EDITOR'S NOTE:

Pursuant to the decision U. br. 14/04 rendered by the Constitutional Court (Official Gazette of RoM no.45/04), it is hereby established that the provision of Article 101 para. 1 item 7 of the Law on Election of Councillors and Members of Parliament (Official Gazette of the Republic of Montenegro, nos. 4/98, 17/98, 14/00, 18/00, 9/01, 41/02, 46/02) is incompliant with the Constitution of RoM and it shall be repealed on the day of the decision's publication.

NOTE:

Pursuant to the decision U. br. 78/06 rendered by the Constitutional Court (Official Gazette of RoM no.56 of 7 September 2006), it is hereby established that the part of provision of Article 63 para. 2 of the Law on Election of Councillors and Members of Parliament (Official Gazette of the Republic of Montenegro, nos. 4/98, 17/98, 14/00, 18/00, 9/01, 41/02, 46/02, 45/04 and 48/06) which reads: "and the expiry of minimum three hours after the polling stations have closed" is incompliant with the Constitution of the Republic of Montenegro and it shall be repealed on the day of the decision's publication.

NOTE:

Pursuant to the decision U-I br. 21/14 rendered by the Constitutional Court (Official Gazette of Montenegro no.47 of 7 November 2014), it is hereby established that the provision of Article 21 para. 2 of the Law Amending the Law on Election of Councillors and Members of Parliament (Official Gazette of Montenegro, no. 14/14) is incompliant with the Constitution of Montenegro and it shall be repealed on the day of the decision's publication.

NOTE:

Pursuant to the decision U-I br. 23/14 rendered by the Constitutional Court of Montenegro (Official Gazette of MNE no.12 of 23 February 2016), provisions of Article 43 para. 6 of the Law on Election of Councillors and Members of Parliament (Official Gazette of the Republic of Montenegro, nos. 4/98, 17/98, 14/00, 9/01, 41/02, 46/02, 48/06 and Official Gazette of Montenegro, nos. 46/11 and 14/14) shall be repealed on the day of this Decision's publication.

LAW
ON ELECTION OF COUNCILLORS AND MEMBERS OF PARLIAMENT

(Published in the Official Gazette of the Republic of Montenegro, no. 4 of 18 February 1998, 5/98, 17/98, 14/00, 18/00, 9/01, 41/02, 46/02, 45/04, 48/06, 56/06, Official Gazette of Montenegro, no. 46 of 16 September 2011, 14/14, 47/14, 12/16)

I - BASIC PROVISIONS

Article 1

This Law regulates: the manner and procedure of electing councillors in municipal assemblies, borough councils, Administrative Capital assembly and Historic Royal Capital assembly (hereinafter referred to as the municipality), and of members of the Parliament of Montenegro; organisation, composition and powers of election management bodies;

ascertaining of voting results and allocating of seats; protection of voting right and other matters of significance for election organisation and administration.

Article 2

Montenegrin nationals who are included on the electoral register in accordance with the law governing the electoral register (hereinafter referred to as the voter) shall vote for councillors and members of parliament and stand as candidates in elections of councillors and MPs, on the basis of universal and equal voting right, at free and direct elections, by secret ballot, in accordance with this Law.

No one may, on whatever grounds, take voters to account for voting, or ask them to say who they have voted for or why they have not voted.

After the voting is completed, public opinion polling concerning the voting may be carried out among voters who agree to take part.

Public opinion polling may not be done at polling stations nor at a distance of up to 100 meters from the polling station.

Article 3

There shall be 30 councillors plus an additional councillor per every 5,000 voters elected in the municipal assembly, Historical Capital assembly and Administrative Capital assembly (hereinafter referred to as the municipal assembly).

The number of councillors shall be determined by the municipal assembly in a separate decision no later than the day when the election is called.

Article 4

Councillors and members of parliament shall be elected in an electoral district based on a list submitted by a political party (party candidate list), coalition of political parties (coalition candidate list) or group of citizens (citizen group candidate list) (hereinafter referred to as the candidate list).

Councillor and member of parliament seats shall be allocated in proportion to the number of votes received.

Article 5

The term of office of councillors and members of parliament shall last for four years.

The term of office of councillors and members of parliament may also terminate earlier in conformity with this Law.

Councillors and members of parliament shall make decisions and shall vote according to their own convictions.

Councillors and members of parliament may not be recalled.

Article 6

Voters shall have the right to be informed via the media on the electoral programmes and activities of candidate list submitting entities, as well as about candidates from candidate lists.

In order to enable voters to exercise their right referred to in paragraph 1 of this Article, the media shall consistently implement the principles of equality of all candidate list submitting entities and candidates from those lists.

Election campaign via the media and public gatherings shall cease 24 hours prior to the election day.

Article 7

Election management bodies shall be polling boards and election commissions.

Source: http://vota.te.gob.mx

Article 8

Protection of voting right shall be ensured by election commissions, the Constitutional Court of Montenegro and the competent courts.

Article 9

The funds for administering elections of councillors shall be provided in the municipal budget and funds for the election of members of parliament shall be provided in the budget of Montenegro.

Actions, acts, petitions and other documents referring to the administration of elections and termination of the terms of office of councillors and members of parliament shall be fee exempted.

II - VOTING RIGHT

Article 10

Voting right, within the meaning of this Law, shall include the rights of voters: to vote for and stand as a candidate in election; to nominate and be nominated; to make decisions on the nominated candidates and candidate lists; to ask candidates questions publicly; to be informed in a timely, truthful, complete and objective manner about the programmes and activities of candidate list submitting entities, as well as to exercise other rights provided by this Law.

Article 11

A voter who has turned 18 years of age, has legal capacity and permanent residence in Montenegro for no less than two years prior to the election day, shall be entitled to vote for and stand as a candidate in election of members of parliament.

A voter who has turned 18 years of age, has legal capacity and permanent residence in Montenegro for no less than two years and permanent residence in a municipality, or a borough which is an electoral district for no less than six months prior to the election day shall have the right to vote for and stand as a candidate in election of councillors.

III - ELECTORAL DISTRICTS

Article 12

The election of councillors shall be conducted in a municipality as a single electoral district.

The election of members of parliament shall be conducted in Montenegro as a single electoral district.

IV - CALLING FOR ELECTIONS

Article 13

The election of councillors and MPs shall be called by a decision of the body in charge of calling the election. The State Election Commission and municipal election commissions shall adopt and make public, within 72 hours of the date the decision to call for elections has been issued, the electoral calendar including all time-limits for performing electoral actions provided in electoral legislation.

Election day shall be a non-working day (Sunday).

Source: http://vota.te.gob.mx

The decision to call for elections shall be published in the Official Gazette of Montenegro, and the decision to call for election of councillors shall also be published in the Official Gazette of Montenegro, under Municipal Regulations.

Article 14

Election of councillors and members of parliament shall be held no less than 15 days prior to the expiry of the election period of councillors and members of parliament whose term of office is running.

No less than 60 and no more than 100 days shall pass between the day when the election is called and the day of election of councillors and members of parliament.

The terms of office of councillors and members of parliament of the previous convocation shall be terminated on the day of validation of terms of office of councillors and members of parliament of the new convocation.

The terms of office shall be validated within 30 days of the election day by the presiding officer of the session of the relevant assembly or council, who shall state and announce that the terms of office of newly elected councillors or MPs have been validated by submission of the election results report by the competent election commission.

Article 15

In the event of dissolution of the Parliament Montenegro (hereinafter referred to as the Parliament) or where a decision is rendered to shorten the parliamentary terms of office, president of Montenegro shall call for elections on the day following the day of its dissolution, that is, on the day following the day when the decision to shorten terms of office enters into force.

In the case of termination of the term of a municipal assembly, Historic Royal Capital assembly or Administrative Capital assembly before the expiration of the period to which it has been elected, the President of Montenegro shall call for elections on the day following the day of its dissolution, that is, on the day following the day when the decision to shorten terms of office enters into force.

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

Article 16

(Deleted).

V – ELECTION MANAGEMENT BODIES

Article 17

Election management bodies shall operate under law.

Election management bodies shall be held accountable for their work to the body that has appointed them.

Article 18

Election management bodies shall operate in their permanent composition (appointed members) and in their extended composition (empowered members).

Any submitting entity of a validated and published candidate list shall have the right to appoint an empowered member to election management bodies.

Two or more candidate list submitting entities may appoint a joint empowered member to the election management body.

Source: http://vota.te.gob.mx

Article 19

Election commissions shall be appointed after the inauguration of the newly elected assembly for a four year period, while polling boards shall be appointed for each election of councillors or members of parliament.

Article 20

Only persons who have the voting right may be appointed to the positions of the chairperson (presiding officer), secretary, appointed and empowered members of election management bodies and their deputies.

A candidate from the candidate list may not be a member of election commissions and his office in such a body shall terminate when he accepts the nomination for a councillor or member of parliament.

Article 21

Election management bodies shall render decisions by majority vote of their members.

Article 22

The work of election management bodies shall be public.

Members of election management bodies and other persons monitoring the work of election management bodies shall act under law and rules laid down by the State Election Commission.

When the persons monitoring the work of election management bodies breach the polling station order keeping rules, or disrupt the work of the election management body in any other way, the election management body may have them removed and shall enter data thereon in a record.

1. Election Commissions

Article 23

Election commissions shall be: municipal commissions, Administrative Capital's election commission, Historic Royal Capital's election commission (hereinafter referred to as the municipal election commission) and the State Election Commission.

Article 24

The permanent composition of the municipal election commission shall be appointed by the municipal assembly, at the proposal of the municipal assembly working body responsible for elections and appointments, from among the candidates proposed by political parties or coalition candidate lists or voter groups having councillors in the municipal assembly.

The decision to appoint the municipal election commission shall be published in the Official Gazette of Montenegro, under Municipal Regulations.

Article 25

The permanent composition of the municipal election commission shall include a chairperson and four members and one empowered representative of each candidate list submitting entity.

The candidate of a political party, i.e. candidate list submitting entity which won the highest number of councillor seats in the previous elections shall be appointed chairperson of municipal election commission.

Source: http://vota.te.gob.mx

If a coalition candidate list won the highest number of seats in the previous elections, as a rule, the candidate of the political party which won the highest number of councillor seats within the coalition shall be appointed chairperson of municipal election commission.
The secretary of the municipal election commission shall be appointed at the proposal of parliamentary opposition.
As a rule, the candidate proposed by the opposition candidate list which won the highest number of councillor seats in the previous elections shall be appointed secretary of municipal election commission.
Commission secretary shall be in charge of administrative duties provided for in electoral legislation. Two members of the permanent composition of the municipal election commission shall be appointed at the proposal of parliamentary opposition.
Permanent members from the ranks of opposition shall be representatives of opposition candidate lists in the relevant municipal assembly in proportion to the number of seats won at previous elections, while in the case of the same number of seats, advantage shall be given to the candidate list which received the highest number of votes.
If there is only one opposition candidate list in the relevant municipal assembly, both members of the permanent composition of the municipal election commission shall be appointed at the proposal of that opposition candidate list.
The chairperson and permanent composition members of the municipal election commission shall have their deputies appointed.
Empowered representative of the candidate list submitting entity may have a deputy.
Chairperson and members of the commission, as well as empowered representatives of candidate list submitting entities, in the case of their absence or inability to work, shall be replaced by their deputies who shall perform commission activities and tasks.
Chairperson of the commission, his deputy and secretary, as well as permanent commission members and their deputies shall be appointed from among lawyers.

