

## **Part I**

### **Definitions and General Provisions**

#### **Article (1)**

#### **Definitions**

The following terms and expressions, mentioned in this law, shall have the meanings specified herein, unless specified otherwise:

<b>The National Authority:</b>	The Palestinian National Authority.
<b>The President:</b>	President of the National Authority.
<b>The Council:</b>	The Palestinian Legislative Council.
<b>President of the Council:</b>	President of the Palestinian Legislative Council (the speaker).
<b>Election Commission:</b>	Central Elections Commission.
<b>Voter:</b>	Every person who is eligible to elect the president and/or the members of the council.
<b>Elector:</b>	Every voter who practices his/her right to elect.
<b>Candidate:</b>	Every person whose candidacy for presidency and/or council membership has been officially accepted.
<b>Preliminary Voters List:</b>	The list which includes the names and data of the voters that is prepared for exhibition and challenge.
<b>Final Voters List:</b>	The final list includes the names and data of the voters who are eligible to vote and shall be published after the filing appeals period ends and adjudication thereof.
<b>Final List of Candidates:</b>	The final list includes the names of the candidates nominated for the position of President or membership of the council at the level of the constituencies and the election list.
<b>The Constituency Elections:</b>	The election of council members who shall be allocated seats in the constituencies.
<b>The Election List:</b>	The proportional election list considering the entire Palestinian territories as one single constituency.

<b>Constituency:</b>	Each specified area for which quotas of council seats have been allocated according to the population of the constituency.
<b>Polling Center:</b>	The location assigned by the Central Elections Commission within the constituency for the purpose of conducting polling therein.
<b>Resident:</b>	A Palestinian who is residing and registered within the constituency, or whose working place is within the constituency and has the right to vote therein.
<b>Place of Residence:</b>	The person's address as specified by any polling center.
<b>The Court:</b>	The Election Appeals Court formed in accordance with the provisions of this law to consider electoral appeals.

**Article (2)**  
**Electing the President and the Members of the Council**

Without prejudice to the provisions of the provisional Article (111) of this law, and with the exception of the first legislative elections that shall be conducted after the approval of this law only:

1. The President and the council members shall be elected simultaneously via secret balloting in general, free, direct elections.
2. The presidential office term shall be four years subject to re-election for only two consecutive terms.
3. The council shall be composed of (132) members.
4. The council shall serve for a four year term commencing from the election date thereof. Elections shall be held periodically every four years.

**Article (3)**  
**Electoral System and Allocation of Seats**

1. The Palestinian electoral law shall be based on the mixed electoral system evenly (50%-50%) between the relative majority (multiple constituencies) and proportional representation (list system) considering the entire Palestinian territories as one electoral constituency.
2. The number of the council members shall be 132 and distributed as follows:

- a. 66 members elected on the basis of relative majority (multiple constituencies) and distributed in the 16 constituencies according to the population of each constituency, and with no less than one seat for each constituency. Six seats shall be allocated for Christians selected from different constituencies defined by a presidential decree.
- b. 66 members elected on the basis of proportional representation (lists) considering the entire Palestinian territories as one electoral constituency.
- c. The electoral list shall be formed by a party or a coalition of parties or grouping of voters for the purpose of elections provided that the lists shall be in compliance with the requirements for candidacy as per the election law.

**Article (4)**  
**Women's Representation**

Each electoral list nominated for the proportional elections (lists) shall include a minimum limit for the representation of women that is not less than one woman in:

1. The first three names in the list;
2. The next four names that follow;
3. Each five names that follow.

**Article (5)**  
**Proportional Allocation of Seats**

1. Each electoral list that receives 2% or more of the valid votes on the basis of the proportional representation system shall be allocated a number of seats proportional to the total number of votes that the list receives.
2. Each electoral list shall provide the Central Elections Commission (CEC) with a list of its candidates before the candidacy deadline ends.
3. The list of electoral list candidates shall be closed in terms of the order of names, and the seats each list wins shall be distributed over the candidates in accordance with the order of names in the list, (the first, the second and so on).

**Article (6)**  
**Electoral Constituencies**

1. The Palestinian territories shall be one constituency for the purpose of:
  - a. Electing the President of the Palestinian National Authority
  - b. Elections on the basis of the proportional representation system (lists).

2. For the purpose of electing the members of the legislative council in the constituencies on the basis of relative majority (multiple constituencies) the Palestinian territories shall be divided into sixteen electoral constituencies in the following manner:
  - a. Jerusalem
  - b. Jericho
  - c. Hebron
  - d. Bethlehem
  - e. Jenin
  - f. Khan Younis
  - g. Deir Al Balah
  - h. Rafah
  - i. Salfit
  - j. North Gaza
  - k. Tubas
  - l. Tulkarem
  - m. Qalqiliyah
  - n. Ramallah and Al Bireh
  - o. City of Gaza
  - p. Nablus
  
3. The CEC, in consultation with the Higher Council for Planning, shall issue an instrument that defines the boundaries of each electoral constituency and the population centers affiliated hitherto. The instrument shall be issued by the cabinet ministers.

**Part II**  
**The Right to Election and Nomination**

**Chapter One**  
**The Electoral Right**

**Article (7)**  
**The Call for Elections**

The President shall, within at least three months prior to the expiry of the council's term in office, issue a decree calling for presidential and legislative elections throughout the Palestinian territories indicating the date thereof. The decree shall be published in the official gazette, in addition to publication in the daily press.

**Article (8)**  
**The Electoral Right**

1. Every Palestinian in the West Bank and the Gaza Strip, including Holy Jerusalem, who meets the requirements in this law, shall enjoy the right to vote, regardless of religion, political affiliation, social or financial position.
2. Every voter shall exercise their electoral right in a free, secret, direct and individual manner. Voting by proxy shall not be permitted.
3. A voter shall not be registered in more than one constituency. A voter can only vote in the constituency in which he/she is registered.

**Article (9)**  
**The Electoral Eligibility**

1. A person who fulfills the following requirements shall be deemed eligible to vote:
  - a. To be Palestinian.
  - b. To be at least 18 years of age on polling day.
  - c. To be registered in the relevant constituency where he/she practices his/her electoral right.
  - d. To be enlisted in the final voter register.
  - e. Not to be deprived of the right to freely elect in accordance with Article (10) of this law.
2. For the purposes of this law, a person shall be considered Palestinian:
  - a. If he/she was born in Palestine with borders defined in the British Mandate era, or was entitled to acquire the Palestinian nationality under the application laws.

- b. If he/she was born in the Gaza Strip or the West Bank, including Holy Jerusalem.
- c. If one of his/her ancestors falls under the application of paragraph (1) above irrespective of where he/she was born.
- d. If he/she is a spouse of a Palestinian as defined above.
- e. If he/she has not acquired Israeli nationality.

**Article (10)**  
**Disfranchisement**

1. An individual shall be deprived of the electoral right if he/she:
  - a. Was deprived of that right by virtue of a final judicial decision throughout the term of such a ruling.
  - b. Was declared incapacitated by a final judicial ruling.
  - c. Was convicted of high treason and not rehabilitated as per the provisions of law.
2. The CEC shall take appropriate measures and coordinate with the competent judicial bodies to apply the conditions outlined in paragraph (1) above.

## **Chapter Two**

### **The Candidacy Right**

#### **General Principles**

#### **Article (11)**

##### **Candidacy and Holding of Public Services**

1. The following categories of employees may not run as candidates for membership of the council or the position of the President unless they resign prior to the date set for the announcement of the final list of candidates. Their resignation shall be deemed acceptable from that date without prejudice with the right of any of the employees to apply when there is a vacancy in the department of the Authority or institutions from which they resigned. To be re-employed, they shall submit to the competition and selection conditions, like other competitors, in accordance with the provisions of the civil service law and the service law in the Palestinian Security Forces, or, the employment systems in the public authorities and institutions:
  - a. Ministers.
  - b. Palestinian National Authority employees (civil and military) and/or those who are paid a salary or monthly allowance by the state treasury or public funds affiliated thereto or under the supervision thereof.
  - c. Employees of public institutions and international organizations and heads of local authorities.
  - d. Chairpersons, directors and employees of NGOs.
2. The heads and members of local authorities and elected heads and members of other institutions and authorities may not run as candidates unless they resign. An individual shall not return to his/her position unless he/she has been re-elected at the end of the period in which he/she submitted his/her resignation, as per the provisions of the election law specified for those authorities and institutions.
3. The following person/s shall be excluded from the terms outlined in paragraph (1): the President who is applying for a new term of candidacy; persons who are council members in the term prior to the elections.
4. A candidate who is running for the presidential position or council membership shall attach to their candidacy applications a letter of resignation if they belong to any of the categories listed in paragraphs (1) and (2).
5. In accordance with the provisions of paragraph (1) judges, security and military personnel, police officers, governors and those who do not win the elections shall not resume their posts.

