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LAW ON THE ELECTION OF THE PRESIDENT OF THE REPUBLIC

Pursuant to United Nations Security Council Resolution 1338/01 of 31 January, it is the responsibility of the United Nations Transitional Administration in East Timor (UNTAET) to ensure free and fair elections in Timor-Leste in cooperation with the Timorese people. To that effect, Regulations 2002/1 (On the election of the first President of an Independent and Democratic East Timor) and 2002/2 (On electoral offences in relation to the election of the first President) were promulgated in 2002. On that same year, the first presidential elections took place.

The Constituent Assembly, elected on 30 August 2001, approved the Constitution of the Democratic Republic of Timor-Leste on 22 March 2002, and the same Constitution entered into force on 20 May 2002.

The election of the President of the Republic is a fundamental act of the free and democratic life of all Timorese with voting capacity. The entry of this law into the internal juridical order currently in force in the country is therefore of particular importance as this law regulates the election of this organ of sovereignty which is the symbol and guarantor of national independence, of unity of the State, and of the regular functioning of the democratic institutions.

The present law underscores the independent and suprapartisan character of the presidential magistracy, which is reflected in the obligation that the presentation of presidential candidacies be made by a minimum number of 5,000 voting citizens from all districts, and that none of the candidacies can be represented by less than 100 proposers.

The present law also defines fundamental principles relating to the electoral campaign and establishes general norms relating to the presentation of candidacies, mode of election and voting procedure, the detailed definition of which is subject to regulation.

From the procedural viewpoint, the present law does not distance itself from the procedural scheme inherent to the draft-law on the election of the National Parliament, the objective being to lend coherence and harmony to the emerging Timorese electoral system.

Thus, pursuant to item 5 of article 65 and to paragraph h), item 2, of article 95, of the Constitution of the Democratic Republic of Timor-Leste, the National Parliament decrees the following to have the force of law:

TITLE I
SCOPE AND GENERAL PRINCIPLES

Article 1
Scope

The present law shall regulate the election of the President of the Republic.

Article 2
General principles

1. The President of the Republic shall be elected through universal, free, direct, equal, secret, personal, and regular suffrage.

2. The President of the Republic shall be elected for a period of five years.

3. The term of office of the President of the Republic may be renewed only once.

Article 3
Definition

The President of the Republic is the Head of State, the symbol and guarantor of national independence, of unity of the State, and of the regular functioning of the democratic institutions.

TITLE II
VOTING CAPACITY

Article 4
Active electoral capacity

1. Active electoral capacity is granted to all Timorese citizens over 17 years of age residing in the national territory.

2. In order to be able to exercise the right of vote it shall be a mandatory condition to be registered in the voter registration.

Article 5
Active electoral disability

The following are not granted active electoral capacity:

a) Individuals judicially disabled due to a sentence imposed by a court of law;
b) Individuals clearly and publicly known as mentally ill even where they are not judicially disabled.

Article 6
Passive electoral capacity

To stand as presidential candidates, Timorese citizens should meet the following requirements cumulatively:

a) Original citizenship;
b) At least thirty-five years of age;
c) To be in possession of his or her full faculties.

Article 7
Ineligibility

The following are ineligible to run for President of the Republic:

a) Judicial magistrates or public prosecutors in service;
b) Serving career diplomats;
c) Civil servants in service;
d) Members of the Timor-Leste defense force (FALINTIL-FDTL) in service; Members of the police in service;
e) Ministers of any religion or cult;
f) Members of the national electoral commission.

Article 8
Immunities and privileges of candidates

1. No candidate can be held in preventive detention during the electoral process, except in cases of "*flagrante delicto*" for committing a fraudulent crime punishable with coercive detention of more than one year.

2. During the electoral campaign, candidates shall be entitled to be released from the exercise of their respective professional functions, public or private, and the period of time spent in the electoral campaign shall be considered as time of effective service, including for purposes of compensation.