Article 26

On the date of issuing the decision publishing a candidate list, the municipal election commission shall issue a conclusion determining which candidate list submitting entity meets the requirements for nominating his representative to the extended composition of this body.
The municipal election commission shall submit the conclusion on fulfilment/non-fulfilment of requirements by the submitting entities for nominating their extended composition representatives to each of the candidate list submitting entities within 24 hours of such conclusion's issuance.
The candidate list submitting entity shall appoint its empowered representative to the municipal election commission extended composition and shall notify the municipal election commission thereon, which shall, at the latest 24 hours of the delivery of notification, issue a conclusion determining by name each of the persons that are to become its members.
Empowered representatives to the municipal election commission extended composition shall be appointed from among lawyers, and as a rule, deputy empowered representatives shall be appointed from among lawyers.
Empowered representatives shall participate in work and render valid decisions 20 days prior to the election day. The term of office of empowered representatives in the municipal election commission shall terminate on the day when final election results are ascertained.

Article 26a

Where elections of councillors and members of parliament are held simultaneously, the submitting entity of a validated candidate list for the election of members of parliament shall have the right to appoint its empowered representative to the extended compositions of

municipal election management bodies, even if it is not a submitting entity of a list for election of councillors.

Article 27

The municipal election commission shall:
1) take care of a lawful election administration;
2) organise technical preparations for election administration;
3) designate polling stations for election of councillors and MPs;
4) form polling boards and appoint the presiding officer and members of polling boards for election of councillors and MPs and organise their training on polling board work procedures;
5) determine the number of ballot papers for individual polling stations, stamp them, and together with the stamped extract from the electoral register, deliver them to polling boards with a written record of delivery;
6) assess whether candidate lists for election of councillors have been compiled and submitted in conformity with this Law;
7) validate and publish candidate lists for election of councillors;
8) publicly disclose the number of voters in a municipality and per polling stations;
9) ascertain the results of election of councillors, as well as the number of votes for each candidate list and determine the number of seats belonging to each candidate list for election of councillors;
10) issue certificates to elected councillors;
11) ascertain the overall voting results for the election of members of parliament in its territory and per each polling station and submit a report thereon to the State Election Commission;
12) publicly announce the results of the election of councillors;
13) submit a report to the municipal assembly on the results of election of councillors and about the filling in of vacant councillor seats;
14) submit data on the election of councillors to the bodies in charge of statistical data collecting and processing.
The municipal election commission shall have its website to immediately publish all acts and information of election administration significance, as well as interim and final voting results at every polling station.

Article 28

The municipal election commission shall adopt rules of procedure governing its work.
The conditions for the work of the municipal election commission shall be provided by the municipal assembly.

Article 29

The permanent composition of the State Election Commission shall be appointed by the Parliament, at the proposal of the Parliament working body responsible for elections and appointments, in conformity with this Law.
The decision to appoint the State Election Commission shall be published in the Official Gazette of Montenegro.
The State Election Commission shall have the status of a legal entity.

Article 30

The State Election Commission shall be composed of: the chairperson and ten permanent members and one empowered representative of each candidate list submitting entity.

Source: http://vota.te.gob.mx

The State Election Commission chairperson shall be appointed by the Parliament, at the proposal of Parliamentary working body in charge of elections and appointments, after a previously conducted open competition.
Four members of the permanent State Election Commission composition shall be appointed at the proposal of the parliamentary majority.
Four members of the permanent State Election Commission composition, one of whom shall perform the office of a secretary, shall be appointed at the proposal of parliamentary opposition.
One representative of a political party or candidate list submitting entity for authentic representation of members of national minorities or minority ethnic communities which received the highest number of votes in previous elections shall also be appointed member of the permanent State Election Commission, while his deputy should be a member of another national minority or minority ethnic community.
One member of the permanent State Election Commission composition who is familiar with electoral legislation shall be appointed by the Parliament from among the representatives of civil society, non-governmental sector and university, at the proposal of the Parliamentary working body competent for appointments and elections, after a previously conducted open competition.
Persons who performed the office of a political party body member during the previous 10 years may not be appointed member of the permanent State Election Commission composition referred to in para. 6 of this Article.
Persons who published scientific papers and professional treatises on the topic of the election process, who are distinguished by the public as experts in that field and who took part in national or international monitoring of the election process shall be appointed members of the permanent State Election Commission composition referred to in para. 6 of this Article.
When endorsing proposals, the Parliamentary working body competent for elections and appointments shall also take into consideration recommendations of organisations which were involved in drafting electoral legislation and monitoring election processes over the past five years.
Representatives of candidate lists shall be appointed members of the permanent composition at the proposal of the parliamentary majority or opposition in proportion to the number of seats won in previous elections, and where the number of seats is the same, they shall be appointed from the candidate list which received the highest number of votes in previous elections.
If there is only one candidate list which constitutes parliamentary majority in the Parliament, or one opposition candidate list, all four members shall be appointed to the permanent State Election Commission composition at the proposal of that candidate list.
Deputies shall be appointed for members of the permanent State Election Commission composition who are appointed at the proposal of parliamentary majority or parliamentary opposition.
In the case of State Election Commission chairperson's inability to work, he shall be replaced by the member of the permanent State Election Commission composition designated by him.
Empowered representative of the candidate list submitting entity may have a deputy.
Members of the State Election Commission, as well as empowered representatives of candidate list submitting entities, in the case of their absence or inability to work, shall be replaced by their deputies who shall perform State Election Commission activities and tasks.
Members of the State Election Commission, their deputies and empowered representatives of candidate list submitting entities shall be appointed from among lawyers.

Source: http://vota.te.gob.mx

The State Election Commission chairperson shall be a lawyer and have at least 10 years of working experience in that line of work and he may not have been a member of a political party managing body during the last three years.

Article 31

On the date of issuing the decision publishing a candidate list, the State Election Commission shall issue a conclusion determining which candidate list submitting entity meets the requirements for nominating its representatives to the extended composition of this body.
The State Election Commission shall submit the conclusion on fulfilment/non-fulfilment of requirements by the submitting entities for nominating their representatives to the extended composition to the candidate list submitting entities within 24 of such conclusion's issuance.
The candidate list submitting entity shall appoint his empowered representative to the extended State Election Commission composition and shall notify the State Election Commission thereon, which shall, at the latest 24 hours of the delivery of notification, issue a conclusion determining by name each of the persons that are to become its members.
Empowered representatives shall participate in work and render valid decisions 20 days prior to the election day. The term of office of empowered representatives in the State Election Commission shall terminate on the day when final election results are ascertained.

Article 32

The State Election Commission shall:
1) take care of lawful election administration and uniformed enforcement of provisions of this Law;
2) monitor enforcement of this Law and provide opinions concerning the enforcement of this Law;
3) coordinate work of municipal election commissions and provide instructions concerning enforcement of this Law and supervise their work;
4) lay down uniformed standards for election materials;
5) prescribe forms for conducting electoral actions prescribed by this Law;
6) prescribe the manner of publishing candidate lists;
7) determine the manner of handling and safekeeping election materials;
8) assess whether candidate lists for election of members of parliament have been compiled and submitted in conformity with this Law;
9) issue decisions publishing candidate lists for election of members of parliament;
10) publicly disclose the total number of voters, per municipalities and per polling stations;
11) ascertain the results of election of members of parliament, as well as the number of votes received by each candidate list and determine the number of seats belonging to each candidate list for election of members of parliament;
12) publish the overall results of election of members of parliament and per each polling station in Montenegro;
13) submit a report to the Parliament of Montenegro on the results of election of members of parliament and on the filling in of vacant MP posts;
14) issue certificates to elected members of parliament;
15) submit data on the election of members of parliament to the bodies in charge of statistical data collecting and processing;
15a) adopt Rules of Procedure;
16) also perform other duties set forth in law.
The State Election Commission shall have its website to immediately publish all acts and information of election administration significance, as well as interim and final voting results at every polling station.

Source: http://vota.te.gob.mx

Article 33

The State Election Commission shall take over the competence of the municipal election commission in case it does not perform its obligations concerning the election of members of parliament in conformity with this Law.

Article 33a

The offices of the State Election Commission chairperson and secretary shall be professional.
Parliamentary committee in charge of administrative matters shall issue a decision governing the salaries and other rights of the State Election Commission chairperson and secretary.

Article 34

The State Election Commission shall establish the State Election Commission's Service (hereinafter referred to as the Service) to perform technical and administrative duties.
The Service shall be managed by the State Election Commission secretary.
The act on internal organisation and job descriptions of Commission's Service shall be adopted by the Commission, at the proposal of the Commission secretary, with approval of the competent Parliamentary working body.
Regulations regarding civil servants and state employees shall apply to the status and other rights of Service staff.
The Parliament shall provide working conditions for the State Election Commission and Service. Funds for the work of the State Election Commission shall be provided in the budget of Montenegro.

2. Polling Board

Article 35

Permanent composition of polling boards shall include the presiding officer and four members and one empowered representative of each candidate list submitting entity.
Each political party represented in the relevant assembly shall be entitled to the number of polling board presiding officers proportionate to the proportional representation of councillor seats in assembly, while the polling stations at which individual political parties would propose representatives for polling board presiding officers shall be determined by the municipal election commission by drawing lots.
Two members shall be appointed to the permanent polling board composition at the proposal of a political party or coalition that has majority in the relevant municipal assembly.
One representative of the two opposition political parties in the relevant assembly respectively which won the highest number of seats in the previous elections shall be appointed to the permanent composition of the polling board, and in case the number of seats was the same, the criterion shall be the the highest received number of votes.
If there is only one opposition political party in the relevant municipal assembly, two representatives of that party shall be appointed to the permanent polling board composition.
Polling boards shall be appointed for each polling station, at the latest 10 days before the election day. As an exception, at the substantiated request of a political party or group of voters which acquired the right to propose representatives to the permanent polling board composition, the polling board composition may also be changed after the expiry of the term referred to in para. 6 of this Article, and at the latest 12 hours before the polling stations are opened.

Polling board presiding officer and members, as well as empowered representatives of candidate list submitting entities, in the case of their absence or inability to work, shall be replaced by their deputies who shall perform polling board activities and tasks.

Article 35a

The municipal election commission shall issue the decision designating political parties which are entitled to propose representatives to the permanent polling board composition, at the latest 15 days before election day.

The municipal election commission shall submit the decision referred to in paragraph 1 of this Article to all validated candidate list submitting entities, within 24 hours of the hour of issuance.

An objection or a complaint may be filed against the decision referred to in para. 1 of this Article, following the procedure for electoral right protection laid down in this Law.

Article 36

On the date of issuing the decision publishing a candidate list, the municipal election commission shall issue a conclusion determining which candidate lists submitting entity meets the requirements for nominating its representative to the extended polling board composition.