#### **Section One**

## **Presidential Candidacy**

### **Article (12) Eligibility for Candidacy**

The candidate for the position of president must meet the following requirements:

1. To be Palestinian, a descendant of Palestinian parents.
2. To be at least 40 years of age on polling day.
3. To be a permanent resident in the Palestinian territories.
4. To be registered in the final voters list and meet the requirements for exercising the electoral right.

### **Article (13) Deprivation of Candidacy**

An individual shall be deprived of the right to become a presidential candidate when he/she:

1. Has been disfranchised.
2. Has been denied the right to candidacy by virtue of a final judicial ruling passed by a competent Palestinian court throughout the term of the ruling.
3. Has been convicted by a competent Palestinian court for a felony or misdemeanor against honor or honesty.

### **Article (14) Application for Candidacy**

1. The candidacy application for the position of the President shall be submitted to the CEC by any person registered in the final voters list and who meets the candidacy requirements stated in Article (12) above.
2. Each presidential candidate must submit with his/her candidacy application a list that includes the support in a written form of at least 5 000 voters and this does not apply to a candidate who has held the position of President in the term prior to the elections.



## **Section Two**

### **Candidacy for Legislative Council Membership**

#### **Article (15)**

##### **Eligibility for Candidacy**

The candidate for the legislative council membership must meet the following requirements:

1. To be Palestinian.
2. To be at least 28 years of age on polling day.
3. To be registered in the final voter register.
4. To be a permanent resident within the Palestinian territories.

#### **Article (16)**

##### **Application for Candidacy**

1. In the event of candidacy on the basis of constituency elections:
  - a. The candidate shall submit the candidacy application to the electoral district office by any person registered in the final voters list and who meets the candidacy requirements stated in Article (15).
  - b. Attached to the candidacy application shall be a list containing the names and signatures of at least five hundred voters who are eligible to vote, with the exception of person/s who held council membership during the period preceding the running of the elections.
2. In the event of candidacy on the basis of (electoral lists):
  - a. The electoral list shall submit the candidacy application to the Central Elections Commission provided that the application is accompanied by a closed list that includes the candidates' names and confirmation of their acceptance of candidacy.
  - b. Attached to the application shall be a list containing the names and signatures of at least three thousand eligible voters, with the exception of accredited lists and parties duly accredited.
  - c. The number of electoral list candidates must not exceed the number of seats allocated to the proportional representation elections. The minimum number of candidates shall be seven.
  - d. The number of electoral list candidates in any of the given constituencies should not exceed the number of seats allocated to those constituencies.

3. The parties and electoral list candidates in the constituency elections shall be treated as independent candidates whereby the voting shall be for individuals and not for lists, and the voter shall select the name he/she desires to vote for from the different lists or independent candidates.

**Article (17)**  
**Candidacy Surety**

1. Each candidate, whether independent or nominated on an electoral list, shall deposit into the account of the Central Elections Commission a guarantee of one thousand USD or equivalent in the officially circulated currency.
2. In the case of the electoral list system, six thousand USD or equivalent in the officially circulated currency shall be deposited as a guarantee into the account of the Central Elections Commission.
3. The guarantee shall be refunded to those individuals and lists who are elected regardless of the seats that the list wins.
4. The amounts deposited by candidates who lose the elections shall be referred to the fund of the Central Elections Commission.

**Part III**  
**Administration and Supervision of Elections**

**Chapter One**  
**Election Committees**

**Section One**  
**Central Elections Commission**

**Article (18)**  
**Formation of the Central Elections Commission**

1. The Central Elections Commission shall be formed by a presidential decree accompanying the call for the running of the elections in order to administer and supervise thereof. The Central Elections Commission shall be responsible for the preparation and organization of elections and shall take all required actions to ensure integrity and freedom thereof.
2. The Central Elections Commission shall appoint the appropriate administrative body to enable the commission to carry out its respective mandates and tasks as per this law. Such a body shall be formed from the:
  - a. Central Elections Office.
  - b. Electoral Districts Offices.

**Article (19)**  
**The Central Elections Commission**

1. The Central Elections Commission is the supreme authority which shall undertake the management and supervision of elections and be responsible for their preparation and organization, as well as the adoption of procedures necessary to secure the integrity and freedom of elections.
2. The Central Elections Commission shall be composed of nine members to be selected from the Palestinian judiciary, outstanding academics and lawyers with professional experience. The duration of the term of office for members of the commission shall be four years from the date of the formation.
3. The Central Elections Commission members shall be appointed by virtue of a presidential decree.
4. The Central Elections Commission chairperson and secretary general shall be appointed by the President from among the nine members and by the same presidential decree.

**Article (20)**  
**Prerequisites of the Chairperson  
and Members of the  
Central Elections Commission**

The chairperson or members chosen for the Central Elections Commission shall fulfill the following prerequisites:

1. To be Palestinian.
2. To be under 35 years of age.
3. To hold a bachelors degree, or at least the equivalent thereof.
4. To be highly efficient and experienced.
5. To be honest and well reputed.
6. He/she does not face a final judicial ruling in any election-related crime, case of treason, or felony affecting honor or trust.
7. He/she must not be an employee or member of any charity, society or civil organization.

8. He/she must not nominate himself in any of the general elections, or participate in any election campaign for any candidate throughout his term of office in the commission.
9. He must not reveal any confidential information in relation to the elections.

**Article (21)**  
**Vacancy of the Commissions**  
**Chairperson or Member post**

In accordance with the provisions in Article (19) paragraph (3), if the position of the chairperson or member of the CEC becomes vacant due to resignation, death, illness or any other reason, the chairperson shall appoint a new member within a maximum of two weeks from when the position becomes vacant.

**Article (22)**  
**The Independence of the**  
**Central Elections Commission**

1. The Central Elections Commission shall have the privilege of being a permanent body with corporate personality and administrative and financial independence.
2. The Central Elections Commission shall be allocated a budget as an independent financial center in the state's budget.
3. The Central Elections Commission shall publish an administrative and financial report on the activities of the Commission three months after the announcement of the final election results. A copy shall be submitted to the President and the council.

**Article (23)**  
**The Tasks and Mandates of the**  
**Central Elections Commission**

The tasks and mandates of the Central Elections Commission shall be as follows:

1. Implementing the provisions of this law in such a way that achieves its respective purposes.
2. Preparing the systems whose issuance is stipulated by the law and implementing the provisions thereof paving the way for approval by the council of ministers.
3. Adopting a code of ethics for the observers and the agents that identify the principles, conduct and methods they should follow while in the committees and the polling centers.

4. Adopting internal regulations to regulate the operations of the committee.
5. Appointing personnel and councilors in the central office and other offices in the various constituencies.
6. Undertaking all appropriate procedures necessary for the preparation of the elections and organizing the methods of supervision.
7. Supervising the constituency administrations, offices and the Central Elections Office, as well as monitoring the compliance thereof to the provisions of this law.
8. Appointing the members of the registration centers and the polling centers.
9. Approving the locations of the registration and polling centers upon recommendation of the constituency offices.
10. Registration of the electoral lists and the signs referred thereto and approving the logos of the electoral lists.
11. Approving the applications of candidacy for presidency and membership in the council, as well as preparing the final lists of candidates and publishing thereof in the local press.
12. Organizing media and public campaigns for the voters.
13. Deliberating on objections made with respect to the registrations of the voters, candidates, and electoral lists.
14. Issuing cards accrediting local and international observers, and co-operating therewith in all the stages of the process, including in the registration of the voters.
15. Approving the accreditation of the agents of the electoral lists and constituency candidates.
16. Re-conducting elections in any polling center in which it has been proven that violations have taken place, and where such violations could affect the results of the elections in any constituency.
17. Announcing the final results of the elections.
18. Exercising any other mandate stipulated by the provisions of this law.

**Article (24)**  
**Appeals Against the Central Elections Commission's Decisions**

1. Every decision that is issued by the commission shall be liable to appeal before the court within two days from the date of the report on:
  - a. Approval or disapproval of the candidacy applications for the presidential or council membership posts.
  - b. Whether or not to conduct re-elections in any polling center.
  - c. Approval or disapproval of the registration requests submitted by any electoral list.
  - d. Approval of the logo of each electoral list.
2. The appeal shall be submitted to the court secretariat or through the initial court secretariat in each of the constituencies, and the court shall decide on the appeal within five days from the date of the submission thereof.
3. The appeal submitted as per this article shall be exempted of charges.

**Article (25)**  
**Central Elections Office**

The Central Elections Office shall be considered the executive instrument of the Central Elections Commission and work under its administration and supervision.

## **Section II**

### **Electoral District Offices**

#### **Article (26)**

##### **Formation of the Electoral District Offices**

1. The Central Elections Commission shall form the Electoral District Offices by a two thirds majority of its members in each of the relevant districts in accordance with the provisions of this law.
2. The Electoral District Offices shall be constituted of at least five members.
3. The Central Elections Commission shall set the prerequisites that the commission chairperson and members have to meet.
4. The Central Elections Commission, in its decision referred to in paragraph (1) above, shall appoint a chairperson and a secretary general for each district office.
5. If there is a vacancy for the membership in the district office, then vacant positions shall be filled in the same way that was detailed in the previous paragraphs.