TITLE III
ELECTORAL SYSTEM

Article 9
Single constituency

There shall be one single constituency in the election of the President of the Republic, corresponding to the entire national territory, headquartered in Dili.

Article 10
Method of election

The President of the Republic shall be elected on a uninominal list, and each voter shall be entitled to one single vote.

Article 11
Election criterion

1. The election of the President of the Republic shall be conducted through the system based on the majority of validly expressed votes, excluding blank votes.

2. Where no candidate obtains more than the half of the validly expressed votes, a second voting shall be held.

3. Only the two candidates obtaining the highest number of votes shall be eligible to stand in a run-off election, provided they have not withdrawn their candidacies.

TITLE IV
ORGANIZATION OF THE ELECTORAL PROCESS

CHAPTER I
SCHEDULING OF THE DATE OF ELECTIONS

Article 12
Scheduling of elections

1. After consulting the Government and the political parties seating in Parliament, the President of the Republic shall schedule by decree the election date with a minimum of 60 days in advance.

2. In the case provided for in item 2 above, the second voting shall be held 30 days after the first voting.

3. The first voting shall be held up to one week before the term of office of the outgoing President expires.

4. Elections for organs of sovereignty should not take place simultaneously and there should be a minimum period of 3 weeks separating them.

Article 13
Electoral calendar

The Technical Secretariat for Electoral Administration (STAE), shall publish the calendar of the electoral operations in the Official Gazette within 8 days from the publication of the decree referred to in item 1 of Article 12 above.

Article 14
Death, resignation, permanent disability, of destitution

In case of death, resignation, permanent disability, or destitution of the President of the Republic, the election shall be held within the 90 days following the verification or declaration thereof.

CHAPTER II
PRESENTATION OF CANDIDACIES

Article 15
Power of nominating candidacies

1. Candidacies shall be presented by a minimum number of 5,000 and a maximum number of 7,500 voting citizens from all districts and no district may be represented by less than 100 proposers.

2. Each voting citizen may only propose one single candidacy.

Article 16
Place and deadline for presenting candidacies

Candidacies shall be presented to the President of the Supreme Court of Justice (STJ) within a period of 20 days from the date of publication of the decree scheduling the election day.

Article 17
Formal requisites for presenting candidacies

1. Presenting a candidacy shall consist in handing over a statement expressing the will to present a candidate to the election of the President of the Republic and a statement of acceptation of the candidacy.

2. The statement shall contain the date of the election, the number of signatures of voting citizens as required in item 1 of article 15, the identification data of the candidate and the representative of the candidacy, and shall be accompanied by a proof of registration of the proposers with the voter registration.

3. The statement is further accompanied by an authenticated photocopy of the voting card and by documents that can prove the following as regards the candidate:

    a) A minimum of 35 years of age;
    b) Original Timorese citizenship;

4. The statement shall also be accompanied by an authenticated photocopy of the voting card of the representative of the candidacy.

5. At the moment of presenting the candidacy, the candidate shall attach the statement of candidacy signed by him or her, in which he or she shall declare that he or she is not affected by any ineligibility and that he or she accepts the candidacy, and shall nominate the representative of candidacy.

Article 18
Representatives of candidacies

In presenting candidacies, each candidate shall be represented by a person designated by them.

Article 19
Draw of candidacies

1. On the day following the end of the time limit for presentation of candidacies, the President of STJ shall proceed to a draw of the candidacies in the presence of the candidates or their representatives who

are present in the draw of the submitted lists in order to determine their order on the ballot paper, and shall draft the respective minutes thereafter.

2. The holding of the draw and the printing of the ballot papers shall not imply the admission of the candidacies and they shall be considered ineffective with respect to the list or lists that are definitively rejected.

3. The result of the draw shall be posted on the door of the building headquartering STJ, and a copy thereof shall be forwarded to the National Electoral Commission (CNE) and STAE.

Article 20
Admission of candidacies

1. After the draw, the President of STJ shall verify the legitimacy of the process as well as the authenticity of the comprising documents and the eligibility of the candidates.

