Chapter One: The Voters

Article 1

Every Kuwaiti who is twenty-one Gregorian years of age has the right to vote, with the exception of the naturalized who has not been naturalized for twenty Gregorian years in accordance with the provision of Article 6 of Emiri Decree No. 15 of 1959 in the Kuwaiti Nationality Law. In nomination and election, women .are required to abide by the rules and provisions adopted in Islamic Sharia

Article 2

A person convicted of a felony or a crime involving moral turpitude or dishonesty shall be prohibited from .voting until he is rehabilitated

Article 3

.The right to vote shall be suspended for the men of the armed forces and the police

Article 4

Article 5

.A voter may not give his opinion more than once in a single election

Part Two: Tables

Article 6

Each electoral district shall have one or more permanent election schedules drawn up by a committee or .committees composed of a chairperson and two members

Article 7

The election schedule includes the name of every Kuwaiti whose domicile is in the electoral district who, on the first of February of each year, fulfilled the qualities required to assume electoral rights, his title, .profession, date of birth and place of residence

.A voter may not be registered in more than one roll

The schedule shall be drawn up in two copies according to the order of the letters of the alphabet and signed by the head of the committee and its two members, and one of them is kept in the police station in .the electoral district and the other in the general secretariat of the National Assembly

The committee may ask any person to prove any of the conditions necessary for him to assume electoral .rights

Article 7 bis

The election schedules are edited or modified during the month of February of each year. The annual amendment includes:

A- Adding the names of those who have become possessing the qualifications required by law to assume electoral rights.

b- Adding the names of those who have reached the age of twenty and have fulfilled all the characteristics required by law to assume electoral rights.

C- Adding the names of those who were unjustly neglected in the previous tables.

D- Delete the names of the deceased.

e- Deleting the names of those who have lost the required qualities since the last review, or whose names have been unlawfully included.

F- Deleting those who transferred their domicile from the department and adding those who transferred their domicile to it.

No amendment may be made to the list after the issuance of the decree calling the voters to vote.

Article 8 bis

As an exception to the provision of the first paragraph of Article 8 of the aforementioned Law No. 35 of 1962 AD, the Elections Department of the Ministry of Interior shall register the names of Kuwaiti women, each of them in their electoral district, according to what is contained in the lists referred to in Article 7 bis, after verifying that all the required qualities are available. them to assume their electoral rights stipulated by law.

The aforementioned administration also publishes the election schedules containing the names of Kuwaiti women in their constituency in the Official Gazette within sixty days of receiving the lists referred to in Article 7 bis, as well as publishing the names of Kuwaiti women registered in areas that do not belong to

Every Kuwaiti residing in the electoral district may request that his name be included in the electoral roll if he has unjustly neglected the inclusion of his name, and every voter included in the electoral roll may request the inclusion of the name of someone who was unjustly neglected or the deletion of the name of .someone who was unjustly included

Applications are submitted to the committee's headquarters in the period from the first of March to the twentieth of it, and they are recorded according to the date of their receipt in a special book, and receipts .are given to their applicants. Each voter may view this book

Article 11

The registration committee shall decide on the applications for listing or deletion stipulated in the previous article, no later than the fifth of April. The committee may hear the statements of the applicant and those in respect of whom the application is submitted, and conduct whatever investigation and investigations it .deems necessary

Article 12

The decisions of the committee shall be presented in the places referred to in Article 9 of this law and .published in the Official Gazette starting from the sixth day until the fifteenth day of the month of April

Article 13

Every interested person and every voter listed in the constituency election schedule may appeal against the decision of the committee by submitting a request to the competent police station no later than the twentieth day of the month of April. In regard to these challenges, the procedures set out in Article 10 of .the law shall be followed. It is referred immediately to the competent court

Article 14

The appeals mentioned in the previous article shall be decided finally by one of the judges of the Plenary .Court, who shall be delegated by its president

Each person whose name is registered in the electoral roll and his registration has become final shall be given a certificate in which he shall mention his name, date of birth, his registration number in the list, the .date of registration, and the statement of the electoral district in which he is registered

Article 17

The final election schedules are considered a conclusive evidence at the time of the election, and no one .may participate in it unless his name is registered therein

Chapter Three: Election Procedures

Article 18

The date of the general elections is determined by a decree, and the by-elections are determined by a .decision of the Minister of Interior

.The decree or decision must be published at least one month before the date set for the elections

Article 19

It is stipulated that whoever nominates himself for membership of the National Assembly must have his .name included in one of the electoral lists

Article 20

Candidacy applications shall be submitted in writing to the police station at the headquarters of the electoral district during the official working hours of the ten days following the publication of the decree or decision calling for elections. In the places stipulated in Article 9 of this law, and it shall be published in .the Official Gazette within two weeks from the date of closing the door for nomination