The municipal election commission shall submit to the candidate list submitting entity the conclusion on fulfilment/non-fulfilment of requirements for nominating representatives of candidate lists submitting entities to the extended polling board composition, within 24 hours of designation of the polling station.

The candidate list submitting entity shall appoint its empowered representative to the extended polling board composition and shall notify the municipal election commission thereon, which shall, at the latest 24 hours of the delivery of notification, issue a conclusion determining by name each of the persons that are to enter the extended polling board composition.

Empowered representatives shall participate in work and render valid decisions five days prior to the election day.

Article 36a

Where the elections of councillors and MPs are held simultaneously, polling boards formed to administer elections of councillors shall perform the duties of polling boards for election of members of parliament.

Article 37

Polling boards shall directly administer voting at the polling station.

Polling boards shall attend to the maintenance of order at polling stations during the voting.

The polling board shall designate, from among its members, four designated members in charge of voting outside polling stations. More detailed rules concerning the work of polling boards shall be laid down by the State Election Commission.

VI – PROPOSING AND ACCEPTING CANDIDATE LISTS

1. Candidacy

Article 38

Political parties registered in Montenegro, separately or as a coalition, as well as groups of voters, shall propose candidates for their candidate lists on the basis of a certain number of voter signatures.
Candidate list submitting entities referred to in para. 1 of this Article shall propose candidate lists under the conditions laid down in this Law.

Article 39

A person may be candidate for a councillor only on one candidate list and only in one electoral district. A person may be candidate for an MP only on one candidate list.
A single candidate list shall contain at least 2/3 candidates and at the most as many candidates as are being elected.
As an exception to para.3 of this Article, there may be at least 1/3 and at the most as many candidates as are being elected on the candidate list for election of members of parliament submitted by groups of voters or political parties which represent a minority nation or a minority ethnic community.
The candidate list submitting entity shall determine the order of candidates on the list.

Article 39a

In order to exercise the gender equality principle, there shall be at least 30% of candidates on the candidate list from the underrepresented sex.
Among each four candidates in the candidate list order (the first four places, the second four places and so on until the end of the list) there shall be at least one candidate who is a member of the underrepresented sex.
Candidate lists not meeting the requirements referred to in paras. 1 and 2 of this Article shall be deemed to contain shortcomings in respect of its publishing, and the list submitting entity shall be invited to remove the shortcomings from the list, in conformity with this Law.
The election commission shall refuse to publish candidate lists of candidate list submitting entities that do not remove shortcomings referred to in para.3 of this Article, in conformity with this Law.

Article 40

Candidate lists submitting entities may withdraw the lists at the latest until the day when the general candidate list is accepted.
Withdrawal of a candidate list shall terminate the office of the empowered representative of the list submitting entity in all election management bodies, as well as all the rights that pertain to him in that capacity under the provisions of this Law.
Candidates may abandon their candidacy until the day when the decision to publish the candidate list has been issued.

Article 41

If, after the issuance of a decision publishing the candidate list, a candidate loses Montenegrin nationality, is deleted from the registry of permanent residence, or if he dies, the candidate list submitting entity shall lose its right to propose a new candidate.
The position of the candidate referred to in para. 1 of this Article on the candidate list shall be taken by the successive candidate on the candidate list. Changes referred to in paras. 1 and 2 of this Article may not affect the meeting of requirements referred to in Art. 39 and 39a of this Law.

2. Title, Acceptance and Publishing of Candidate Lists

Source: http://vota.te.gob.mx

Article 42

The title of the candidate list shall be determined according to the name of the political party submitting the list.

If two or more political parties or groups of voters submit a coalition candidate list, the title and other rights and obligations of coalition candidate list submitting entities shall be determined in an agreement which is submitted to the competent election commission together with the coalition candidate list.

A more precise appellation of the candidate list next to the title of the citizen group candidate list shall be established by the submitting entity.

Next to the title of the list referred to in paras. 1 to 3 of this Article, the candidate list submitting entity may also include the name and surname of the leader of the candidate list, with his written assent.

The person designated as the leader of the candidate list need not be a candidate on the list.

Article 43

A candidate list for election of councillors or MPs may be accepted if it has been supported by signatures of at least 0.8% of voters out of the number of voters in the electoral district, counting according to the data on the number of voters in the elections which preceded the decision to call for elections, regardless of whether those were elections for the president of Montenegro or parliamentary elections. As an exception to para. 1 of this Article, candidate lists for election of councillors of political parties or groups of voters which represent a minority nation or a minority ethnic community may be accepted if supported by the signatures of at least 150 voters, that is, for election of members of parliament it may be accepted if supported by the signatures of at least 1,000 voters who are exercising the right referred to in Article 94 para. 2 of this Law. In municipalities in which the seat of a councillor in previous elections was equal or less than 150 votes, candidate lists for election of councillors may be accepted if supported by the number of signatures of voters which is less by one compared to the number of votes equal to one councillor seat in the previous elections for the relevant municipal assembly.

A candidate list for election of members of parliament which represents a minority nation or a minority ethnic community which constitutes up to 2% of the Montenegrin population according to the last census results may be accepted if supported by the signatures of at least 300 voters.

Voters who sign lists for election of councillors shall have their place of permanent residence in the territory of the relevant municipality. Voters who sign lists for election of members of parliament shall have their place of permanent residence in the territory of Montenegro.

(Paragraph 6 was repealed).

The State Election Commission shall prescribe the procedure and organisation of gathering voter signatures in support of a candidate list.

Article 44

Voters may support only one candidate list with their signatures for election of councillors and only one candidate list for election of members of parliament.

Article 46

Candidate lists for election of councillors shall be submitted to the municipal election commission, and for election of members of parliament to the State Election Commission, at the earliest 20 days of the day when the election is called, and at the latest 25 days before the election day.

Source: http://vota.te.gob.mx

The following documents shall be submitted to the election commission together with the candidate list:
1) written candidate statement accepting the candidacy;
2) certificate of voting right for each candidate from the candidate list;
3) certificate of the place of permanent residence for each candidate;
4) list of voters supporting the candidate list, with their signatures;
5) written assent of the leader of the list, if that is included in the title of the list;
6) decision of the competent body of the political party validating the candidate list;
7) application to contest elections;
8) the founding and programme acts.
As an exception to the documents prescribed in para. 2 of this Article, groups of voters shall also submit with the candidate list a statement stamped by the competent body of the decision to contest elections, including the programme objectives of that candidate list, person authorised for representation before the competent bodies, as well as other mutual rights and obligations.
The candidate list and documents shall be submitted directly to the competent commission.
The form of the application to contest elections referred to in para. 2 item 7 of this Article shall be laid down by the State Election Commission.

Article 47

Immediately after receipt of the candidate list, the competent election commission shall establish if it was submitted within the set time-limit and if it was compiled in conformity with this Law.
If the competent election commission establishes that the candidate list was not submitted in a timely manner, it shall issue a decision dismissing the candidate list.
If the competent election commission finds that the candidate list contains certain shortcomings, it shall pass, within 48 hours of receipt of the candidate list, a conclusion ordering the list submitting entity to eliminate those shortcomings, at the latest within 48 hours of the conclusion's delivery.
The conclusion shall indicate to the submitting entity the actions it needs to perform in view of eliminating shortcomings.
If the competent election commission finds that the candidate list shortcomings have not been eliminated or that they have not been eliminated within the prescribed time-limit, it shall pass, during the next 24 hours, a decision rejecting to publish that candidate list.

Article 47a

On the basis of the application to contest elections, title of the candidate list or founding act of the candidate list submitting entity, the State Election Commission shall establish if the requirements for exercising rights referred to in Art.94 para.2 of this Law have been fulfilled or not.

Article 48

If the competent State Election Commission finds that the submitted candidate lists do not have shortcomings or that the shortcomings found have been eliminated, it shall issue a decision accepting and publishing the candidate list.
The decision referred to in para.1 of this Article issued by the State Election Commission shall also contain a statement of fulfilment of requirements to exercise rights referred to in Art.94 para.2 of this Law.
The decision referred to in para.1 of this Article shall be submitted to the candidate list submitting entity without delay.

Source: http://vota.te.gob.mx

Article 48a

Validated and published candidate lists for election of members of parliament shall equally participate in all polling stations in Montenegro as a single electoral district, in conformity with this Law.

3. General Candidate List

Article 49

After validation and publishing of submitted candidate lists, the competent election commission shall accept the general candidate list, which shall contain all candidate lists with the names of all candidates.

The order on the general candidate list shall be established by the election commission chairperson by drawing lots, in the presence of authorised representatives of validated candidate lists submitting entities.

The competent election commission shall make public the general candidate list at the latest 15 days prior to the election day.

Article 49a

(Deleted).

VII - PRESENTATION OF CANDIDATE LIST SUBMITTING ENTITIES AND OF CANDIDATES FROM CANDIDATE LISTS

Article 50

As of the date of candidate list validation, until completion of the election campaign (hereinafter referred to as the election campaign), candidate list submitting entities shall be entitled to inform citizens of their candidates, programmes and activities on a daily basis, in equal duration and free of charge, through the national public broadcaster Radio and Television of Montenegro, as well as through regional and local public broadcasters, within the same daily timeslots and topical coverage of news-stories.

Throughout election campaigns, candidate list submitting entities shall be entitled to promote their candidates and programmes and to announce their promotion rallies in shows, during topical coverage of news-stories and through advertisements of commercial broadcasters, for a fee and in accordance with the rules adopted by the broadcaster.

Commercial broadcasters shall enable paid advertising to validated candidate list submitting entities, under equal conditions.

Assets (money, technical devices, premises, equipment, and the like) of state bodies, public companies, public institutions and funds, local government units, or companies in which the state has an ownership stake may not be used for candidate list presentation purposes.

Article 50a

Public officials appointed by the Government of Montenegro or elected or appointed by the local government, civil servants and state employees may not take part in election campaigns, and neither publicly express their positions regarding elections, during working hours, i.e. while on duty.

Police officers and members of the National Security Agency may not participate in election campaigns in any manner.

Source: http://vota.te.gob.mx

Article 51

During the election campaign, the Radio and Television of Montenegro, regional and local public broadcasters shall ensure free of charge and equal presentation of validated candidate lists submitting entities, and the presentation and explanation of their electoral programmes on a daily basis, of equal duration and as part of the same timeslots within the political information programme, and within the precisely defined political marketing blocks whose audibility and visibility are ensured in the entire territory of Montenegro or local government.

The Radio and Television of Montenegro, regional and local public broadcasters shall not be allowed, under any conditions, to enable the presentation and explanation of electoral programme of candidate list submitting entities or their advertising beyond the timeslots referred to in para.1 of this Article.

Article 51a

State officials and local government officials may, during election campaigns, act as representatives of candidate lists and during their media appearances in electronic public, commercial and non-profit media, they may promote election programmes and candidate lists in a manner and to the extent in which this Law prescribes media presentation of candidate list representatives during election campaigns.

Officials referred to in para.1 of this Article shall be prohibited, during election campaigns, from misusing their media appearances in the capacity of state or other public officials and from using them for advertising a candidate list and/or its electoral programme.

Article 52

Participants in pre-election campaigns shall adhere to the Constitution of Montenegro, laws and codes of professional ethics and commit themselves to fair behaviour which excludes insults and libels, breach of rules of decency or insults to public sentiments.