2. For the purposes of item 1 above, the President of STJ shall be supported by the services of STAE.

3. Ineligible candidates shall be rejected.

4. Upon detection of a breach of procedure, the representative of the candidate shall be immediately notified to correct the irregularity within 2 days.

5. The decision, covering all the candidacies, shall be announced within 10 days from the end of the time limit for presentation of candidacies and shall be immediately communicated to the representatives of the candidates, CNE, and STAE.

Article 21
Appeals

1. Appeals against decisions relating to presentation of candidacies shall be filed with STJ within a period of one day.

2. Petitions lodging appeals, duly substantiated, shall be accompanied by all pieces of evidence.

3. Appeals shall be decided upon within 2 days from the end of the time limit referred to in item 1 above.

Article 22
Announcement of accepted candidacies

1. Lists of candidacies definitively accepted shall be immediately forwarded to CNE and STAE.

2. STAE shall promote the public announcement of the candidacies definitively accepted, namely through the national radio and other media, for 3 consecutive days.

Article 23
Single candidacy

Where a single candidacy has been accepted, the electoral process shall observe all its procedural steps, with the necessary adaptations.

Article 24
Withdrawal of candidacy

1. Any candidate intending to withdraw his or her candidacy may do so up to seventy-two hours before election day through his or her written statement recognized by a notary public and presented to the President of STJ.

2. Once the statement of withdrawal of candidacy has been verified, the President of STJ shall immediately post a copy thereof on the door of the building headquartering the Court and shall notify CNE and STAE thereof.

3. After the first voting has been held, the eventual withdrawal of any of the two candidates with the highest number of votes may only occur within 48 hours from the first voting.

4. In case of withdrawal pursuant to item 3 above, the remaining candidates shall be invited in accordance with the voting order so that, up to the fourth day from the first voting day, they may communicate their eventual withdrawal.

Article 25
Death or permanent disability of the candidate

1. It shall be incumbent upon the Prosecutor-General to present a certificate of death or request the nomination of 3 medical experts to verify the disability of the candidate, providing STJ with all the details in his or her possession.

2. Within a period not exceeding 1 day, STJ, meeting in plenary, shall verify the death of the candidate or nominate the experts.

3. Unless otherwise instructed by STJ, the experts shall present their report to it within a period of 1 day, after which STJ, meeting in panel, shall decide on the ability of the candidate. Once the death certificate or the disability of the candidate has been verified, the President of STJ shall immediately communicate the respective statement to the President of the Republic.

Article 26
New election date

1. In case of death of any candidate or of any other fact rendering the candidate disabled for the exercise of the presidential magistracy, the electoral process shall be reopened.

2. The President of the Republic shall schedule the new election day within 48 hours from receiving the decision of STJ which verified the death or declared the disability of the candidate.

3. Proposers who repeat the act of presentation of candidacies shall be exempted from re-submitting the documentation previously presented.

CHAPTER III
ELECTORAL CAMPAIGN

Article 27
Period of electoral campaign

1. The electoral campaign shall last for 15 days and shall end 2 days before the day scheduled for election.

Article 28
Principles of the electoral campaign

1. The electoral campaign shall be conducted by observing the following principles:

   a) Freedom of electoral propaganda;
   b) Equality of opportunities and treatment for all the candidacies;
   c) Impartiality of public entities insofar as the candidacies are concerned;
   d) Transparency and monitoring of the electoral accounts.

2. CNE shall verify the compliance with these principles, to be applied from the date of scheduling of the election date, and shall adopt measures that ensure their compliance with, and the peaceful unfolding of, the electoral campaign.

Article 29
Electoral propaganda

Electoral propaganda shall mean all the activities directly or indirectly aiming at promoting candidacies, namely the publication of texts or images expressing or reproducing the contents of such activity.

Article 30
Financing

Financing of candidacies shall be governed by specific legislation and, with the necessary adaptations, by the applicable norms of the Law on Political Parties.

