LAW

ON THE ELECTION OF MEMBERS OF THE PARLIAMENT

("Official Gazette of RS", no. 35/2000, 57/2003 – decision of CCRS, 72/2003 –oth.law, 75/2003 – correction of oth. law, 18/2004, 101/2005 – oth. law, 85/2005 – oth.law, 28/2011 – decision of CC and 36/2011)

I BASIC PROVISIONS

Article 1

This law regulates the election and termination of the mandate of members of the National Assembly of the Republic of Serbia (hereinafter referred to as: “MPs”).

Article 2

The citizens shall elect the MPs on the basis of free, universal, equal and direct suffrage, by secret ballot.

No one shall have the right, on any grounds, to prevent or force a citizen to vote, to take a citizen to account for voting or to demand a citizen to declare for whom he has voted or why he has not voted.

Article 3

The National Assembly of the Republic of Serbia shall consist of 250 members, elected for a period of four years.

Article 4

The MPs shall be elected in the Republic of Serbia, as a single electoral unit, on the basis of lists of political parties, coalitions of parties, other political organizations and lists submitted by the groups of citizens (hereinafter referred to as: “electoral list”).

The mandates shall be distributed among the MPs in proportion to the number of the votes received.

Article 5

The citizens shall have the right to be informed by the mass media about the electoral programs and activities of submitters of the electoral lists, as well as about the candidates on the electoral lists.

The mass media shall be obliged to ensure equal accessibility of information about all submitters of the electoral lists, and about all candidates on those electoral lists.

Electoral promotion through the mass media and public gatherings, as well as publication of estimated electoral results shall be forbidden in the period of 48 hours before the day of the elections, as well as during the election day until the closing of polling stations.

Article 6

The authorities competent for conducting of the elections shall be the Republic Electoral Commission and the election boards.

Article 7

Protection of the suffrage shall be guaranteed by the Republic Electoral Commission, the Administrative Court and relevant courts.

Article 8

Funds needed for conducting of the elections shall be provided from the budget of the Republic of Serbia.

II SUFFRAGE

Article 9

In the context of this Law, the suffrage shall include the right of the citizens to the following, in the manner and according to procedures determined by this law: to elect and to be elected; to nominate candidates and to be nominated as candidates; to make decisions concerning both nominated candidates and electoral lists; to publicly ask nominated candidates questions; to be promptly, truthfully, completely and impartially informed about both the programs and activities of submitters of the electoral lists and candidates on those lists, as well as to have other rights foreseen by this law.

Article 10

Every citizen of the Republic of Serbia with the domicile on the territory of the Republic of Serbia who is over 18 years of age and is able to work shall have the right to elect the MPs or to be elected as MP (hereinafter referred to as the: “voter”).

Article 11

MP shall not simultaneously hold any judicial or other office elected by the National Assembly of the Republic of Serbia, or be an office holder or an employee of a public authority conducting the activities related to the scope of work of such authority, except in cases defined by the Constitution.

On the day of confirmation of MP's mandate by the National Assembly of Republic of Serbia, that office shall cease, and employment of the employee in a public authority shall be suspended.

III ELECTORAL ROLLS

Article 12

In the Republic of Serbia, general electoral roll shall be managed in electronic format on the territories of municipalities, as a part of the uniform and linked system (hereinafter referred to as the: "electoral roll"). Changes in the electoral roll on the territory of certain municipality shall be made by the municipal administration as part of a delegated task.

Electoral roll is a public document and shall be kept *ex officio.*

A citizen shall have the right to review electoral roll, as well the right to demand its corrections (registration, deletion or amendment to the electoral roll).

Electoral roll is a single and permanent document, and shall be updated every calendar year, not later than by March 31.

The minister in charge of state administration shall issue more detailed rules for updating (correcting, distributing, closing, copying, displaying, etc.) of electoral rolls.

Article 13

A voter shall be registered in the electoral roll at one location only.

Voters as well as persons who will reach legal age during the course of validity of an electoral roll shall be registered in the electoral roll in accordance with their place of domicile, with a note about the date they reach legal age, i.e. suffrage.

Persons who are temporarily displaced from their domicile (internally displaced persons) shall be registered in the electoral rolls on the territory where they are registered with that status.

Voters who temporarily reside abroad shall be registered in the electoral roll according to their last domicile before leaving the country, or the last place domicile of one of their parents.

Citizens currently serving the military service or temporary military duty shall be registered in the electoral rolls according to their last domicile.

Persons who have been deprived of their business capacity by a final court decision shall not be registered in electoral roll. In case such persons were previously registered in electoral roll, they shall be removed from it, and once their business capacity is reinstated by a final court decision, they shall be re-registered in electoral roll.

Article 13a

The ministry competent for administrative affairs shall keep and update, separately for each country, a record of voters entered in the electoral roll whose temporary place of residence is abroad (hereinafter referred to as the: “Special Record of Voters Residing Abroad”).

The Special Record of Voters Residing Abroad shall include: ordinal number, first and last name, personal identification number, gender, year of birth, voter's last domicile before leaving the country or last domicile of one of his parents, data on voter's place of temporary residence abroad, as well as space for remarks and notes.

An authority competent to maintain the electoral roll shall be obliged to promptly notify the ministry competent for administrative affairs of any alterations to the electoral roll related to voters temporarily residing abroad, in order for the alterations to be entered in the Special Record of Voters Residing Abroad.

Article 14

Registration and deletion of the citizens in and from the electoral roll shall be carried out *ex officio*, on the basis of information from the registers of births and deaths, other official registries, public documents and direct checking.

Registration and deletion of the citizens in and from the electoral roll shall be carried out at the request of voters and on the basis of other reliable evidence.

Article 15

The electoral roll shall be kept in volumes. Volumes of the electoral roll shall be kept for every inhabited community.

The electoral roll shall contain the following: ordinal number, personal name, personal number, gender, year of birth, place of domicile (street and house number, village, hamlet, settlement), voters’ place of temporary residence abroad, space for personal signature and space for comments.

Article 16

The electoral roll may also be kept in form of card files, or in form of data files on magnetic tape, or on magnetic disk.

In case electoral roll is kept as described in paragraph 1 of this Article, a separate file card shall be kept for every voter, or a corresponding entry with the required data on magnetic tape or on magnetic disc.

In case electoral roll is kept as described in paragraph 1 of this Article, a list of names may be kept, in addition to the electoral roll, which shall include the voters according to their domicile.

Article 17

If the authority competent to maintain the electoral roll determines that a registered person deceased or has permanently changed his domicile and is no longer domiciled on the territory of said electoral unit, that person shall be removed from the electoral roll.

The decision on deletion of the person referred to in paragraph 1 of this Article shall be rendered.

The decision referred to in paragraph 2 of this Article shall be delivered to the person who has changed the domicile if his new domicile is known, or published in the regular manner in his last domicile.

The voter, who moved to the territory of the municipality, shall be notified on registration in electoral roll by the relevant authority of the municipality where that voter was previously registered in the electoral roll.

On the basis of the notification referred to in paragraph 4 of this Article, a voter shall be deleted from the electoral roll.

Article 18

The ministry competent for administrative issues shall decide on appeal filed against the decision referred to in Article17.

Article 19

On the day following the day of calling of the elections, competent authority shall notify the citizens, by a public announcement or through the mass media, that they may inspect the electoral roll and request registration, deletion, change and correction of data in the electoral roll.

Every citizen may submit a request to the authority competent to maintain the electoral roll, for registration, deletion, change and correction of data in the electoral roll in case he or another citizen is not registered in the electoral roll, or is registered but does not have suffrage, or does not have suffrage on the territory of the municipality in which he is registered in the electoral roll, or in case any information in the electoral roll is entered incorrectly. After an electoral list has been proclaimed, the submitter of the electoral list shall have the same rights to inspect or submit requests for the modification of the electoral roll, observing the same procedure as that followed by the citizens. Required evidence shall be submitted together with the requests.

