

PARLIAMENT – ELECTORAL LAW

Entire text

Law 14/79 – 16th May

With the amendments brought about by the following statutes:

Law 8/81, 15 June; Law 28/82, 15 November; Law 14-A/85, 10 July; Decree-Law 55/88, 26 February; Law 5/89, 17 March; Law 18/90, 24 July; Law 31/91, 20 July; Law 55/91, 10 August; Law 72/93, 30 November; Law 10/95, 7 April; Law 35/95, 18 August; Organic Law 1/99, 22 June; Organic Law 2/2001, 25 August; Organic Law 3/2010, 15 December; Organic Law 1/2011, 30 November; Law 72-A/2015, 23 July; Organic Law 10/2015, 14 August

The stipulations in italic have been revoked or are forfeit.

The Parliament, under the terms of line d) of article 164 and line f) of article 167 of the Constitution, decrees the following:

HEADING I

Electoral Capacity

CHAPTER I

Active electoral capacity

Article 1

Active electoral capacity

1. Active electoral capacity is granted to all Portuguese citizens over 18 years of age.
2. Portuguese who are also citizens of another State do not lose their active electoral capacity due to that fact.

Article 2

Active electoral disability

The following are not granted active electoral capacity:

- a) Individuals judicially disabled due to a sentence imposed by a court of law;
- b) Those clearly known as mentally ill, even if not under judicial disability imposed by a sentence, when admitted to a psychiatric establishment or declared as mentally disabled by two doctors;
- c) Those deprived of political rights through a judge's order imposed by a court of law.

Article 3

Right to vote

The electors of the Parliament are citizens registered on the register of electors, whether in national territory, Macao, or abroad.

CHAPTER II

Passive electoral capacity

Article 4

Passive electoral capacity

Portuguese voting citizens are eligible to run for Parliament.

Article 5

General ineligibility

The following are ineligible to run for Parliament:

- a) The President of the Republic;
- b) *[revoked]*;
- c) Magistrates or Public Prosecutors in service;
- d) Judges exercising their functions and not covered by the previous line;
- e) Permanent military personnel and members of military forces, whilst in active service;
- f) Serving career diplomats;
- g) Those exercising diplomatic functions on the date of delivery of candidature papers, if not covered by the previous line;
- h) Members of the National Elections Commission.

Article 6

Special ineligibility

1. The following are prohibited from being candidates for the constituency where they exercise their activity: *civil governors, neighborhood managers*, directors and heads of tax offices and ministers of any religion or cult with jurisdiction powers.
2. Portuguese citizens who have another nationality cannot be candidates for the constituency covering the territory of the country of their nationality.

Article 7

Civil Servants

Civil servants or State employees or employees of public entities do not require authorization to become a candidate for Parliament.

CHAPTER III

Status of the Candidates

Article 8

Temporary discharge of responsibilities

In the thirty days prior to the date of elections, candidates have the right to suspend their respective functions, whether public or private, and this time shall be considered for all purposes, including the right to remuneration, as time of effective service.

Article 9

Compulsory mandate suspension

From the date of delivery of candidature papers until the date of the elections, candidates who are presidents of municipalities, or legal substitutes of presidents, cannot exercise their respective functions.

Article 10

Immunity

1. No candidate can be held in preventive imprisonment, except for cases of 'flagrante delicto' punishable with a long prison sentence.
2. If a criminal proceeding is brought against a candidate charged through indictment or equivalent, proceedings will not be carried out until announcement of the elections results.

Article 11

Nature of the mandate

The Members of Parliament represent the whole country, and not the constituencies for which they are elected.

HEADING II

Electoral System

CHAPTER I

Organization of constituencies

Article 12

Constituencies

1. For the purposes of election of the Members of Parliament, the electoral territory is divided into electoral districts, each corresponding to an electoral constituency.
2. The constituencies of the continent coincide with the areas of the administrative districts, have the same name and are headquartered in the same heads of district.
3. There is one constituency in the Autonomous Region of Madeira and one constituency in the Autonomous Region of the Azores, with these names respectively, and with headquarters in Funchal and Ponta Delgada respectively.
4. Electors living outside Portugal are grouped into two constituencies, one covering the territory of European countries, and the other covering all other countries and the territory of Macao; both constituencies are headquartered in Lisbon.

Article 13

Number and distribution of Members of Parliament

1. The total number of Members of Parliament is 230.
2. The total number of Members of Parliament for the constituencies of the national territory is 226, distributed proportionally to the number of electors in each constituency using the Hondt rule of the highest average, in line with the criterion established in article 16.

3. Each of the constituencies mentioned in no. 4 of the previous article corresponds to two Members of Parliament.

4. The National Elections Commission will publish in the *Diário da República*, 1st Series, between 60 and 55 days before the scheduled date for the elections, a chart with the number of Members of Parliament and their distribution over the constituencies.

5. When elections are scheduled less than 60 days in advance, the National Elections Commission will publish the chart with the number and distribution of the Members of Parliament between 55 and 53 days before the scheduled date for the elections.

6. The chart mentioned in the previous numbers is drawn up based on the number of electors according to the last update of the register of electors.

CHAPTER II

Election regime

Article 14

Method of election

The Members of Parliament are elected through plurinominal lists in each constituency, the elector being entitled to one single vote in the list.

Article 15

List organization

The number of effective candidates in the lists proposed for the election must equal the number of seats allocated to the constituency, which the lists refer to, with no less than two, and no more than five deputy candidates.

The candidates of each list are sorted according to the sequence of their respective candidature statements.

Article 16

Election criterion

Votes are converted into seats according to the Hondt proportional representation method, complying with the following rules:

- a) The number of votes received for each list is counted separately in the respective constituency;
- b) The number of votes counted for each list is divided, successively, by 1, 2, 3, 4, 5, etc, and the quotients are sorted in a descending order, forming a series with as many terms as the number of seats allocated to the respective constituency;
- c) Seats are attributed to the lists corresponding to the terms of the series established according to the previous rule, each list receiving the number of seats corresponding to the number of terms in the series;
- d) If there is just one seat left to distribute, and the next terms of the series are equal and belong to different lists, the seat is attributed to the list that has the least number of votes.

Article 17

Distribution of seats within the lists

1. Within each list, seats are attributed to candidates in accordance with the order indicated in no. 2 of article 15.
2. In the event of death of a candidate or illness that renders such candidate physically or mentally unable to become a Member of Parliament, the seat is conferred to the next candidate in the aforementioned order.
3. Any incompatibility between the functions carried out by the candidate and the exercise of the functions of a Member of Parliament does not impede the attribution of the seat.

Article 18

Vacancies in Parliament

1. Vacancies in Parliament will be filled by the next citizen on the respective list, or, in the event of a coalition, by the next citizen from the party who proposed the candidate that gave rise to the vacancy.
2. When in applying the rule contained in the final part of the previous number it is impossible to fill the vacancy with a citizen proposed by the same party, the seat will be conferred to the next candidate on the list presented by the coalition.
3. The vacancy will not be filled if there are no non-elected candidates or deputy candidates on the list to which belonged the holder of the vacant seat.
4. Members of Parliament who are appointed members of the Government cannot hold their seats while exercising functions as members of Government and will be substituted according to no. 1.

HEADING III

Organization of the electoral procedure

CHAPTER I

Scheduling of the date of the elections

Article 19

Scheduling of elections

1. The President of the Republic will schedule the election date for Members of Parliament at least 60 days in advance, or, in the event of dissolution, at least 55 days in advance.
2. Elections for the new legislature will be held between 14 September and 14 October of the year corresponding to the end of the legislature.

Article 20

Elections date

The election date is the same in all the constituencies, which will be a Sunday or a national holiday.

CHAPTER II

Delivery of candidature papers

SECTION I

Nomination

Article 21

Power of nomination

1. Candidature papers are delivered by the political parties, on their own, or in coalition, provided that they are registered by the start of the time limit for delivery of candidature papers. Lists may include citizens not belonging to the respective parties.
2. No party may present more than one list of candidates for the same constituency.
3. No one can be a candidate for more than one constituency or be on more than one list, under penalty of ineligibility.

Article 22

Coalitions for electoral purposes

1. Coalitions of parties for electoral purposes must be registered by the Constitutional Court, and notified to such Court up to actual delivery of candidature papers in a document jointly signed by the competent bodies of the respective parties, with an indication of the parties denominations, abbreviations and symbols; coalitions also have to be announced within the same time limit in two of the most widely read daily newspapers.
2. Coalitions cease to exist as soon as the definitive result of the elections is publicly announced, but can turn into coalitions of political parties, under the terms and for the purposes of that stipulated in article 12 of Decree-Law 595/74, of 7 November.
3. The stipulation no. 3 of article 12 of Decree-Law 595/74, of 7 November is applicable to party coalitions for electoral purposes.

Article 22-A

Decision

1. On the day after submission of coalitions for registration, the Constitutional Court will assess the legality of denominations, abbreviations and symbols, as well as their identity or similarity with other parties, coalitions or fronts.
2. The decision outlined in the previous number is immediately published through public notice, posted on the Court door according to an order by the Chairman.
3. Within a period of twenty-four hours counting from the moment when the public notice was posted, the representatives of any party or coalition list delivered in any constituency can appeal against the decision to the plenary session of the Constitutional Court.
4. The Constitutional Court will decide concerning the appeals referred to in the previous numbers at the plenary session, within forty-eight hours.

Article 23

Delivery of candidature papers

1. The competent bodies of the political parties are responsible for the delivery of candidature papers.
2. Candidature papers must be delivered until 41 days before the date scheduled for the elections, to the president judge of the constituency with headquarters in the capital of the district or autonomous region that constitutes the electoral circle.

3. The president of the county court can delegate in the magistrate of the central instance of the county the power referred in the previous number, in this case the magistrate will conduct the delivery of candidature papers process till its term, in the ambit of the same court.

4. In the constituencies of the Autonomous Regions of the Azores and Madeira, candidature papers must be delivered to the judge of the judicial district headquartered in the respective head of electoral district.

Article 24

Requirements for the delivery of candidature papers

1. Delivery of candidature papers means delivery of the list containing the names and other identification details of the list candidates and representative, as well as the candidature statements, and also, in the case of a list delivered by a coalition, indication of the party each candidate belongs to.

2. For the purposes of that stipulated in no.1, identification details are understood as the following: age, parentage, profession, birthplace and residence, as well the number, issuing department and date of issue of the identity card.