#### **Article (27)**

##### **The Tasks and Mandates of the Electoral District Offices**

The Electoral District Offices hold the responsibility of administrating, organizing and monitoring the election process within the relevant districts. Their mandate includes:

1. Supervising the preparation of the preliminary and final voters list and submitting them to the CEC for approval and publication.
2. Receiving candidacy applications for the membership of the Palestinian Legislative Council (PLC) and submitting them to the Central Elections Commission on the same day as receiving them with all supporting documents.
3. Reviewing the minutes of election results issued by polling center committees and verifying their accuracy and compliance with the provisions of this law prior to the submission thereof to the Central Elections Commission.

**Section Three**  
**Polling Center Committees**

**Article (28)**  
**Appointment of Polling Center**  
**Committee Members**

1. The members of polling and registration center committees shall be appointed by virtue of a resolution by the Central Elections Commission based on recommendation by the Electoral District Office.
2. The polling and registration center committees are deemed the basic unit for the administration of elections.
3. Regulations issued by the Central Elections Commission shall determine the competences of polling and registration center committees.
4. The chairperson and members of the polling and registration center committees must hold a secondary school certificate and be no less than 25 years of age.



## **Chapter Two**

### **The Election Cases Court**

#### **Article (29)**

##### **Formation of the Court**

In accordance with the provisions of the law, the Election Cases Court shall be declared by virtue of a presidential decree. The court shall be comprised of a chief justice and eight judges upon the recommendation of the Supreme Judicial Council.

#### **Article (30)**

##### **Convening of the Court**

The court shall be duly convened of a president and two judges at least. The court may be duly convened in crucial cases with its full jury according to what the court president decides.

#### **Article (31)**

##### **Court Seat**

1. Arab Jerusalem shall be the permanent official seat of the Election Cases Court and shall have two seats in Ramallah and Gaza.
2. The court shall have two offices (in Gaza and the West Bank) for case registration and receipt of reviews.
3. The court president may decide to have the court convened in a place other than its official seat in order to make it easy for the litigants. Alternatively, the President may find it necessary to have the court convened at the place where the actual events occurred.

#### **Article (32)**

##### **Trial Procedures**

The trial may not be adjourned unless required by necessity to maintain the right of defense. Such an adjournment may not exceed twenty four hours.

#### **Article (33)**

##### **Court Jurisdiction**

1. The court shall have the competence of hearing appeals filed for cancellation or amendment of the decisions passed by the Central Elections Commission, or appeals which may be challenged according to this law before the Election Cases Court.

2. The court jurisdiction shall not cover the electoral crimes stipulated by this law which fall under the jurisdiction of the normal judiciary.

**Article (34)**  
**Schedule of Appeals Filing**  
**and Adjudication Thereof**

1. Unless otherwise stipulated by the law, an appeal shall be submitted to the court within two days of notification of the appealed decision. The court shall not hear any appeal or challenge filed after the aforesaid period.
2. The court shall settle the challenges submitted thereto within a maximum period of five days from the date of submitting the challenges.
3. Challenges may be submitted to the court directly or through the Central Elections Office or the district offices.

**Article (35)**  
**Representation before Court**

The court shall not accept any statement of appeal or challenge unless signed by a practicing lawyer.

The Central Elections Commission shall be represented before the court by one of its legal councilors, or any other practicing lawyer chosen by the commission.

**Section Four**  
**Registration of Voters**

**Article (36)**  
**The Right to Register in the Voters List**

1. Registration is a right for each Palestinian that fulfills the requirements of eligibility in accordance with the provisions of this law.
2. The Central Elections Commission shall register voters according to the provisions of this law.
3. Any person who desires to practice his/her electoral right and fulfills the requirements for voter eligibility may apply for enrolment in the preliminary voters list, and he/she shall register his/her name.
4. No voter shall be registered in another district's voters list other than that where he/she resides unless otherwise notified by a decree of the Central Elections Commission.

5. Registration of any person in the voters list shall not be possible unless he/she qualifies for voter eligibility. Registration shall be conducted in person, through an authorized proxy, or a first degree relative.
6. Any Palestinian who has lived for at least one year in the Palestinian Territories and is not registered in the final voters list may request, according to Article (9), to add his/her name to the list.

**Article (37)**  
**Regulation of Voters List**

1. The Central Elections Commission shall update the preliminary voters list before every electoral process by auditing the list, registering new voters and declaring the register for challenge as per the provisions of this law.
2. The Central Elections Commission shall, through coordination with the Civil Status Department or the Central Statistics Bureau, prepare and audit the preliminary voters list in accordance with the law, provided that it includes the following data on each voter:
  - a. Full name.
  - b. Gender.
  - c. Date and place of birth.
  - d. Place of permanent residence.
  - e. Number of identification card or passport.
3. The process of organizing the preliminary voters list shall be conducted in public and open to the scrutiny of international and local observers, to journalists and representatives of the mass media.

**Article (38)**  
**Challenge on the Preliminary Voters List**

1. Any person whose name has not been included in the preliminary voters list, or whose registration data is incorrectly recorded, may appeal to the polling and registration center committees for the inclusion of the person's name or correction of data pertaining thereto. Any person may object to the enrollment of another person who is not an eligible voter, or to the omission of the enrollment of an eligible voter.
2. Written appeals, with all the supporting documentation, shall be submitted within five days from the publication of the preliminary voters list.
3. If the appeal pertains to the enrollment or failure to enroll a person in the voters list, he/she should be informed in person or via proxy of that appeal so as to present a defense prior to making an appeal.

4. The polling and registration center committee shall decide on the appeal within three days commencing from the date of the submission thereof. Its decision shall be subject to appeal before the electoral district office.
5. The decision of the electoral district office is subject to appeal before the Central Elections Commission.
6. The preliminary voters list shall be modified in light of the decisions made by the relevant electoral district office with respect to the filed appeals; in the case of appealing the decision, modification of the register shall be made upon the decisions of the Central Elections Commission.

**Article (39)**  
**Registration of Non-enrolled Voters**  
**in the Preliminary Voters List**

1. Any eligible voter whose name is not registered in the preliminary voter register may, within the time limit specified for objection, apply to the relevant polling and registration center committee for enrollment to register his/her name provided that the application shall include, besides the information required by Article (37), paragraph (2) above, the following information:
  - a. Acknowledgement that the submitted information is true and correct.
  - b. The date of the submission of the application.
  - c. The signature of the applicant.
3. Any of the official documents currently used in the Palestinian territories may be endorsed for the purpose of verifying the place of residence.
4. The polling and registration center committee, having verified the correctness of the information included in the application and mentioned in paragraph (1) above, shall enter the name of the applicant in the preliminary voters list.

**Article (40)**  
**Appealing the Electoral District**  
**Office Decisions**

1. Any person having interest may appeal any decision made by the electoral district office before the Central Elections Commission within three days commencing from the date of notification of the decision.
2. The Central Elections Commission shall adjudicate on appeals within three days of their submission to the CEC. The commission's decisions shall be subject to appeal before the Election Cases Court.

**Article (41)**  
**Final Voters List**

1. After the period specified to file appeals has expired and all appeals filed against the preliminary voters list have been finally adjudicated, subject lists shall be deemed final and voting shall take place accordingly.
2. Each district office shall publicize each relevant final voters list at the seat thereof and render it accessible to the public. It shall also send a copy to the Central Elections Commission.

**Article (42)**  
**General Voters Record**

1. The Central Elections Commission shall prepare the general voters record based on the final voters lists submitted thereto by the district offices.
2. Each citizen shall have the right to view the general voter records and the Central Elections Commission shall facilitate the views of citizens thereof.

**Part V**  
**Nomination for the Presidency**  
**and Membership of the Council**

**Chapter One**

**Nomination for the Presidency**

**Article (43)**  
**Registration of Candidates**

1. Presidential candidates shall be registered at the Central Elections Commission.
2. The registration of candidates shall commence on the date specified in the presidential decree calling for elections and shall remain open for twelve days. No candidacy applications shall be accepted after the end of that term.
3. Every presidential candidate shall pay a deposit of three thousand USD or equivalent in the locally circulated currency as a guarantee to the account of the Central Elections Commission. In the case of the candidate's election, it shall be refunded.
4. No electoral list may nominate more than one candidate for the position of President.

5. Candidacy applications shall be submitted to the Central Elections Commission on official forms. The application shall include:
  - a. The full name of the candidate, his/her age, address, registration number in the voters list, and signature.
  - b. In the case of a candidature submitted by an electoral list, in addition to the provision of paragraph (a) above, the application shall bear the signature of the electoral list representative. The list that is registered at the Central Elections Commission and attached thereto shall be a copy of the registration certificate issued by the committee to that list.
6. The Central Elections Commission shall register the presidential candidates and provide them with a certificate of registration stating the date, time, and serial number of the registration.
7. The Central Elections Commission shall decide upon the acceptance of the application if it fulfils all the requirements stated herein. Applications that fail to comply with the candidacy requirements shall not be accepted. In the event of the rejection of any application, the Central Elections Commission shall present, in writing, detailed reasons for such a rejection.
8. An application shall be deemed acceptable if the Central Elections Commission does not communicate a decision of rejection to the applicant within three working days of submission thereof.