The authority competent to maintain the electoral roll shall rule on the request referred to in paragraph 2 of this Article within 48 hours from the day of its receipt. The decision shall be delivered to the submitter of request without delay.

A complaint may be filed against the decision referred in paragraph 3 of this Article, within 48 hours starting from the moment of delivery of the decision, to the court competent for administrative cases. The complaint shall be filed through the authority which made the decision, which shall be bound to file the complaint and all necessary files to the relevant court within 24 hours after the receipt of the complaint.

The decision on complaint referred to in paragraph 4 of this Article shall be made by the court within 24 hours from the receipt of the above stated complaint, in accordance with the regulations on administrative court procedures.

The decision of the court is final and enforceable.

Article 20

The electoral roll shall be concluded not later than 15 days before the day of the elections.

The electoral roll shall be concluded by a decision of the authority competent to maintain the electoral roll.

The decision referred to in paragraph 2 of this Article shall determine the total number of voters registered in the electoral roll, number of voters in each volume, date of conclusion of the electoral roll, signature of the responsible official and seal of the relevant authority.

When the electoral roll is maintained as described in Article 16 of this law, the decision on conclusion of the electoral roll shall include the data set out in paragraph 3 of this Article.

The decision referred to in paragraph 2 of this Article shall be submitted to the Republic Electoral Commission, not later than 24 hours after the moment of its rendering.

Article 21

The Republic Electoral Commission shall publish the total number of voters in the “Official Gazette of the Republic of Serbia”.

The number of voters registered in special extracts from the electoral roll shall not be part of the total number of voters.

Article 22

After the conclusion of the electoral roll, citizens and submitters of proclaimed electoral list may request from the relevant court to render administrative decision on modifications of the electoral roll (registration or deletion of a voter in or from the electoral roll or modification, correction or addition of data in the electoral roll).

The decision of the relevant court on modification of the extract from the electoral roll shall be implemented by the Republic Electoral Commission, taking into account only the decisions of courts received no later than 48 hours before the date set for holding of the elections, after which the total number of voters is established and published in the “Official Gazette of the Republic of Serbia."

Article 23

The authority competent to maintain of the electoral roll shall compile an authorized extract from the electoral roll for every polling station, which is due to be delivered to the Republic Electoral Commission not later than 24 hours after the moment the decision on conclusion of the electoral roll is made.

The extract from the electoral roll shall be made pursuant to Article 15, paragraph 2 of this law.

The authority referred to in paragraph 1 of this Article shall issue certificates of suffrage on basis of the forms prescribed by the Republic Electoral Commission

The ministry competent for administrative affairs shall monitor the enforcement of the provisions of the Law on the Election of Members of Parliament concerning electoral rolls, not later than 20 days before the day of elections.

Article 24

In case of several simultaneous polls, as many authorized extracts from the electoral rolls shall be issued as there are polls being held.

IV CALLING OF THE ELECTIONS

Article 25

The elections for MPs shall be called by the President of the Republic. The decision on calling of the elections shall also include the date of the elections, and the initial date for the deadlines for completion of electoral procedures.

The decision on calling of the elections shall be published in the "Official Gazette of the Republic of Serbia".

Article 26

Not less than 45 days, and no more than 90 days shall pass between the day of calling of the elections and the day of holding of the elections.

Article 27

The elections for the MPs shall be held not later than 30 days before the expiration of the mandate of the MPs whose mandate is expiring.

The mandate of the MPs whose mandate is expiring shall end on the day of verification of the mandates of newly elected MPs.

Verification of the mandates of the MPs shall be carried out on the basis of both the certificate on the election of the MP and the report of the Republic Electoral Commission on completion of the elections, within 30 days starting from the day of announcement of the final results of the elections.

At the constitutive session of the National Assembly of Republic of Serbia, a three-member commission shall be formed in order to ascertain the compliance of certificates on the election of the MP with the report of the Republic Electoral Commission.

Based on the report of the commission referred to in paragraph 4 of this Article, a person presiding the constitutive session of the National Assembly of the Republic of Serbia shall note that the Republic Electoral Commission has submitted the report on completion of the elections, and which certificates on the elections of MPs are in compliance with the above stated report, thus confirming the mandate of newly elected MPs.

V THE AUTHORITIES CONDUCTING THE ELECTIONS

1. Status of the authorities

Article 28

The authorities conducting the elections are autonomous and independent in their work, and operate on the basis of laws and regulations which are in compliance with the law.

The authorities conducting the elections report about their work to the authority which appointed them.

All public and other authorities and organizations shall be bound to help the authorities conducting the elections and supply them with the data necessary for their work.

Article 29

The authorities conducting the elections may have permanent and extended composition.

The authorities conducting the elections shall operate in expanded composition starting from the day of establishing of that composition until completion of the elections.

The authorities conducting the elections shall make the decisions by majority of vote, both in permanent and expanded composition.

No political party, coalition of parties or other political organizations shall have more than half of the members of permanent composition of any authority competent to conduct the elections.

Article 30

Members of the Republic Electoral Commission and their deputies shall be appointed for a period of four years, and members of polling boards and their deputies shall be appointed for each election.

Both members and deputies of the authorities conducting the elections shall not be direct relatives, irrespective of the type of kinship, nor in lateral kinship up to the third degree, in-law kinship to the second degree of kinship, and they shall not be spouses, and persons who are in mutual adoptive or foster relations.

In case the electoral commission or polling board are composed contrary to the provision of paragraph 2 of this Article, that authority shall be dissolved and the elections, i. e. voting shall be repeated.

Deputy members of the Republic Electoral Commission and polling boards shall have the same rights and responsibilities as the members whose deputies they are.

Only member of the authority or, in his absence, his deputy shall have the suffrage in the Republic Electoral Commission or polling boards.

Article 31

Members of the authorities conducting the elections of MPs and their deputies shall have the suffrage.

Members of the authorities conducting the elections and their deputies shall cease to perform their duties in above said authorities once they accept candidacy for MPs.

Article 32

Work of the authorities conducting the elections is public.

Persons who monitor the work of the authorities conducting the elections shall be bound to act pursuant to the rules set by the Republic Electoral Commission.

In case persons referred to in 2 of this Article breach the rules of behavior at the polling station or otherwise disrupt the work of the authorities conducting the elections, the authority conducting the elections may remove them from the spot, entering the record of the event in the minutes.

A candidate from an electoral list which has been confirmed and proclaimed shall not be present during the work of the authorities conducting the elections.

2. Republic Electoral Commission

Article 33

Permanent composition of the Republic Electoral Commission shall consist of the President and sixteen members appointed by the National Assembly of the Republic of Serbia, while the expanded composition shall also include one representative of each submitter of the electoral list.

The Republic Electoral Commission shall have a secretary, appointed by the National Assembly of Republic of Serbia from among the professionals in its services, who shall participate in the work of the Commission without the right to participate in decision making process.

The Republic Electoral Commission shall also have one member, a representative of the republic organization competent for statistics, who shall participate in work of the Commission without the right to participate in decision making process.

The President, members of the Republic Electoral Commission and its secretary shall have deputies.

The President, members of the Republic Electoral Commission and their deputies shall hold BA degree in law.

The Republic Electoral Commission shall render the decision concluding that the submitter of electoral list fulfills the conditions for delegating its representatives for the expanded composition of this authority, within 48 hours from the proclaiming of the electoral list.

The decision on fulfillment, i.e. non-fulfillment of conditions for delegation of representatives on the side of the submitter of electoral list shall be handed by the Republic Electoral Commission to the submitter of the electoral list, within 24 hours from the moment the decision is made.