3. The candidature statement is signed jointly or separately by the candidates and must state that:

a) The candidates are not ineligible for any reason;

b) The candidates are not candidates for any other constituency nor are they on any other candidature list;

c) The candidates accept to be nominated for the party or electoral coalition delivering the list;

d) The candidates agree with the list representative as indicated in the list.

4. Each list must be comprised of the following documents:

a) Certificate, or certified copy of certificate from the Constitutional Court proving registration of the political party and the respective date and also, in the case of a list delivered by a coalition, documents proving the requirements set in no. 1 of article 22;

b) Certificate of registration in the register of electors for each of the candidates, as well as for the representative, identifying them in accordance with the details outlined in no. 2.

Article 25

Party or coalition list representatives

1. The candidates of each list will designate a representative among themselves or among the electors registered in the respective constituency to represent them in the operations referring to eligibility assessment and subsequent operations.

2. The representative's address will always be indicated in the candidature process, and when s/he does not reside in the constituency headquarters, s/he will select an address there for the purposes of notification.

Article 26

Publication of lists and verification of candidatures

1. When the time limit for submission of lists has expired, the judge will order copies to be posted on the door of the Court building.
2. In the two days following the end of the time limit set for delivery of candidature papers, the judge will check the legitimacy of the process, the authenticity of the comprising documents and the eligibility of the candidates.

Article 27

Breach of procedure

Upon detection of a breach of procedure, the judge will immediately notify the representative of the list to correct this irregularity within two days.

Article 28

Rejection of candidatures

1. Ineligible candidates will be rejected.
2. The representative of the list is immediately notified to proceed to the replacement of the ineligible candidate or candidates within two days, under penalty of the whole list being rejected.
3. If the list does not contain the total number of candidates, the representative must complete it within two days, under penalty of the whole list being rejected.
4. When the time limits set in nº 2 and 3 are expired, the rectifications or additions to the lists required by the respective representatives will be effected by the judge within forty-eight hours.

Article 29

Publication of decisions

By the end of the time limit set in no. 4 of the previous article or no. 2 of article 26, if no alterations have been made to the lists, the judge will order the rectified or completed lists to be posted on the door of the court building, together with an indication of whether they have been admitted or rejected.

Article 30

Complaints

1. A complaint can be filed against the judge's decisions regarding the delivery of candidature papers to the judge himself, within two days after the publication mentioned in the previous article, by the candidates, their representatives and the political parties competing in the constituency.
2. With regard to a complaint filed against the admission of any candidature, the judge will order that the representative of the respective list be immediately notified to respond, should s/he wish to do so, within twenty-four hours.
3. With regard to a complaint filed against the non-admission of any candidature, the judge will order that the representatives of the other lists, even if they have not been admitted, be immediately notified to respond, should they wish to do so, within twenty-four hours.

4. The judge must decide within twenty-four hours counting from the end of the time limit set in the previous points.

5. If no complaints are filed, or a decision has been made concerning the complaints filed, the judge will order the posting of a complete list including all the lists admitted on the door of the court building.

6. A copy of the lists outlined in the previous point will be sent to the general-director of Internal Affairs, or in the autonomous regions, to the Minister of the Republic.

Article 31

Draw of lists delivered

1. In the day following the end of the time limit set for delivery of candidature papers, the judge will proceed to the draw of the lists delivered, in the presence of the candidates or their representatives, in order to determine their order on the ballot papers, and a draw document must be drafted afterwards.

2. The holding of the draw and the printing of the ballot papers do not imply the admission of candidatures. The list or lists that are definitively rejected under the terms of article 28 and following are to be considered ineffective.

3. The result of the draw is posted on the door of the court, and copies of the document will be sent to the general-director of Internal Affairs, or to the Minister of the Republic in the autonomous regions, as well as to the National Elections Commission.

SECTION II

Contentious candidatures

Article 32

Appeal to the Constitutional Court

1. An appeal can be filed at the Constitutional Court against the final decisions of the judge with regard to the delivery of candidature papers.

2. The appeal must be filed within two days, counting from the date on which the lists mentioned in no. 5 of article 30 are posted.

Article 33

Legitimacy

Appeals are legitimate if filed by the candidates, their respective representatives and the political parties competing for election within the constituency.

Article 34

Filing of the appeal

1. The appeal document, which must include its grounds, will be filed at the court that issued the decision appealed against, together with all evidence gathered.

2. In the case of an appeal against the admission of any candidature, the lower court will immediately notify the representative of the respective list, so that s/he, the candidates or the political parties involved may respond, should they wish to do so, within twenty-four hours.

3. With regard to an appeal against the non-admission of any candidature, the lower court will immediately notify the entity that applied for the invalidation of such admission, if any, under the terms of article 30, to respond, should it wish to do so, within twenty-four hours.

4. The appeal will be filed at the Constitutional Court based on the original proceeding documents.

Article 35

Decision

1. The Constitutional Court, in a plenary session, will decide definitively within forty-eight hours counting from the date of reception of the documents outlined in the previous article, and will notify the judge about the decision by telegraph, on the same day.

2. The Constitutional Court will issue a single judgment for each electoral constituency, in which it will decide all the appeals with regard to the competing lists in such constituency.

Article 36

Publication of the lists

1. The definitively accepted lists will immediately be posted on the court door and a copy will be sent to the National Elections Commission and to the general-director of Internal Affairs, or to the Minister of the Republic in the Autonomous Regions and to the City Councils, that will publish them within twenty-four hours through public notices posted on the door of all the municipalities of the constituency.

2. On the day of the elections, the lists subject to suffrage will be again published through public notices posted on the door and inside the polling stations.

SECTION III

Substitution and withdrawal of candidatures

Article 37

Substitution of candidates

1. Candidates can only be substituted up to fifteen days before the elections in the following cases:

- a) Elimination of the candidate through final judgment on an appeal, grounded on ineligibility;
- b) Death, or illness that leads to physical or mental disability;
- c) Withdrawal of the candidate.

2. Without prejudice to that stipulated in article 15, substitution is optional. The substitutes will be written on the list after the last deputy candidate.

Article 38

New publication of lists

In the event of substitution of candidates and annulment of a decision to reject any list, the respective lists will be published again.

Article 39

Withdrawal

1. A list may be validly withdrawn up to forty-eight hours before the Election Day.
2. Withdrawal should be notified by the party involved to the judge who, in turn, should communicate the fact to the Directorate-General of Internal Affairs, or in the autonomous regions, to the Minister of the Republic.
3. Any candidate is also free to withdraw, through written statement containing his/her certified signature; however, the list delivered remains valid.

CHAPTER III

Constitution of the polling stations

Article 40

Polling stations

1. Each parish corresponds to one polling station.
2. Polling stations in parishes with slightly more than 1,000 electors are divided into polling sections, in order that the number of electors in each section does not exceed 1,000.
3. Up to 35 days before the election, the president of the municipality will determine the number of sections outlined in the previous point, immediately communicating it to the corresponding parish headquarters.
4. The decision mentioned in the previous number can be appealed against, and appeals shall be filed within a time limit of 2 days, by the parish headquarters or by at least 10 electors of any polling station, to the section of the local instance of the county court, with jurisdiction in civil matters, with jurisdiction in the municipality, unless in the municipality headquarters there is a central instance of the same court, with jurisdiction in civil matters, in which case the appeal will be presented before that section.
5. The definitive chart of the polling stations and sections will be immediately posted in the municipalities.

Article 41

Date and time of the polling stations

The polling stations will convene on the day scheduled for the elections at 8:00 am in the entire Portuguese national territory.

Article 42

Location of polling stations

1. The polling stations will be organized in public buildings, preferably in schools, municipality or parish headquarters, which have the required capacity, safety and access conditions. If there are no public buildings in acceptable conditions, a private building will be used, upon requisition for that purpose.
2. The president of the municipality or the municipal administrative commission, and, in the municipalities of Lisbon and Oporto, the respective neighborhood managers, is responsible for determining the locations where the polling stations will operate.

Article 43

Public notices of the polling stations

1. Up to 15 days before the elections, the presidents of the municipalities or the municipal administrative commissions will announce, through public notices posted in suitable places, the day, time and locations where the polling stations will convene, as well as any polling sections and annexes.
2. In the case of polling sections or annexes, the public notices shall also indicate the registration numbers of the citizens listed in the register of electors who will vote in each section.

Article 44

Electoral offices

1. Electoral activities will be promoted and conducted by an electoral office constituted for each polling station or section.
2. The electoral office will be comprised of a chief electoral officer, his/her deputy and three members – one secretary and two tellers.
3. Electors who cannot read or write Portuguese cannot be appointed members of the electoral office and, apart from the cases outlined in no 3 of article 47, they must belong to the polling station for which they have been appointed.
4. Apart from a case of 'force major' or justified cause, it is compulsory to carry out the functions of members of the electoral office of the polling station or section.
5. The following are considered justified causes for not carrying out this duty:
 - a) Age over 65 years;
 - b) Illness or physical incapacity proven by the municipal health delegate;
 - c) Change of address to another municipality, proven by the parish headquarters of the new residence;
 - d) Absence abroad, duly proven;
 - e) Professional commitments unable to be postponed, duly proven by superiors.
6. Any justified cause will be invoked, whenever the elector can do so, up to three days before the election, and before the president of the municipality.
7. In the case outlined in the previous point, the president of the municipality will immediately proceed to the substitution, by appointing another elector belonging to such polling station.

Article 45

List Delegates

1. There will be one delegate and respective deputy delegate for each list of election candidates in every polling station or section.
2. The delegates of the lists may either be or not be registered in the register of electors corresponding to the polling station or section in which s/he is to exercise her/his functions.

Article 46

Appointment of list delegates

1. Up to 18 days before the elections, the candidates or the representatives of the different lists will indicate to the president of the municipality, in writing, the delegates and deputy delegates for the respective polling stations and sections.
2. Each delegate and respective deputy delegate will be previously supplied with a form to be filled in by the party or coalition; this form must be submitted for signature and authentication by the authority mentioned in the previous number upon indication; the form shall include name, parish, register number in the register of electors, identity card number, date and issuing department as well as identification of the polling station where s/he will carry out her/his functions.
3. Parties cannot apply for the invalidation of the election based on the absence of any delegate.