Article 53

During the election campaign, the Radio and Television of Montenegro, regional and local public broadcasters shall ensure free of charge and equal broadcasting of announcements of all promotional rallies of candidate lists submitting entities, on a daily basis, of equal duration and as part of the same timeslots, within commercial marketing blocks whose audibility and visibility are ensured in the entire territory of Montenegro or local government unit.

Article 53a

During the election campaign, Television of Montenegro and Radio of Montenegro shall ensure to validated candidate list submitting entities free of charge broadcasting time in an equal and daily manner, within the appropriate commercial marketing blocks on the TV channel or radio channel whose audibility and visibility are ensured in the entire territory of Montenegro, for:

- political advertising TV and audio video clips in all political marketing blocks, to the extent not less than 200 seconds per day, depending on the planned number of political marketing advertising blocks;
- 3 minute reports from promotional rallies twice a day, in timeslots following the central evening news on TV and radio channels.

Production of contents referred to in para.1 indent 1 of this Article shall be an obligation of the candidate list submitting entity which is being promoted. During election campaigns, local and regional public broadcasters shall provide to validated candidate list submitting entities equal and daily free of charge broadcasting time to the extent and in the manner referred to in

paras. 1 and 2 of this Article, within commercial marketing blocks, whose audibility and visibility are ensured in the entire territory of the local government unit.

Article 54

Media outlets which broadcast for a fee the advertisements of candidate list submitting entities propagating elections, electoral programmes and candidates shall place an indication "paid campaign advertisement" on that advertisement.

Article 55

Presentation of candidate list submitting entities via public broadcasters in accordance with this Law shall be done on the basis of rules adopted by the competent public broadcaster's body.

The rules referred to in para.1 of this Article shall be adopted and made available to the public by the public broadcaster at the latest 10 days of the day when the election is called.

Article 56

During election campaigns, Television of Montenegro and Radio of Montenegro shall organise and broadcast at least two 90 minutes shows per week within the political information programme, in which the validated candidate list submitting entities and candidates from those lists will have a head-to-head debate, in the timeslot from 20 to 23 hours, as agreed by the editorial board and candidate list submitting entities. When organising and broadcasting shows referred to in para.1 of this Article, Television of Montenegro shall provide interpretation into sign language.

Editors and hosts of shows referred to in para.1 of this Article shall have an impartial and equal relation towards all participants of head-to-head debate shows.

Article 57

(Deleted).

Article 58

During election campaigns, candidate list submitting entities and candidates from those lists shall be entitled to organise conferences and other public gatherings under equal conditions, at which electoral programmes, candidate lists and candidates from those lists are presented and advertised, in accordance with regulations governing public law and order.

Article 59

(Deleted).

Article 60

During election campaigns, candidate list submitting entities and candidates from candidate lists shall prepare election posters, advertisements, photographs, leaflets, video spots and the like and publicly exhibit them without special approval and place them in public places designated by the competent municipal body.

Article 61

Election advertisement organised through auditory advertising devices shall be conducted at the time and in the manner which ensures that the right of citizens to personal peace are not threatened, in accordance with regulations governing public law and order.

Article 62

During election campaigns, all public and commercial media in Montenegro shall make public the assessments, findings and decisions of competent bodies stating that a certain public media had breached the provisions of this Law which impose an impartial, equal and objective information provision to citizens on the programmes and candidates of political parties and other candidate list submitting entities.

Article 63

Within 15 days before the election day, radio-broadcasting services and other media shall not be allowed to publish the results of public opinion polling, other surveys and analyses regarding the choices of citizens with reference to election results assessment.
On election day, during the voting, no one shall be allowed to publish an assessment of voting results in the programmes of radio-broadcasting services and other media.

Article 64

Presentation of candidate list submitting entities via commercial and non-profit broadcasters shall be conducted on the basis of rules adopted by the broadcaster with the aim of achieving a fair editorial policy and presenting equally the validated candidate list submitting entities.
The rules referred to in para.1 of this Article shall be adopted and made available to the public by commercial and non-profit broadcasters at the latest 10 days of the day when the election is called.

Article 64a

The rights to media reporting in the pre-election campaign shall start of the date of validation of the candidate list of pre-election campaign participants and cease 24 hours before election day.

Article 64b

The Parliament shall issue a separate decision establishing the Committee in charge of monitoring enforcement of the part of the Law on Election of Councillors and Members of Parliament which concerns the media (hereinafter referred to as the Committee).
The Committee shall have 10 members and it shall be composed on a parity basis from the members of parliamentary majority and parliamentary opposition. The chair and deputy chair of the Committee shall be appointed from among Committee members.
The Committee shall be established at the latest 10 days of the day when the election of members of parliament is called.
The proposal to appoint the chair, deputy chair and members of the Committee shall be submitted to the Parliament by the Parliament working body in charge of elections and appointments.
The Committee shall be competent to monitor and oversee the enforcement of provisions of this Law which concern obligations of the media during the pre-election campaign, especially to:
1) consider objections to the actions of media outlets and take positions thereon and issue conclusions;
2) warn media to act in accordance with this Law and to eliminate potential irregularities;
3) publish its positions and conclusions;
4) inform the Electronic Media Agency and the competent media bodies about breaches of the provisions of this Law by the media outlets in view of undertaking measures falling within their competence towards the media outlet acting contrary to law.
The Committee shall decide by majority vote of all members.
The Committee shall supervise actions of media outlets as of the date of establishment until the day when final election results are announced.

Source: http://vota.te.gob.mx

Media outlets shall immediately publish the finding and the conclusion of the Committee which states that a certain media outlet has breached the provisions of this Law.
Rules of Order of the Parliament of Montenegro shall apply accordingly to matters of Committee work that are not governed by this Article.

VII – ELECTION ADMINISTRATION

1. Polling Stations

Article 65

Voting for election of councillors or members of parliament shall be done at a polling station.
Polling stations shall be designated by the municipal election commission at the proposal of the body in charge of keeping the electoral register, at the latest 20 days before election day.
Polling stations shall have enough space so that all members of the polling board may freely and at any moment examine and access ballot boxes and polling materials.
At the latest 10 days before election day, municipal election commission shall announce the polling stations which have been designated and which voters will cast their votes at individual polling stations.
When designating polling stations, municipal election commissions shall take care to facilitate polling station access to persons with disabilities.

Article 66

Polling stations shall be designated for the voting of up to 1,000 voters at the most.
More detailed rules regarding the polling station shall be laid down by the State Election Commission.

Article 67

Voters shall cast their votes at polling stations in which they have been included into the extract from the electoral register.
As an exception to the provision of para.1 of this Article, voters may vote by post outside of the polling station in which they have been included into the extract from the electoral register, under the conditions laid down in this Law.
The manner of voting outside of the polling station, as well as the number of voters who have thus exercised their voting right shall be entered into a record of polling board work.
More detailed rules on postal voting shall be laid down by the State Election Commission.

Article 68

The Ministry in charge of electoral registers shall deliver poll cards to voters at the latest seven days before the date of the election.
The Ministry referred to in para.1 of this Article shall deliver poll cards to voters via mail service as ordinary parcels to their residence addresses.
The poll card referred to in para.1 of this Article shall be in the format accessible to disabled voters and contain: the polling day and polling hours, number and address of the polling station at which to vote and the number under which the voter is included into the extract from the electoral register.
Disabled voters shall submit a poll card application to the Ministry in charge of electoral registers at the latest 15 days before the date of the election. The application shall state the form in which the poll card needs to be delivered. The poll card referred to in para.1 of this Article shall not be a condition for exercising voting right.

Source: http://vota.te.gob.mx

Article 68a

Electronic voter identification devices shall be used at polling stations. Voters shall be identified electronically in order to cast their votes.

The polling board shall not allow voters who refuse to be identified electronically to cast their votes. Electronic devices shall be a complete hardware and software unit comprising:

- electronic reader of machine readable zone (MRZ) on ID cards and passports;
- computer into whose memory the extract from the concluded electoral register for a precisely designated polling station shall be uploaded, including the last photo of voter from the registers of ID cards or passports;
- printer to print the confirmation of successful voter identification.

Data to be uploaded into the device referred to in para.4 of this Article shall be deleted within 30 days of the day when final election results are announced.

Instructions for using electronic voter identification devices referred to in para.1 of this Article shall be laid down by the ministry in charge of electoral registers.

The Ministry in charge of electoral registers shall make an electronic version of the extract from the electoral register for the needs of electronic voter identification at polling stations, for each polling station on the appropriate electronic storage medium within 72 hours of the date when the decision to conclude the electoral register was issued.

Procurement and maintenance of electronic voter identification devices shall be conducted by the body in charge of managing the electoral register. The State Election Commission shall control the process and use of electronic voter identification devices.

Article 68b

When they come to the polling station, voters shall hand over their ID card or passport to the polling board presiding officer. The polling board presiding officer shall find the voter, through electronic identification, in the electronic and printed extract from the electoral register, the voter shall place his signature on the place designated for that purpose in the extract from the electoral register, after which the polling board shall allow the voter to vote.

The electronic identification device shall display a photo of the voter on the monitor and print out a paper stub (confirmation) which shall contain name and surname, voter's PIN and ordinal number which is identical to that in the printed electoral register. The printed stub (confirmation) shall be signed personally and in clear script by the polling board presiding officer and polling board member from the opposite political party (adherence to the government-opposition parity), which shall then be kept together with the counterfoil.

Where electronic voter identification becomes disabled during voting due to justifiable objective circumstances such as a power cut lasting several hours or a system failure, the polling board shall take a decision to continue voting following the visual identification system which implies that the board presiding officer shall examine the ID card or the passport to confirm voter's identity, find him on the printed electoral register and enable him to place his signature and send him to the polling area.

When the voter has cast his vote, polling board presiding officer and member referred to in para.4 of this Article shall personally sign the overleaf of the counterfoil in clear script.

Article 69

Each voter shall cast his vote personally.

During the elections, voters may cast their votes only once. Votes shall be cast on stamped ballot papers.

Voters shall confirm receipt of ballot papers by placing their signature on the extract from the electoral register.

Source: http://vota.te.gob.mx

No one may come to the polling station armed or carrying a dangerous tool.
It shall be prohibited to display political party symbols and other advertising material which might impact the choice of voters at the polling station and at a 100m distance from the polling station.
If the rules referred to in paras. 1 to 6 of this Article are breached during voting, the polling board may be dissolved. In case the polling board is dissolved, voting at that polling station shall be repeated.
Polling board members who are identifying voters, as well as other polling board members shall be prohibited from stating the voter's name and surname in any form, especially out loud, as well as the voter's ordinal number on the electoral register.