A representative of the submitter of the electoral list referred to in paragraph 1 of this Law shall become the member of the expanded composition of the Republic Electoral Commission not later than 24 hours from the moment the decision is made.

The composition of the Republic Electoral Commission shall be published in the “Official Gazette of the Republic of Serbia”.

Article 34

The Republic Electoral Commission shall:

1. oversee the legality of the elections,

2. organize technical preparation for the elections,

3. monitor the application and give explanations in regard to the application of this law, especially on organization of voting abroad,

4. define uniform standards for election materials,

5. stipulate the forms and regulations for carrying out election procedures pursuant to this law,

6. define the type of spray referred to in Article 68, paragraph 4, of this law;

7. determine and publish in the “Official Gazette of the Republic of Serbia” both the number and address of polling stations, not later than 20 days before the day set for holding of the elections,

8. establish the polling boards and appoint the presidents and members of the polling boards,

9. determine the number of ballots for each polling station, stamp them and together with a certified extract from the electoral roll, hand them over in notarized procedure to the polling boards,

10. determine which election documents shall be submitted to it,

11. determine whether the electoral list has been compiled and filed in accordance with this law and proclaims it,

12. render the decision on proclamation of the electoral list,

13. determine the manner of both keeping and use of the election materials,

14. determine and publish the results of the elections,

15. determine the number of mandates belonging to each electoral list,

16. submit the report to the National Assembly of the Republic of Serbia on completed elections,

17. submit the data to the authorities responsible for collection and processing of statistical data;

18. perform other duties foreseen by this law.

The Republic Electoral Commission shall adopt its rules of procedure.

The Republic Electoral Commission shall provide forms referred to in item 4 and 5 of this Article to the participants in the elections within five days from the day the elections were called.

Article 35

Conditions for work of the Republic Electoral Commission shall be ensured by the National Assembly of the Republic of Serbia.

3. Polling board

Article 36

Permanent composition of the polling board shall consist of: president and at least two members, while the expanded composition shall include one representative of each submitter of electoral list.

Both the president and members of polling board shall have deputies.

The polling board shall be appointed at the latest 10 days before the day designated for holding of the elections.

The Republic Electoral Commission shall, within 48 hours of the moment of rendering of the decision on proclamation of the electoral list, make a decision determining which submitter of electoral list has fulfilled the conditions for delegating its representatives to the expanded composition of the polling board.

The decision on fulfillment or non-fulfillment of the conditions for delegation of representatives of the submitters of electoral list shall be delivered by the Republic Electoral Commission to the submitter of the electoral list within 24 hours of the moment the decision was rendered.

The representative the submitter of electoral list referred to in paragraph 1 of this Article shall became a member of expanded composition of a polling board not later than 24 hours of the moment the decision was rendered

The submitters of the electoral lists may agree to delegate a joint representative to the polling board.

Article 37

The polling board shall carry out the voting directly at the polling station, ensure the regularity and secrecy of the voting process, determine the outcome of the voting at the polling station and carry out the other duties foreseen by this law.

The polling board shall be responsible for maintaining order at the polling station during the course of voting.

More detailed rules of procedure of the polling board shall be defined by the Republic Electoral Commission.

Article 38

In case of simultaneous holding of elections for members of the National Assembly of the Republic of Serbia and for the President of the Republic, the polling boards established for conducting the elections for the MPs shall perform the duties of polling boards for the election of the President of the Republic.

4. Representatives of the submitters of electoral lists in the authorities conducting the elections

Article 39

Submitter of an electoral list referred to in Articles 33 and 36 of this law shall determine it representatives in the authorities conducting the elections, and notify the authorities which appointed the authorities conducting the elections.

After receiving notification on the persons delegated to the expanded composition, the authorities conducting the elections in the permanent composition shall, not later than 24 hours after the moment of receipt of said notification, render a decision determining the names of persons who become their members.

If the submitter of electoral list does not delegate a representative to the authority conducting the elections at the latest five days before the day designated for holding of the elections, the above said authority shall continue its work and make binding decisions without above said representative of the submitter of electoral list.

VI ELECTORAL LIST

1. Candidacy

Article 40

The candidates may, under the conditions defined by this law, be proposed by the registered political parties and coalitions of parties (hereinafter referred to as the: “political parties”), as well as by groups of citizens.

Only person authorized by a political party or a group of citizens may submit the candidacy referred to in paragraph 1 of this Article on behalf of the political party or a group of citizens.

Not more than two authorized persons shall submit the candidacy referred to in paragraph 1 of this Article on behalf of coalition of parties.

Article 40a

For every four candidates on the electoral list (first group of four places, second group of four places and so on until the end of the list) there shall be one candidate of the gender less represented on the list.

If an electoral list should not meet the conditions referred to in paragraph 1 of this Article, it shall be deemed incomplete for proclamation, and the submitter of the list shall be called to remedy the deficiencies of the list, in accordance with this law.

If the submitter of the list does not remedy the deficiencies referred to in paragraph 2 of this Article, the Republic Electoral Commission shall refuse to proclaim the electoral list, in accordance with this law.

Article 41

The submitter of the electoral list may withdraw its electoral list at the latest by the day of determination of the general electoral list.

Upon withdrawal of the list, the function of the representative of the submitter of the electoral list in all the authorities conducting the elections shall cease, along with all his rights pursuant to the provisions of this law.

2. **Name, confirmation and proclamation of electoral list**

Article 42

Name of the electoral list shall be determined according to the name of the political party submitting the list, and the name may include the first name and surname of the person designated by the political party as the leader of the electoral list.

In case two or more parties submit a joint electoral list, the name of the electoral list and at most two leaders of the electoral list shall be determined by mutual agreement.

The submitter of the electoral list of the group of citizens shall indicate that fact, and its name may include the first name and surname of the person designated by the group of citizens as the leader of the electoral list.

Person designated as the leader of the electoral list may be the candidate for MP.

Person designated as the leader of the electoral list may be a candidate for an office in public authority for which the elections are held at the same time.

Article 43

Electoral list shall be confirmed once it is supported by the signatures of not less than 10,000 voters.

The Republic Electoral Commission shall determine the content and layout of the form for the signatures referred to in paragraph 1 of this Article and make it available to the participants in the elections within five days of calling of the elections.

Voter may support electoral list of only one submitter by his signature. Each signature referred to in paragraph 1 of this Article shall be verified in relevant court.

A fee due to be paid for verification of signatures shall be determined the Ministry of Justice of the Republic of Serbia, in a separate enactment.

Article 44

Electoral list shall be submitted to the Republic Electoral Commission at the latest 15 days before the day designated as the day of holding the elections.

Along with the electoral list, the Republic Electoral Commission shall be submitted the following documents:

1. certificate of suffrage for every candidate on the electoral list, stating candidate's fist name, surname, date of birth, profession and personal number,

2. written statement of agreement by the candidate accepting the candidacy,

3. certificate of domicile of the candidate,

4. written statement of agreement by the leader of the list,

5. authorization for persons submitting the electoral list,

6. certificate of citizenship,

7. signatures of the voters supporting particular electoral list on a separate form certified by court.

Article 45

The Republic Electoral Commission shall proclaim an electoral list of a political party (party electoral list), a list of two or more political parties (coalition electoral list), or a list of a group of citizens (electoral list of a group of citizens) upon receipt of the electoral list and required documentation, at the latest within 24 hours of the receipt of the electoral list.

The decision on proclamation of electoral list referred to in paragraph 1 of this Article shall be submitted by the Republic Electoral Commission to the submitter without delay.

Article 46

In case the Republic Electoral Commission finds that an electoral list has not been submitted on time, it shall make a decision on its rejection.