Article 47

Appointment of the members of the electoral office

1. Up to 17 days before the election date, the delegates will meet at the parish headquarters, upon convocation by the respective president, to proceed to the selection of the members of the electoral offices for the polling stations or sections. The selection must be immediately notified to the president of the municipality. When the polling station has been divided into sections, only one delegate from each list, among those proposed by the candidates or by the representatives of the different lists, will attend the meeting.
2. If an agreement cannot be reached, the delegate of each list shall propose in writing to the president of the municipality or of the municipal administrative commission, 16 or 15 days before the election date, two citizens for each position yet to be filled, one of which will be selected within twenty-four hours through a draw carried out in the building of the municipality *or of the neighborhood management* and in the presence of the delegates of the lists competing in the election, within the polling section in question. In cases where no citizens are proposed by the delegates of the lists, the president of the municipality or the municipal administrative commission shall appoint the members of the electoral office whose positions are yet to be filled.
3. In the polling sections where the number of citizens with the requirements needed for the constitution of the electoral offices proves to be insufficient, the presidents of the municipalities shall appoint the members yet to be selected, among the citizens registered in the register of electors of the same parish.
4. The names of the members of the electoral office selected by the delegates of the lists or by the authorities mentioned in the previous numbers will be published in a public notice posted on the door of the parish headquarters within forty-eight hours. Any elector has the right to file a complaint against such selection to the president of the municipality or the municipal administrative commission within the next two days, based on non-compliance with the requirements established by this law.
5. This authority will decide the complaint within twenty-four hours. Should the complaint be upheld, a new appointment will take place through a draw carried out in the building of

the municipality or the neighborhood management, and in the presence of the delegates of the lists competing in the election within the polling section in question.

6. Up to five days before the Election Day, the president of the municipality will draft the nomination of the members of the electoral offices for the polling stations and will inform the respective parishes.

7. Any appointed members of the electoral office of the polling station who up to three days before the elections justify, under the stipulated legal terms, their impossibility to carry out these functions, will immediately be substituted under the terms of no. 2 by the president of the municipality.

8. In municipalities where there are administrative neighborhoods, the powers attributed in this article to the president of the municipality or the municipal administrative commission will instead belong to the respective neighborhood managers.

Article 48

Constitution of the electoral office

1. The electoral office of the polling station or section cannot be constituted before the time scheduled for the electoral office to convene, nor at a location other than that already determined. In either of these cases all acts undertaken, as well as the election itself, will be null and void.

2. After the electoral office is constituted, a public notice signed by the president, indicating the names and registration numbers of the citizens comprising the electoral office and the number of electors registered, will be immediately posted on the door of the building where the polling station is organized.

3. Without prejudice to that laid out in no.1, the members of the electoral offices of the polling stations or sections must be present at the appointed location one hour before the time scheduled for the start of the electoral activities, so that such activities can begin at the appointed time.

4. If up to one hour before the scheduled time for the opening of the polling station it is impossible to form the electoral office due to the absence of members absolutely required for the functioning of the office, the president of the parish shall appoint substitutes for the absent members among electing citizens of acknowledged good repute who are registered in such polling station or section, upon unanimous agreement of the attending list delegates. From this moment onwards, the appointment of the former members of the electoral office who have failed to attend is considered null and void.

5. The members of the electoral offices are released from their duty to attend their respective job or service on the Election Day and on the following day, without prejudice to their rights and privileges, including the right to remuneration, which can be claimed upon proof of the exercise of such function.

Article 49

Permanence of the electoral office

1. The electoral office cannot be altered after having been constituted, except for cases of 'force major'. Any alterations and their respective reasons will be written on a public notice posted at the site indicated in the previous article.

2. To ensure the validity of the electoral activities, the chief electoral officer or his deputy and at least two members must be present at all times.

Article 50

Powers of the delegates

1. The delegates of the lists have the following powers:

- a) To occupy the places closest to the ballot table in order to supervise all voting operations;
- b) To consult at any time the copies of the register of electors used by the electoral office of the polling station;
- c) To voice and obtain clarification concerning all questions raised during the functioning of the polling station, both during the voting and the counting;
- d) To present, orally or in writing, complaints, protests or counter-protests concerning the voting operations;
- e) To sign the minutes and initial, close and seal all documents regarding the voting operations;
- f) To obtain certificates pertaining to the voting and counting operations.

2. The delegates of the lists cannot be appointed to replace absent members of the electoral office.

Article 50-A

Immunity and rights

1. The delegates of the lists cannot be detained during the functioning of the polling station, except for a crime punishable with coercive detention over three years and in case of 'flagrante delicto'.
2. The delegates of the lists are entitled to the right outlined in no. 5 of article 48.

Article 51

Registers of electors

1. As soon as the polling stations and sections are defined and the electoral office members appointed, the commission responsible for the register of electors must provide the members, upon request, with two copies or certified photocopies of the registers of electors.
2. When the polling station is divided into sections, the copies or photocopies will cover only those pages of the register corresponding to the electors who will vote in each polling section.
3. The copies or photocopies outlined in the previous numbers must be obtained at last two days before the election.
4. The delegates of the lists can consult the copies or photocopies of the register of electors at any moment.

Article 52

Other members of the electoral office

1. The president of the municipality or of the municipal administrative commission, or, in the municipalities of Lisbon and Oporto, the neighborhood manager, shall deliver to the chief electoral officer of each polling station or section, up to three days before the day appointed for the elections, a book to be used for drawing up the minutes of the electoral operations. He will sign the opening term and initial all the sheets, as well as the forms and charts that prove necessary.
2. The entities mentioned in the previous number will also deliver to the chief electoral officer of each polling station or section, up to three days before the day appointed for the elections, the ballot papers.

HEADING IV

Electoral campaign

CHAPTER I

General principles

Article 53

Electoral campaign beginning and ending dates

The period of the electoral campaign will begin 14 days before the election and end 24 hours before the eve of the date appointed for the election.

Article 54

Promotion, organization and scope of the electoral campaign

1. The promotion and organization of the electoral campaign is the responsibility of the candidates and the political parties, without prejudice to the active participation of citizens.
2. Any candidate or political party is free to run an electoral campaign throughout the whole all the national territory and in Macao.

Article 55

Denominations, abbreviations and symbols

1. Each party will always use, during the electoral campaign, its respective denomination, abbreviation and symbol.
2. In case of a coalition, the denominations, abbreviations and symbols of the parties comprising the coalition can be used or new denominations, abbreviations and symbols can be adopted.
3. The denomination, abbreviation and symbol of the coalitions must comply with the requirements established in the applicable legislation.

Article 56

Equal opportunities for the candidatures

The candidates and the political parties or coalitions that put them forward have the right to equal treatment by public and private entities so as to carry out their electoral campaign freely and in the best conditions.

Article 57

Neutrality and impartiality of public entities

1. The bodies of the State, the Autonomous Regions and the local councils, other legal persons governed by public law, state-owned companies or semi-public companies and concessionaires of public utilities, concessionaires of state property or public works, as well as their respective representatives as such, cannot intervene directly or indirectly in the electoral campaign, nor practice any acts that favor or hinder one candidature over another or others. They must ensure equal treatment and impartiality in any intervention in electoral procedures.
2. The employees and agents of the entities mentioned in the previous number shall apply strict neutrality towards the different candidatures, as well as towards the several parties, in the exercise of their functions.
3. Representatives of the bodies, employees and agents of the entities mentioned in no. 1 are prohibited from displaying symbols, abbreviations, stickers or other propaganda during the exercise of their functions.
4. The regime outlined in this article is applicable as of publication of the decree appointing the election date.

Article 58

Freedom of expression and information

1. During the electoral campaign, no restriction can be imposed regarding the expression of political, economic and social principles, without prejudice to possible civil or criminal responsibility.
2. During the electoral campaign, no sanction can be applied to media companies or their agents for acts occurred during the campaign, without prejudice to the liability incurred, which can only be enforced after the Election Day.

Article 59

Freedom of assembly

Freedom of assembly for electoral purposes during the period of the electoral campaign is governed by that stipulated in general law concerning the right of assembly, with the following particularities:

- a) The notification mentioned in number 2 of article 2 of Decree-Law 406/74, of 29 August must be given by the competent bodies of the political party, with regard to meetings, rallies, demonstrations or marches in public places or open to the public organized by such party;
- b) Audible rallies, marches and propaganda can take place on any day and at any time, in compliance with the limits imposed for the maintenance of public order, freedom of transit and work and also those derived from the rest period of citizens;
- c) A copy of the document mentioned in no. 2 of article 5 of Decree-Law 406/74, of 29 August, must be delivered to the Chairman of the National Elections Commission and to the competent body of the political party in question;

- d) A written order to change any marches or routes will be issued by the competent authority to the competent body of the political party in question and communicated to the National Elections Commission;
- e) The use of public places mentioned in article 9 of Decree-Law 406/74, of 29 August, must be shared equally among the competing parties in the constituency where such places are located;
- f) Police presence at the meetings organized by any political party, can only be requested by the competent body of the party sponsoring the meetings; when no such request is submitted, the competent body of the party will be responsible for keeping the public order.
- g) The limit mentioned in article 11 of Decree-Law 406/74, of 29 August, will be extended to 2:00 am during the electoral campaign;
- h) The appeal outlined in no. 1 of article 14 of Decree-Law n 406/74, of 29 August, is to be lodged within forty-eight hours at the Constitutional Court.

Article 60

Prohibition of disclosure of opinion polls

From the date on which the elections are scheduled to the day after the elections it is forbidden to disclose the results of opinion polls about electors' attitudes about the candidates.

CHAPTER II

Election propaganda

Article 61

Election propaganda

Election propaganda is understood as all the activities directly or indirectly aiming at promoting candidatures, concerning either the candidates, the political parties, the heads of their bodies or their agents or any other people, particularly with the publication of texts or images that express or reproduce the content of this activity.

Article 62

Right to broadcasting time

1. Political parties and coalitions have the right to be allotted broadcasting time on public and private radio and television stations for the purposes of election propaganda.
2. During the electoral campaign, radio and television stations will reserve the following broadcasting time for the political parties and coalitions:
 - a) Radiotevisão Portuguesa, S.A., on all its channels, including the international channel, as well as private television stations:
 - . From Monday to Friday – fifteen minutes, between 7:00 pm and 10:00pm;
 - . On Saturdays and Sundays – thirty minutes, between 7:00pm and 10:00pm;
 - b) Radiodifusão Portuguesa, S.A., on medium wave and modulated frequency, connected to all regional transmitters and on international broadcast:

. Sixty minutes every day, twenty minutes of which between 7:00am and midday, twenty minutes between midday and 7:00pm and twenty minutes between 7:00pm and midnight.

c) National private radio stations, on medium wave and modulated frequency, connected to all transmitters, if more than one:

. Sixty minutes every day, twenty minutes of which between 7:00am and midday and forty minutes between 7:00pm and midnight.

d) Private regional radio stations:

. Thirty minutes every day.