Article 69a

The casting of votes shall be secret.
If the polling board has not organised the layout of the polling station in a manner which ensures the secrecy of the ballot (polling booth with privacy panels), the polling board shall be dissolved, and voting shall be repeated in that polling station.
Voters shall fill in ballot papers exclusively in the area designated for that purpose (polling booth with privacy panels), so that no one can see how they voted.
If the voter breaches the secrecy of the ballot by voting publicly, outside the area designated for voting, or if he, after voting in the area designated for voting, publicly displays his ballot paper to the poling board so that they can see how he voted, on the basis of a prior polling board decision, the polling board presiding officer shall, in the presence of the polling board, detach the counterfoil and make such ballot paper invalid by crossing it over, placing it in a special envelope and inserting it into the ballot box in lieu of the voter.
The manner of voting referred to in para.4 of this Article shall be entered into the record by the polling board presiding officer.
More detailed instructions concerning the measures to ensure the secrecy of the ballot shall be laid down by the State Election Commission.

Article 70

Polling stations in the electoral district shall be opened at 7:00h and closed at 20:00h. During this period of time, the polling station shall be constantly open.
Voters who find themselves at the polling station at the moment of its close shall be allowed to vote, provided that the polling board shall previously ascertain their number and identities.
If the rules referred to in paras. 1 and 2 of this Article are breached during voting, polling board shall be dissolved and a new one appointed, and voting shall be repeated at that polling station.

Article 71

Where order is breached at the polling station, the polling board may discontinue voting until order is re-established. The reasons for and duration of discontinued voting shall be entered into a record of polling board work.
Members of police and other uniformed persons shall not be allowed to access the polling station during voting.
As an exception to para.2 of this Article, on the basis of previously given approval of the polling board, polling board presiding officer may invite a member of the police who is on duty to come to the polling station, if peace and order were breached at that polling station.
If voting was discontinued for more than one hour, it shall be prolonged for the length of its interruption.

Source: http://vota.te.gob.mx

Article 71a

Use of electronic communication devices (telephone, mobile phone, laptop, tablet, etc.) shall be prohibited in the polling room.

Polling board members and persons monitoring the work of election management bodies shall be prohibited from keeping at the polling station, during the voting, any records of voters who have voted, and a copy of the electoral register or of any accessory records of voters.

If the polling board member or the person monitoring work of election management bodies acts contrary to paras. 1 and 2 of this Article, the polling board presiding officer shall caution him, and if the person continues to disrupt work, the polling board presiding officer shall have him removed on the basis of a prior polling board decision, which shall be stated in the record of polling board work. If a polling board member was removed from the room, the polling board presiding officer shall ensure the presence of his deputy for the needs of further work.

Article 72

While the polling station is open and the voting is ongoing, all polling board members and their deputies shall be present at the polling station.

A special room shall be ensured for all polling stations in which it is possible to ensure the secrecy of the ballot.

The maximum number of voters simultaneously present at the polling station shall match the number of polling booths at the polling station.

All persons who have no rights and duties regarding election administration as laid down by this Law shall not be allowed to stay at the polling station longer than needed to vote.

Police officers may not cast their votes nor enter polling stations wearing a uniform, except when requested to do so by the polling board presiding officer, in order to prevent immediate threat to public order and security at the polling station.

An objection may be lodged to the municipal election commission due to a breach of rules contained in paras. 1 to 4 of this Article, which shall decide whether to repeat voting at that polling station.

2. Election Materials

Article 73

Ballot papers shall contain:

1) name of the electoral district;

2) ordinal number placed in front of the electoral district;

3) titles of candidate lists following the order established on the general candidate list;

4) a note stating to vote for one candidate list only, by circling the ordinal number in front of the title of that list, or the title of the list or the name and surname of the leader of the list.

In addition to the data referred to in para.1 of this Article, ballot papers shall contain overleaf in the upper right angle the name of municipality, name of the polling station, number mark of the ballot station and the seal of the polling board which shall contain the name and number of the polling station.

Article 73a

Ballot papers shall be printed so as to have two parts, the counterfoil and the stub of the ballot paper, bearing the unique serial number and the actual ballot.

Unique serial number may not be printed on the ballot paper.

The counterfoil and the stub of the ballot paper and the actual ballot shall be separated by a line of perforations.

Source: http://vota.te.gob.mx

The range of serial numbers on the counterfoil shall correspond to the number of voters included into the electoral register, provided that the number of ballot papers following the order of serial numbers on the counterfoil shall be determined for each polling station in a certain electoral district.
The counterfoils of ballot papers shall be printed on up to one half of the width of the ballot paper. Ballot papers shall be printed on a specially protected 120 gr paper with a watermark embedded into it.

Article 74

The competent election commission shall prescribe in more detail the form and appearance, manner, place and control of printing and distribution of ballot papers and ballot templates, as well as the destruction of the polymer plate.
The ballot template shall be true to the form and appearance of the ballot paper.
The competent election commission shall establish the number of ballots that shall be identical to the number of voters included into the electoral register, as well as the number of reserve ballot papers.
The number of reserve ballot papers shall be established at a maximum of up to 3% of the total number of voters in the relevant electoral district. Serial numbers on the counterfoils of reserve ballot papers shall be specified in the span from the first successive serial number after the total number of voters in the relevant electoral district, to the serial number which is identical to the sum of the total number of voters and the number of reserve ballot papers in the relevant electoral district.
Colour of ballot papers shall be established by the State Election Commission for election of members of parliament and by the municipal election commission for elections of councillors respectively.
Ballot papers for elections of councillors shall be stamped by the municipal election commission, while ballot papers for election of members of parliament shall be stamped by the State Election Commission respectively.

Article 75

Municipal election commission shall prepare in due time equipment and polling material for each polling board, especially: equipment referred to in Art.68a, the necessary number of ballot papers, needed number of ballot templates, general candidate lists, two extracts from the electoral register (one for postal voting), boxes for voting at the polling station, mobile boxes for postal voting, special and official envelopes for voting, as well as the form of the record of polling board work.
For simultaneous vote castings, the number of stamped extracts from the electoral register issued shall match the number of casting of votes. Election materials shall be taken from the municipal election commission by the polling board presiding officer at the latest 48 hours before the date of the election.
The competent municipal body shall take care of organising the layout of polling stations and it shall prepare, for the needs of each of the polling board, the necessary number of ballot boxes, including the sealing and the polling accessories.
On the date of election, before the voting begins, the polling board shall ascertain that the prepared election materials for their polling station are complete and in proper order, that the layout of the polling station is organised in a manner which ensures the secrecy of the ballot and that the voting may begin, which shall be entered into the record of polling board work.

Article 76

The general candidate list, including the titles of candidate lists and the names of all candidates, shall be visibly displayed at the polling station during the voting.
The general candidate list contents and form, as well as the manner of displaying it shall be prescribed by the State Election Commission.

Article 77

Representatives of candidate lists submitting entities and candidates for councillors and MPs shall be entitled to examine election materials, and especially to examine extracts from candidate lists, records of polling boards, records of election commissions and ballot papers. Examination shall be done in official premises of the election commission, as well as in the premises of bodies in whose possession the election materials are.
Covers containing election materials and envelopes containing ballot papers shall be opened by the permanent municipal election commission composition, in the presence of authorised representatives of the election materials examination applicant.
After examination of election materials, election materials shall be packed and sealed in the manner laid down in Art.91 of this Law.
At the request of the candidate list submitting entity, the bodies in whose possession the election materials are shall approve their photocopying at the expense of the applicant.
Examination of election materials may be done within seven days of the date of the election.
At the latest four hours after submission of the application, electoral commission shall enable examination of election materials to the candidate list submitting entity which submitted the application.
Examination and photocopying of election materials, after the expiry of the term referred to in para.5 of this Article, may be exercised by parliamentary parties on the basis of submitted applications.

Article 78

Election materials shall be kept for four years at least.
As an exception to the provision of para.1 of this Article, ballot papers shall be kept for 90 days, that is, until termination of procedure on the breach of rights during elections.
The State Election Commission shall lay down the manner of safekeeping and using election materials.

3. Voting

Article 78a

Before the polling station is opened, the polling board shall draw lots designating the permanent polling board composition member who shall, in the presence of other polling board members, visibly damage the polling board seal by cutting into or burning with flame the rubber seal matrix used to stamp the overleaf of ballots in a place designated for that purpose, immediately before the ballot paper is handed over to the voter.
The permanent polling board composition member who shall stamp the ballot paper shall be designated by the polling board by drawing lots. Damaged polling board seal shall not be placed on the ballot paper counterfoil.
Ballot papers shall be arranged following the order of serial numbers on counterfoils and they shall be issued to voters during the casting of votes following that order.

Article 79

Ballot boxes shall be non-transparent.

Source: http://vota.te.gob.mx

The polling board shall check the ballot box in the presence of the voter who comes to the polling station first.
The result of that control shall be entered into the control sheet which shall be signed by all polling board members and the voter who came to the polling station first.
The control sheet shall be inserted into the ballot box, sealed in the presence of the first voter, and that shall be entered into the record of polling board work.
After the opening of the ballot box, the first thing to be checked shall be the presence of the control sheet inside. If there is no control sheet in the ballot box, the polling board shall be dissolved and a new one appointed, and voting shall be repeated at that polling station. The control sheet form shall be laid down by the State Election Commissions.

Article 80

Voters shall state their name and surname to the polling board and prove their identity via a biometric ID card or passport.
Voters may not vote without presenting evidence of their identity.
Having ascertained the identity of a voter, polling board presiding officer or member shall circle the ordinal number under which voter has been included into the extract from the candidate list, explain to him how to vote and hand over the ballot paper.

Article 81

Polling board members may not impact the decision taken by voters in any manner.
At the request of the voter, polling board members shall re-explain the manner of voting to them.
Polling board members shall especially make sure that no one interferes with the voter while he is filling in the ballot paper and that the secrecy of the ballot is fully ensured.
If any of the rules referred to in paras. 1 to 3 of this Article were breached during voting, the polling board may be dissolved. In case the polling board is dissolved, a new polling board shall be appointed and voting at that polling station shall be repeated.

Article 82

Voters may vote only for one candidate list from the ballot paper.
Votes shall be cast by circling the ordinal number in front of the title of the candidate list for which the vote is cast, or by circling the title of the list or the name and surname of the leader of the list.
Voters shall personally fold the ballot paper that has been filled in so that no one can see how they voted, while leaving the counterfoil unobstructed, and thereafter, while holding in their hands the folded ballot paper, they shall go to the ballot box and enable the polling board member chosen by drawing lots, and if need be, the member designated by the polling board, to detach the counterfoil from the ballot paper along the line of perforations. Voters shall thereafter put the ballot paper in the appropriate ballot box and leave the polling station.
Member of the polling board referred to in para.3 of this Article shall arrange detached counterfoils following the serial numbers order and keep them in the manner laid down in the rules adopted by the State Election Commission.

Article 83

There shall be no changes made to extracts from electoral registers as of the date of compiling a stamped extract from the electoral register for each polling station until the date of the election, as well as on election day.
Where the actions taken are contrary to para. 1 of this Article, the polling board shall be dissolved and a new one appointed, and voting shall be repeated at that polling station.

Source: http://vota.te.gob.mx

Article 84

A voter who cannot cast his vote in person because of polling station, information and communication inaccessibility (person with disability) or due to illiteracy (illiterate person) shall be entitled to do so with the assistance of an aid designated by him, who shall mark the ballot, that is, cast the vote as instructed by the voter.

The competent election commission shall provide all polling stations with the appropriate template allowing visually impaired voters to cast their votes personally.