If case the Republic Electoral Commission finds that an electoral list contains insufficiencies which present an obstacle for proclamation of the electoral list pursuant to this law, it shall, within 24 hours of the receipt of such a list, make a conclusion instructing the submitter of the electoral list to remove those insufficiencies at the latest within 48 hours of the moment this decision is delivered. The conclusion shall also point out which activities the submitter should undertake in order to remove said insufficiencies.

If case the Republic Electoral Commission finds that the electoral list contains insufficiencies foreseen by this law, or that the insufficiencies of the electoral list have not been removed, or have not been removed within the prescribed time limit, it shall, within the following 48 hours, make a decision refusing the proclamation of the electoral list.

3. General electoral list

Article 47

The general electoral list shall be confirmed by the Republic Electoral Commission, and it shall contain all the electoral lists, with personal names of all candidates and data on their years of birth, professions and places of domicile.

The order of the electoral lists with the names of all candidates in the general electoral list shall be determined according to the order of their proclamation.

The general electoral list shall be published by the Republic Electoral Commission in the “Official Gazette of the Republic of Serbia”, at the latest ten days before the day designated as the day of holding of the elections. The day of the publication of the general electoral list in the “Official Gazette of the Republic of Serbia” shall be considered as the day of its proclamation.

Every submitter of an electoral list has the right to examine, trough a person appointed by him, all submitted electoral lists and accompanying documentation within 48 hours from the day of publication of the general electoral list.

VII INTRODUCING THE SUBMITTERS OF THE ELECTORAL LISTS AND THE CANDIDATES ON THE ELECTORAL LISTS

Article 48

The submitters of the electoral lists shall have the right to inform the citizens of their programs and activities, as well as the nominated candidates, by the mass media, in accordance with the provisions of this law.

Article 49

Organizations which broadcast radio and television program, and are founded by the Republic of Serbia shall, from the day of calling of the elections, in their political-informative programs which can be seen or heard throughout the territory of the Republic, ensure the presentation of the submitters of the electoral lists and of the candidates from the electoral lists, as well as the exposition and explanation of the electoral programs of the submitters of said lists, in accordance with this law.

Organizations referred to in paragraph 1 of this Article shall not be allowed to, under any circumstances, enable the presentation of candidates and the exposition and explanation of programs of submitters of electoral lists in the commercial, entertainment or other program.

Article 50

Editors and anchormen of political-informative and specialized broadcasts of organizations referred to in Article 49 of this law shall independently and impartially present all the candidates during the election campaign, and anchormen of broadcasts shall have impartial attitude towards all presented political, social and ethical-cultural programs of the political parties whose candidates are presented.

Pursuant to paragraph 1 of this Article, and paragraph 2 of Article 5 of this law, the broadcasts shall be organized in order to ensure the public confrontation of the electoral programs of submitters of electoral lists and candidates from those lists.

Article 51

Two representatives of each public organization, broadcasting radio and television program, founded by the Republic of Serbia, Government of Republic of Serbia as well as political parties which have their representatives in the National Assembly of the Republic of Serbia, shall mutually agree on the number and duration of the broadcasts for presentation of political parties, political organizations, or groups of citizens which intend to take part in the elections.

The agreement referred to in paragraph 1 of this Article shall be reached not later than five days after the day of making the decision on calling of elections and shall be made public without delay.

The mass media referred to in paragraph 1 of this Article, together with the representatives of both the founders and submitters of the electoral lists, shall determine further regulations for the presentation of the submitters of the electoral lists, electoral programs and candidates from the electoral lists.

VIII CONDUCTING OF THE ELECTIONS

1. Polling stations

Article 52

Voting for the MPs shall be conducted at the polling stations. A polling station shall be set up for not more than 2,500 and not less than 100 voters. Detailed regulations regarding polling stations shall be made by the Republic Electoral Commission.

Article 53

Voter shall vote at the polling station where he is registered in the extract from the electoral roll.

Exceptionally, voters may vote outside of the polling station where he is registered in the extract from the electoral roll, observing the conditions and procedure set forth by this law.

The mode of voting outside of the polling station and the number of voters who voted in such a manner shall be entered in the minutes of the polling board.

Article 54

Each voter shall be handed, at the latest five days before the day of holding of elections, a notification of the day and the time of holding of the elections, including the number and address of the polling station where he is to vote, and the number under which he is registered in the extract from the electoral roll.

The notification referred to in paragraph 1 of this Article shall be delivered to the voters by authority responsible for maintain of the electoral roll.

Article 55

Every voter shall vote personally.

A voter may vote only once during the course of the elections. Voting is secret.

Voting shall be performed on stamped ballots.

It shall be prohibited to display symbols of political parties and other advertising material at the polling station, and within 50 meters from the polling station.

In case the provisions referred to in paragraphs 1 to 4 of this Article are breached during the course of the elections, the voting at that polling station shall be repeated.

The use of pagers, mobile phones and other means of communication shall be prohibited at the polling station.

Detailed instructions on measures to ensure the secrecy of the vote shall be defined by the Republic Electoral Commission.

Article 56

Polling stations shall be opened at 7 a.m. and closed at 8 p. m. During this interval, the polling stations shall be open without interruption.

Voters who are present at the polling station at the moment of its closing shall be given the opportunity to vote.

Voting abroad shall last for two days and shall end on the same day and hour, local time, corresponding the time of the end of voting in the Republic of Serbia.

Article 57

In case there is a disturbance of order at the polling station, the polling board may interrupt voting until order is restored. The reasons and duration of interruption of voting shall be entered in the minutes of the polling board.

In case the voting is interrupted for more than one hour, it shall be prolonged for the time of duration of the interruption.

Article 58

While the polling station is open and while the voting lasts, all the members of the polling board or their deputies shall remain at the polling station.

Every polling station shall have a separate room where it will be possible to ensure the secrecy of the vote.

In the room where the voting is carried out, only as many voters shall be present as there are places ensuring the secrecy of the vote.

Persons who have no rights and duties regarding the carrying out of elections as foreseen by this law are forbidden to linger at the polling station.

Police officers on duty may enter the polling station only at the invitation of the president of the polling board, and only if peace and order at the polling station have been disturbed.

In case of breach of provisions from paragraphs 1 trough 5 of this Article, a complaint may be filed with the Republic Electoral Commission, which shall then decide whether the voting at that polling station shall be repeated.

2. Election material

Article 59

The ballot shall contain:

1. ordinal number placed in front of the name of the electoral list,

2. names of the electoral lists, in the order determined in the general electoral list, with the personal name of the first candidate from the list,

3. note stating that it is possible to vote for one list only, by circling the ordinal number in front of the name of that list.

Article 60

Ballots shall be prepared and stamped by the Republic Electoral Commission.

The Republic Electoral Commission shall confirm the number of ballots, which must be equal to the number of voters registered in the electoral roll.

The Republic Electoral Commission shall control the preparation and stamping of the ballots and determine the number of spare ballots.

All ballots shall be printed at the same location, on the paper protected by watermark.

The submitter of the electoral list shall give to the Republic Electoral Commission the name of the person who shall have the right to be present during printing, counting and packing of the ballots, as well as their delivery to the authorities responsible for conducting of the elections.

In those municipalities where the languages of the national minorities are in official use, the ballots shall be printed in those languages as well.

The Republic Electoral Commission shall further regulate the form and layout of the ballots, the manner and control of their printing, as well as delivery and handling of the ballots.

Article 61

The minister in charge of administrative affairs shall issue further instructions on the form and dimensions of ballot boxes. The ballot boxes shall be made of transparent material (plexiglas, plastic, or similar material).