CHAPTER IV
POLLING STATIONS

Article 31
Polling stations

1. There shall be at least one polling centre in each *Suco* and, depending on the number of voters or the distance between the hamlets that compose the suco, STAE may establish additional polling centres, without prejudice to the need to safeguard the secrecy of vote.

2. There can be more than one polling station in each polling centre.

3. The number and location of polling centres and polling stations shall be announced by STAE 30 days before election day.

Article 32
Working schedule

1. On election day the polling centres and polling stations shall open at 07:00 hours and close at 16:00 hours and they shall work uninterruptedly throughout this period.

2. After the closing time, only voters in the queue waiting to cast their vote shall be allowed to vote, and such fact shall be verified by the queue controller and communicated to the respective president.

Article 33
Electoral officers

Each polling station shall be comprised of 5 electoral officers, as follows:

a) One president;
b) One identification verification officer;
c) One ballot paper controller;
d) One ballot box controller;
e) One queue controller.

2. Only national citizens who can read and write may be electoral officers, and they shall be selected from among local voters and submitted to a preliminary training by STAE;

3. On election day, and for the entire duration of their activities, electoral officers shall be released from the duty to attend their respective job or service, without prejudice to their rights or privileges, including the right to compensation, which can be claimed upon proof of the exercise of such activities issued by STAE.

Article 34
Delegates of candidacies

Candidacies are entitled to nominate delegates to monitor voting operations and tabulation of electoral results and who shall be entitled to the rights and privileges referred to in item 3 of Article 33 above.

Article 35
Prohibition of presence of members of the defense force

1. The presence of members of FALINTIL-FDTL in service in the polling stations shall be prohibited.

2. Only the presence of members Timor-Leste national police (PNTL) in service shall be authorized to stay 25 metres outside of the polling stations.

3. A regulation shall contain the circumstances in which the intervention of members of the security forces referred to in items 1 and 2 above shall be exceptionally authorized.

CHAPTER V
ELECTION

Article 36
Right to vote

1. The act of voting is a right and a civic duty.

2. The right to vote shall be exercised in a direct and personal manner by the voting citizen.

3. Each voter is only allowed to vote once.

4. Managers of public or private services and companies working on election day should arrange for their workers to be released from their duty for the period of time deemed necessary for exercising their right of vote.

Article 37
Freedom and secrecy of vote

Voting shall be free and nobody may be forced to disclose on whom they voted or are going to vote either inside or outside of the polling centre of polling station.

Article 38
Ballot papers

1. Ballot papers shall be rectangular in form and large enough to fit in all the candidacies, and shall be printed in white, smooth, non-transparent paper.

2. Each ballot paper shall contain the names of the candidates and their respective colour photographs, laid down horizontally as per the order determined by the draw, in accordance with a sample to be approved by CNE, under proposal of STAE.

Article 39
Identification of the voter

1. Presentation of an updated voting card shall constitute a necessary condition for the exercise of the right to vote.

2. Voters who have lost their voting card shall request STAE to issue a duplicate up to 2 months before election day.

3. Where the voter does not possess his or her updated voting card on election day, he or she may exercise his or her right to vote by presenting the old voting card or another official document containing a recent photograph.

Article 40
Place for exercising the right of vote

Voters may cast their vote in any polling centre or polling station.

Article 41
Non-voting in a polling centre or polling station

1. Voting may not be held in a polling centre or polling station if it cannot be constituted, if any disturbance occurs that determines the interruption of the electoral operations for more than 2 hours, or if a calamity occurs on election day or on the 3 previous days.

2. Where any of the circumstances referred to in item 1 above occurs, CNE shall convene a new voting to be held in the same polling centre or polling station on the same day of the ensuing week.

Article 42
Blank or null and void vote

1. A vote shall be considered blank when no mark has been written on the ballot paper.

2. The ballot paper shall be considered null and void in the following situations;

   a) When more than one box has been selected or pierced or when there are doubts about which box has been selected or pierced;
   b) When a box has been selected or pierced corresponding to a list that has been withdrawn from the elections or that has not been admitted.
   c) When the ballot paper has been torn or any drawing or erasure has been made or any word has been written on it.