**Article (44)**  
**Appeals of Candidate Lists**  
**for the President's Post**

1. Any presidential candidate whose application has been rejected by the Central Elections Commission, and any person who has objected to the nomination of any other candidate and whose objection has been rejected by the Central Elections Commission, may file an appeal against this decision before the Election Cases Court within three days of communicating the Central Elections Commission's decision thereto. The Election Cases Court shall decide upon the appeal within five days of the date of the filing thereof.
2. The decision of the Election Cases Court shall be communicated to the Central Elections Commission for implementation.

**Article (45)**  
**Publishing of Candidates' Names**

1. The Central Elections Commission shall publish the list of candidates for the position of President twenty two days at most prior to the designated polling day. The list shall include the full names of candidates and the electoral lists each

candidate is affiliated to or, alternatively, the term "independent" when the candidate runs as such.

2. Publication shall be in the local daily press.

**Article (46)**  
**Representatives of the Candidates**

1. Every candidate running for the position of President may submit a list of the electoral list representatives to the Central Elections Commission and polling center committees at least seven days prior to polling day.
2. Candidates' representatives may represent candidates before the electoral district offices, polling center committees and counting of vote committees with regards to any matter pertaining to elections.
3. The Central Elections Commission shall communicate the names of such representatives to the polling center committees.

**Article (47)**  
**Candidates' Agents**

1. Every registered electoral list and every independent candidate running for the position of President may appoint agents as observers of the different phases of the electoral process, particularly polling and the counting of votes.
2. The names of such agents shall be registered at the committee district offices. At least seven days prior to polling day, the offices shall issue every approved agent a certificate indicating the agent's name.

## **Chapter Two**

### **Nomination for Council Membership**

#### **Section One**

#### **Nomination According to the Constituency Election System**

##### **Article (48)**

##### **Procedures of Candidates Registration**

1. Candidates for membership of the council shall be registered at the electoral district office.
2. The registration of candidates shall commence on the date specified in the presidential decree calling for elections and shall continue for twelve days. No candidacy applications shall be accepted after that period.
3. Candidacy applications shall be submitted to the district offices on the official forms. Applications shall include:
  - a. The full name of the candidate, his/her age, and the *nom de guerre* each may hold.
  - b. Address within the constituency that qualifies that candidate's nomination.
  - c. Registration number in the voters list.
  - d. Name of the constituency for which the candidate is nominated.
  - e. The application should bear the signature of the candidate together with the name and address of the relevant authorized representative.
4. The electoral district office shall register the nominated candidates and shall provide each applicant with a certificate detailing the date, time, and serial number of the registration.
5. The electoral district office shall submit all applications received by the Central Elections Commission.

##### **Article (49)**

The person shall not be a candidate for:

- a. The presidential position and membership of the council at the same time.
- b. More than one constituency.
- c. The constituencies and the election lists at the same time.



**Article (50)**  
**Appeals of Candidate Lists**  
**for the Membership of the Council**

1. Any candidate whose application for candidacy for council membership has been rejected by the Central Elections Commission, and any person who has objected to the nomination of any other candidate and whose objection has been rejected by the Central Elections Commission, may file an appeal against this decision before the Election Court of Appeal within three days of communicating the Central Elections Commission's decision thereto. The Election Cases Court shall make a decision on the appeal within five days from the date of its filing.
2. The decisions of the Election Court of Appeal shall be communicated to the Central Elections Commission for implementation.

**Article (51)**  
**Publishing the Candidates Lists**

1. The electoral district office shall publish the final list of candidates for the membership of the council for that constituency within twenty two days at most prior to the designated polling day. The list shall include the full names of the candidates and the electoral lists each candidate is affiliated to, or, alternatively, the term "independent" when the candidate runs as such. The name of the constituency shall be printed at the head of the list.
2. A copy of the final list shall be sent to the Central Elections Commission.
3. The Central Elections Commission shall publish the final candidate lists in the local daily press.

**Article (52)**  
**Representatives of the Candidates**

1. Each electoral list or independent candidate registered at the Central Elections Commission may submit to that commission a list of the electoral list representatives at the Central Elections Commission or the various electoral constituencies. The Central Elections Commission shall issue a certificate to each of the above representatives indicating the name thereof. This also applies to the representatives of independent candidates.
2. Each candidate representative may represent the candidates before the Central Elections Commission, electoral districts offices and polling center committees with respect to any matter relating to elections.
3. The Central Elections Commission shall communicate the names of such representatives to the constituency and polling center committees.

**Article (53)**  
**Candidates' Agents**

1. Every electoral list and every independent candidate may appoint agents to monitor the different phases of the electoral process, particularly polling and the counting of votes. Those representatives shall be subject to official approval by the Central Elections Commission at least seven days before polling day.
2. The names of such agents shall be submitted and registered by the relevant constituency committees. Those committees shall issue each approved agent a certificate indicating the name thereof.

**Section Two**  
**Nomination According to the Electoral List System**

**Article (54)**  
**Registration of Electoral Lists**

1. Electoral lists wishing to participate in the elections shall be registered at the Central Elections Commission.
2. The Central Elections Commission shall maintain a special register in which all electoral lists that are in compliance with the requirements stipulated herein shall be registered.
3. The electoral lists that have been registered in accordance with paragraphs (1 & 2) above shall have the right to nominate the candidates thereof and run the electoral list elections under the name, slogan or logo of their respective choice.
4. After an electoral list has been registered, the list shall be entitled to register the list of candidates.

**Article (55)**  
**Electoral Lists Registration Requirements**

1. Each electoral list wishing to register shall submit a written application includes the following:
  - a. The name of the list, the designated slogan or logo and the submissions of all its candidates with their accepted candidacy.
  - b. Name of the electoral list coordinator and the names of four of the designated election lists.
  - c. The address of the headquarters of the electoral list.

2. The following documents shall be attached to the registration application:
  - a. A list containing the signatures of at least three thousand voters who have the right to vote.
  - b. A copy of the electoral agenda of the electoral list.
3. Registration applications shall be submitted after the effective date of this law as stated in the presidential decree calling for elections and in accordance with Article (8) herein. No application shall be accepted if it is submitted after the above stated term has elapsed.

**Article (56)**  
**Rejection of Electoral Lists' Registration**

No electoral list shall be registered if:

1. The application does not fulfill the requirements stipulated herein.
2. It is revealed to the Central Elections Commission that information in the application form or the documents attached to it are incorrect.
3. The application is submitted after the deadline.
4. The electoral list requests to use a name, slogan or logo assigned to another registered electoral list or to a list which is unregistered but known in the Palestinian territories.
5. The electoral list requests registration under a name or logo suggesting that it is affiliated to the Palestinian National Authority or belongs thereto.

**Article (57)**  
**Deciding on Acceptance  
or Rejection of Registration**

1. The Central Elections Commission shall pass its decision of acceptance or rejection of the application for registration within ten days of its submission thereof.
2. The application shall be accepted if it has not been rejected by the Central Elections Commission within fifteen days of its submission thereof.

**Article (58)**  
**Appeal of Rejection of Registration Decision**

1. The electoral list whose application for registration has been rejected shall have the right to make an appeal before the court within three days of the date of notification thereof to the list representative or to its main address.

2. The court shall adjudicate on the appeal within seven days from the date of submission.
3. If the court decides to accept the appeal, a copy of that decision shall be sent to the Central Elections Commission.
4. The appeal filed in accordance with this article shall be exempted of all fees.

## **Part VI**

### **Organizing Electoral campaign**

#### **Article (59)**

#### **Electoral Campaigning**

1. Every candidate running for the position of President or council membership, whether through an electoral list or as an independent, has the right to perform all kinds of activities to explain each respective electoral program to voters in the manner he/she deems fit without violating any of the laws or regulations in force.
2. Official media shall maintain an impartial position during all the phases of the elections process. Official media, or any of the bodies affiliated thereto, shall not perform any electoral or campaigning activity that might be construed as favoring one candidate over another.
3. The Executive Authority and all the bodies affiliated thereto shall maintain an impartial position during all of the phases of the election process and shall not perform any electoral or campaign activity that might be construed as favoring one candidate or electoral list over another.

**Article (60)**  
**Period Assigned For Electoral Campaigning**

The electoral campaign shall start twenty two days prior to polling day and shall be closed twenty four hours before that day. Activities or media campaigns shall be banned on the day proceeding polling day or on polling day itself.

**Article (61)**  
**Coordination of Electoral  
Campaigning Activities**

1. Each district office shall compile a list of all available locations and public venues within each constituency for the holding of rallies, public gatherings and electoral processions. The constituency committee shall also specify in that list the venues and public sites designated for displaying electoral posters and banners.
2. Electoral District Offices shall submit those lists to the Central Elections Commission for ratification and approval. They shall be, subsequently, distributed by the Central Elections Office to all constituency offices.