The casting of vote on behalf of the voter referred to in para.1 of this Article may not be performed by polling board members, nor by authorised representatives of candidate list submitting entities.

The manner of casting of votes referred to in paras. 1 and 2 of this Article shall be entered into the record.

Article 85

Voters who are unable, due to old age, disability, inpatient or outpatient medical treatment, to vote at the polling station where their names are on the extract from the electoral register and who wish to vote, shall submit an application to vote by post to the polling board, using the prescribed form.

Voters who wish to vote by post shall personally sign the form referred to in para.1 of this Article.

The application to vote by post shall be submitted to the polling board at the polling station at the latest until 13:00h on polling day.

The application to vote by post may be submitted to the polling board at the polling station only by the person authorised by the signature of the postal voting applicant to do so. One person may not submit to the polling board more than one application to vote by post, except where he is doing so for two or more voters voting by post and living in the same household.

The authorisation to deliver the application to vote by post to the polling board shall be an integral part of the form referred to in para.1 of this Article.

The form referred to in para.1 of this Article shall be prescribed by the State Election Commission.

ID card or passport of the voter wishing to vote by post shall be submitted to the polling board together with the application to vote by post and the authorisation to deliver the application to vote by post to the polling board.

Article 85a

Upon receipt of the application to vote by post, the polling board shall check the identity of the person who brought the application to vote by post, ascertain if the person wishing to vote by post is on the electoral register and evaluate the reasons for postal voting.

If the polling board does not allow a person to vote by post, it shall enter the reasons for that into the record of polling board work.

Polling board presiding officer shall electronically check the voter's ID card or passport (identification) and he shall keep printed stubs (confirmations) with the rest of the documents necessary for postal voting.

After electronic check (identification), the polling board presiding officer shall hand over the ID card of passport of the voter to the person who brought the application to vote by post, who shall return that identification document without delay to the postal voting applicant.

After ascertaining that the requirements to vote by post have been met, the polling board shall send four designated members who are deputy polling board members to deliver to the voter

the following: a stamped ballot paper, general candidate list, special envelope for the counterfoil, extract from the electoral register, sealing and writing accessories.
Postal voting may be monitored by accredited electoral observers at the polling station.
A mobile non-transparent ballot box for postal voting, previously sealed by sealing wax at the polling station, shall be used in the postal voting procedure.
The State Election Commission shall lay down the form and appearance of the ballot box referred to in para.7 of this Article.

Article 85b

After ascertaining the identity of the voter, the designated member shall circle his ordinal number in the extract from the electoral register, pass the ballot paper to the voter, and the voter shall confirm its receipt by placing his signature on the extract from the electoral register; thereafter, the voter shall vote and fold the ballot paper that has been filled in so that no one can see how he voted, while leaving the counterfoil unobstructed so that the designated member can detach it from the ballot paper and place it into a special envelope for counterfoils, after which the voter shall place the folded ballot paper into the mobile ballot box.
Voters who are unable to personally vote shall be entitled to do so with the assistance of a person designated by themselves and who shall fill the ballot in, that is, cast the vote in the manner ordered to him by the voter.
Designated members shall sign the printed stub (confirmation) which shall thereafter be kept together with its counterfoil.
Designated members shall hand over to the polling board the mobile ballot box with ballot papers and the extract from the electoral register, while the envelope with the counterfoil shall be handed over to the polling board member in charge of keeping counterfoils. The polling board shall open the mobile ballot box after the polling station has closed and it shall establish the number of ballot papers contained in the mobile ballot box in a manner which does not breach the secrecy of the ballot.
After establishing that the vote by post was done in accordance with rules, the polling board shall mix the ballot papers contained in the mobile ballot box for postal voting with the ballot papers contained in the ballot box from the polling station and begin ascertaining voting results at the polling station only thereafter.
The following shall be entered into the record of polling board work: the number of received applications to vote by post, number of voters who were allowed to vote by post by the polling board and number of voters who have voted by post.
The polling board shall place applications to vote by post submitted to the polling board and the extract from the electoral register used for voting by post purposes into a special envelope whose contents shall be marked thereon and which shall, once the voting result has been ascertained, be sealed and delivered to the municipal election commission as an integral part of election materials.

Article 86

(Deleted).

Article 87

Voters who are in custody or serving a prison sentence shall cast their votes at a special polling station established by the State Election Commission, in agreement with the administrative body in charge of criminal sanction enforcement.

Extracts from the electoral register, polling board composition and the manner in which persons referred to in para.1 of this Article cast their votes shall be laid down by the State Election Commission.
Persons working at the ministry in charge of judicial matters and persons working in the administrative body in charge of criminal sanction enforcement may not be members of the polling board.
The voters referred to in para.1 of this Article shall prove their identity in accordance with Art.80 of this Law.

Article 88

Voters staying abroad shall cast their votes at polling stations in the area of their last place of permanent residence in the territory of Montenegro before they went abroad.

VIII – ASCERTAINING AND PUBLISHING ELECTION RESULTS

1. Ascertaining Election Results

Article 89

After the voting, the polling board shall begin ascertaining voting results at the polling station.
The polling board shall ascertain the number of unused ballot papers and place them in a special envelope which shall then be sealed.
Subsequently, the polling board shall ascertain the number of counterfoils detached from ballot papers and place them in a special cover which shall then be sealed.
The polling board shall ascertain the total number of voters who have cast their votes on the basis of extracts from the electoral register.
When the ballot box is opened, after the control sheet has been checked, valid ballot papers shall be separated from invalid ones. The polling board shall enter data referred to in paras.2, 3 and 4 of this Article into a record before the ballot box is opened.
The polling board shall ascertain the number of invalid ballot papers, then the number of valid papers, as well as the number of votes for each candidate list, and enter those into a record.
Invalid ballot papers shall be unfilled ballot papers, papers marked in a manner which prevents to ascertain which candidate list received the vote and papers in which more than one candidate list were circled.
If ascertained that the number of ballot papers in the ballot box exceeds the number of voters identified in the extract from the electoral register as the voters who have cast their votes or if ascertained that the number of ballot papers in the ballot box exceeds the number of counterfoils or if ascertained that the number of ballot papers in the box exceeds the number of signed stubs and signed counterfoils or if ascertained that there are two or more counterfoils with the same serial numbers or with a serial number which does not pertain to the polling station, the polling board shall be dissolved and a new one shall be appointed, and voting shall be repeated at that polling station. Voting results at that polling station shall be ascertained after repeated voting.

Article 90

When the polling board ascertains voting results, the following shall be entered into the record of polling board work: number of received ballot papers; number of unused ballot papers; number of used ballot papers; number of invalid ballot papers; number of valid ballot papers; number of votes received by each candidate list; number of voters according to the extract

from the electoral register; number of voters who have cast their votes following the register and number of voters who have cast their votes by post.
Objections and opinions of polling board members shall also be entered into the record of polling board work, as well as all other facts of importance to the voting.
The record of polling board work shall be signed by all polling board members. Every polling board member shall receive a copy of the record of polling board work.

Article 91

Unused, invalid and valid ballot papers shall be placed by the polling board into special envelopes whose contents are indicated on them and which shall be sealed, and thereafter, the entire election materials (record of work, extract from the electoral register, ballot papers, counterfoils detached from ballot papers, applications to vote by post, seal of the polling board, as well as other election materials) shall be placed into a single envelope which shall then be sealed.
After the voting results have been ascertained, the polling board shall immediately submit to the municipal election commission the election materials referred to in para.1 of this Article and it shall do so at the latest within six hours as of the close of the polling station.

Article 92

Upon receipt of election materials from polling stations, municipal election commission shall record the total number of voters included on the electoral register and it shall ascertain: the number of voters who have cast their votes at polling stations; number of voters who have cast their votes by post; total number of received ballot papers; total number of invalid ballot papers; total number of valid ballot papers and the number of votes cast to each of the candidate lists.
On the basis of voting results at all polling stations in the electoral district, municipal election commission shall ascertain temporary results of elections of councillors within 12 hours of the hour of submission of reports from polling stations.
Municipal election commission shall draw up a special report regarding the voting results for the election of members of parliament at polling stations designated in a separate decision of the Parliament.
Municipal election commission shall ascertain voting results of elections for MPs at polling stations in its territory, at the latest within 12 hours as of the delivery of reports from polling stations and it shall deliver a report thereon including a record of its work to the State Election Commission.
The State Election Commission shall ascertain temporary results of election of members of parliament within 12 hours of the hour of delivery of reports of municipal election commissions.

2. Allocation of Seats

Article 93

The total number of votes received by each candidate list and the number of seats which pertain to each of the lists shall be established by the municipal election commission for election of councillors and by the State Election Commission for election of members of parliament respectively.
Each candidate list shall receive the number of seats proportionate to the number of votes received, in accordance with this Law.

Article 94

Candidate lists which received at least 3% of the total number of valid votes in the electoral district shall take part in the allocation of seats.
As an exception to para.1 of this Article:
1) candidate lists for election of MPs members of a certain national minority or minority ethnic community indicated in the application to contest elections or in the title of the candidate list, if none of them meet the requirement referred to in para.1 of this Article, or if they individually receive at least 0.7% of valid votes, shall acquire the right to participate in the allocation of seats as a single - general candidate list with the total number of valid votes received, provided that aggregation that ensures the winning of up to three seats shall be allowed for the purposes of computating the number of seats;
2) where none of the candidate lists for election of MPs members of the Croatian people in Montenegro meets the requirements referred to in para.1 of this Article and item 1 of this paragraph, the most successful of them, with at least 0.35% valid ballots, shall acquire the right to one MP seat;
3) candidate lists for election of MPs members of a certain minority nation or minority ethnic community indicated in the application to contest elections or title of the candidate list, where none of them meets the requirement referred to in para.1 of this Article, shall acquire the right to participate in the allocation of seats individually, with the number of valid votes they have received.
The right referred to in para.2 item 1 of this Article shall be used by candidate lists of members of a certain (of the same) minority nation or of a certain (of the same) minority ethnic community, whose share is up to 15% in the total population of the electoral district, according to the last population census data.
The right referred to in para.2 item 3 of this Article shall be used by candidate lists of members of a certain (of the same) minority nation or of a certain (of the same) minority ethnic community, whose share is up to 15% in the total population at state level and from 1.5% to 15% in the total population in the territory of a municipality, Administrative Capital or Historic Royal Capital, according to the last population census data.
Participation of a candidate list of members of a certain minority nation or minority ethnic community in a pre-election coalition with candidate lists of members of other minority nations or minority ethnic communities or candidate lists of political parties or groups of citizens that are not exercising the right referred to in para.2 of this Article shall not preclude other candidate list submitting entities of the same minority nation or minority ethnic community from exercising the right referred to in para.2 of this Article.

Article 94a
(Deleted).