Article 43
Doubts, complaints, and protests

1. Any voter or any of the delegates of the candidacies may raise doubts and file complaints or protests relating to electoral operations.

2. Doubts, complaints, and protests presented during the voting or after it has been completed shall be analyzed immediately by the electoral officers and, in case of need, the latter may consult STAE.

3. Complaints must be the object of a decision approved by a minimum of 3 electoral officers.

4. Decisions shall be communicated to the complainers who, if so wish, may address the complaints to CNE, to be submitted in the respective polling centre or polling station accompanied by all the documents relating to that polling centre.

CHAPTER VI
TABULATION OF RESULTS

Article 44
Counting of votes and initial tabulation

1. Counting of votes shall start immediately after the closing of the polling centre or polling station and the analysis of doubts, complaints and protests and shall be undertaken in the very same place by the

electoral officers in the presence of delegates of candidacies and, where they exist, of observers, both national and international, and media professionals.

2. After the counting of the votes or while the counting process is taking place, delegates of candidacies may file claims, which shall be analyzed and decided upon pursuant to items 2 and 3 of article 43 above.

3. Where more than one hour has elapsed since the start of the counting operation and the counting operation has not been completed, the ballot boxes, which shall be transparent in colour, shall be sealed, identified and transported to the district tabulation station after all the ballot papers have been reinserted in them.

4. Once the operations provided for in item 1 above have been completed, and once the doubts and protests presented have been analyzed and the claims have been decided upon or the circumstance referred to in item 3 has been verified, the minutes containing all the pertinent occurrences shall be prepared and immediately forwarded to the district tabulation station.

Article 45
District tabulation station

1. District counting stations shall be composed of one member of CNE, who shall preside it over, one STAE district representative, a half of the presidents of the district polling stations who are nominated by a draw, and a half of the brigadists of STAE pertaining to the respective district.

2. Delegates of the candidacies and, where they exist, observers and media professionals, may be present at the district tabulation station.

3. District tabulation stations shall reopen the ballot boxes, which shall be transparent in colour, in the case provided for in item 3 of article 46 above, shall count the votes at the district level, based on the minutes of initial tabulation forwarded by the polling centres and polling stations of the respective district, and shall prepare the minutes thereof, which shall be forwarded by the safest way to the national electoral commission within 2 days from the election day, together with the null votes, the protested votes, and the complaints, where they exist, with copy to the national directorate of STAE.

4. The tabulation of results shall take place uninterruptedly until such a time as all ballot papers have been counted.

5. It shall be incumbent upon PNTL to guarantee the security of the district counting headquarters, pursuant to item 2 of article 35 above.

Article 46
National tabulation centre

1. Within seventy-two hours of receiving the district tabulation minutes, CNE shall proceed to the national tabulation by verifying the district tabulation minutes and deciding definitively on the ballot papers considered null and subject to protests forwarded to it, including the complaints filed pursuant to item 4 of Article 43.

2. Once the operations referred to in item 1 above have been completed, and within the same time limit, CNE shall prepare the minutes of the provisional tabulation of the national results and shall post it on its headquarters, with copy to STAE and the national media.

Article 47
Appeals

1. Appeals against the provisional tabulation of the national results published by CNE shall be filed within 24 hours of their posting with the plenary of STJ, which shall immediately notify the interested parties and make a decision within the same time limit.

2. After the time limit provided for in item 1 above has been expired without any appeal being filed, CNE shall forward the minutes of the tabulation of the national results to STJ together with the minutes of district tabulation as well as any other documents it deems important, with a clear indication that no appeal has been filed.