Article 62

The Republic Electoral Commission shall be obliged to timely prepare electoral materials for every polling board, more specifically, an adequate number of ballots, the general electoral list, the extract from the electoral roll, the certificates of suffrage, as well as the form for the minutes of the polling board.

Handover of the electoral materials shall be done not later than 48 hours before the day of the elections.

Municipal authorities shall be responsible for organization of polling stations, and shall prepare required number of ballot boxes with tools for their sealing, as well as the writing material for each polling board.

On the election day, before the beginning of voting, the polling board shall confirm whether the prepared electoral material for that polling station is complete and correct, whether the polling station has been organized in a manner ensuring the secrecy of the vote, and whether the voting may start, and shall enter that information in its minutes.

Article 63

The general electoral list, with the names of the electoral lists and of all the candidates, shall be prominently displayed at the polling station during the voting.

The content, form and manner of displaying of the general electoral list described in paragraph 1 of this Article shall be regulated by the Republic Electoral Commission.

Article 64

Representatives of the submitters of the electoral lists and candidates for MPs shall have the right to inspect electoral materials, especially the extracts from the electoral rolls, minutes of polling boards, minutes of the Republic Electoral Commission and ballots. This can be done at the official premises of the Republic Electoral Commission, as well as at the authorities keeping the electoral materials. Inspection of the electoral materials may be carried out within five days of the day of the elections.

Article 65

The electoral material shall be kept for a period of not less than four years.

The Republic Electoral Commission shall regulate the manner of use of the electoral materials.

Article 66

The Republic Electoral Commission shall determine the content and layout of the forms, and electoral material needed for conducting of the elections, within 15 days of its appointment.

3. Voting

Article 67

The polling board shall inspect the ballot box in the presence of the first voter to arrive at the polling station. The result of the inspection shall be entered into the control slip, which is signed by members of the polling board and by the first voter to arrive at the polling station.

The control slip shall be placed in the ballot box, and the ballot box shall then be sealed in the presence of the first voter to arrive, and this shall be recorded in the minutes of the polling board.

Upon opening of the ballot box, it shall first be checked whether it contains the control slip. If the ballot box does not contain a control slip, the polling board shall be dissolved and a new one appointed, and the voting at that polling station shall be repeated.

Both the form of the control slip and the manner of sealing of the ballot box shall be determined by the Republic Electoral Commission.

Article 68

Voter shall first state to the polling board his name and hand over the notification of elections, as well as prove his identity with identity card or other document.

Voter may not vote without presenting a proof of identity. The president or the member of the polling board, after having confirmed the identity of the voter, circles the ordinal number under which the voter has been registered into the electoral roll extract, and explains the voting procedure.

Voter shall sign the electoral roll and take the ballot.

The index finger of every voter who comes to vote and receives the electoral material shall be marked with a special spray, as a sign that he voted. This index finger mark shall last not less than 24 hours.

Article 69

Members of the polling board shall not, in any way, influence the voter’s decision.

Members of the polling board are obliged to repeat explanation of the voting procedure to the voter, at his request.

Members of the polling board are obliged to pay special attention that the voter is not disturbed while marking out his ballot, and that the total secrecy of the voting is ensured.

If the provisions from paragraphs 1 trough 3 of this Article are violated during voting, the Republic Electoral Commission shall dissolve the polling board, appoint a new one, and order the voting at that polling station to be repeated.

Article 70

Voter may vote only for one electoral list on the ballot. Voting is done by circling the ordinal number before the name of the selected electoral list.

Voter shall fold the ballot himself in such a way that his vote cannot be seen, drop it into the appropriate ballot box, and then leave the polling station.

Article 71

On the day of the elections, no modifications to the extract from the electoral rolls shall be done.

If the polling board acts contrary to paragraph 1 of this Article, it shall be dissolved, and voting at that polling station shall be repeated.

Article 72

The voter who is not able to vote personally at the polling station (blind, disabled or illiterate person) shall have the right to bring a person who shall fill the ballot in the manner determined by him, that is, vote instead of him.

The manner of voting of the voter referred to in paragraph 1 of this Article shall be recorded in the minutes.

Article 72a

The voter unable to vote at the polling station (persons unable or prevented from coming to the polling station) may inform the polling board whether he would like to vote, not later than 11 o'clock on the day of the voting.

Three members of the expanded polling board, representing submitters of three different electoral lists and designated by the polling board, shall visit such a voter, confirm his identity and give him an official envelope, an officially stamped ballot, the general electoral list, the certificate of suffrage and a special envelope for the completed ballot; they shall also inform the voter of the voting procedure, and then leave the room in which the voter votes.

After voting, the voter shall sign the certificate of suffrage, fold the ballot and place it in the special envelope, which shall then be stamped by members of the polling board with a seal on a sealing wax, after which they shall place the signed certificate of suffrage and the special envelope containing the ballot in the official envelope.

Upon returning to the polling station, members of the polling board shall immediately hand over the official envelope to the remaining members of the polling board; the envelope shall then be opened by the polling board, the voter's ordinal number in the electoral roll extract shall be circled on the basis of the signed certificate of suffrage, and, finally, the sealed envelope shall be opened, and the folded ballot removed and inserted into the ballot box in such a way as not to reveal the vote cast by that voter.

If the official envelope does not contain signed certificate of suffrage, the voter is deemed not to have voted.

Article 72b

The voter who is in custody or serving a prison sentence on the day of voting shall vote at a polling station inside the correctional facility he is in.

The Republic Electoral Commission shall establish special polling stations inside correctional facilities and appoint permanent members of polling boards and members of expanded polling boards. Officials of the ministry in charge of judicial

affairs and persons voting inside the correctional facilities may not be members of the polling boards.

The ministry in charge of administrative affairs shall prepare and officially stamp special extracts from the electoral for each correctional facility and submit them to the Republic Electoral Commission not later than 24 hours from the day of the decision of closing of electoral roll.

Special extracts referred to in paragraph 3 of this Article shall be forwarded by the Republic Electoral Commission to the correctional facilities' polling boards.

Article 73

The voters who are serving the military service or temporary military duty, or are attending education programs in units or institutions of the Serbian Armed Forces, shall vote at the announced polling station nearest to the unit or institution where they are doing their military service, military duty or attending education programs.

The Republic Electoral Commission shall publish in the Official Gazette of the Republic of Serbia, not later than 20 days before the day of the elections, at which previously determined polling stations soldiers serving the military service, temporary military duty or attending education programs in units or institutions of the Serbian Armed Forces shall vote.

The ministry in charge of administrative affairs shall prepare and officially stamp special extracts from the electoral roll for the voters referred to in paragraph 1 of this Article and submit them to the Republic Electoral Commission not later than 24 hours from the day of adoption of decision to conclude electoral roll.

Special extracts referred to in paragraph 3 of this Article shall be forwarded by the Republic Electoral Commission to the polling boards where those voters doing their military service, military duty or attending education programs in units or institutions of the Serbian Armed Forces shall vote.

Article 73a

The voters temporarily residing abroad shall vote at diplomatic missions and consular posts of the Republic of Serbia and at special polling stations determined by the Republic Electoral Commission, with the Commission having consulted beforehand with the ministry in charge of foreign affairs.

The ministry in charge of administrative affairs shall prepare and officially stamp special extracts from the electoral roll for the voters referred to in paragraph 1 of this Article and submit them to the Republic Electoral Commission not later than 24 hours from the day of adoption of decision to conclude the electoral roll.

Special extracts referred to in paragraph 2 of this Article shall be forwarded by the Republic Electoral Commission to the ministry in charge of foreign affairs, which then forwards them together with other election material to all polling stations abroad.

Permanent members of polling boards abroad shall be appointed by the Republic Electoral Commission, at the proposal of the ministry in charge of foreign affairs.