3. Up to ten days before the opening of the campaign, the stations must inform the National Elections Commission about the schedule for the broadcasts.

4. Radio and television stations will register and file all the broadcasts corresponding to the exercise of the right to broadcasting time for a one-year period.

Article 63

Distribution of reserved time

1. The broadcasting times reserved by Radiotevisão Portuguesa, S.A., private television stations, Radiodifusão Portuguesa, S.A., connected to all its transmitters, and by the national private radio stations will be attributed, proportionally, to the political parties and coalitions that have presented a minimum of 25% of the total number of candidates and are competing in at least 25% of the total number of constituencies.

2. The broadcasting times reserved by international and regional transmitters of Radiodifusão Portuguesa, S.A., and by private regional stations will be divided equally among the political parties and coalitions that have put forward candidates in the constituency or in one of the constituencies covered, entirely or mostly, by the respective broadcasts.

3. The National Elections Commission, up to three days before the opening of the electoral campaign, will organize, in accordance with the criteria mentioned in the previous numbers, the same number of broadcast series as political parties and coalitions entitled to them, proceeding with a draw among those with the same positioning.

Article 64

Journalistic publications

1. Daily and non-daily news publications that are released more than once every two weeks, that intend to include material concerning the electoral campaign, must communicate this fact to the National Elections Commission up to three days before the opening of the electoral campaign.

2. These publications must provide non-discriminatory journalistic coverage of the various candidatures, under the terms of Decree-Law 85-D/75, of 26 February and other applicable legislation.

3. That stipulated in no. 1 will not apply to state-run press, which must always include material concerning the electoral campaign and comply with the stipulations provided by the legislation mentioned in the previous point, in order to ensure equal treatment.

4. The publications mentioned in no.1 that have failed to proceed to the notification stipulated therein cannot include election propaganda, and may only include the material that may be possibly sent to them by the National Elections Commission.

Article 65

Entertainment venues

1. Proprietors of entertainment venues and other facilities usually used by the public that meet the requirements to be used for electoral campaign purposes should inform the president of the city hall, up to ten days before the opening of the electoral campaign, indicating the dates and times at which the venues or halls can be used for this purpose. If no declaration is made or if venues are evidently required, the president of the city hall can order the venues and the halls that he considers necessary for the electoral campaign, without prejudice to the normal and programmed activity of these venues.
2. Time set aside for election propaganda, under the terms of the previous number, will be shared equally among the political parties and coalitions that indicate a wish to use the facilities, and have put forward candidates in the constituency where the venue is located.
3. Up to three days before the opening of the electoral campaign, the president of the city hall, after hearing the representatives of the lists, will indicate the days and times attributed to each party and coalition, in order to ensure that all are treated equally.

Article 66

Graphic and sound propaganda

1. The parish headquarters must establish, up to three days before the start of the electoral campaign, special spaces in certain locations for posting posters, photographs, wall newspapers, manifestos and notices.
2. There must be as many spaces reserved in the locations outlined in the previous number as lists of candidates proposed for election in the constituency.
3. Posting of posters and sound propaganda does not require authorization or communication to the administrative authorities.
4. It is forbidden to post posters, write slogans or paint murals on national monuments, religious buildings, buildings used as national bodies' headquarters, buildings belonging to the autonomous regions or local authorities, road traffic signs or road signaling boards, inside any public buildings or departments or buildings open to the public, including commercial establishments.

Article 67

Joint use or exchange

Political parties and coalitions can agree on the joint use or an exchange among themselves of the broadcasting time, publication space or entertainment venues that have been allotted to them.

Article 68

Public buildings

The president of the city hall, must endeavor to secure the use assignment of public buildings, State-owned facilities and facilities belonging to other legal persons governed by

public law, for electoral campaign purposes, dividing their use equally among the competitors in the constituency where the building or facility is located.

Article 69

Usage charges

1. Under the terms outlined in the preceding articles, the right to use broadcasts on public and private radio and television stations, journalistic publications and public buildings or facilities will be granted free of charge.

2. The State, through the Home Office, will provide the radio and television stations with a compensation for duly proven usage of the broadcasts outlined in no. 2 of article 62, through the payment of a sum as indicated in tables to be ratified by the Deputy Minister up to 6 days before the opening of the electoral campaign.

3. The tables mentioned in the previous number will be established for television and for national radios by an arbitration commission comprised of one representative from the Technical Secretariat for Electoral Procedures (Secretariado Técnico dos Assuntos para o Processo Eleitoral), one from the Inspectorate-General of Treasury (Inspeção-Geral das Finanças), and one from each radio or television station, depending on the case.

4. The tables mentioned in the previous number will be established for the regional radios, by an arbitration commission comprised of one representative from the Technical Secretariat for Electoral Procedures (Secretariado Técnico dos Assuntos para o Processo Eleitoral), one from the Inspectorate-General of Treasury (Inspeção-Geral das Finanças), one from Radiodifusão Portuguesa, S.A., one from the Association of Radios of Christian Inspiration (ARIC) (Associação de Rádios de Inspiração Cristã) and one from the Portuguese Radio Association (APR) (Associação Portuguesa de Radiodifusão).

5. The proprietors of the entertainment venues or their managers, when drafting the declaration outlined in no. 1 of article 65 or when there has been any requisition as outlined in the same number, must indicate the price to be charged for its usage, which cannot be more than the net revenue corresponding to a quarter of the full capacity of the respective hall during a normal show.

6. The price mentioned in the previous number and other usage conditions shall be the same for all the candidatures.

Article 70

Political party bodies

That established in the previous articles is not applicable to journalistic publications owned by political parties, provided that such fact is shown in their respective headers.

Article 71

Clarification of citizens

The National Elections Commission is responsible for promoting, through Radiotelevisão Portuguesa, Radiodifusão Portuguesa, the press or any other media, objective clarification for the citizens about the meaning of the elections for the life of the country, the electoral process and the voting procedure.

Article 72

Commercial advertising

From the publication of the decree appointing the election date, political propaganda transmitted directly or indirectly by means of commercial advertising is forbidden.

Article 73

Telephone installation

1. Political parties have the right to install one telephone for each constituency in which they put forward candidates.
2. The installation of the telephone may be requested from the date of delivery of candidature papers and should be carried out within eight days after such request.

Article 74

Rent

1. From the publication of the decree appointing the election date until twenty days after the elections, the leaseholders of urban buildings may rent them to political parties or coalitions, for the preparation and organization of the electoral campaign, through any means, including subleasing for a value that does not exceed the rent, whatever the purpose of the lease and regardless of a provision against this in the respective contract.
2. The leaseholders, candidates and political parties are jointly responsible for all damage caused by the use of the buildings for the purpose outlined in the previous number.

CHAPTER III

Electoral finances

Article 75

Accounting of revenue and expenditure

1. *Political parties must produce itemised accounts of all revenues and expenditures incurred for the delivery of candidature papers and the electoral campaign, with accurate indication of the source of the revenue and destination of the expenditure.*
2. *All candidature and electoral campaign expenditure will be met by the respective parties.*

Article 76

Cash contributions

Political parties, candidates and representatives of the lists may not accept any cash contributions for the electoral campaign coming from national companies or foreign individuals or organizations.

Article 77

Expenditure limit

Each party or coalition cannot spend on the respective candidatures and electoral campaign more than the overall amount corresponding to fifteen times the national monthly minimum wage per candidate of the respective list.

Article 78

Inspection of accounts

- 1. Within, at most, sixty days counting from the official disclosure of the results, each political party must provide itemised accounts of its electoral campaign to the National Elections Commission and publish them in one of the most widely read newspapers in the country.*
- 2. The National Elections Commission must establish, within sixty days, whether all revenue has been received and all expenditure has been incurred in a proper manner and have its decision published in one of the most widely read newspapers in the country.*
- 3. Should the National Elections Commission find any irregularity in the accounts, it must notify the political party concerned to submit properly organised accounts, within fifteen days,. The Committee must issue an opinion on the new accounts within fifteen days.*
- 4. Should the political party fail to provide the accounts within the time limit established in no. 1, not submit new properly organised accounts under the terms and within the time limit outlined in no. 3, or should the National Elections Commission conclude that an infraction has been committed concerning the provisions of articles 75 to 77, this will be reported to the competent entity.*

HEADING V

Election

CHAPTER I

Suffrage

SECTION I

Exercise of the right to vote

Article 79

Individuality and presence of the voting citizen

1. The right is exercised directly by the electing citizen.
2. Without prejudice to that provided in article 97, no form of representation or delegation is permitted in exercising the right to vote.
3. The right to vote is exercised in person by the electing citizen, except for the cases of early vote.

Article 79-A

Early vote

1. The following can cast their vote in advance:
 - a) Military personnel who, on the day of the election, are impeded from attending the polling station owing to professional commitments unable to be postponed;
 - b) Agents of forces and services who exercise national security functions, under the terms of the law, and who are in an identical situation to that outlined in the previous line;
 - c) Seafaring or aircraft workers, as well as railway and long haul road travel personnel who, in carrying out their professional activity, are presumably aboard or away from their residential area on the Election Day;

- d) Electors who, due to illness, are hospitalized or presumably hospitalized and cannot travel to the polling station;
 - e) Electors who are detained in prison but who are not deprived of their political rights.
 - f) Members of official national teams, organized into sports federations granted the status of sports organization of public utility, and who are abroad participating in competitions, on the Election Day.
 - g) All electors not covered by previous points that, by force of representation of any collective person of the public, private or cooperative sectors, of workers representative organizations or representative organizations of economic activities, and, still, other electors that, by imperative of their professional commitments, are unable to attend the polling station on the Election Day.
2. The voters referred to in points a), b) and g) of the previous number, when temporarily abroad between the 12th day before the election and the day of the election, may exercise the right to vote in the diplomatic or consular representations or in the external delegations of ministries and Portuguese public institutions previously defined by the Ministry of Foreign Affairs, in accordance with Article 79-D.
3. Students may also vote early as long as they are enrolled in an establishment located in a district, autonomous region or island different from the one they are registered in the electoral census.
4. The following voters registered in national territory and temporarily abroad may also vote in advance:
- a) Military, militarized and civilian agents integrated in peacekeeping operations, technical military cooperation or equivalent;
 - b) Doctors, nurses and other citizens integrated into humanitarian missions, recognized as such by the Ministry of Foreign Affairs;
 - c) Researchers and fellows in university institutions or equivalent, recognized as such by the competent ministry;
 - d) Students enrolled in educational institutions or attending them under exchange programs;
 - e) Sick voters in treatment abroad as well as their accompanying persons.
5. Spouses or equivalent, relatives and such that live with the electors mentioned in the previous number may also vote in advance.
6. Only the votes received at the parish headquarters corresponding to the polling station in which the elector should vote will be accepted, if received up to one day before the election date.
7. The competing lists in the election can nominate, under the general terms, delegates to supervise the early voting operations, who are entitled to all the immunities and rights outlined in article 50-A.