Article 48
Proclamation of results and validation of election

1. Once appeals have been decided upon pursuant to item 1 of Article 47 above, or after the time limit has been expired without any appeal being filed, STJ shall proceed to the analysis of the documents forwarded to it by CNE and shall issue a decision on the validation of the election for the President of the Republic and, through its President, it shall proclaim the final results within a maximum period of 72 hours, announcing mandatorily the total number of registered and voting electors, of blank and null and void votes, as well as the number and respective percentage of the votes attributed to each candidate and the name of the elected candidate or the names of the two candidates standing in the run-off election.

2. The decision of STJ shall be sent for publication in the Official Gazette, with copy to CNE and STAE.

CHAPTER VII
SECOND VOTING

Article 49
Second voting

The general provisions of the present law, with the necessary adaptations, shall apply to the second voting.

Article 50
Candidates admitted to second voting

1. Based on the results referred to in item 2 of Article 46, the President of STJ shall, within 72 hours, indicate the candidates admitted to second voting through a Notice.

2. On the same day, and after the publication of the Notice referred to in item 1 above, the President of STJ shall proceed to a draw of the candidacies admitted in order to determine their order on the ballot papers.

Article 51
Polling stations and delegates

1. For the purposes of the second voting, the number and location of the polling centres previously determined, as well as the composition of the polling stations, shall remain unchanged.

2. Candidates or their respective representatives may nominate delegates of the candidacies up to 10 days before the holding of the second voting. Absence of nominations shall be construed as a confirmation of the delegates nominated for the first voting.

ELECTORAL OFFENCES

Article 52
Proposer of more than one candidacy

Any person who proposes more than one candidacy shall be punished with coercive detention of up to one year or fine of up to 500 US dollars.

Article 53
Obstruction to candidacy

Any person who, in any manner whatsoever, prevents another person from presenting a candidacy shall be punished with coercive detention of one to 2 years or fine between 500 and 1,000 US dollars.

Article 54
Candidature of an ineligible citizen

Any person without passive electoral capacity who knowingly presents his or her candidacy shall be punished with coercive detention of up to one year or fine of up to 500 US dollars.

Article 55
Illicit electoral propaganda

1. Any person who employs legally prohibited propaganda or continues to employ it past the time limit established in article 27 or in a prohibited location shall be punished with coercive detention of up to 3 months or fine of up to 100 US dollars.

2. Any person who prevents the exercise of the right to electoral propaganda or destroys it illegitimately shall be punished with coercive detention of up to 6 months or fine of up to 200 US dollars.

Article 56
Obstruction to freedom of choice

1. Any person who uses violence or threatens to use violence against any elector or who employs deceit, fraudulent trickery, false news or any other illegal means to force the elector not to vote or to vote in a certain direction, or to abstain from voting or to buy votes, shall be punished with coercive detention of up to 2 years or fine of up to 1,000 US dollars.

2. The penalties provided for in item 1 above shall be applied to any person who, when asked to assist a blind person in his or her vote or to assist somebody legally entitled to such assistance, expresses the vote in a different direction.

Article 57
Disturbance of the voting

1. Any person who, by any means whatsoever, disturbs the functioning of the polling station, shall be punished with coercive detention of up to 1 year or fine of up to 500 US dollars.

2. The perpetrator shall be punished with coercive detention from 6 months to 2 years or fine between 200 and 1,000 US dollars if the disturbance results from:

   a) Violence or acts of violence;
   b) Disturbance near the polling centre or polling station;
   c) Intentional cut of electricity;
   d) Absence of somebody who is indispensable to the voting if, for this reason, the voting is considered seriously affected in its commencement or unfolding.

3. The provisions contained in items 1 and 2 above shall be applicable if the acts are committed at the time of the tabulation of the results after the voting has been completed.

Article 58
Obstructing supervision of the voting

Any person who, by any means whatsoever, prevents the delegate of any candidacy from exercising their powers, shall be punished with coercive detention of up to 1 year or fine of up to 500 US dollars.

Article 59
Violation of the right to vote

1. Any person who does not have electoral capacity or, having electoral capacity, votes more than once shall be punished with coercive detention of up to 2 years or fine of up to 1,000 US dollars.