Article 95
The number of seats to be allocated to individual candidate lists shall be fixed by dividing the total number of votes received by each candidate list in the electoral district by 1, 2 and ... inclusive the number which matches the number of councillors or MPS who are elected in the electoral district. Quotients obtained in this manner shall be classified by size, with as many highest quotients being taken into consideration as the number of councillors or MPs being elected.
Individual candidate lists shall receive the number of seats which corresponds to the number of those quotients they are entitled to.
The seats won by the general candidate list shall be allocated to candidate list submitting entities which comprise the general candidate list by dividing the total number of votes received by individual candidate lists which comprises the general candidate list by 1, 2 and ... inclusive the

number of seats won by the general candidate list. Quotients obtained in this manner shall be classified by size, with as many highest quotients being taken into consideration as the number of seats won by the general candidate list.
If two or more candidate lists get the same quotients on the basis of which they could win one seat, the candidate list to receive that seat shall be decided by drawing lots.

Article 96

The seats won by the candidate list shall be allocated to candidates following the order on the candidate list.

Article 97

Where a candidate list received, according to the voting results ascertained in the manner referred to in Art.95 of this Law, a higher number of seats than it has candidates on its list, those seats shall pertain to candidate lists which have the highest successive quotient in terms of the size.

Article 98

The municipal election commission shall ascertain the final results of elections of councillors within 12 hours of expiry of the time-limit for lodging complaints and appeals, that is, of the moment when the decisions on complaints and appeals have become final or enforceable. The State Election Commission shall ascertain the final results of election of members of parliament within 12 hours of expiry of the time-limit for lodging complaints and appeals, that is, of the moment when the decisions on complaints and appeals have become final or enforceable.

3. Publishing Election Results

Article 99

Data on final election results shall be published by the municipal election commission for election of councillors and by the State Election Commission for election of members of parliament respectively, specifically on:
1) the number of voters included on the electoral register;
2) number of voters who have cast their votes at the polling station;
3) number of voters who have cast their votes outside of the polling station;
4) number of voters who have cast their votes;
5) number of received ballots;
6) number of ballots which remained unused;
7) number of ballots which were used;
8) number of invalid ballots;
9) number of valid ballots;
10) number of votes received by individual candidate lists;
11) number of seats won by individual candidate lists.
Final results of election of members of parliament shall be published in the Official Gazette of Montenegro and final results of elections of councillors shall be published in the Official Gazette of Montenegro, under Municipal Regulations, at the latest within 15 days of the election day.

Article 100

On the date of validation of terms, elected councillors shall be issued a certificate by the municipal election commission that they have been elected councillors, while the State Election Commission shall do the same to elected members of parliament.

IX – TERMINATION OF TERMS OF OFFICE, REPEATED ELECTIONS, FILLING IN VACANT COUNCILLOR AND MP SEATS AND EARLY ELECTIONS

1. Termination of Terms of Office

Article 101

The term of a councillor or MP shall terminate before the expiry of the period to which they were elected in cases of:
1) resignation;
2) if sentenced by a final court decision to an unconditional prison sentence of at least six months or sentenced to a prison sentence for a criminal offence making him unworthy for performing this office;
3) if deprived of legal capacity by a final court decision;
4) if one of the cases of incompatibility of councillor or MP office with another office happens, as laid down by the Constitution and law;
5) termination of Montenegrin nationality;
6) in the case of death;
7) (repealed);
8) if the work of the political party from whose candidate list he was elected gets prohibited.
The terms of councillors and MPs shall terminate on the date on which the case referred to in para.1 of this Article occurs.
Termination of a term shall be stated by the competent assembly at the first following session after the receipt of notification of the reasons for termination of councillor or MP term.
Councillors and MPs whose terms were terminated on the basis of para. 1 item 4 of this Article shall remain on the candidate list and they may gain the councillor or MP seat again, in accordance with this Law.

2. Repeated Elections

Article 102

Repeated elections shall be held if the competent election commission annuls elections at a particular polling station. In the case referred to in para.1 of this Article, voting shall be repeated only at that polling station.
Repeated elections shall be administered in the manner and following the procedure laid down in this Law for election administration, in accordance with the time-limits referred to in Art.98 of this Law.
Repeated elections shall be called for by the competent election commission.
In cases of repeated elections, final election results shall be ascertained upon completion of repeated voting.

Article 103

Repeated elections shall be held at the latest within seven days of the date when elections were annulled. Candidate lists may not be changed for repeated election administration.

3. Filling in Vacant Councillor and Member of Parliament Seats

Article 104

If the term of a councillor or MP terminates for reasons laid down in Art.101 of this Law, a new councillor or MP shall receive the seat in the manner laid down in this Article.

If the same or higher number of candidates remains on the candidate list from which the councillor or MP was elected as compared to the number of councillors or MPs whose terms were terminated, the successive candidate in the order of the candidate list shall be elected.

As an exception to para.2 of this Article, if the term of a councillor or MP from the underrepresented sex terminates, the successive candidate on the candidate list from among the underrepresented sex shall be elected in his place.

If there are no more candidates of the underrepresented sex in the candidate list from which the councillor or MP was elected, the successive candidate in the order of the list shall be elected.

If the term of a councillor or MP who was elected from a coalition candidate list terminates due to reasons laid down in Article 101 of this Law, the successive candidate in the order on the constituent list he belongs to shall be elected councillor or MP respectively.

If there are no candidates on the candidate list from which the councillor or MP was elected, the candidate from a list which has the highest successive quotient, in terms of size, shall be deemed elected councillor or MP respectively.

The term of the new councillor or MP shall last until the expiry of the term of the councillor or MP whose term was terminated.

Written assent confirming acceptance of the seat shall be obtained from candidates referred to in paras. 2 and 3 of this Article before the term is validated.

4. Early Elections

Article 105

Early elections of councillors and MPs shall be called and held in cases of assembly dissolution or when a decision has been passed to shorten the term of the assembly.

Early elections shall be called for and administered in the manner and following the procedure laid down in this Law as regards election administration.

X – PROTECTION OF VOTING RIGHTS

Article 106

During the election process, election management bodies shall inform voters of their voting rights and of the manner to protect those rights.

Article 107

Each voter, candidate and candidate list submitting entity shall be entitled to lodge an objection to the competent election commission due to a voting right breach during the election process.

The objection referred to in para. 1 of this Article shall be submitted within 72 hours of the hour when the decision was passed or action taken respectively.

Article 108

The objection against the decision, action or omission made by the polling board shall be submitted to the municipal election commission. The objection against the decision, action or

omission of the municipal election commission shall be submitted to the State Election Commission.

Article 109

The competent election commission shall issue a decision within 24 hours of the hour of receipt of the objection and submit it to the objection submitting entity.
If the competent election commission upholds the objection, it shall annul that decision or action.
If the competent election commission does not issue a decision upon the objection within the time-limits laid down by this Law, the objection shall be deemed upheld.

Article 110

An objection may be lodged to the State Election Commission against the decision of the municipal election commission rejecting or refusing the objection.
An appeal may be brought to the Constitutional Court of Montenegro against the decision of the State Election Commission rejecting or refusing the objection.

Article 111

Rules laid down for the delivery process in administrative procedure shall apply accordingly to all actions related to the delivery of decisions, conclusions, as well as other acts, files, documents, submissions and the like, unless otherwise provided by this Law.

XI – ELECTORAL OBSERVERS

Article 111a

Authorised representatives of domestic non-governmental organisations registered to monitor the exercise of political freedoms and rights may observe the course of elections and the work of election management bodies, in accordance with this Law.

Article 111b

Domestic non-governmental organisations interested in monitoring elections shall submit applications to the State Election Commission which shall issue official authorisations or a decision rejecting to issue the authorisation, within 48 hours of receipt of the application.
The application referred to in para.1 of this Article shall contain: name of organisation, proof of entry into the register, number and composition of representatives. Applications shall be submitted at the latest five days before the polling day.

Article 111v

European Union, other international organisations, international non-governmental organisations and authorised representatives of foreign countries may monitor the course of elections which includes the work of election management bodies and other state bodies, manner in which the media report on the pre-election campaign, exercise of voting right and other related political and civic rights in the election process.
Observation period shall run of the day when election is called and end when final election results are announced.
The observers referred to in para.1 of this Article shall report on the course of the election process in accordance with established procedures.

Article 111g

Interested foreign observers referred to in Art.111v of this Law shall submit an application for election observation to the Ministry in charge of foreign affairs at the latest ten days before election day.
The application referred to in para.1 of this Article shall contain: name of the state of observer's origin, name of organisation, proof of entry into the register, number and composition of representatives and period of stay.
The Ministry in charge of foreign affairs shall submit the application to the State Election Commission on the date following that when the application was received.
The State Election Commission shall issue official authorisations for observing elections or refuse to issue an authorisation by means of its decision within 48 hours of the date when application was received.

Article 111d

The State Election Commission shall issue identification cards to persons referred to in Art.111a and 111v of this Law which shall include the name, surname, name of their country and the name of organisation or institution they pertain to.
Persons to whom identification cards were issued shall wear it in a visible place.

Article 111đ

Election management bodies shall enable foreign and domestic observers to monitor the course of elections and the work of election management bodies.
The polling board shall state the presence of observers at the polling station in its record.

Article 111e

At the proposal of the election management body, the State Election Commission may revoke authorisation or identification card from the person to whom it was issued, if he does not adhere to polling station order maintenance rules and election management body's work rules.

Article 111ž

Authorised representatives of domestic organisations registered for public opinion polling may perform public opinion polls after the polling, in accordance with this Law.
The organisation referred to in para.1 of this Article shall submit a request to the State Election Commission which shall issue official authorisations within 48 hours of receipt of the request or reject to issue the authorisation by means of a decision.
The request referred to in para.2 of this Article shall contain: name of the organisation, evidence of entry into the register for the performance of public opinion polling activity, number and composition of representatives of the public opinion polling organisation.
The request shall be submitted at the latest five days before the polling day.

XI – ELECTION ADMINISTRATION AND ELECTION CAMPAIGN COSTS

Article 112

Funds for the work of election management body, election materials and other election administration costs shall be provided by the municipal assembly for election of councillors and by the Parliament for the election of members of parliament respectively. The request to receive funds including a specification of total costs shall be submitted by the competent election commission.

Source: http://vota.te.gob.mx

The State Election Commission shall lay down the criteria and benchmarks and distribute funds to municipal election commissions for the performance of relevant duties when administering elections of members of parliament.
The State Election Commission shall determine the manner of using funds and control the way in which funds referred to in para.2 of this Article were used.
The funds paid as remuneration for work to persons in election management bodies shall be exempted from taxes and contributions.

Article 113
(Deleted).

Article 114
State bodies and local government bodies shall make available their premises, other devices, means and equipment for conducting electoral campaigns and shall enable equal conditions for their use to all candidate list submitting entities.
The bodies referred to in para.1 of this Article shall determine the conditions and the manner of using means referred to in para.1 of this Article with the candidate list submitting entities, within 10 days of the day when the election is called.

XII – PENAL PROVISIONS

Article 115
A prison sentence of up to three years shall be imposed for the criminal offence on those who order the use of or use the military, military bodies, interior affairs bodies, judicial and state bodies and equipment of these bodies to represent, make popular or attack a certain candidate list, as well as employees of these bodies and other persons who work for these bodies or cooperate with them, if they act upon such orders.
If the criminal offence referred to in para.1 of this Article is committed by the president of Montenegro, Parliament Speaker, prime minister and members of the Government, Constitutional Court president and judges, Supreme Court president and judges, state prosecutor and head of the State Prosecutor's Office, they shall be punished by a prison sentence of up to five years.

