses for all members of the CEAZ;
 - dh) the map of the electoral zone showing the boundaries of all polling units;
 - e) a written description of the boundaries of all the Electoral Administration Zones;

ë) the decree setting the election date, official election notices issued by the CEAZ, the declaration of election results for each voting centre and the final declaration of results;

f) a statement of the costs incurred for the administration of the elections.

4. The original documents, referred to in point 3 of this Article, shall be forwarded to the CEC within three months from the declaration of the election results. The CEC shall retain a copy and shall forward the original documents to the Central State Archives, in the manner required by it, within 24 months after the declaration of the final results of the elections.

5. Immediately following the declaration of results by the CEAZ, the commission shall forward to the CEC, in the manner specified by it, all sealed ballot boxes with the official records of voting, the stamp of the commission, ballot papers used in the election, as well as unused ballot papers.

6. Six months following the declaration of the final result of elections, in accordance with this Code, the CEC shall open all ballot boxes, remove the official records of voting, tabulations and ballot account statements, the documentation that is put inside the boxes of voting materials, and send them to the Central State Archives in the manner specified by it. All ballot papers shall be destroyed in the manner specified by the CEC.

Article 179

Procurement of IT systems and equipment

(amended by Law No. 74/2012, dated 19 July 2012;

amended by Law No. 101/2020, dated 23 July 2020)

1. Information technology systems and equipment to be used in elections shall be implemented by pilot projects which shall include not more than 20% of the voters, starting from the first elections from the entry into force of this law. Regardless of this rule, in the first Assembly elections following the entry into force of this law, the electronic identification shall extend to 100% of voters.

2. The Council of Ministers of the Republic of Albania shall allocate to the CEC budget the required funds for the procurement, no later than 3 months from the entry into force of this law.

3. Procurement procedures for the purchase and implementation of the technology to be used in elections shall be carried out in line with the provisions in the Public Procurement Law, with one of the shortest procedures allowed by this law for this procurement.

Article 179/1

(added by Law No. 74/2012, dated 19.7.2012;

repealed by Law No. 118/2020, dated 5 October 2020)

Article 180

Transitory provision for budget financing

*(amended by Law no. 31/2015, dated 2 April 2015;
amended by Law No. 101/2020, dated 23 July 2020)*

1. Implementation of Article 88 of this law concerning the election campaign financing in the first general elections following the entry into force of this law shall be based on calculations referring to the countrywide results of the 2015 local elections and the 2017 general elections.

2. For each party, the calculation shall include the highest number of votes that the party obtained in either of these elections, provided that it is not less than 1 per cent of the valid votes in the relevant elections. The calculation shall also include the results of electoral subjects which did not run in those elections, but which have run in the following elections and meet the condition set out in Article 88 of this law concerning the threshold of 1 per cent of the valid votes won by them.

3. The total budget fund earmarked for distribution shall be divided to the total votes won as calculated under point 2 of this Article. The outcoming result shall represent the value in ALL per vote.

4. In the first elections following the entry into force of this law, the State budget funds to finance the political parties running in the elections shall be twice the funds allocated in the 2017 general elections.

Article 180/1

*(added by Law No. 31/2015, dated 2 April 2015;
repealed by Law No. 101/2020, dated 23 July 2020)*

Article 181

Election of the Commissioner, members of the Regulatory and the CSC

*(amended by Law No. 74/2012, dated 19 July 2012;
amended by law No. 101/2020, dated 23 July 2020)*

Procedures for the election of the Commissioner, Regulator members and CSC members shall initiate no later than 30 days from the entry into force of this law.

Article 182

Termination of mandate of existing CEC members

*(amended by Law No. 74/2012, dated 19 July 2012;
amended by Law No. 101/2020, dated 23 July 2020)*

1. The CEC members in office at the moment of entry into force of this law shall be released from duty upon the election of the Commissioner under this law.

2. The released members shall benefit full salary from the CEC until the date when their mandate was due. After this date, they shall be treated in compliance with Law no. 8097, dated 21.3.1996, "On State supplementary pensions for persons who discharge constitutional functions and for State officials", as amended.