Article 79-B

Method of voting by professional reasons

1. Any electors who come under a category outlined in lines a), b), c), f) and g) of the no. 1 of the previous article can present themselves to the president of the municipality where they are registered according to the register of electors, between 10 and 5 days before the election, and express their wish to exercise their right to vote in advance.
2. The electors shall identify themselves in the same way as outlined in nos. 1 and 2 of article 96 and prove their alleged impediment to vote, by presenting documents certified by their hierarchical superior or by their employer or another that sufficiently proves the existence of the impediment to normally exercise the right to vote.
3. The president of the municipality shall give the elector a ballot paper and two envelopes.
4. One of the envelopes, white colored, is to receive the ballot paper and the other, blue colored, will enclose the white colored envelope together with the proving document as referred in no. 2.
5. The elector will fill in the ballot paper in conditions that guarantee the secrecy of vote, fold it twice, insert it into the white envelope, and close the envelope.
6. The white envelope will subsequently be inserted into the blue envelope together with the aforementioned proving document. The blue envelope will be closed, sealed and signed legibly on the reverse by the president of the municipality and by the elector.
7. The president of the municipality will give the elector the receipt annexed to this law proving that the right to vote has been exercised, which will indicate the elector's name, residence, identity card number, polling station to which s/he belongs, and the respective registration number in the register of electors. The document will be signed by the president of the municipality and certified with the stamp or embossed seal of the municipality.
8. The president of the municipality will draw up the minute of the operations carried out, expressly referring the name, registration number and parish where the elector is registered, and will send a copy of this minute to the central polling station.
9. The president of the municipality will send the blue envelope to the electoral office of the polling station where the elector should exercise his/her right to vote by guaranteed post, to the attention of the respective parish headquarters, up to 4 days before the election day.
10. The parish headquarters will send the votes received to the chief electoral officer of the polling station within the time period outlined in article 41.

Article 79-C

Method of voting by hospitalized patients and prisoners

1. Any electors who are in any of the conditions outlined in lines d) and e) of no. 1 of article 79-A may request from the president of the municipality, by electronical means or by post, in which they are registered, up to 20 days before the election day, the necessary documentation for exercising their right to vote, by sending copies of their citizen card or identity card and their poll card or voter's certificate, and enclosing the document proving their alleged impediment to vote, issued by the doctor and confirmed by the management of the hospital, or issued by the director of the prison, depending on the case.

2. The president of the municipality will send the following by registered mail with a confirmation of reception slip, up to 17 days before the election:
 - a) To the elector, the documentation required in order to exercise the right to vote, accompanied by the documents sent by the elector;
 - b) To the president of the municipality where electors are located in the conditions defined in no. 1, the list of names of these electors together with an indication of the hospitals or prisons covered.
3. The president of the municipality where the hospital or prison where the elector is hospitalized or detained is located, will notify, up to 16 days before the election, the competing lists in the election in order to comply with the stipulations outlined in no. 7 of article 79-A, indicating the establishments where the early vote will be cast.
4. The nomination of delegates of the lists must be notified to the president of the municipality up to 14 days before the election.
5. Between 10 and 13 days before the election, the president of the municipality where the hospital or prison accommodating the electors under the conditions referred in no. 1 is located, will go to such hospital or prison on a date and time previously notified to the respective director and to the delegates of the lists, in order to comply with the laid out in nos. 3, 4, 5, 6, 7, 8 and 9 of the previous article, with adaptations as required, imposed by the constraints of the hospital or prison rules.
6. The president of the municipality may exceptionally arrange to be substituted for the purpose of the procedure described in the previous number, by any duly authorized councilor of the municipality.
7. The parish headquarters receiving the votes will forward them to the chief electoral officer of the polling station within the time period outlined in article 41.

Article 79-D

Method of exercising the right to vote in advance by voters abroad

1. Voters who meet the conditions set out in points 2, 4 and 5 of article 79-A may exercise the right of suffrage between the 12th and 10th days prior to the election, at the diplomatic or consular representations or in the external delegations of ministries and Portuguese authorities previously defined by the Ministry of Foreign Affairs, in accordance with Article 79-B, and the intervention of the mayor shall be performed by the diplomatic officer designated for that purpose, who shall be responsible for sending the electoral correspondence, by the most expedient way, to the respective parish council.
2. In the case of the voters referred to in article 79-A, points a) and b), if the Ministry of Foreign Affairs, recognize that it is impossible for them to travel to the places referred to in the preceding paragraph, a diplomatic official shall be designated to collect the electoral correspondence in the period mentioned above.
3. The electoral operations provided for in the preceding paragraphs may be supervised by the lists that designate delegates for that purpose up to the 16th day prior to the election.

Article 79-E

Voting in advance for students

1. Voters who are under the conditions set out in Article 79-A no. 3 may request, by electronic means or by post, to the mayor of the municipality in which they are registered the documentation necessary for the exercise of the right to vote within the time limit and in the conditions laid down in Article 79-C nos. 1 and 2.

2. The document that proves the impediment of the voter consists of a declaration issued by the direction of the educational institution that certifies their admission or attendance.

3. The right to vote shall be exercised before the mayor of the municipality where the voter attends the educational establishment, within the time limit and in accordance with numbers 3 to 7 of article 79-C.

Article 80

Unique vote

Each elector is permitted to vote only once.

Article 81

Right and duty to vote

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

2. Managers of companies or services that are operating on the Election Day must grant their employees enough time off so that they may exercise their right to vote.

Article 82

Secrecy of vote

1. Nobody, under any circumstance, may be forced to disclose their vote or be asked about their vote by any authority, except for the purposes of collection of anonymous statistical data.

2. Inside and outside the polling station, up to a distance of 500m, nobody can disclose which list they are going to vote or voted for.

Article 83

Requirements for exercising the right to vote

For electors to be admitted to vote they must be registered in the register of electors and the electoral office must acknowledge their identity.

Article 84

Location for exercising the right to vote

The right to vote shall be exercised only in the polling station where the elector is registered, except for what is legally established regarding early voting.

Article 85

Loss of poll card

In the event of the poll card being lost, the electors have the right to obtain information about their registration number in the register of electors at the parish headquarters, which will be open on the Election Day for this purpose.

SECTION II

Voting

Article 86

Opening of voting

1. After the electoral office has been constituted, the chief electoral officer will declare the electoral operations open, will order the posting of the public notice mentioned in no. 2 of article 48, will proceed together with the other members of the electoral office and the delegates of the lists to the inspection of the polling booth and the working documents of the electoral office and will show the ballot box in the presence of the electors so that all can be assured that it is empty.
2. Provided that there is no irregularity, the chief electoral officer, the electoral office members and the delegates of the lists will cast their vote immediately, if they are registered in such polling station or section.

Article 87

Electoral office procedure regarding early votes

1. After the members of the electoral office have voted, and if there are any early votes, the chief electoral officer will open them and place them in the ballot box, according to the provisions of the following numbers.
2. The chief electoral officer will deliver the blue envelopes to the tellers, so these may establish whether the elector is duly registered and whether the proving document mentioned in no. 2 of article 79-B is enclosed.
3. Upon ticking off the vote on the register of electors, the chief electoral officer will open the white envelope and place the ballot paper in the ballot box.

Article 88

Order of voting

1. The electors will vote in order of arrival at the polling station, forming a queue for this purpose.
2. The chief electoral officers of the polling stations or sections must allow the members of the electoral offices and candidature delegates registered in other polling stations or sections to exercise their right to vote as soon as they present themselves and show their respective official permit or authorization.

Article 89

Continuity of electoral operations and closing of the voting

1. The polling station will operate without interruption until all voting and counting operations are completed.
2. Electors are allowed to enter into the polling station up to 7:00pm. After this time, only those electors already inside the polling station may vote.
3. The chief electoral officer shall declare the voting closed when all the registered electors have voted, or, after 7:00pm, as soon as all the electors present in the polling station have cast their vote.

Article 90

Non-voting in any polling station

1. Voting may not be held in a polling station, if the electoral office cannot be constituted, if any disturbance occurs that determines the interruption of the electoral operations for more than three hours, or if a calamity occurs in the parish on the election day or on the three previous days.
2. Should any of the situations outlined in the previous number occur; the following rules will be applied in their respective order?
 - a) No new voting will be held, if the result does not in any way affect the attribution of the seats;
 - b) If otherwise, a new voting will be held on the same day of the following week;
 - c) A final count will be completed without considering the non-cast votes, if it proves impossible to hold the voting outlined in the previous line.
3. The mayor of the municipality will be responsible for finally determine the impossibility to hold the voting or for postponing such voting.
4. In holding the new voting, the members of the electoral office may be nominated by the mayor of the municipality.

Article 91

Policing of the polling station

1. The chief electoral officer, assisted by the electoral office members, will ensure the freedom of the electors, maintain order and in general regulate the policing of the polling station, by adopting the measures required for such purpose.
2. Admittance to the polling station will be refused to people who are evidently drunk or drugged or who are carrying any weapon or instrument that may be used as a weapon.

Article 92

Prohibition of propaganda

1. Propaganda is prohibited inside the polling stations and outside them up to a distance of 500m.
2. Propaganda is understood as the exhibition of symbols, abbreviations, signs, badges or stickers of any of the lists.

Article 93

Prohibition of the presence of non-electors

1. The chairman of the polling station should order out of the location citizens who cannot vote there, unless they are candidates, representatives or delegates of the lists.
2. An exception is made to this rule for media agents, who can go to the polling stations or sections to obtain images or other journalistic elements.
3. The media agents must:

- a) Identify themselves before the electoral office before starting their activity, showing documents proving their profession and identification of the body they represent;
 - b) Not collect images, or in any way approach the polling booths to the point of impairing the secrecy of vote;
 - c) Not obtain other journalistic elements that may violate the secrecy of vote, either inside the polling station, or outside it, up to a distance of 500m;
 - d) In general, not disturb the electoral operations.
4. Images or other journalistic elements obtained under the terms mentioned in the previous number can only be transmitted after the closure of the polling stations or sections.