Article 116
A fine ranging from 500 to 2,000 EUR shall be imposed for a misdemeanour on:
1) those who accept a candidacy in contravention to Art.39 of this Law;
2) those who give their signatures when nominating candidates in contravention to Art. 44 of this Law;
3) those who act in contravention to Art.50a and Art.51a para.2 of this Law;
4) those who come to the polling station armed or with a dangerous tool (Art. 69 para. 5);
5) those who cause disorder at a polling station which results in interruption of voting (Art. 71 para. 1);
6) those who, having been warned to do so by the polling board presiding officer, do not leave the polling station (Art. 72);
7) those who act in contravention to Art.77 of this Law;
8) those who prevent monitoring of election administration (Art. 111đ).
The statutory measure of publication of decision shall also be imposed on perpetrators together with the fine for misdemeanour referred to in para.1 item 2 of this Article. The precautionary measure of confiscation of weapons and dangerous tools shall be imposed to the perpetrator together with the misdemeanour fine referred to in para.1 item 4 of this Article.

Source: http://vota.te.gob.mx

Article 117

Legal entities shall be punished for a misdemeanour by a fine ranging from €2,000 to €20,000, if:

1) they perform public opinion polls in contravention to Art. 2 para. 4 of this Law;
2) they engage in election campaigns in contravention to Art. 6 para. 3 of this Law;
3) they fail to adhere to Art. 51, 53, 53a, 56 and 62 of this Law;
4) they act in contravention to Art. 63 of this Law.

Responsible person in the legal entity shall also be punished for the misdemeanour referred to in para. 1 of this Article by a fine ranging from €500 to €2,000.

Natural persons shall also be punished for the misdemeanour referred to in para. 1 of this Article by a fine ranging from €250 to €2,000.

XIII - TRANSITIONAL AND FINAL PROVISIONS

Article 118

The first following elections of members of parliament of the Republic of Montenegro shall be held in the Republic as a single electoral district in which five members of parliament, out of the total number of MPs, shall be elected at polling stations designated by a separate decision of the Parliament of the Republic.

Validated and published candidate lists shall equally participate at all polling stations in the Republic as a single electoral district.

Only candidate lists which received at least 3% of votes out of the total number of voters who cast their votes at those polling stations shall participate in the allocation of seats at polling stations which have been designated in a separate decision of the Parliament of the Republic.

In the final allocation of seats, candidate list which met the requirement to participate in the allocation of seats at polling stations designated in a separate decision of the Parliament of the Republic shall be added the votes of voters that the list received at other polling stations in the Republic, provided that it does not participate in the allocation of seats at those polling stations.

The votes received by the candidate list which, given the number of votes received, does not participate in the allocation of seats in polling stations designated in a separate decision of the Parliament of the Republic shall be added to the votes that the list received at other polling stations in the Republic, provided that it participates in the allocation of seats at those polling stations. Allocation of seats referred to in para.1 of this Article shall be done in accordance with Art. 95 of this Law.

Article 119

As for elections referred to in Art. 118 of this Law, municipal election commissions shall draw up a special report on the election of members of parliament at polling stations laid down in a decision of the Parliament of Montenegro.

Article 120

Optical spray readers shall be used at the first subsequent parliamentary elections referred to in Art. 118 of this Law. The manner of using spray referred to in para. 1 of this Article shall be laid down in a regulation of the Republican Election Commission.

Article 120a

Optical spray readers shall be used at the elections of councillors in municipal assemblies Podgorica and Herceg Novi, which will be held on 11 June 2000.
The manner of using spray referred to in para.1 of this Article shall be laid down in a regulation of the Republican Election Commission.

Article 121

The municipal assembly shall appoint municipal election commissions at the latest within 30 days of the date of entry into force of this Law.
As an exception to para.1 of this Article, municipal assembly Podgorica and municipal assembly Herceg Novi shall appoint municipal election commissions at the latest within 10 days of the date of entry into force of this Law.
Republican Election Commission shall be appointed within the time-limit referred to in para. 2 of this Article.

Article 122

Republican Election Commission shall adopt regulations and prescribe forms for enforcing this Law within 15 days of the date of its appointment.

----------EDITOR'S NOTE:

Law Amending the Law on ... (Official Gazette of the Republic of Montenegro no. 46/02) brought also the following provisions that were not included into the consolidated text:

TRANSITIONAL AND FINAL PROVISIONS

Article 15

As an exception, the election which will be held on 31 December 2002 in Montenegro shall be administered by election management bodies appointed in conformity with the transitional and final provisions of this Law.

Article 16

The permanent composition of the Republican Election Commission shall include: its chairperson, secretary and eight members.
The chairperson of the Republican Election Commission shall be appointed at the proposal of the party which won the highest number of MP seats in the previous elections.
The secretary of the Republican Election Commission shall be appointed at the proposal of the party which came second in terms of the number of MP seats won in the previous elections.
One representative of all each of the parties represented in the Parliament of the Republic of Montenegro shall be appointed to the permanent composition of the Republican Election Commission.

Article 17

The permanent composition of the municipal election commission shall include: its chairperson, secretary and eight members.
The permanent composition of the municipal election commission shall be appointed following the criterion and in the manner laid down in Article 16 of this Law. If any of the political parties represented in the Parliament of the Republic of Montenegro do not have a political interest to designate its representative to the permanent composition of the municipal election commission, it may surrender its position in the municipal election commission to another political party, of which it shall inform the competent municipal assembly.
The chairperson of the municipal election commission shall be appointed at the proposal of the party or coalition which won the highest number of councillor seats in the previous elections. If a

coalition candidate list won the highest number of seats in the previous elections, the chairperson of the municipal election commission shall be appointed at the proposal of the party which won the highest number of councillor seats within the coalition.
The secretary of the municipal election commission shall be appointed at the proposal of the party which came second in terms of the number of councillor seats won in the previous elections.
In case the coalition candidate list and the party which submitted an independent candidate list have the same number of seats, the chairperson of the municipal election commission shall be appointed at the proposal of the party and coalition which received the highest number of votes.
In case coalition candidate lists won the same number of seats, the chairperson of the municipal election commission shall be appointed at the proposal of the coalition whose candidate list received a higher number of votes.
In case parties which submitted independent candidate lists have the same number of seats, the chairperson of the municipal election commission shall be appointed at the proposal of the party which received the highest number of votes.

Article 18

The permanent composition of the polling board shall comprise its presiding officer and four members.
Each party represented in the relevant assembly shall be entitled to the number of polling board presiding officers proportionate to the proportional representation of councillor seats in assembly, and polling stations in which individual parties would propose representatives for polling board presiding officers shall be determined by the municipal election commission by drawing lots.
Two members shall be appointed to the permanent polling board composition at the proposal of a political party or coalition that has majority in the relevant municipal assembly.
One representative in the relevant assembly of the two opposition political parties respectively which received the highest number of votes in the previous elections shall be appointed to the permanent polling board composition.
If there is only one opposition political party in the relevant municipal assembly, two representatives of that party shall be appointed to the permanent polling board composition.

Article 19

The decisions and election-related actions taken and conducted by the Republican Election Commission and municipal election commissions in the previous composition regarding the elections already called, shall be deemed an integral part of the single election process which shall be continued by the Republican Election Commission and municipal election commissions appointed in conformity with this Law.

Article 20

In the early elections which will be held in 2002, four MPs referred to in Art.12 para. 3 of this Law shall be elected at polling stations which shall be designated in a separate decision of the Parliament of the Republic of Montenegro.

Article 21

Municipal assemblies and the boards of designated members in Podgorica and in Tivat respectively shall appoint municipal election commissions within seven days of the date of entry into force of this Law.
The Parliament of the Republic of Montenegro shall appoint the Republican Election Commission within the time-limit referred to in para. 1 of this Article.

Article 22

Provisions of the Law Amending the Law on the Election of Councillors and Members of Parliament (Official Gazette of the Republic of Montenegro no.41/2002) that are in contravention to the provisions of this Law shall be repealed.

Article 23

Enforcement of the provisions of this Law to already called early elections for members of the Parliament of the Republic of Montenegro, elections of councillors in the assembly of the Capital

City Podgorica and elections of councillors in the assembly of Tivat municipality shall be a matter of public interest, in accordance with Art. 109, para. 2 of the Constitution of the Republic of Montenegro.

Article 24

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

---------- NOTE:

The Law Amending the Law on Election of Councillors and Members of Parliament (Official Gazette of Montenegro, no. 14 of 22 March 2014) adopted the following provisions that were not included into the consolidated text:

Article 55

The Parliament of Montenegro shall appoint the State Election Commission in accordance with this Law, within 30 days of the date of entry into force of this Law.

The act on internal organisation and job descriptions of the Service shall be adopted by the State Election Commission three months of the appointment date.

Article 56

Assemblies of municipalities: Bar, Berane, Bijelo Polje, Danilovgrad, Žabljak, Kolašin, Plav, Plužine, Pljevlja, Podgorica, Rožaje and Šavnik shall appoint municipal election commissions within 60 days of the date of administration of election of councillors in assemblies of those municipalities, which will be held in the first half of 2014.

Assemblies of municipalities: Andrijevica, Budva, Kotor, Mojkovac, Nikšić, Petnjica, Tivat, Ulcinj, Herceg Novi and Cetinje shall appoint municipal election commissions within 60 days of the date of entry into force of this Law.

Article 57

The State Election Commission shall adopt regulations and forms for enforcement of this Law within 30 days of the date of entry into force of this Law.

Instructions on the manner of using electronic voter identification devices shall be adopted by the ministry in charge of electoral registers within six months of the date of entry into force of this Law.

Article 58

Municipal election commissions shall provide to polling boards polling equipment and material, in accordance with Article 75 of this Law.

As an exception to para.1 of this Article, electronic voter identification device shall be an integral part of the polling equipment starting from the date when the provisions of Art. 68, 68a, 68b and 89, para. 9 of this Law start to be enforced.

Until the date when the provisions of Art. 68, 68a, 68b and 89 para.9 of this Law start to be enforced, invisible ink-spray and optical spray readers shall be used at polling stations.

Article 59

The provision of Art. 85 para.7 of this Law prescribing that the ID card or the passport of the voter wishing to vote via a letter has to be submitted to the polling board together with the request to vote by post and authorisation for submitting the application, shall apply as of the date when the provisions of Art.v68, 68a, 68b and 89 para. 9 of this Law start to be enforced.

Provisions of Art. 85a paras. 3 and 4 of this Law concerning electronic identification and the provision of Art.85b para. 3 governing the actions of designated members regarding the printed stub (confirmation) shall apply as of the term referred to in para. 1 of this Law.

Article 60

Provisions of Art. 68, 68a, 68b and 89 para. 9 of this Law shall apply as of 1 November 2014.

Source: http://vota.te.gob.mx

Procurement of equipment and election materials needed to administer elections and development of a software solution for keeping the single electoral register shall be done in accordance with Art. 3 para. 1 item 12 of the Law on Public Procurement.
The Ministry of Finance shall provide the necessary financial resources for the enforcement of this Law from the budgetary reserve resources.

Article 61

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

Source: http://vota.te.gob.mx