**Article (62)**  
**Election Information Communiqués**

The Central Elections Commission shall issue educational communiqués and ads to encourage voters to take part in the elections and shall publish the following:

1. A leaflet addressed to the public explaining the elections law, manner of registration, voting and appeals.
2. A circular distributed to security forces on election campaign, voting and vote counting procedures.
3. Information for observers detailing polling centers, their number and distribution, and procedures to follow in the event of electoral process malfunctions.
4. A list of all locations and public venues available within the constituencies to place posters and signs for distribution to all candidates running for the presidency or council membership.

**Article (63)**  
**Organizing Electoral Programs in the Media**

1. The Central Elections Commission shall, in association with the official Palestinian media, prepare a special program stating times and dates assigned as free and unpaid propaganda hours for all candidates in the elections.

2. In preparing the program referred to in paragraph (1), it shall be taken into account that all candidates are given equal and suitable opportunities.
3. Any objection filed against the abovementioned program shall be submitted to the Central Elections Commission, which shall adjudicate on it within a maximum of twenty four hours.

**Article (64)**  
**Electoral Campaigning Restrictions**

Without prejudice to the right of presidential or council member candidates to organize propaganda for their programs and candidates in the manner, place and time they deem fit, any electoral campaign must take into account the following:

1. Non-defamation or humiliation of any of the other candidates;
2. Abstaining from organizing festivals and holding meetings in mosques, churches or near hospitals, buildings or premises used by government or public institutions;
3. Abstaining from placing electoral posters or signs in locations or public venues other than those assigned to the election administrative committees;
4. Abstaining from using the Palestinian National Authority logo in any of their election leaflets, communiqués, writings, logos or pictures;
5. Abstaining from any electoral propaganda that includes incitement or humiliation against other candidates or which may lead to tribal, familial or factional conflict;
6. The Central Elections Commission shall refer any person that breaches the provisions of Articles (63) and (64) to the competent court.

**Article (65)**

1. Voting for individual candidates takes place regardless of whether there are individuals or candidates of electoral lists. The candidate may select a number of candidates on the provision that the number he/she chooses does not exceed the allocated number of seats for that constituency.
2. Voting shall take place in the proportional elections for lists where one constituency shall be voted for from among the list of nominees.

**Part VII**  
**Polling**

**Chapter One**  
**Preparations for the Polling Process**

**Article (66)**  
**Ballot Papers**

1. The Central Elections Commission shall prepare special distinctive ballot papers that are difficult to imitate. The papers must be clear and easy to understand.
2. All ballot papers for presidential voting shall be of a standard form, size and color in all constituencies; ballot papers for PLC membership on the basis of the electoral lists shall be of a standard color and size in all constituencies. For independent candidates, papers shall be of a standard color and size in each single constituency.
3. Each ballot paper for the presidential and PLC membership elections, based on either lists or individual basis, shall have a special color.
4. Ballot papers assigned for the presidential elections must contain the full names of all the candidates and any *nom de guerre* each may have; in case of candidates nominated by electoral lists, the name of the list must be stated next to the name of the candidate.
5. Ballot papers designated for the election of PLC members in the constituencies must contain a candidate's full names, his/her logo and the names of his/her constituency. Ballot papers designated for the election lists in the proportional representation (lists) must contain the names of the lists and/or the logos that have been selected.
6. Ballot papers stated in paragraphs (4) and (5) above must contain next to the name of every presidential of PLC member candidate a space in which the sign (☑) or (☒) may be marked to indicate the name of the candidate nominated by each voter.
7. The names of presidential of PLC member candidates shall be arranged on ballot papers according to the submission dates of their respective candidature applications.

**Article (67)**  
**Deposit of Ballot Papers**

1. At least twenty four hours prior to the date assigned for the conducting the elections, the district office shall deposit, at each of the polling centers affiliated thereto, a number of ballot papers for the election of the President and members of

the council with an average exceeding 20% of the number of the voters registered in that center.

2. The abovementioned ballot papers shall be delivered to the polling center committee under official protocol which shall include the delivery details, number of ballot papers delivered and the signatures of the polling center committee members.

**Article (68)**  
**Ballot Boxes**

1. Each polling center shall have three ballot boxes, one for the election of the President, another for the election of the members of the council on a constituency basis, and a third box for the electoral lists.
2. The ballot boxes assigned for the election of the President shall be different from those assigned for the election of the members of the council in the constituencies and on the electoral list basis, and shall be made according to the specifications determined by the Central Elections Commission.

**Article (69)**  
**Secrecy of Polling in  
the Polling Centers**

1. A number of separate and secluded booths shall be allocated within each polling center so that every voter is able to vote in privacy.
2. The Central Elections Commission shall set the booth specifications in order to ensure that they are standardized at all polling centers.
3. The Central Elections Commission shall determine the number of booths required at each polling center according to the number of registered voters.

**Article (70)**  
**Voters List**

1. Each polling center shall have four copies of the final voter lists.
2. One of those copies shall be posted ostensibly inside the polling center to make it known to the voters, observers and candidates and the other copies are to be used by the polling center committee for the purpose of conducting, organizing, and auditing the polling process.



**Article (71)**  
**Protocols of Electoral Facts**

1. The Central Elections Commission shall set the specifications of the forms of protocols that shall be available at the electoral district offices and polling center committees.
2. Those protocols shall accurately record in detail all the electoral facts throughout the phases of the electoral process. Subject protocols shall be signed by the competent officials.

**Article (72)**  
**Stamps**

1. The Central Elections Commission shall decide on the shape and type of stamps to be used by all constituency committees throughout the electoral process.
2. The aforementioned stamps shall be designed in such a manner that renders imitation difficult and shall be safeguarded by the relevant committees.

**Chapter Two**  
**The Polling Process**

**Article (73)**  
**Polling Time**

1. Polling day shall be deemed a national holiday.
2. Polling shall commence at 7am on the specified election day and close at 7pm on the same day.
3. The election committee, upon the request of the polling centre chairperson, may extend the polling time by a decree of the chairperson of the election committee provided that the polling time shall not exceed two hours. The extension shall only be permitted to allow voters in the polling center time to cast their votes.

**Article (74)**  
**Supervising the Polling Process**

1. The polling center committee, whose formation is stipulated by Article (28) herein, shall supervise the polling.
2. On polling day, the members of the polling center committee shall be present at the polling center by 6am.

3. If the President or any of the members of the committee fail to attend, the relevant electoral district office shall delegate a substitute of those members appointed in that capacity. In the event that all of committee members fail to attend, the Central Elections Commission shall then appoint a new polling center commission composed of standby members.
4. The Committee shall immediately report to the electoral district office any matter that pertains to the formation thereof.

**Article (75)**  
**Accreditation of Candidates' Agents**

1. The polling center committee shall admit the presence of candidates' agents at suitable places inside the polling centers and shall record their names and state their attendance in the protocol, allow them to observe the polling, record any remarks or objections raised by any agent in regards to the polling process and adopt appropriate decisions in this respect.
2. It is prohibited to have more than one agent for each candidate at a polling center. With respect to the electoral list candidates, the attendance of one agent for each list shall suffice.

**Article (76)**  
**Polling Minutes**

1. Before the commencement of polling, the polling center committee shall draw up minutes stating the names of the committee members in attendance, the approved candidates' agents and their respective approval certificates.
2. The minutes shall be stamped with the polling center stamp and signed by the members of the polling center committee and the attending candidates' agents.

**Article (77)**  
**Sealing the Ballot Boxes**

1. Before commencing the polling process, the chairperson of the polling center committee shall open the ballot boxes in the presence of the committee members and the candidates' agents to ensure that they are empty and free of ballot papers.
2. The chairperson of the polling center committee shall, subsequently, close the ballot boxes. They shall not be opened until vote counting commences.

**Article (78)**  
**Polling Procedures**

1. The chairperson of the polling center committee or the member of the committee appointed thereby shall verify the identity of the voter and verify whether his/her name is entered in the final voters list of the relevant polling center.
2. The chairperson of the polling center committee, or the member of the committee appointed thereby shall hand the voter one ballot paper for the election of the President, one paper for the election of the members of the PLC on a constituency basis, and a third paper for the electoral list basis of the PLC elections. The relevant polling center stamp shall be affixed to the three ballot papers.
3. The voter must then proceed to one of the separate and secluded polling booths and mark each ballot paper in the printed box adjacent to the candidate's name.
4. Every voter must then place each ballot paper in the relevant ballot box in the presence of the polling center committee, the agents and the observers.
5. The chairperson of the polling center committee or one of its members shall cross out the name of the voter from the voters list and return his/her identification card after stamping it to verify that he/she has cast his/her vote.
6. After voting, the voter shall immediately leave the polling center.
7. It is impermissible at any time to allow double the number of voters to polling booths into the polling center.
8. In the event, due to *force majeure*, that it is impossible to conduct polling at a given polling center, voting shall be postponed until the following day by virtue of a decision to that effect by the Central Elections Commission.