Article 22

No one may nominate himself in more than one electoral district. If it becomes clear that he is a candidate in more than one district, he must give up his candidacy for more than one district before closing the .candidacy door

Article 23

An elected council member may not combine membership and assume public office. If an employee is elected, he is considered to have given up his job if he does not resign within the eight days following the day on which his election becomes final from his membership in the council. The employee is granted an official leave with full salary starting from the day following the closing of the nomination door Until the end of the election process, during that period, he may not exercise any of the functions of the job, and .this period is calculated from his annual leave

Ministers, judges and the Public Prosecution may not nominate themselves unless they resign in advance from their positions, and the heads of voter registration committees, their members, or their first-degree relatives may not nominate themselves in the work area of these committees unless they have refrained .from participating in their work

Article 24

Each candidate may waive his candidacy in writing to the entity to which he submitted the candidacy application, at least seven days before the election date. The assignment shall be recorded in front of his name in the list of candidates, and the election day shall announce the names of the candidates by .displaying them at the doors of the electoral committees in the constituency

Article 25

If a candidate does not submit a valid nomination in an electoral district more than the number required to be elected, the Minister of Interior announces that these candidates have won membership without the .need to hold elections in the district

Article 26

Each committee is formed of a judge of the Public Prosecution, appointed by the Minister of Justice and having the presidency, and a member appointed by the Minister of Interior, men or women, as the case may be, and a delegate for each candidate so that the number of delegates does not exceed fifteen delegates. The number is by agreement among them or by lot in the event of disagreement. The head of each of the original or sub-committees must verify the identity of the voter before expressing his opinion .on the basis of the election card

The candidate shall submit the name of his representative at least seven days before the date of the .election to the body specified by the Minister of Interior

If the candidate did not submit the name of his representative or submit it and did not attend at the start of the election process, and the committee had not reached three members, the head of the committee .chose one of the voters present to be a member of it

If the head of the committee is absent, he will be replaced by one of the alternate chairmen whose .appointment is issued by a decision of the Minister of Justice

Article 28

The committee chooses a secret clerk from among its members, who drafts the election minutes and signs .them by the committee chairman and other members

Article 29

Maintaining order in the election assembly is entrusted to the head of the committee, and he has the right to request the policemen when necessary, and policemen or military forces may not enter the election hall .except at the request of the committee chairman

Article 30

Candidates always have the right to enter the election hall, and they may delegate one of the voters in the .constituency to elect a voter in the constituency, and the power of attorney shall be in writing

Article 31 bis

It is prohibited to set up booths, tents, or anything like that, or to use all means of transportation for the purpose of electoral propaganda in front of polling stations or others. The elections or any announcement of thanks or congratulations to the candidates, even after the end of the electoral process in the public roads or public or private facilities or buildings, as an advertisement for the candidates. The Ministry of Interior, after closing the nomination door, puts billboards in the suburb's centers and branches and in any other places that the Ministry sees written in a clear, unified line The names and pictures of all candidates for each department are arranged according to the letters of the alphabet, and the Ministry of Interior, along with the Kuwait Municipality, removes any works carried out in violation of that immediately at the .expense of the violator

The Ministry of Interior, in coordination with the Ministries of Education and Social Affairs and Labor during the electoral campaign period, allocates school theaters, community development halls, and wedding halls to hold electoral seminars for all candidates who request this and in equal measure among them. Electoral seminars in the places mentioned above, provided that he delivers them in the condition in .which they were

(Article 31 bis (a

Subject to the provisions of the preceding article, the Kuwait Municipality shall issue to each candidate a license to establish two electoral headquarters, one for males and the other for females, in which it is allowed to conduct and call for electoral seminars for the candidate, starting from the date of publishing .the decree or decision calling for elections in the Official Gazette

Anyone who violates the provisions of this article and the previous article shall be punished with a fine of .no less than one thousand dinars and not more than three thousand dinars as a maximum

The Ministry of Interior and the Kuwait Municipality shall immediately remove any polling stations held in .violation of this at the expense of the violator

The Ministers of Interior and Municipalities are obligated to form a joint committee to supervise the implementation of the provisions of this article and the previous article, provided that the committee .submits to them a weekly report on its work

Article 32

Every voter must submit to the committee, when expressing his opinion, a certificate of his registration in .the electoral roll. The committee should look at his nationality certificate and stamp it with a special seal

The head of the committee hands each voter an election paper, and the voter steps aside from one of the areas designated for expressing his opinion inside the election hall. After confirming his opinion on the paper, he returns it to the president, who puts it in the election box. The secret clerk in the voters list .marks in front of the name of the voter who submitted his paper