Article 94

Prohibition of the presence of the armed forces, and cases where they can be present

1. Apart from that stipulated in the following numbers, in the location where the polling stations are organized and within a 100m radius, the presence of the armed forces is prohibited.
2. When it is necessary to put an end to any disturbance or prevent any aggression or act of violence, either inside the polling station or section, or in the vicinity, or if his/her orders are disregarded, the chief electoral officer, after consulting the electoral office, may request the presence of the armed forces. This will be done in writing, whenever possible. Should this not be possible, the reasons for the request and the period during which the armed forces are present will be mentioned in the electoral minutes.
3. The commander of the armed forces, upon becoming sure that the members of the electoral office are being subject to physical or psychological coercion and that this is impeding the chief electoral officer from making such request, can intervene on his/her own initiative, in order to guarantee the authenticity of the electoral procedure. S/he must withdraw as soon as the chief electoral officer or his/her substitute requests so, or when it becomes clear that his/her presence is no longer justified.
4. When deemed necessary, the commander of the armed forces, or an authorised delegate of his/her, may visit the polling station or section, unarmed and for a maximum period of ten minutes, in order to establish contact with the chief electoral officer or his/her substitute.
5. In the cases outlined in nos. 2 and 3, the electoral operations in the polling station or section will be suspended until it is deemed by the chief electoral officer that conditions are gathered to proceed with the voting, under penalty of the voting being considered null and void.

Article 95

Ballot papers

1. The ballot papers will be rectangular, large enough to fit in all the lists submitted for the voting in each constituency, and will be printed on white, smooth, non-transparent paper.
2. Each ballot paper will contain, in accordance with the form attached to this law, the denominations, abbreviations and symbols of the parties and coalitions putting forward the candidatures, aligned in rows, in a list ordered according to the draw carried out under

the terms of article 31; denominations, abbreviations and symbols shall be as registered or according to registration at the Constitutional Court, whichever is the case. The symbols must be identical in composition, layout and size to those registered.

3. On the line corresponding to each party or coalition there will be a blank box, for the elector to mark his/her vote.

4. The State, through the Home Office, is responsible for producing the ballot papers, which will be printed by Imprensa Nacional-Casa da Moeda.

5. The general-director of Internal Affairs, or the Minister of the Republic in the autonomous regions, shall send the ballot papers to every president of municipality or president of municipal administrative commission, *or to the neighborhood managers in municipalities where there are administrative neighborhoods*, so that the stipulation outlined in no. 2 of article 52 may be complied with.

6. The ballot papers, in a number equal to the number of electors registered in the polling station or section plus 20%, will be sent in an envelope, which will be closed and sealed.

7. The president of the municipality *or the municipal administrative commission, or the neighborhood managers in municipalities where there are administrative neighborhoods*, and the chief electoral officers of the polling stations or sections will report to the president judge of the county court with headquarters in the district capital or autonomous region, regarding the ballot papers received. The chief electoral officers of the polling stations or sections must return, on the day after the elections, the ballot papers not used, spoiled or rendered unusable by the electors.

Article 96

Way of voting of each elector

1. The electors shall present themselves before the electoral office; indicate their number in the register of electors and their name, while showing the president their identity card, if they have one.

2. If they do not have their identity card, the electors will be identified by any other document with an up-to-date photograph and which is generally used for identification purposes, by two electing citizens who certify the elector's identity under oath, or also by being unanimously recognized by the members of the electoral office.

3. Having recognized the elector, the chief electoral officer will read out aloud the elector's number on the register of electors and his/her name, and will give him/her a ballot paper, upon confirmation of the register.

4. The elector will then enter alone in the polling booth located in the polling station, and, being there, will draw a cross in the box corresponding to the list s/he is voting for, and fold the paper twice.

5. Returning to the ballot table, the elector shall return the ballot paper to the chief electoral officer, who will insert it into the ballot box, while the tellers tick off the vote, initialing the registers of electors in the appropriate column and on the row corresponding to the elector's name.

6. If the elector spoils the ballot paper by accident, s/he must ask the chief electoral officer for another one, handing back the first one. The chief electoral officer will write on the

returned ballot paper a note stating that it has been rendered unusable, initial it and keep it for the purposes of no. 7 of article 95.

Article 97

Votes by the handicapped

1. Electors affected by evident illness or physical handicap, confirmed by the electoral office as unable to carry out the actions described in article 96, will vote accompanied by another elector chosen by him/her, who guarantees the fidelity of his/her vote and is bound to keep absolute confidentiality.
2. Should the electoral office decide that it is not evident that the elector is affected by illness or physical handicap, it will ask the elector to submit, during the act of voting, a certificate proving the impossibility of carrying out the actions mentioned in the previous number, issued by a doctor empowered as sanitary authority in the municipality and certified with the stamp of the respective service.
3. For the purposes of the previous number, health centers must remain open on election day, during the functioning period of the polling stations.
4. Without prejudice to the decision of the electoral office concerning the admissibility to vote, any of the respective members or delegates of the political parties or coalitions may file an official protest.

Article 98

Blank or null and void vote

1. A vote is considered blank when no mark has been written on the ballot paper.
2. The ballot paper is considered null and void in the following situations:
 - a) When more than one box has been selected or when there are doubts about which box has been selected;
 - b) When a box has been selected corresponding to a list that has withdrawn from the elections or which has not been admitted;
 - c) When the paper has been torn or any drawing or erasure has been made or any word has been written on it.
3. The vote will not be considered null and void when the ballot paper contains a cross which, although not perfectly written or exceeding the limits of the box, leaves no doubt as to the elector's intended vote.
4. The early vote will also be considered null and void when the ballot paper does not arrive at its destination in the conditions outlined in articles 79-B and 79-C, i.e., when it is received in an envelope that is not properly closed.

Article 99

Doubts, complaints, protests and counter-protests

1. Any elector registered in the polling station or any of the delegates of the lists may raise doubts and submit a written complaint, a protest or a counter-protest regarding the electoral operations of the same polling station, and file it together with the appropriate documents.

2. The electoral office cannot refuse to accept complaints, protests or counter-protests. It must initial them and attach them to the minutes.
3. The complaints, protests and counter-protests must be decided upon by the electoral office, which may decide at the end of the voting, should it be deemed not to affect the normal progress of the voting.
4. All decisions made by the electoral office will be based on absolute majority of the members present and must be duly grounded. The chief electoral officer will have the casting vote in the event of a tie.

CHAPTER II

Counting

SECTION I

Partial counting

Article 100

Preliminary operation

After closure of the voting, the chief electoral officer of the polling station or section will proceed to the counting of the ballot papers that were not used and those that were spoiled by the electors and enclose them in a specific envelope, which will be closed and sealed for the purposes of no. 7 of article 95.

Article 101

Counting of voters and ballot papers

1. After closing the preliminary operation, the chief electoral officer of the polling station or section will order the number of voters to be counted by the names ticked off on the registers of electors.
2. Upon completing this count, the president will order the opening of the ballot box in order to check the number of ballot papers inside. After being counted, the ballot papers will be put back into the ballot box.
3. In the event of a discrepancy between the number of voters counted under the terms of no. 1 and the ballot papers counted, the latter shall prevail for the purposes of the count.
4. The number of ballot papers will be immediately disclosed to the public through a public notice, which after being read out aloud by the chief electoral officer, will be posted on the main door of the polling station or section.

Article 102

Counting of votes

1. One of the tellers shall unfold the ballot papers one by one and announce out aloud what list has been voted for. The other teller shall register on a white sheet, or preferably, on a clearly visible board, and separately, the votes attributed to each list, the blank votes and the null votes.
2. At the same time, the ballot papers will be examined and shown by the chief electoral officer who, with the help of one of the electoral office members, will group them into

separate lots, one lot per each of the lists voted for, one for blank votes and one for the null votes.

3. After completion of these operations, the chief electoral officer shall proceed with the crosschecking count, by counting the ballot papers of each of the separate lots.

4. The delegates of the lists have the right to subsequently examine the separated lots of ballot papers, without altering their respective composition. Should they have any doubts or objections with regard to the count or the way any ballot paper has been qualified, they have the right to request clarification or file complaints or protests to the chief electoral officer.

5. If the complaint or protest is rejected by the electoral office, the ballot papers subject to such complaints or protests will be separated, the qualification attributed by the electoral office and the reason for the complaint or protest will be written on the reverse, and initialed by the president, and if s/he desires so, by the delegate of the list.

6. Rejected complaints or protests will not prevent the counting of the ballot paper for the purposes of partial counting.

7. The result of the count will immediately be made public through the posting of a public notice on the main door of the building of the polling station or section, indicating the number of votes for each list, the number of blank votes and the number of null votes.

Article 103

Destination of ballot papers declared null or subject to complaint or protest

The null ballot papers and those subject to complaints or protests will be sent, after being initialed, to the central polling station, with the respective documents.

Article 104

Destination of the other ballot papers

1. The other ballot papers are enclosed in packets, sealed and safeguarded by the judge of law of the section of local instance or, if that is the case, of the section of central instance of the county court referred in no. 4 of the article 40.

2. When the time limit for the filing of judicial appeals has expired or when these are definitively settled, the judge will proceed to the destruction of the ballot papers.

Article 105

Minutes of the electoral operations

1. The secretary is responsible for drawing up the minutes of the voting and counting operations.

2. The minutes must include:

a) The registration numbers on the register of electors and the names of the members of the electoral office and the delegates of the lists;

b) The opening and closing time of the voting, and the location of the polling station or section;

c) The decisions made by the electoral office during the operations;

- d) The total number of registered electors and voters;
- e) The registration number on the register of electors of the electors who used early vote;
- f) The number and name of the electors whose copy of the receipt of vote by post mentioned in no. 11 of article 79 has been received without the electoral office receiving the corresponding ballot paper, or vice-versa;
- g) The number of votes obtained by each list, the number of blank votes and the number of null votes;
- h) The number of ballot papers that were subject to complaint or protest;
- i) The discrepancies in the count, if any, mentioned in no. 3 of article 101, with accurate indication of the differences found;
- j) The number of complaints, protests and counter-protests attached to the minutes.
- l) Any other occurrences the electoral office may deem worth to mention.

Article 106

Delivery to the central polling station

In the twenty-four hours following the voting, the chief electoral officers of the polling stations or sections shall deliver the minutes, registers of electors and other documents pertaining to the election to the chairman of the central polling station, either by registered mail, or in person, against a reception slip.

SECTION II

Total vote count

Article 107

Total vote count of the constituency

The counting of the election results in each constituency and the declaration of the candidates elected is the responsibility of a central polling station, that will start the operations at 9:00am of the second day after the election, at the location appointed for that purpose by the president of the central polling station.