**Article (79)**  
**Identification of Voters**

The polling center committee may verify the voter's identity by means of the relevant election card issued by the Central Elections Commission, in addition to the voter's identity card or any other official document with his/her photo ID, which is acceptable to the polling center committee, provided that the voter's name is registered in the final voters list.

**Article (80)**  
**Ballot Paper Marking**

1. The voter must mark with a  or a  in the box adjacent to the name of the candidate and the electoral list of his/her choice. The voter shall not mark more than one candidate on the ballot paper for the election of the President, or more candidates than the number of seats allocated to that constituency on the ballot paper for the election of the members of the council, or more than one list.
2. In case the voter makes a mistake in the marking of a ballot paper, the voter may return the erroneous ballot paper to the chairperson of the polling center committee and request a new one. No new ballot paper shall be given before crossing out the paper which the voter has requested to replace. It shall be placed in a special envelope.
3. Special minutes shall be prepared for the erroneous ballot paper and signed by the chairperson and the members of the polling center, placed with other incorrect papers in a special envelope and returned to the election constituency committee.
4. In case the voter is illiterate or disabled in a manner that renders him/her unable to mark the three ballot papers personally, the voter may seek the assistance of any other trusted voter after permission has been granted to him/her by the polling center committee. The chairperson of the polling center committee shall observe the voter's polling.

**Article (81)**  
**Security Measures**

1. The chairperson of the polling center committee shall be responsible for preserving security and order within the premises of the polling center.
2. A number of police force personnel shall be stationed outside and in the surrounding area of the polling center to ensure that the orders of the chairperson are followed. Police personnel shall not be admitted inside the polling center unless instructed otherwise by the chairperson and only for a time that is necessary for preserving security and order as deemed fit by the polling center committee.
3. Security forces shall preserve the safety and security of citizens and of the electoral process without affecting the integrity of elections, violating the elections law or impairing the rights of voters.
4. It is prohibited for any person other than police personnel in official uniform to carry a firearm, weapon or any other tool that is subject to punishment by law either inside a polling center or at its entrance.

5. Police personnel may not access the polling centers on polling day or during vote counting except for the purpose of voting or upon request from the chair of the polling center committee as stipulated in paragraph (2). They are not permitted to carry any weapon while voting in the polling center.
6. Police personnel who are assigned to preserve election security shall work in full and direct coordination with the Central Elections Commission, constituency offices and polling center committees.

**Article (82)**  
**Close of Polling**

1. When the time assigned for polling ends, the chairperson of the polling center committee shall order its closure and allow only those who are queued in front of the polling center to vote.
2. When voters complete their voting, members of the polling center shall be allowed to vote and must register their names at the bottom of the voters' list and sign next to their names. The chairperson shall ensure that their voting rights have not been exercised in any other polling center.
3. Once the vote has been finalized, the polling center committee shall, without any delay, count the votes in the same center.

**Part VIII**  
**Counting of Votes**  
**and Determining the Preliminary Results**

**Chapter One**  
**Counting of Votes at the Polling Centers**

**Section One**  
**Counting of Votes**

**Article (83)**  
**Counting Of Votes Processes**

1. The counting of votes shall be conducted in the presence of all the members of the polling center and district office members, candidates' agents, international and/or local observers, and press and media personnel within the spatial limits, in a manner that observes security and order and does not impede the counting of votes in any way whatsoever.
2. Each polling center shall start by counting the number of crossed out votes from the electoral list and register their number in the protocol. Subsequent to the

documentation, the committee shall open the three polling boxes simultaneously, classify the ballot papers of the council in the boxes and seal them. The committee shall first count the votes for the presidential post.

**Article (84)**  
**Counting of Votes for**  
**the Election of the President**

1. The process of the counting of votes shall be conducted by the chairperson and members of the polling center committee in accordance with the following:
  - a. The chairperson of the polling center committee shall read the content of the ballot paper, and the reading thereof shall be seconded by another member of the committee.
  - b. Two other members of the polling center committee shall individually record what is being read for them in the respective protocol.
2. The candidates, the agents thereof, and the international observers shall, upon the request of any of them, be entitled to view any ballot paper after it has been read.
3. Upon the completion of the counting of votes, it must be verified that the number of ballot papers, including the invalid and blank ones, is identical to the number of voters whose names were crossed out on the voters register during the process of voting. Four copies of the protocol *fait accompli* shall be completed.
4. When a discrepancy of numbers exists, the counting of votes shall be conducted a second time using the same procedures. If the number of the ballot papers appears greater than the number of voters in that center, or, less than their number by more than 2% (enough to affect the final results of the elections), polling shall be re-done at the polling center upon the decision of the Central Elections Commission.
5. The objections raised by the candidates and the agents thereof during the process of the counting of votes, as well as the respective decisions of the committee shall be documented in the respective protocols.
6. The candidates and the agents thereof are entitled to request a copy of the protocols after signing by the chairperson and the members of the committee thereon.

**Article (85)**  
**Counting of votes for the**  
**Election of the Council Members**

1. The constituency committee shall immediately, subsequent to the completion of the counting of votes for the presidential office, count the votes for the election of the council members on the electoral list basis, and shall subsequently count the votes for the election of the council members on an independent basis.
2. The counting of votes for the election of the members of the council shall be conducted in accordance with the procedures set forth in Article (84) herein.

**Article (86)**  
**Invalid and Blank Ballot Papers**

1. The ballot paper shall be deemed invalid:
  - a. If the ballot paper is not from the official ballot papers prepared by the Central Elections Commission.
  - b. If the ballot paper does not bear the stamp of the polling center committee.
  - c. If the ballot paper for the election of the President marks more than one candidate, if the ballot paper for the election of the members of the council on an independent basis marks a number of candidates to a greater extent than the number of seats allocated for the relevant constituency, or, if the ballot paper for the list based elections marks more than one list.
  - d. If the ballot paper includes any change whatsoever in the names or order of candidates.
  - e. If the ballot paper does not correspond to the constituency in which the polling is taking place.
  - f. If the ballot paper contains signs or writings by which the voter can be identified.
2. The ballot paper shall be deemed blank if it does not contain any marking next to any of the candidates.

**Article (87)**  
**Deposit of the Minutes and Ballot Papers**

1. The polling center committee shall, upon completing the counting of votes, draw up and organize three final minutes: the first on the election of the presidential post, the second on the election of the members of the council on an independent candidate basis, and the third on the electoral list basis.
2. Four copies of the minutes shall be completed.
3. Each of the minutes shall include:

- a. The name and number of the polling centers.
  - b. The names of the candidates' agents or the accredited representatives who attended the counting of votes.
  - c. The number of voters registered in the polling center.
  - d. The number of voters according to the electoral register in that constituency.
  - e. The number of ballot papers cast that was found in the polling boxes in that constituency.
  - f. The number of invalid, blank, substitute and unused ballot papers.
  - g. The date of the counting of votes.
4. In addition to what has been mentioned in paragraph (3):
- a. The minutes on the election of the post of President shall include the names of the candidates nominated for the presidential post, and the number of votes obtained by each arranged in a sequential, descending order.
  - b. The minutes on the election of the members of the council shall include the names of independent candidates nominated for the post of council membership and the number of votes obtained by each arranged in a sequential, descending order.
  - c. The minutes on the list based elections shall include the electoral lists, and the number of votes obtained by each arranged in a sequential, descending order.
5. Each of the minutes aforementioned shall be signed by the chairperson and members of the polling center committee and by any of the candidates, the agents thereof, or the candidates' representatives in attendance. All copies of the protocols shall be signed.
6. A copy of each of the three minutes with all the valid, invalid, blank, substituted and unused ballot papers attached thereto, together with the other minutes that were organized during the polling processes and vote counting, as well as the appeals submitted during such processes, shall be deposited with the electoral district office.
7. Another copy of the three aforementioned minutes shall be submitted to the Central Elections Commission and another to the court. A final copy shall be displayed at the polling center, provided that all the protocols are officially stamped by the chairperson of the polling center.



**Section Two**  
**Determination of Preliminary Results**

**Article (88)**  
**Preliminary Results in the Constituencies**

1. The chairmen of each respective polling center, immediately after completing all the procedures specified in Articles 83, 84, 85 and 87 herein, shall personally submit the required minutes and a report detailing the procedures adopted and the results determined by the electoral district offices.
2. The following persons are entitled to have access to the process of compiling and preparing the preliminary results in the constituency:
  - a. The members and personnel of the constituency committees.
  - b. Candidates.
  - c. Accredited agents and representatives of the candidates.
  - d. Officially accredited local and international observers.
  - e. Accredited journalists.
3. The electoral district office shall submit the elections results to the Central Elections Commission.
4. After receiving the protocols submitted by the electoral district offices, the Central Elections Commission shall immediately publish the preliminary results in the constituencies.

**Article (89)**  
**Preliminary Results of the General Elections**

1. Once the Central Elections Commission receives all the minutes and preliminary results from the various constituencies, the Central Elections Office shall, under the supervision of the Central Elections Commission, compile the results and prepare the general preliminary results of the elections for the President and the members of the council.
2. The Central Elections Commission shall publish the general preliminary results of the elections in the media within 24 hours of preparation.