And the voter who is not able to prove his opinion on the paper by himself, expresses it verbally so that only the members of the committee can hear it, and the president confirms the opinion on the paper and puts it in the box. Only the voter may express his opinion to the head of the committee and one of its .members

Article 35

At eight o'clock in the evening, the president announces the end of the election process, and if all the voters attend before this date, the head of the committee announces the end of the process after .expressing the opinion of the last voter

وتستمر عملية الانتخاب بعد الساعة الثامنة اذا تبين وجود ناخبين في مكان الانتخاب لم يدلوا بأصواتهم بعد . ويقتصر التصويت في هذه الحالة على هؤلاء الناخبين دون غيرهم .

وبعد إعلان ختام عملية الانتخاب تأخذ اللجنة في فرز الأصوات .

مادة 36

تقوم اللجان الأصلية والفرعية بإدارة الانتخاب وفق الإجراءات المتقدمة حتى ختام عملية الانتخاب ، وتحرر كل لجنة محضرا بذلك يوقع عليه كل من رئيس اللجنة وأعضائها الحاضرين وفور انتهاء عملية الانتخاب في جميع لجان الدائرة تقوم كل لجنة بفرز صندوق الانتخاب بالنداء العلني ويتم تحرير محضر لفرز الأصوات من أصل وصورة ويتم التوقيع عليه من رئيس وأعضاء اللجنة الحاضرين ، وتعاد أوراق الانتخاب بعد ذلك إلى الصندوق مع محضر الانتخاب ونسخة من محضر الفرز ويتم غلق الصندوق وختمه بالشمع الأحمر ما عدا صناديق اللجان الأصلية ثم تنقل كل لجنة فرعية صندوق الانتخاب إلى مقر اللجنة الأصلية التي تتبعها برفقة رئيس اللجنة ومندوب وزارة الداخلية وخمسة من مندوبي المرشحين الحاضرين يختارون بالاتفاق فيما بينهم أو بالقرعة في حالة عدم الاتفاق ، ويتم تسليم أصل محضر فرز الأصوات والصندوق إلى رئيس اللجنة الأصلية .

مادة 36 مكرراً

ويقوم رئيس كل لجنة فرعية بتسليم صندوقها إلى الأمانة العامة لمجلس الأمة ليظل لديها إلى حين البت في جميع الطعون الانتخابية ثم ترسل بعد ذلك إلى وزارة الداخلية .

مادة 37

تفصل اللجنة في جميع المسائل المتعلقة بعملية الانتخاب وفي صحة إعطاء كل ناخب رأيه أو بطلانه ، وذلك مع عدم الإخلال بالأحكام الواردة في الباب الرابع من هذا القانون .

مادة 38

تعتبر باطلة:

أ- الآراء المعلقة على شرط .

ب- الآراء التي تعطي لأكثر من العدد المطلوب انتخابه .

ج- الآراء التي تثبت على ورقة غير التي سلمت من اللجنة .

د- الآراء التي أثبتت على ورقة امضاها الناخب أو وضع عليها إشارة أو علامة قد تدل عليه .

هـ- الآراء التي تبدى شفاهة أمام اللجنة بغير اتباع الإجراءات والقواعد المنصوص عليها في الفقرة الثانية من المادة 34.

مادة 39

يتولى رئيس اللجنة الرئيسية الإشراف على العملية الانتخابية بالدائرة ومتابعتها وإصدار الإرشادات والتوجيهات التي تكفل حسن أدائها ، ويتلقى أصل محاضر الفرز التجميعي لجميع لجان الدائرة وصناديق انتخاب اللجان الأصلية ، ويقوم بحضور جميع رؤساء اللجان الأصلية وأعضائها وخمسة مندوبين عن المرشحين ، يتم اختيارهم بالاتفاق فيما بينهم أو بالقرعة في حالة عدم الاتفاق بجمع نتائج فرز صناديق الانتخاب بالدائرة جميعها بالنداء العلني .

مادة 40

تسلم الأمانة العامة لمجلس الأمة إلى كل من الأعضاء الذين فازوا بالعضوية شهادة بانتخابه .

الباب الرابع: الطعن في صحة العضوية

مادة 41

لكل ناخب أن يطلب إبطال الانتخاب الذي حصل في دائرته الانتخابية ولكل مرشح طلب ذلك في الدائرة التي كان مرشحا فيها .

ويقدم الطلب مصدقا على التوقيع فيه لدى مختار المنطقة إلى الأمانة العامة لمجلس الأمة خلال خمسة عشر يوما من إعلان نتيجة الانتخاب .