Expanded polling boards abroad shall consist of one representative of each submitter of a proclaimed electoral list. Members of expanded polling boards shall be appointed by the Republic Electoral Commission at the proposal of the submitters of proclaimed electoral lists.

As a rule, the chairman of the polling board shall be appointed from the ranks of law faculty graduates employed at a diplomatic mission or consular post.

Article 73b

On the basis of the Special Record of Voters Residing Abroad, the ministry in charge of administrative affairs shall, immediately upon calling of the elections, prepare a special record for each foreign country, and forward it to the ministry in charge of foreign affairs, which shall, through diplomatic missions and consular posts of the State Union of Serbia and Montenegro, inform voters of the calling of the elections, the date of the elections and the means of exercising their suffrage.

The registries of voters shall be available in diplomatic missions and consular posts of the State Union of Serbia and Montenegro, and their copies in the ministry in charge of administrative affairs. In regards to the right of the citizens and submitters of electoral lists to review the registry of voters and obtains the copy of it, as well as the right to request modifications of the Special Record of Voters Residing Abroad shall be regulated in accordance with the provisions of this law related with the rights of the citizens and submitters of the electoral lists to review electoral rolls and requests modifications of the electoral rolls.

The ministry in charge of administrative affairs shall make decisions on requests for registration, deletion, modifications, corrections and additions to data in the Special Record of Voters Residing Abroad, even for those requests submitted to diplomatic missions or consular posts of the State Union of Serbia and Montenegro, or to the body in charge of keeping of the electoral roll.

Article 73v

Voter registered in the Special Record of Voters Residing Abroad may, not later than 20 days before the day of the elections, inform a diplomatic mission or consular post of the State Union of Serbia and Montenegro or the ministry in charge of administrative affairs of his intention to vote at a polling station in the Republic of Serbia, which shall be recorded in the Special Record of Voters Residing Abroad.

Voter who is not registered in the Special Record of Voters Residing Abroad, but is registered in the electoral roll may, not later than 20 days before the day of the elections, inform a diplomatic mission or consular post of the State Union of Serbia and Montenegro or the ministry in charge of administrative affairs of their intention to vote abroad. After submitting all the required data, the voter shall be registered in the Special Record of Voters Residing Abroad and deleted from it after the elections.

Article 73g

The ministry in charge of administrative affairs shall, not later than 15 days before the day of the elections, conclude the Special Record of Voters Residing Abroad, create and officially stamp special extracts from the electoral roll for every polling station abroad, create lists of voters registered in the Special Record of Voters Residing

Abroad for every municipality, and immediately forward the officially stamped special extracts from the electoral roll and all the lists of voters registered in the Special Record of Voters Residing Abroad to the Republic Electoral Commission.

The Republic Electoral Commission shall forward the officially stamped extracts from the electoral roll to the ministry in charge of foreign affairs, which shall then forward those extracts, along with other electoral materials, to all polling stations abroad where voting is to take place.

The list of voters registered in the Special Register of Voters Residing Abroad shall be sorted out by the Republic Electoral Commission according to polling stations in the Republic of Serbia, and those lists shall be forwarded to the polling boards along with other electoral materials.

IX DETERMINING AND PUBLISHING OF THE ELECTION RESULTS

1. Determining election results

Article 74

Upon completion of the voting, the polling board shall proceed to determine the results of voting at that polling station.

The polling board shall first determine the number of unused ballots and place them in a special envelope which shall then be sealed.

Based on the extract from the electoral roll, the polling board shall determine the total number of voters who have voted.

When the ballot box is opened, and after checking the control slip, the valid ballots shall be separated from the invalid ones.

The polling board shall determine the number of invalid ballots and record it into the minutes, and then determine the number of valid ballots, as well as the number of votes cast for each electoral list, and record these in the minutes, as well.

Invalid ballot is the one that is not marked, the one marked in such a way so that it is impossible to determine for which electoral list the vote has been cast, and the one with more than one electoral list circled.

If the name and surname of the first candidate on the electoral list has been circled on the ballot, or the name or part of the name of the electoral list, or if both the ordinal number and the name of the electoral list and the name and surname of the first candidate have been circled, such ballot shall be considered valid.

If it is established that the number of ballots in the ballot box is larger than the number of voters who have voted, the polling board shall be dissolved, a new one appointed, and the voting at that polling station shall be repeated.

Article 75

After the results of voting have been determined, the polling board shall enter the following in its minutes: the number of ballots received; the number of unused ballots; the number of invalid ballots; the number of valid ballots; the number of votes cast for each electoral list; the number of voters according to the extract from the electoral roll and the number of voters who have voted.

The polling board minutes shall also include remarks and opinions of the members of the polling board, submitters of the electoral lists and joint representatives of the submitters of the electoral lists, as well as all other facts relevant to the voting.

The polling board minutes shall be signed by all members of the polling board.

Article 76

The minutes on the work of the polling board shall be written on the official form printed in six copies.

In the municipalities where the languages of national minorities are in official use, the official form for the minutes shall be printed in those languages, as well.

The first copy of the minutes, together with the defined electoral material, shall be delivered to the Republic Electoral Commission.

The second copy of the minutes shall be publicly displayed at the polling station.

The remaining four copies of the minutes shall be delivered to the representatives of submitters of electoral lists that received the highest number of votes at that polling station, and this shall be done immediately if the submitter of the electoral list has the representative in the polling board; if not, the representative of the submitter of the electoral list can get the copy of the minutes from the electoral commission within the period of 12 hours.

Other submitters of electoral lists are entitled to obtain a certified photocopy of the minutes from the polling station from the Republic Electoral Commission, within 12 hours from the delivery of the electoral material from the polling station to the Republic Electoral Commission.

Article 77

Upon determining of the results of voting, the polling board shall, without delay and not later than 18 hours after the closing of the polling station, deliver the following to the Republic Electoral Commission: the minutes of its work, the extract from the electoral roll; unused and, separately, used ballots; invalid and, separately, valid ballots; as well as the rest of electoral material.

Article 78

Within 96 hours of closing of the polling stations, the Republic Electoral Commission shall determine the following in its minutes: the total number of voters registered in the electoral roll; the number of voters who have voted at polling stations; the total number of ballots received at polling stations; the total number of unused ballots; the

total number of invalid ballots; the total number of valid ballots; the number of votes cast for each electoral list individually.

The Republic Electoral Commission shall determine the results of the elections and make a separate record on that.

The Republic Electoral Commission shall determine the content and layout of the form for the minutes of its work.

Article 79

The submitters of the electoral lists may deliver to the Republic Electoral Commission the name of person who will be present at the statistical processing of data in the Republic Electoral Commission.

Article 80

Each electoral list shall be distributed a number of mandates proportional to the number of votes won.

Article 81

Only those electoral lists that won at least 5% of votes out of the total number of voters who have voted in the electoral unit shall participate in distribution of mandates.

Political parties of ethnic minorities and coalitions of political parties of ethnic minorities shall participate in distribution of mandates even if they won less than 5% of votes out of the total number of voters who have voted.

All the parties whose main objective is to represent and advocate interests of an ethnic minority, as well as to protect and improve the rights of members of ethnic minorities, in accordance with standards set forth by international law, shall be considered as political parties of ethnic minorities.

The Republic Electoral Commission shall decide, at the proclamation of an electoral list, whether the submitter of the electoral list should be considered as political party of ethnic minority or a coalition of political parties of ethnic minorities, at the request of the submitter of the electoral list which must be made at the time of electoral list submission.

Article 82

The Republic Electoral Commission shall distribute the mandates by applying the highest quotient system.

The mandates shall be distributed by dividing the total number of votes won by each individual electoral list by numbers from one to 250 inclusive.