**Chapter Two**  
**Vote Counting at the Electoral District Offices**

**Article (90)**  
**Vote Counting at the Constituency Committees**

1. The Constituency Committee shall, upon receiving the election minutes from every polling center committee, sort and count the votes in the constituency thereof, provided that the process of sorting is conducted in public and at the headquarters of the electoral district office on the day following polling day. No one except those persons specified in Article (88) paragraph (2) together with the police personnel, if the chairperson of the electoral district office has requested the presence thereof, shall be present during the process of sorting the votes carried out by the Constituency Committee.
2. The sorting of votes at the electoral district office shall include an examination of all the election minutes submitted thereto, and consideration of the objections, the ballot papers in question and the results of all votes registered therein.
3. The electoral district office shall, in the case of discovering any violations whatsoever in the voting process in any of the polling centers which could affect the results of the elections and the allocation of seats in that constituency, indicate such matters in a report to the Central Elections Commission recommending new elections in the constituencies where such violations took place. The announcement of the results of the elections in such constituencies shall be suspended until the Central Elections Commission further decides on this matter.
4. The electoral district office shall consider the objections of all candidates, agents and representatives. It shall deliberate on each objection and publish the results of the elections in the constituency thereof.
5. The candidates, or the agents and representatives thereof are entitled to request the Central Election Commission's reconsideration of the decisions adopted by the district office on the objections submitted thereto.

**Article (91)**  
**Submission of the Minutes to the**  
**Central Elections Commission**

The chairperson of the electoral district office shall personally, upon the completion of all the procedures set forth in Article (90) herein, submit to the Central Elections Commission all minutes, papers, and election-related material together with a report of Committee procedures and the results reached thereby.

**Section Three**  
**The Counting of Votes at the**  
**Central Elections Commission**

**Article (92)**  
**The Final Counting Of Votes**

1. Upon receiving all minutes, papers and materials attached thereto, and the reports made by the electoral district office, the Central Elections Commission shall assure the accuracy of the vote counting in the centers and constituencies, and shall declare the final results accordingly.
2. The final vote counting shall be conducted in public, within a time interval no greater than five days after polling day at the headquarters of the Central Elections Commission. No person/s except those specified in Article (88) paragraph (2)f herein shall be permitted to be present during the counting of votes.
3. The Central Elections Commission shall review all the reports of the district offices, and the decisions adopted in respect of the objections submitted by the candidates, agents and representatives thereof, and take note of all concerns.
4. Upon the discovery of any violation which could affect the results of the elections whether for the President's post, council membership, or allocation of the seats among the candidates in any constituency, the Central Elections Commission shall conduct new elections in the constituencies where such violations took place within a time interval of no greater than ten days from the date of completing the final counting. In such cases, re-election shall be confined to the polling centers where the violation/s occurred. The right to vote shall be confined to those registered in any of the aforementioned polling centers. Candidacy rights shall be restricted to the names registered in the final list of candidates.
5. Upon the completion of the procedures mentioned above, the Central Elections Commission shall immediately announce the final results of the elections.
6. The announcement of the final results of elections shall include the following:
  - a. The total number of voters registered in the final voters list.
  - b. The number of voters who cast their votes according to the voter registers.
  - c. The number of ballot papers collected in the ballot boxes.
  - d. The respective numbers of valid ballot papers for the election of the presidential position, members of council and the lists.
  - e. The respective numbers of invalid ballot papers for the election of the presidential position, members of the council and the lists.
  - f. The respective numbers of blank ballot papers for the election of the presidential position, members of the council and the lists.

- g. The names of the presidential candidates and the number of votes obtained by each in a sequential, descending order.
- h. The names of the council member candidates and the number of votes obtained by each in a sequential, descending order.
- i. The electoral lists nominated for council membership and the votes obtained by each list in a sequential, descending order.
- j. The date and time of the final counting of the votes.
- k. The signatures of the chairperson and members of the Central Elections Commission.

**Article (93)**  
**Challenges against the**  
**The Central Elections Commission's decisions**

1. Any electoral list, candidate, candidate agent or representative may appeal the decisions issued by the Central Elections Commission within two days from the announcement of the final results of the elections.
2. The election court shall adjudicate on the appeal within five days from the filing thereof, and immediately communicate the decisions taken by the court to the Central Elections Commission for enforcement.

**Part IX**  
**Announcement of the Final Results**

**Article (94)**  
**The Elected President**

1. The candidate who obtains the majority of actual votes shall be considered the president-elect.
2. The Central Elections Commission shall issue an official certificate to the candidate who has been elected as President.
3. The elected President shall commence his/her duties as President of the Palestinian National Authority one month after the announcement of the final election results by the Central Elections Commission and after taking an oath in accordance with the provisions of the basic law.

**Article (95)**  
**The Members Elected for the Membership  
of the Palestinian Legislative Council**

1. Candidates obtaining the greatest number votes in a constituency shall be allocated seats in that particular constituency.
2. In constituencies where seats are reserved for Christians, seats shall be allotted to those Christian candidates who obtain the greatest number of votes.
3. In cases of a tie between two or more candidates who gain the highest number of votes in a single constituency with one seat, or, in cases of a tie between two or more candidates who compete on the last seat in a single constituency with several seats, re-election of two or more candidates shall be held within ten days. The same arrangement shall apply to the seat/seats allotted to Christian Candidates.
4. The Central Elections Commission shall issue official certificates to the elected candidates.

**Article (96)**  
**Announcement of the Final Results**

The final election results shall be published in the Palestinian Official Gazette. The daily newspaper and public shall have access to a detailed, tabulated form of the final results for the constituencies and electoral lists within two weeks of the election day.

**Part X**

**By-Elections for the position of President  
and PLC membership**

**Chapter one**  
**By-Elections for the Position of President**

**Article (97)**  
**Vacancy of the Position of President**

1. The position of the President shall be considered vacant in cases of:
  - a. Death;
  - b. Resignation submitted to the Palestinian Legislative Council, which shall be deemed valid two weeks after its submission to the council speaker.
  - c. Disqualification upon a verdict issued by the Supreme Constitutional Court and a two thirds approval from members of the Palestinian Legislative Council.

2. If the position of President becomes vacant for any of the reasons stated in paragraph (1), the speaker of the Palestinian Legislative Council shall assume the responsibilities of the Presidency provisionally for a period that does not exceed ninety days provided that free and direct elections to elect the President, in accordance with the provisions of this law, shall be organized within sixty days starting from the date the position became vacant. The provisional presidential term shall finish after the announcement of the final election results and immediately after the elected President takes a legal oath in accordance with the provisions of the basic law.
3. In the event that the speaker of the Palestinian Legislative Council wishes to run for the position of President, he shall convene a session immediately after the position of the President becomes vacant, and submit his resignation in order for a new speaker to be elected and execute the presidential duties provisionally.
4. In accordance with the provisional article (111) of this law:
  - a. If the term remaining of the presidency of the National Authority is more than one year, the new presidential term shall be the remaining of the term of presidency as specified and stipulated by the law.
  - b. If the term remaining of presidency of the National Authority is less than one year, the new presidential term shall be the remaining of the previous term and a new term of 4 years provided that the general council elections shall be on time to accompany the new presidency term and run for the same period.

**Article (98)**  
**Calling for Presidency Elections**

1. The call for by-elections for the position of President shall be made by virtue of a presidential decree issued by the provisional president (speaker of the Palestinian Legislative Council).
2. By-elections for the presidential position shall take place within sixty days commencing from the date the position becomes vacant, in accordance with the provisions established by this law for the election of the President.
3. The final voter registers compiled in accordance with the provisions of this law shall be endorsed and used for the purpose of conducting the by-elections provided that the registers are updated and modified in the following cases: in the event of death, reaching the legal age of voting eligibility, candidature and changing a place of residence.

## **Chapter Two**

### **By-elections for PLC Membership**

#### **Article (99)**

#### **Vacancy of Council Membership**

1. The Palestinian Legislative Council shall issue a decision declaring the position of a member of the council vacant in the following cases:
  - a. Death;
  - b. Disqualification via a final legal verdict authenticated by a two-thirds majority of the council members.
2. Resignation of members shall be submitted to the speaker of the council and shall be effective two weeks from the date of presentation thereof.
3. If the period remaining for a member's term in the constituency is greater than one year, by-elections shall be held in accordance with the provisions of this law with respect to the election of Palestinian Legislative Council members. However, if the term is less than one year, the seat shall remain vacant until the end of the term and election of a new council.
4. In the event that the council electoral list seat becomes vacant three months prior to the end of the council term, the vacant seat shall be occupied by the candidate who is next in line according to the order of the winning list of candidates.

#### **Article (100)**

#### **Election Campaign Financing Resources**

1. It shall be prohibited for any electoral list or candidate running for the elections to obtain funds for his/her electoral campaign from any foreign or external non-Palestinian resources, directly or indirectly.
2. Every electoral list taking part in the elections and every successful candidate therein will submit to the Central Elections Commission, within a maximum period of thirty days from the date of announcement of the final election results, a detailed statement of his/her financing resources and the sums he/she spent on the electoral campaign.