3. The Commissioner, the Deputy Commissioner, Regulator members, and the CSC members shall be elected no later than 60 days from the entry into force of this law.

Article 183

Transitional establishment of steering bodies and election administration

(amended by Law No. 74/2012, dated 19 July 2012;

amended by Law No. 101/2020, dated 23 July 2020)

1. The Commissioner, Regulator members, and the CSC members shall be elected the first time after the entry into force of this law, in interaction with the parliamentary parties that came out of the 2017 general elections which have lost parliamentary representation. The election of CEC steering bodies shall follow the order set out in this point.

2. The parties defined in point 1 of this Article shall authorize a representative in the capacity of special envoy to the parliamentary committee that is established pursuant to Article 17 of this Code. The special envoy shall participate in the candidate selection and examination procedure carried out by the parliamentary committee.

3. The parliamentary committee shall select three candidates for Commissioner who meet the requirements and criteria in this law for Commissioner. The special envoy shall disqualify one of the selected candidates. The other two candidates shall be submitted to the Assembly for voting, and the latter shall decide by majority of votes.

4. The special envoy shall have the right to select three candidates from the list of candidates for Deputy Commissioner who meet the requirements and criteria in this law for Commissioner. The committee shall disqualify by vote one of the selected candidates. The remaining two candidates shall be submitted to the Assembly for voting, and the latter shall decide by majority of votes.

5. The Regulator members shall be selected by a joint list of five names, among candidates who meet the conditions and requirements in the law for Regulator. The special envoy shall have the right to include two names of candidates in this list. The draft decision on the Regulator composition shall be submitted to the Assembly for voting and shall be approved by the majority of votes.

6. The CSC members shall be selected by a joint list of five names, among candidates who meet the conditions and requirements in the law for the CSC. The special envoy shall have the right to include two names of candidates in this list. The draft decision on the CSC composition shall be submitted to the Assembly for voting and shall be approved by the majority of votes.

7. Three CSC members, upon the expiry of the 4-year term from their election date, as per this Article, shall terminate their term. The members who terminate their term shall be appointed by lot drawn by the CEC in a public session no later than 30 days from the expiry of their 4-year term. Their replacement shall comply with the procedures in this law, and the new members shall be elected for a 9-year term. The members released from duty shall be entitled to rerun.

8. In the first general elections and local elections following the entry into force of this law, the right to propose CEAZ members, VCC members and BCT members shall be defined by the 2017 general elections result and the majority-minority configuration of the Assembly at its convening immediately after those elections.

Article 184

Issuance of secondary legislation

*(amended by Law No. 74/2012, dated 19 July 2012;
point 3 added by Law No. 31/2015, dated 2 April 2015;
amended by Law No. 101/2020, dated 23 July 2020)*

The CEC shall be responsible for issuing secondary legislation for the implementation of this law within six months from its entry into force.

Article 185

Abrogation

1. Upon entrance into force of this Code, Law No. 9087, dated 19 June 2003 „Electoral Code of the Republic of Albania“, as amended, and any other legal or sublegal act that is in contradiction with it, shall be repealed.

2. Regardless of the definitions given under point 1 of this Article, Part IX „Referenda“ of Law No. 9087, dated 19 June 2003 „Electoral Code of the Republic of Albania“, as amended, and any parts of its provisions related to it, shall remain in force until the new law on general and local referenda is approved. The administration of the referenda processes and the tabulation of their results shall be made in accordance with this Code.

Article 186

Entry into force

This law shall enter into force 15 days after its publication on the Official Journal.

ANNEX I
ELECTORAL ADMINISTRATION ZONES
(repealed by Law No. 101/2020, dated 23 July 2020)

ANNEX II
**COUNTING AND EVALUATION OF VOTES THROUGH THE ELECTRONIC
COUNTING SYSTEM (ECS)**
(repealed by law No. 101/2020, dated 23 July 2020)

ANNEX III
**USE OF VOTER VERIFICATION AND REGISTRATION TECHNOLOGY ON
THE VOTING DAY (EVS)**
(repealed by law No. 101/2020, dated 23 July 2020)

NOTES

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