ولا يجوز للناخب ولا للمرشح بأي حال الطعن بطلب إبطال الانتخاب الذي حصل في دائرتها الانتخابية أو في الدائرة التي كان مرشحا فيها إذا كان مبنى هذا الطعن الفصل في نزاع حول الموطن الانتخابي .

مادة 42

لمجلس الأمة إذا ابطل انتخاب عضو أو اكثر وتبين وجه الحقيقة في نتيجة الانتخاب أن يعلن فوز من يرى أن انتخابه هو الصحيح .

الباب الخامس: جرائم الانتخاب

مادة 43

المطلوبة لاستعمال الحق أو أن حقه موقوف .

خامسا: كل من تعمد إبداء رأي باسم غيره .

سادسا: كل من استعمل حقه في الانتخاب الواحد اكثر من مرة .

سابعا: كل من أفشى سر إعطاء ناخب لرأيه بدون رضاه .

ثامنا: كل من دخل القاعة المخصصة للانتخاب بلا حق ولم يخرج عند أمر اللجنة له بذلك .

تاسعا: كا من أهان لجنة الانتخاب أو أحد أعضائها.

مادة 44

يعاقب بالحبس مدة لا تزيد على سنة بغرامة لا تجاوز مائة دينار أو بإحدى هاتين العقوبتين :

أولا: كل من استعمل القوة أو التهديد لمنع ناخب من استعمال حقه لغيره ليحمله على التصويت على وجه معين أو على الامتناع عن التصويت .

ثانيا: كل من أعطى أو عرض أو تعهد بأن يعطي ناخبا فائدة لنفسه أو لغيره ليحمله على التصويت على وجه معين أو على الامتناع عن التصويت .

ثالثا: كل من قبل أو طلب فائدة من هذا القبيل لنفسه أو لغيره .

رابعا: كل من نشر أو أذاع بين الناخبين أخبارا غير صحيحة عن سلوك أحد المرشحين أو أخلاقه بقصد التأثير في نتيجة الانتخاب .

خامسا: من دخل في المكان المخصص لاجتماع الناخبين حاملا سلاحا بالمخالفة لأحكام المادة 30 من هذا القانون .

سادسا: كل من دخل القاعة المخصصة للانتخاب ومعه جهاز ظاهر أو مخفي لتصوير ما يثبت إعطاء صوته

مظاهرات .

ثالثا: من خطف الصندوق المحتوى على أوراق الانتخاب أو أتلفه .

رابعا: من أهان لجنة الانتخاب أو أحد أعضائها أثناء عملية الانتخاب .

خامسا: كل من نظم أو اشترك في تنظيم انتخابات فرعية أو دعي إليها ، وهي التي تتم بصورة غير رسمية قبل الميعاد المحدد للانتخاب لاختيار واحد أو أكثر من بين المنتمين لفئة أو طائفة معينه .

سادسا: من استخدم أموال الجمعيات والنقابات أو استخدام مقارها للدعوة إلى التصويت لمصلحة مرشح معين أو إضرارا به.

مادة 46

يعاقب على الشروع في جرائم الانتخاب السابق ذكرها بالعقوبة المنصوص عليها للجريمة التامة .

مادة 47

تسقط الدعوى العمومية والمدنية في جرائم الانتخاب المنصوص عليها في هذا الباب عدا الجريمة المنصوص عليها في البند ' سابعا ' من المادة 43 -بمضي ستة شهور من يوم إعلان نتيجة الانتخاب أو تاريخ آخر عمل متعلق بالتحقيق .

مادة 48

إذا ارتكبت جريمة في قاعة الانتخاب أو شرع في ارتكابها ، يحرر رئيس لجنة الانتخاب محضرا بالواقعة ويأمر بالقبض على المتهم وتسليمه إلى رجال الشرطة لاتخاذ الإجراءات القانونية ، كما يحيل رئيس اللجنة المحضر المشار إليه إلى النائب العام فور انتهاء عمل اللجنة.

الباب السادس: أحكام عامة وأحكام وقتية

تسقط العضوية عن عضو مجلس الأمة إذا فقد أحد الشروط المشترطة في العضو أو تبين انه فاقدها قبل الانتخاب ، ويعلن سقوط العضوية بقرار من المجلس .

مادة 51

تحدد الدوائر الانتخابية والعدد تنتخبه كل منها بقانون خاص .

مادة 52

تم إلغاء هذه المادة بموجب القانون رقم 101 لسنة 1983 .

مادة 53

The ministers, each within his jurisdiction, shall implement this law, and it shall come into force from the date of its publication in the Official Gazette, and the Minister of Interior shall issue the necessary .decisions for its implementation

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