Article 108

Central polling station

1. The central polling station will be comprised of the following members:
 - a) The president judge of the county court with headquarters in the head of the electoral district or, in case he is unable or if it is more convenient, the judicial magistrate of the section of the county's central instance, in whom he delegates;
 - b) Two jurists selected by the chairman;
 - c) Two mathematics teachers who teach in the head of the electoral district, appointed by the Minister of Education and Culture, or in the autonomous regions, by the Minister of the Republic;
 - d) Six chief electoral officers of a polling station or section appointed by the county court with jurisdiction in the headquarters of the district or the autonomous region;

- e) A chief legal clerk of the head of the electoral district, selected by the chairman, in accordance with the judiciary administrator, who will serve as secretary.
2. The central polling station must be constituted two days before the election. The names of the citizens comprising the central polling station will immediately be made public through a public notice posted on the door of the buildings appointed for that purpose under the terms of the previous article. The designations outlined in lines c) and d) of the previous number must be communicated to the chairman up to three days before the election.
3. The candidates and representatives of the lists may attend and are not entitled to vote, but have the right to complaint, protest or counter-protest regarding the works of the central polling station.
4. Citizens who are part of central polling stations are released from the duty to attend their respective job or service during the period of functioning of the central polling stations, without prejudice to all their rights or privileges, including the right to remuneration, upon proof that they exercised these functions through a document signed by the chairman of the central polling station.

Article 109

Elements of the total vote count

1. The total vote count will be carried out based on the minutes of the operations of the polling stations, on the registers of electors and other accompanying documents.
2. If any elements of any polling station are lacking, the counting will begin with the elements received up to then. The chairman shall schedule a new meeting to complete the works within the following forty-eight hours; in the meantime, arrangements must be made in order to correct this fault.
3. In the Autonomous Regions of Azores and Madeira the total vote count may be based on telegraph correspondence transmitted by the presidents of the municipalities or the municipal administrative commissions.

Article 110

Preliminary operation

1. Upon commencement of its works, the members of the central polling station will decide concerning the ballot papers subject to complaint or protest, and will correct the count of the respective polling station, should that be the case.
2. The members of the central polling station will check the ballot papers considered null, and reassess them according to a single standard criterion, and will correct the count of each polling station, should that be the case.

Article 111

Total vote count operations

Total vote count will consist of:

- a) Check of the total number of registered electors and voters in the constituency;
- b) Check of the total number of votes obtained by each list, the number of blank votes and the number of null votes;

- c) Distribution of the seats of the Members of Parliament to the different lists;
- d) Determination of the candidates elected by each list.

Article 111A

Completion of total vote count

1. The total vote count shall be completed by the 10th day following the election, without prejudice to that stipulated in the following number.
2. In the event of voting postponement or voting invalidation in any polling station or section, the central polling station shall convene on the day after the voting or the day after the day when it is acknowledged that the voting cannot take place under the terms of no. 3 of article 90, to complete the counting operations for the constituency.

Article 112

Declaration and publication of the results

The results of the total vote count will be declared by the chairman, and subsequently published through public notice posted on the door of the buildings appointed for the purpose under the terms of article 107.

Article 113

Total vote count minutes

1. Minutes will immediately be drawn up of the total vote count, and will outline the results of the respective operations, the complaints, the protests and the counter-protests filed in accordance with that outlined in no. 3 of article 108 as well as the decisions pertaining to them.
2. In the two days following the completion of the total vote count, the chairman shall send, by guaranteed post or in person, against a reception slip, two copies of the minutes to the National Elections Commission.

Article 114

Destination of the documentation

The registers of electors and other documentation delivered to the central polling station will be delivered to the county court with jurisdiction in the headquarters of the district or the autonomous region.

Article 115

National election chart

In the eight days following the reception of the total vote count minutes of all the constituencies, the National Elections Commission will draw up and publish in the *Diário da República*, 1st series, an official chart with the result of the elections, outlining:

- a) Number of registered electors, by constituency and in total;
- b) Number of voters, by constituency and in total;
- c) Number of blank votes, by constituency and in total;
- d) Number of null votes, by constituency and in total;

- e) Number, with respective percentage, of votes attributed to each party or coalition, by constituency and in total;
- f) Number of seats attributed to each party or coalition, by constituency and in total;
- g) Names of the Members of Parliament elected, by constituency and by party or coalition.

Article 116

Certificate or photocopy of the count

The candidates and representatives of each list proposed for election, as well as any party that requests so, even if it did not present any candidates, will be issued certificates or photocopies of the total vote count minutes by the secretary of the county court with jurisdiction in the headquarters of the district or the autonomous region.

CHAPTER III

Electoral dispute

Article 117

Appeal to the court

1. Any irregularities occurring throughout the course of the voting and in the partial and total vote counting can be heard in an appeal to the court, provided that they were subject to complaint or protest filed during the act in which they occurred.
2. The decision made concerning the complaint or protest can be appealed against by the candidates, their representatives and the political parties who competed in the election in the constituency, in addition to the person who originally filed the complaint, protest or counter-protest.
3. The petition will specify the pleas of fact and law for the appeal and will be accompanied by all the evidence, including a photocopy of the minutes of the polling station where the irregularity occurred.

Article 118

Competent court, procedures and time limits

1. The appeal must be lodged at the Constitutional Court within twenty-four hours counting from the posting of the public notice mentioned in article 112.
2. In the case of appeals relating to constituencies in the autonomous regions, their filing and grounding before the Constitutional Court may be effected via telegraph or *telex*, without prejudice to later delivery of all evidence mentioned in no. 3 of the previous article.
3. The chairman of the Constitutional Court will order the representatives of the lists competing in the constituency in question to be immediately notified, so they, the candidates and the political parties may respond, should they wish to do so, within a time limit of twenty-four hours.
4. In the forty-eight hours following the time limit outlined in the previous number, the Constitutional Court, in a plenary session, will issue a final judgment regarding the appeal, and immediately communicate it to the National Elections Commission.

Article 119

Nullity of elections

1. The voting in any polling station and the voting in the whole constituency will only be established as null and void when illegalities have occurred that can influence the overall result of the election in the constituency.
2. Upon declaration of nullity of the election of a polling station or the whole constituency, the corresponding electoral operations will be repeated on the second Sunday after the decision.

Article 120

Verification of credentials

1. The Parliament will verify the credentials of the candidates declared as elected.
2. For the purposes of the previous number, the National Elections Commission shall send a copy of the total vote count minutes to the Parliament.

HEADING VI

Electoral offence

CHAPTER I

General principles

Article 121

Concurrence with more serious crimes and liability to disciplinary action

1. The punishments stipulated in this law do not exclude the application of other heavier sentences for the practice of any crime covered by criminal law.
2. The infractions laid out in this law also constitute a liability to disciplinary action when committed by an agent subject to this requirement.

Article 122

General aggravating circumstances

In addition to the provisions of criminal law, the following constitute general aggravating circumstances of the electoral offence:

- a) The fact that the infraction influenced the result of the voting;
- b) The fact that the infraction was committed by a member of the electoral office of the polling station or section or an agent of the electoral administration;
- c) The fact that the agent was a candidate, delegate of a political party or a list representative.

Article 123

Punishment for attempted and frustrated crime

Attempted and frustrated crime will be punished in the same way as consummated crimes.

Article 124

Non-suspension or replacement of sentences

The penalties applied for electoral fraud cannot be suspended or replaced by any other penalty.

Article 125

Suspension of political rights

A sentence resulting in coercive detention for electoral fraud, as outlined in this law, will be obligatorily accompanied by a sentence of suspension of political rights from one to five years.

Article 126

Forfeiture

Proceedings for electoral infractions will be forfeit within a one-year period, counting from the occurrence of the punishable fact.

Article 127

Appointing political parties as assistants

Any political party can appoint itself as an assistant in the proceedings for electoral frauds perpetrated in the area of the constituencies for which it nominated candidates.

CHAPTER II

Electoral infractions

SECTION I

Infractions with regard to the delivery of candidature papers

Article 128

Candidature of an ineligible citizen

Any person without passive electoral capacity who fraudulently accepts his/her candidature will be punished with coercive detention from six months to two years and a fine between PTE 10,000 and PTE 100,000.

SECTION II

Infractions with regard to the electoral campaign

Article 129

Breach of duties of neutrality and impartiality

Citizens covered by article 57 who fail to comply with their duties of neutrality and impartiality outlined therein will be punished with coercive detention of up to one year and a fine between PTE 5,000 and PTE 20,000.

Article 130

Improper use of denomination, abbreviation or symbol

Any persons who during the election campaign use a party or coalition denomination, abbreviation or symbol with the intention to harm or libel will be punished with coercive detention of up to one year and a fine between PTE 1,000 and PTE 5,000.

Article 131

Use of commercial advertising

Any persons who break that stipulated in article 72 will be punished with a fine between PTE 10,000 and PTE 100,000.

Article 132

Breach of duties by radio and television stations

1. Failure to comply with the duties stipulated in articles 62 and 63 constitutes an administrative offence. Each infraction is punishable with the following fine:
 - a) From PTE 750,000 to PTE 2,500,000, in the case of radio stations;
 - b) From PTE 1,500,000 to PTE 5,000,000, in the case of television stations.
2. The National Elections Commission is responsible for the enforcing the fines outlined in no.1.

Article 133

Suspension of right to broadcasting time

1. The right to broadcasting time is suspended for candidatures that:
 - a) Use expressions or images that constitute a slander or libel crime, an offence to democratic institutions, that calls for disorder or insurrection or that constitutes an incitement to hatred, violence or war;
 - b) Use commercial advertising.
2. The duration of the suspension may be from one day to the number of days the campaign has left to run, depending on the severity and frequency of the offence, and will cover the right to broadcasting time on all radio and television stations, even when the fact that has led to the suspension only occurred on one of them.
3. The suspension does not release the offender from civil or criminal liability.

Article 134

Process of suspension of the right to broadcasting time

1. The suspension of the right to broadcasting time will be brought about by request filed at the Constitutional Court by the Public Prosecution, either on its own initiative or upon request from the National Elections Commission or from any other intervening party or coalition.
2. The competent body of the candidature whose right to broadcasting time has been subject to a suspension request will be immediately notified via telegraph, and will be given twenty four hours to contest the suspension, should it wish to do so.
3. The Constitutional Court will requisition the necessary broadcasting records from the radio or television stations, which must be immediately provided.
4. The Constitutional Court will decide within one day, and, in the event of ordering a suspension of the right to broadcasting time, will notify the respective radio and television stations of such decision, for immediate compliance.