Thus calculated quotients are then sorted by size, and 250 largest quotients are taken into account. Each electoral list is distributed the number of mandates according to the number of such quotients it has.

If two or more electoral lists get the same quotients on the basis of which a mandate is to be distributed, and there are no more mandates to be distributed, the mandate shall be distributed to that list which won higher total number of votes.

If none of the electoral lists won at least 5% of the votes, distribution shall be done in the manner described in paragraphs 1 through 3 of this Article.

Article 83

Mandates belonging to a certain electoral list shall be distributed to candidates from that list, in accordance with provisions of this law.

When an electoral list has been distributed more mandates than there are candidates for MPs on that list, these mandates shall be distributed to the electoral list with the next largest quotient.

Article 84*****

Not later than 10 days from the date of publishing of the results of elections, the Republic Electoral Commission shall distribute all the mandates won by election lists to the candidates according to their order on the electoral list, starting from the first candidate on that list.

2. Publishing the results of the elections

Article 85

The Republic Electoral Commission shall publish the data on the total outcome of the elections for MPs in the “Official Gazette of the Republic of Serbia”, including:

1. the number of voters registered in the electoral roll,

2. the total number of voters who have voted,

3. the number of ballots received,

4. the number of unused ballots,

5. the number of used ballots,

6. the number of invalid ballots,

7. the number of valid ballots,

8. the number of votes won by individual electoral lists,

9. the number of mandates won by individual electoral lists.

Article 86

The Republic Electoral Commission shall publish the results of the elections within 96 hours of the moment the voting has ended.

From the moment the voting is completed until the publication of the results of the elections, the Republic Electoral Commission shall announce preliminary results of elections via mass media.

The results of the elections shall be published in the “Official Gazette of the Republic of Serbia”.

Article 87

The Republic Electoral Commission shall issue to the MP a certificate that he has been elected.

X TERMINATION OF MANDATE, REPEATED ELECTIONS AND FILLING OF VACATED MP POSITIONS

1. Termination of mandate

Article 88*

MP’s mandate shall be terminated before the end of term for which he has been elected in the following cases:

1. (*Ceased to apply by the decision of the Constitutional Court of the Republic of Serbia*),

2. if he resigns,

3. if he has been convicted by final court decision to an unconditional prison sentence of not less than six months,

4. if his business capacity has been revoked by final court decision,

5. if he has taken up a function or position which are, according to this law, incompatible with the function of MP,

6. if he loses citizenship,

7. if he no longer has domicile on the territory of the Republic of Serbia,

8. in case of death of MP,

9. (*Ceased to apply by the decision of the Constitutional Court of the Republic of Serbia*)

MP shall personally submit his resignation letter, certified by the body in charge of certification of signatures, to the National Assembly Speaker, not later than three days of the day of certification.

MP’s mandate shall be terminated on the day of occurrence of events referred to in paragraph 1 of this Article.

The day of termination of the mandate is determined by the National Assembly of the Republic of Serbia at the current session, or at the first session following the receipt of report on the reasons for termination of MP's mandate.

Article 89

Repeated elections shall be conducted if the Republic Electoral Commission annuls the voting due to irregularities in implementation of the elections, in the cases foreseen by this law.

Article 90

In case the Republic Electoral Commission annuls the voting at one polling station, the voting shall be repeated only at that polling station.

When the voting is repeated in cases foreseen by this law, the Republic Electoral Commission shall make a decision on repeating of the voting.

In cases referred to in Articles 89 and 90 of this law, the result of the elections shall be determined after the end of the repeated voting.

Article 91

Repeated voting is conducted in the manner and according to the procedure for implementation of elections, as stipulated by this law.

Repeated elections shall be called by the Republic Electoral Commission.

Repeated elections shall be held not later than 15 days from the day of annulment of voting in the Republic of Serbia, or not later than seven days from the day of annulment of voting in a polling station.

Repeated elections shall be held on the electoral list determined for the elections that have been annulled, except in the case when elections have been annulled due to irregularities in the establishing of the electoral list.

Article 92

In case MP’s mandate ceases before the end of the term for which he has been elected due to cases referred to in the Article 88, paragraph 1 of this law, the mandate shall be awarded to a new MP, in the manner stipulated by this Article.

When MP’s mandate ceases before the end of the term for which he has been elected, the mandate shall be awarded to the first candidate from the same electoral list who was not awarded a mandate.

When mandate of an MP elected from a coalition electoral list ceases before the end of the term for which he has been elected, the mandate shall be awarded to the first candidate from the same electoral list who was not awarded a mandate – to the member of the same political party.

The candidate who was awarded an MP mandate and whose mandate ceased due to him assuming the function of the member of the Government may be re-awarded

the mandate in the same National Assembly convocation under the following conditions:

- that the candidate's function as member of the Government has ceased,

- that there is a vacant MP position belonging to the same electoral list, and

- that the candidate has submitted a request to the Republic Electoral Commission for awarding of MP mandate.

When MP's mandate ceases before the end of the term for which he has been elected due to cases described in paragraph 1 of this Article, and there are no candidates on the electoral list on which the MP was elected for whom the submitter of electoral list did not win a mandate, the mandate shall be awarded to the submitter of the electoral list with the next largest quotient on the basis of which he did not win a mandate.

Mandate of the new MP shall run until expiration of the mandate of the MP whose mandate has ceased.

In cases referred to in paragraphs 2, 3 and 5 of this Article, written agreement of acceptance of the mandate shall be obtained from the candidate before confirmation of the mandate.

XI PROTECTION OF SUFFRAGE

Article 93

During the election procedure, the authorities conducting the elections shall notify the voters of their suffrage and how to protect this right.

Article 94

Every voter, candidate for MP and submitter of the electoral list has the right to protection of his suffrage, under the procedure determined by this law.

Article 95

Every voter, candidate and submitter of electoral list has the right to file a complaint with the Republic Electoral Commission due to breach of suffrage during the elections, or irregularities in the procedure of candidacy or voting.

Complaint against a decision, act or omission of a polling board shall be filed with the Republic Electoral Commission.

Complaint referred to in paragraphs 1 and 2 of this Article shall be filed within 24 hours of the making of the decision or of the execution of the act which the plaintiff deems irregular, or from the moment when the omission was made.

Article 96

The Republic Electoral Commission shall make a decision within 48 hours of the moment of receipt of the complaint and deliver it to the petitioner, as well as to all submitters of the electoral lists.

In case the Republic Electoral Commission adopts the complaint, it shall annul the relevant decision or action.

In case the Republic Electoral Commission does not make a decision on the complaint within the period specified by this Law, the appeal shall be considered adopted.

Article 97

An appeal may be filed in the Administrative Court against any decision on the complaint made by the Republic Electoral Commission.

This appeal shall be filed through the Republic Electoral Commission within 48 hours of the receipt of that decision.

The Republic Electoral Commission shall deliver the appeal and all required documents to the Administrative Court within 24 hours from the moment of receipt of the appeal.

The Administrative Court shall make a decision on the appeal according to provisions of the law regulating the procedure in administrative cases.

Decision on the appeal shall be made not later than 48 hours after the receipt of the appeal and the accompanying documentation.

Decision on the appeal is final and no extraordinary legal remedies foreseen by the Law on administrative procedure may be filed against it.

If the court adopts this appeal and annuls electoral action, that is, elections, the relevant electoral act, that is, elections, shall be repeated within 10 days.

XII COSTS OF ELECTIONS

Article 98

Resources for the work of authorities conducting the elections, as well as for the electoral materials and other election implementation expenses shall be provided from the budget of the Republic.

Request for allocation of resources, together with specification of total expenses, shall be submitted by the Republic Electoral Commission.