2. The same penalty shall apply to any person who fraudulently allows the commitment of the acts outlined in item 1 above.

Article 60
Violation of the counting of votes

1. Any person who, by any method whatsoever, subverts the counting of votes in the process of tabulation or publication of the electoral results shall be punished with coercive detention from 6 months to 3 years or fine between 200 and 2,000 US dollars.

2. The same penalty shall apply to any person who fraudulently replaces, destroys, suppresses, violates, subverts, or falsifies ballot papers or tabulation papers or documents relating to the elections.

Article 61
Non-compliance with duties to participate in the electoral procedure

Any person who has been appointed to be part of the polling centre or polling station and who does not fulfill or abandons these functions without proper justification shall be punished with coercive detention of up to 3 months or fine of up to 100 US dollars.

Article 62
Violation of secrecy of vote

Any person who violates the secrecy of vote by obtaining or disclosing knowledge of the direction of vote of another person shall be punished with coercive detention of up to 6 months or fine of up to 200 US dollars.

Article 63
Breach of duties of neutrality and impartiality

Members of the electoral administration or collaborating with it who breach the duties of neutrality and impartiality shall be punished with coercive detention of up to 2 years or fine of up to 1,000 US dollars.

Article 64
Infringement of freedom of electoral assembly

Any person who illegitimately prevents the holding or carrying out of a meeting, demonstration, rally, parade or march of electoral campaign shall be punished with coercive detention of up to 2 years or fine of up to 1,000 US dollars.

Article 65
Non-compliance with other obligations

Any person who does not comply with any obligations imposed by the present law, or who does not undertake the acts necessary for its compliance, or who unjustifiably delays its compliance, shall, in the absence of applicable legal provision, be punished with coercive detention of up to 1 year or fine of up to 500 US dollars.

TITLE VI
FINAL AND TRANSITIONAL PROVISIONS

Article 66
Exemptions

Documents required for presentation of candidacies, notary certifications on documents for electoral purposes, and complaints or appeals referred to in the present law, shall be exempt of any charges and fees or costs.

Article 67

Regulation

1. The norms of procedure relating to presentation of candidacies, electoral campaign, the functioning of the polling stations and the counting of votes and tabulation of results shall be contained in regulations prepared by STAE and approved by CNE.

2. The conduct of candidates, observers, delegates and media professionals shall be guided by codes of conduct approved pursuant to item 1 above.

3. The regulations and codes of conduct referred to in items 1 and 2 above shall be approved in a meeting to that effect to be held in the week following the respective swearing-in ceremony.

Article 68
National and international observers

1. Electoral observer shall mean an individual representing a national or international organization who requests his or her registration with STAE and is accepted as such.

2. The functions of an observer shall namely be the following:

   a) Follow up on the unfolding of the voting operations from the installation of the polling centre or polling station up until its closure;
   b) Follow up the transportation of the ballot boxes, which shall be transparent in colour, as well as other items from the polling centre or polling station to the district tabulation station;
   c) Follow up on the process of counting of votes and tabulation of results;
   d) Prepare a report of the observation whenever so requested.

3. The acquisition of the status of national or international observer and the performance of the respective functions shall be in compliance with rules contained in a code of conduct to be prepared by STAE and approved by CNE.

Article 69
Transitional provision

Until such a time as the Supreme Court of Justice initiates its functions, the competencies attributed to it in the present law shall be exercised by the Court of Appeals, pursuant to article164 of the Constitution.

Article 70
Revocations

1. The following are expressly revoked:

   a) UNTAET Regulation No. 2002/1, of 16 January;

   b) UNTAET Regulation No. 2002/2, of 5 March.

2. Also revoked are the statutes or norms the contents of which are contrary to the present law.

Article 71
Entry in force

The present law shall enter into force on the day after its publication.

Approved on 21 December 2006.

Speaker of the National Parliament,

Francisco Guterres “Lu-Olo”

Promulgated on 26 December 2006

To be published

The President of the Republic

Kay Rala Xanana Gusmão