#### **Article (101)**

#### **Limits of Expenditure on the Election Campaign**

It shall be prohibited for any electoral list or candidate to spend on his/her election campaign an amount greater than the following figures:

- a. One million USD or equivalent thereof in the currency officially circulated for expenditure on the election campaign for candidates running for the position of President and/or electoral list.
- b. Sixty thousand USD or equivalent thereof in the currency officially circulated for expenditure on the election campaign for the candidate running for the election of PLC membership in the constituency.

## **Part XI**

### **Electoral Crimes and Punishment**

#### **Article (102)**

1. The following actions shall be deemed a crime:
  - a. Any person who assumes the personality or name of another for the purpose of voting in elections.
  - b. Any person who uses his/her right to vote more than once.
  - c. Any person, who illegitimately keeps, appropriates, hides, or destroys the election card of another person.
  - d. Any person who pretends to be illiterate or unable to write.
  - e. Any person who carries a firearm or any other tool which poses a danger to security and public safety in any polling or counting center on election day.
  - f. Any person who influences the right of the voter to cast his/her ballot, or obstructs the election process in any form.
  - g. Any person who tampers with any ballot box, voter register or paper required for voting, steals or destroys, fails to put a register or paper in the box, or undertakes any action that is intended to damage the integrity of electoral procedures and confidentiality thereof. Such offences are punishable by the maximum punishment as stipulated in this article.
  - h. Any person who forces any voter by any means into disclosing the name/s of the candidates whom he/she voted for, or the content of the ballot paper according to which he/she voted.
  - i. Any person who encourages or helps any other person to vote knowing that he/she is legally ineligible to vote.
  - j. Any person who commits any of the prohibited actions stipulated by Articles (63 and 64) of this law.
2. Any person who commits any action stipulated in paragraph (1), shall – upon indictment – be punished with one or both of the following penalties:
  - a. Imprisonment for no less than six months.
  - b. Payment of a fine that does not exceed one thousand USD or equivalent thereof in the officially circulated currency.



**Article (103)**  
**Bribery**

1. Any person who commits any of the following actions shall be committing an offence:
  - a. Any person who gives, lends, offers, or commits himself/herself to give, directly or indirectly, money or any other benefit to a voter in order to force him/her to vote in a specific manner, or to abstain from voting.
  - b. Any person who accepts or asks, directly or indirectly, for money or a loan, or any other benefit, for himself or herself or for any other person, in order to vote in a specific manner, or to abstain from voting, or to influence any other person to vote in a specific manner, or to abstain from voting.
2. Any person who commits any action stipulated by paragraph (1) above, shall – upon indictment and confiscation of the items of bribery – be punished with one or both of the following penalties:
  - a. Imprisonment for a period that does not exceed three years.
  - b. Payment of a fine that does not exceed three thousand USD or equivalent thereof in the officially circulated currency.
3. The court may order the exclusion of the person’s name from the list of candidates.

**Article (104)**  
**Electoral Materials**

1. Any person who commits any of the following actions shall be committing an offence:
  - a. Any person who moves, destroys, hides, or helps to move, destroy, or hide any electoral material described in this law, without being authorized to do so by the Central Elections Commission.
  - b. Any person who prints, makes or prepares any electoral material described in this law without written authorization from the Central Elections Commission.
2. Any person who commits any action stipulated by paragraph (1) above, shall – upon indictment – be punished with one or both of the following penalties:
  - a. Imprisonment for no longer than one year.
  - b. Payment of a fine that does not exceed one thousand USD or equivalent thereof in the officially circulated currency.

### **Article (105)**

Any person who violates any or both of the regulations of Articles (100 and 101) of this law shall be punished with imprisonment for a period no longer than six months, or a fine not more than one thousand USD, or equivalent thereof in the legally circulated currency, or with both penalties. The court shall have the right to remove his/her name from the list of candidates and confiscate his/her funds.

### **Article (106)**

#### **Ballot Papers and Electoral Minutes**

1. Any person who commits any of the following actions shall be committing an offence:
  - a. Any person who falsifies or introduces false information into the electoral protocol and in the voters' lists which this law requires to be organized.
  - b. Any person who introduces or allows the introduction of ballot papers into a ballot box under the name of persons who have not voted or do not exist.
  - c. Any person who intentionally includes false data in the nomination, application, declaration or date of registration or submission thereof.
  - d. Any person who hides, destroys, or damages any bill of challenge or appeal filed by an electoral list or a candidate under the provisions of this law.
  - e. Any person who hides, destroys, or damages any nomination application submitted by any list or candidate.
  
2. Any person who commits any action stipulated in paragraph (1), shall – upon indictment – be punished with one or both of the following penalties:
  - a. Imprisonment for no longer than one year.
  - b. Payment of a fine not more than one thousand USD or equivalent thereof in the legally circulated currency.

### **Article (107)**

#### **Other Crimes**

Any act, omission, refrain, failure, or neglect of any duty promulgated by this law and for which there is no specified penalty, shall be considered a crime punishable with a penalty of imprisonment for a period no longer than 3 months, or a fine of not more than 500 USD or the equivalent thereof in the legally circulated currency or, with both penalties.

**Article (108)**  
**Members and Staff of the Election Committees**

If the person who commits any of the crimes defined in this part of the law is the chairperson, member of any election committee, employee of the administrative body of the committee, or any other person charged with misconduct of his/her official functions under the provisions of this law, he/she shall be punished – upon indictment – with the penalty of imprisonment for a period no longer than three years, or a fine of not more than three thousand USD or equivalent thereof in the legally circulated currency, or with both penalties.

**Article (109)**  
**Proportional Allocation of Seats**  
**Amongst Lists**

In the list based elections, seats are distributed in accordance with the number of votes obtained by each list. The allocation is distributed as per the Sainte-Laguë method, in the following manner:

1. The number of votes obtained by each list is divided by 1, 3, 5, 7, 9, et seq. for the allocation of seats.
2. The numbers resulting from these series of divisions shall be the “quotients.” The maximum number of quotients for one list is the number of candidates on the list.
3. The quotients shall be arranged in order from the highest quotient to the lowest.
4. Seats shall be distributed in order to the highest quotient until all the seats have been distributed.

## **Part XII**

### **Closing and Interim Provisions**

#### **Article (110)**

##### **Opening of the Ordinary Session of the PLC**

The President of the Palestinian National Authority shall inaugurate the ordinary session of the Palestinian Legislative Council and deliver its opening statement.

#### **Article (111)**

##### **The next Presidential Elections**

The new presidential elections shall be conducted by the end of the legislative term of the first elected Palestinian Legislative Council after the enforcement of the provisions of this amended law and in accordance thereof.

#### **Article (112)**

##### **Elections in Jerusalem**

1. The Palestinian voter registers shall be created in Jerusalem, in accordance with the provisions of this law. The Central Elections Commission is entitled to follow any of the appropriate instruments to guarantee Jerusalem voters their voting rights.
2. Any candidate who wishes to run for election in the constituency of Jerusalem shall have a valid address within the constituency of Jerusalem.
3. Elections in Jerusalem shall take place in accordance with the provisions of this law and regulations, instructions and procedures set forth by the Central Elections Commission.
4. Without prejudice of the above, provisions of the present law shall apply to the elections that run in Jerusalem just as they apply to any other constituency.

#### **Article (113)**

##### **Monitoring and Covering Elections**

1. All phases of the electoral process defined by this law shall be public and transparent in a manner that enables observers to monitor the different stages of these processes, and give the local and international press and mass media representatives the opportunity to cover the elections.
2. Local and international observers, local and international press and media representatives shall be accredited by the Central Elections Commission. The Central Elections Commission shall issue an accreditation card for anyone whom so requests.

3. Persons and institutions assigned with the enforcement of this law, as well as Palestinian security personnel, shall render available all facilities for anyone who carries an accreditation card in accordance with paragraph (2) above.

**Article (114)**  
**Notifications**

Every decision, order, document or notification which is required under the provisions of this law for any person concerned shall be considered valid and legal if:

- a. It is received by the person concerned by hand,
- b. It is received 48 hours after its posting by registered mail to the person's known address.

**Article (115)**  
**Issuing of Regulations**

1. The Central Elections Commission shall draft the regulations necessary for the implementation of the provisions of this law.
2. The aforementioned regulations shall be issued by a decision of the ministerial cabinet and shall enter into force after their publication in the official gazette.

**Article (116)**

The Elections Law No. (13) of 1995 and its amendments shall be revoked as well as any other provision which may contradict the provisions of this law.

**Article (117)**  
**Implementation and enforcement of this law**

All competent authorities, each within its jurisdiction, shall execute the provisions of this law, and the law shall come into force three months after the publication in the official gazette.

Issued in the city of Gaza  
Corresponding:

Date: 13/08/2005 AD  
8<sup>th</sup> of Rajab, 1425 H

Mr. Mahmoud Abbas  
Chairperson of the Palestinian Liberation Organization  
President of the Palestinian National Authority