Amounts paid as compensation for the work of persons in the authorities conducting the elections shall be exempt from taxes and contributions.

Article 99

In the election implementation procedure, general supervision of activities of political parties, candidates and the mass media in the course of electoral activities shall be performed by supervisory board.

The supervisory board shall have ten members, and half of those members shall be appointed by the National Assembly of the Republic of Serbia based on recommendation of the Government of the Republic of Serbia, and the other half at recommendation of the parliamentary groups of the National Assembly of the Republic of Serbia, from the ranks of prominent public officials, under the condition that they are not members of the political party bodies taking part in the elections.

Members of the supervisory board shall elect the president of the supervisory board from among themselves, by a secret ballot.

Article 100

The supervisory board shall:

1. monitor pre-election activities and point out possible irregularities in the acts of political parties, candidates and other participants in the electoral procedure,

2. control the mass media activities in application of provisions of this law regarding providing of equal conditions for presentation of submitters of the electoral lists and candidates from the electoral lists,

3. suggest measures for respecting equality of candidates in presentation of their programs,

4. address the public in order to protect the moral integrity of candidate's character,

5. warn of acts of political parties, administrative bodies, candidates and the mass media which hinder the electoral campaign and jeopardize equal rights of all candidates.

If any participant of the electoral campaign behaves in such a way to incite violence, or spread national, religious or racial hatred, or encourage gender inequality, the supervisory board for the electoral campaign shall, without delay, initiate the procedure before relevant state authorities.

In case the agreement referred to in Article 51 of this Law is not concluded in the period stipulated, the supervisory board shall determine the number and duration of broadcasts for equal presentation of submitters of the electoral lists.

Article 101

The National Assembly of the Republic of Serbia shall appoint the members of the Republic Electoral Commission within 20 days of coming into force of this law.

The Republic Electoral Commission shall adopt the acts foreseen by this law, not later than five days from the day of appointment of its members.

The Republic Electoral Commission shall determine polling stations where the voting for MPs shall be carried out, so as to enable voters to carry out voting for these MPs as well as for other MPs, i.e. councilors, for whom elections are being held on the same day, at the same premises or, if possible, at the nearest premises to those where the other elections are being simultaneously conducted.

Article 102

The data on the number of voters shall be published in the “Official Gazette of the Republic of Serbia” by the organization competent for statistics, within ten days of the coming into force of this law.

Article 103**

(Ceased to apply)

XIII PUNITIVE PROVISIONS

Article 104

A member of the Republic Electoral Commission, or a member of the polling board, or any person who, while performing duties related to the election of MPs, changes the number of votes won by adding or subtracting ballots, or changes the number of votes during the counting of ballots, or publishes the result of voting that is not in line with the voting carried out, shall be punished for criminal offense with a prison sentence of up to three years.

Article 105****

(Ceased to apply)

Article 106

Person committing the following criminal offenses shall be punished by a fine or a prison sentence of up to one year:

1. the person holding, after the elections, a voter responsible for the way he voted, or asking a voter to reveal how he voted or why he did not vote;

2. the person voting instead of a voter and using his name in the elections for MPs, or voting two or more times in the same elections;

3. the person destroying, damaging, sequestering or hiding during the elections a ballot used for voting, any of the electoral documents, or any object intended for the elections or for voting.

If the act referred to in paragraph 1 of this Article is committed by a member of the Republic Electoral Commission, a member of a polling board or by another person performing duties connected with the elections - that person shall be punished by a prison sentence from three months to three years.

Article 107****

(Ceased to apply)

Article 108***

An organization that publishes estimates of the result of the elections, or previous results of the elections, contrary to the Article 5, paragraph 3 of this law, shall be fined with 100,000 to 600,000 RSD.

The responsible person in the organization shall also be fined for the violation referred to in paragraph 1 of this Article with 20,000 to 50,000 RSD.

A person who publishes estimates of the result of the elections or previous results of the elections shall be fined for the violation referred to in paragraph 1 of this Article, with 10,000 to 40,000 RSD.

Article 109***

A member of the polling board or of the Republic Electoral Commission who obstructs the work of the authorities conducting the elections (Article 32, paragraph 2 of this law) shall be fined for this violation with 25,000 to 50,000 RSD.

Article 110***

In case the organizations referred to in Article 51 of this law fail to carry out their obligations defined by provisions of this law, or if they allow presentation of candidates contrary to the Article 49, paragraph 2 of this law, they shall be fined for this violation with 50,000 to 800,000 RSD.

The responsible person in the organization referred to in the Article 51 of this law shall also be fined for the violation described in paragraph 1 of this Article with 10,000 to 30,000 RSD.

Article 111***

Head of the body in charge of managing electoral rolls shall be fined with 20,000 to 50,000 RSD for failing to perform the obligations specified by Articles 12, 19 and 54 of this law.

Article 112***

Any political party, coalition or other political organization or other legal entity which, contrary to the provisions of this law, displays symbols of a political party or of other political organization, as well as other promotional material, shall be fined for that violation with 100,000 to 400,000 RSD (Article 55 of the law).

The responsible person in the political organization or other legal entity shall also be fined for the violation referred to in paragraph 1 of this Article with 10,000 to 25,000 RSD.

Article 113***

A person using a pager, mobile phone or any other means of communication at the polling station shall be fined with 10,000 to 30,000 RSD (Article 55 of the law).

Article 114***

A person creating disturbance at the polling station leading to the interruption of voting shall be fined with 10,000 to 30,000 RSD (Article 57 of the law).

XIV TRANSITIONAL AND FINAL PROVISIONS

Article 115

This law shall come into force on the eighth day following the day of its publication in the “Official Gazette of the Republic of Serbia”.

Article 116

On the day of this law coming into force, the Law on Election of MPs (“Official Gazette of the Republic of Serbia”, nos. 79/92, 83/92, 53/93, 67/93, 90/93, 107/93, 48/94 and 32/97) shall cease to apply.

Article 117

On the day of this law coming into force, the Law on the Electoral Units for the Election of MPs (“Official Gazette of the Republic of Serbia”, no. 32/97) shall cease to apply.

Individual Articles of the Law on Amendments to the Law on Election of MPs

(Official Gazette of the Republic of Serbia, no. 18/2004)

Article 16

The ministry in charge of internal affairs shall deliver the list of voters residing abroad to ministry in charge of administrative affairs, not later than 30 days from the coming into force of this Law.

The ministry in charge of administrative affairs is obliged to establish the Special Record of Voters Residing Abroad, not later than 30 days from the receipt of the list of voters residing abroad.

Article 17

In case the elections for the National Assembly take place before the establishment of the Special Record of Voters Residing Abroad, the ministry in charge of foreign affairs shall, immediately after official announcement of elections, inform through public announcement those voters residing abroad that elections have been announced and ask them to submit the data necessary for updating of the electoral

roll to diplomatic missions and consular posts of the State Union of Serbia and Montenegro.

The ministry in charge of foreign affairs shall forward the received data to the Republic Electoral Commission not later than 15 days before the day of the elections. Based on the data received, the Republic Electoral Commission shall create and officially stamp special extracts from the electoral roll for each polling station abroad, and deliver them to the ministry in charge of foreign affairs, which shall then forward them, along with other electoral materials, to all polling stations abroad where voting is to take place.

Article 18

This law shall come into force on the day following the day of its publication in the "Official Gazette of the Republic of Serbia".

Individual Article of the Law on Amendments to the Law on Election of MPs

("Official Gazette of the Republic of Serbia", no. 36/2011)

Article 17

This law shall come into force on the eighth day following the day of its publication in the "Official Gazette of the Republic of Serbia", and the provisions of Articles 13 and 15 of this law shall apply starting from the call of the next elections of the members of the National Assembly of the Republic of Serbia.