Article 135

Infringement of freedom of electoral assembly

Any persons who impede the holding or carrying on of a meeting, rally, parade or march for election propaganda will be punished with coercive detention from six months to one year and a fine between PTE 5,000 and PTE 50,000.

Article 136

Illegal meetings, rallies, parades or marches

Any persons who promote meetings, rallies, parades or marches that do not comply with that stipulated in article 59 will be punished with coercive detention of up to six months.

Article 137

Breach of duties by entertainment venue proprietors and managers

Entertainment venue proprietors and managers who do not comply with the duties imposed by no. 2 of article 65 and article 69 will be punished with coercive detention of up to six months and a fine between PTE 10,000 and PTE 50,000.

Article 138

Non-compliance with the limits for graphic and sound propaganda

Any person who fails to comply with that provided in no. 4 of article 66 will be punished with a fine between PTE 500 and PTE 2,500.

Article 139

Damage to election propaganda material

1. Any persons who steal, destroy, tear or in any way fully or partially render unusable posted election propaganda material, or make it illegible or disfigure it, or cover it with any other material in order to hide the propaganda, will be punished with coercive detention of up to six months and a fine between PTE 1,000 and PTE 10,000.
2. The acts outlined in the previous number will not be punishable if the propaganda material has been posted in the house or establishment of an individual without his/her consent or if its contents are clearly out of date.

Article 140

Misappropriation of mail

Any postal worker, who reroutes, retains or does not deliver any election propaganda letters, posters or papers of any list to their intended destination will be punished with coercive detention of up to one year and a fine between PTE 500 and PTE 5,000.

Article 141

Propaganda after the closure of the electoral campaign

1. Any persons who on the election day or on the day before produce election propaganda by any means will be punished with coercive detention of up to six months and a fine between PTE 500 and PTE 5,000.
2. Any persons who, on the election day, produce election propaganda in the polling stations or within a vicinity of up to 500 meters will be punished with coercive detention of up to six months and a fine between PTE 1,000 and PTE 10,000.

Article 142

Disclosure of opinion poll results

Any person who fails to comply with that stipulated in article 60 will be punished with coercive detention of up to one year and a fine between PTE 5,000 and PTE 100,000.

Article 143

Failure to account expenditure and illicit expenditure

- 1. Parties that do not comply with that stipulated in article 75, failing to account any candidature and electoral campaign expenditure, paid or to be paid by other people, will be punished with a fine between PTE 20,000 and PTE 200,000.*
- 2. The same fine will be applied to parties exceeding the expenditure limit established in article 77.*
- 3. In both cases the members of the central bodies of the parties will be held jointly responsible for the payment of the fines.*
- 4. Any person who have incurred any expenditure for the candidature and electoral campaign, and who do not communicate them to the party in question up to fifteen days after the election day for the purposes of compliance with no. 2 or article 75, will be punished with coercive detention of up to six months and a fine between PTE 5,000 and PTE 50,000.*

Article 144

Illicit revenue of candidatures

- 1. Heads of the political parties, candidates or representatives of the lists proposed for election who fail to comply with that stipulated in article 76 will be punished with coercive detention of up to two years and a fine between PTE 20,000 and PTE 100,000.*
- 2. A fine between PTE 20,000 and PTE 100,000 will be applied to the political parties, the payment of which will be the joint responsibility of the members of the central bodies of the parties.*
- 3. Any contribution illicitly received will be acquired by the State.*

Article 145

Non-provision of accounts

- 1. Parties that fail to comply with that stipulated in article 78 will be punished with a fine between PTE 50,000 and PTE 500,000.*
- 2. Members of the central bodies of the parties will be held jointly responsible for the payment of the fine.*

SECTION III

Infractions with regard to the election

Article 146

Violation of the right to vote

1. Any persons who do not have electoral capacity and present themselves to vote will be punished with a fine between PTE 500 and PTE 5,000.

2. If such person does so fraudulently, assuming the identity of a registered citizen,(s)he will be punished with coercive detention from six months to two years and a fine between PTE 20,000 and PTE 200,000.

3. Any persons who fraudulently violate that stipulated in article 79 will be punished with coercive detention from six months to two years and a fine between PTE 5,000 and PTE 20,000.

Article 147

Abusive admission or exclusion to vote

Any persons who collaborate to allow vote by a person who does not hold the right to vote, or to exclude from vote a person who holds the right to vote, as well as any doctor who provides a false certificate to support the impossibility of exercising the right to vote will be punished with coercive detention of up to two years and a fine between PTE 1,000 and PTE 10,000.

Article 148

Impediment of vote through misuse of authority

Any agent of authority who on the election day, under any pretext, fraudulently orders any elector to leave his/her residence so that he/she is unable to vote will be punished with coercive detention of up to two years and a fine between PTE 5,000 and PTE 20,000.

Article 149

More than one vote per elector

Any persons who vote more than once will be punished with coercive detention from six months to two years and a fine between PTE 20,000 and PTE 100,000.

Article 150

Unfaithful representative

Persons who assist a blind or handicapped citizen in their vote and express unfaithfully the vote cast will be punished with coercive detention from six months to two years and a fine between PTE 5,000 and PTE 20,000.

Article 151

Violation of secrecy of vote

1. Persons who in the polling station or in the vicinity up to 500 meters use coercion or a trick of any nature or use their influence over another elector to obtain the disclosure of his/her vote will be punished with coercive detention of up to six months.

2. Persons who in the polling station or in the vicinity up to 500 meters disclose the list they will vote or have voted for will be punished with a fine between PTE 100 and PTE 1,000.

Article 152

Fraudulent coercion and trickery over the elector or candidate

1. Persons who use violence or threats against any other elector or who use deceit, fraudulent trickery, false news or any other illicit method to restrain or induce a vote for a given list or a decision to abstain from voting will be punished with coercive detention from six months to two years.
2. Persons who use violence or threats against any candidate or who use deceit, fraudulent trickery, false news or any other illicit method to restrain or induce the withdrawal of the candidate from a given list will be punished with coercive detention from six months to two years.
3. The sentence laid out in the previous numbers will be increased if any weapon is used or if two or more people perpetrate this act of violence.

Article 153

Misuse of public functions or equivalent

Citizens who are granted public powers, employees or agents of the State or any other legal person governed by public law and ministers of any religion who abuse their functions or, in exercising them, restrain or induce the electors to vote in a given list or lists or to abstain from voting in such list or lists, will be punished with coercive detention from six months to two years and a fine between PTE 10,000 and PTE 100,000.

Article 154

Dismissal or threat of dismissal

Persons who dismiss or threaten to dismiss anyone from their job, prevent or threaten to prevent anyone from obtaining employment, apply or threaten to apply any other sanction so that s/he will or will not vote, or because s/he voted or did not vote for a given list or because s/he abstained or did not take part in the election campaign will be punished with coercive detention of up to two years and a fine between PTE 5,000 and PTE 20,000, without prejudice to the nullity of the sanction and automatic readmission of the employee to his/her job, if dismissal was effected.

Article 155

Electoral corruption

1. Persons who, in order to persuade someone to vote or not to vote for a given list, offers, promises or grants public or private employment or any other benefit to one or more electors, or in agreement with these, to a third party, even when the asset or benefit used, promised or granted is disguised as a cash benefit given to the elector for travel or accommodation expenses or payment for food and drink, or as a payment of expenses incurred for the electoral campaign, will be punished with coercive detention of up to two years and a fine between PTE 5,000 and PTE 50,000.
2. The same penalty will be applied to any elector who accepts any of the benefits outlined in the previous number.

Article 156

Non-presentation of the ballot box

1. The chief electoral officer of the polling station or section who does not show the ballot box to the electors before the start of the voting will be punished with a fine between PTE 1,000 and PTE 10,000.

2. If it is found that the ballot box, which was not presented, contained ballot papers, the chief electoral officer will also be punished with coercive detention of up to six months, without prejudice to that outlined in the following article.

Article 157

Insertion of the ballot paper into the ballot box and deviation of the ballot box or ballot papers

Persons who fraudulently insert ballot papers into the ballot box before or after the commencement of the voting, who take possession of the ballot box with the ballot papers inside but not yet counted or take possession of one or more ballot papers at any time, between the opening of the polling station and the completion of the election total vote count, will be punished with coercive detention from six months to two years and a fine between PTE 20,000 and PTE 200,000.

Article 158

Frauds of the electoral office at the polling station and the central polling station

1. Any member of the electoral office of the polling station or section who fraudulently ticks off or consents the ticking off of an elector who has not yet voted, or who does not tick off an elector who voted, who exchanges the list voted for on the ballot papers, who decreases or increases the votes for a list in the vote count or who in any way falsifies the truth of the election will be punished with coercive detention from six months to two years and a fine between PTE 20,000 and 100,000.

2. The same penalties will be applied to any members of the central polling station who commit any of the acts outlined in the previous number.

Article 159

Obstructing supervision

1. Persons who prevent the entrance or exit of any of the delegates of the lists to and from the polling stations, or in any way try to prevent them from exercising all their powers granted by this law will be punished with coercive detention.

2. Should the offender be the chief electoral officer, the sentence will not be less than six months, under any circumstance.

Article 160

Refusal to accept complaints, protests or counter-protests

The chief electoral officer of any polling station who unlawfully refuses to accept a complaint, protest or counter-protest will be punished with coercive detention up to one year and a fine between PTE 1,000 and PTE 5,000.

Article 161

Obstruction by candidates or delegates of the list

Candidates or delegates of the lists who seriously disturb the regular functioning of the electoral operations will be punished with coercive detention up to one year and a fine between PTE 1,000 and PTE 10,000.

Article 162

Disturbance of the polling stations

1. *Persons who disturb the regular functioning of polling stations with insults, threats or acts of violence, leading to disturbance, will be punished with coercive detention and a fine between PTE 500 and PTE 20,000.*

2. *Persons who enter the polling stations during the election operations without the right to do so and who refuse to leave after being told to by the chairman of the polling station will be punished with coercive detention up to three months and a fine between PTE 500 and PTE 5,000.*

3. *Persons who enter the polling stations carrying a weapon will have the weapon immediately apprehended and will be punished with coercive detention up to six months and a fine between PTE 500 and PTE 10,000.*

Article 163

Non-attendance of the armed forces

Whenever the presence of the armed forces is required in the cases outlined in no. 2 of article 94, their commander will be punished with coercive detention up to one year when failing to attend without justification.

Article 164

Non-compliance with duties to participate in the electoral procedure

Persons who are nominated to be part of the electoral office of a polling station and who do not fulfill or abandon these functions without proper justification will be punished with a fine between PTE 1,000 and PTE 20,000.

Article 165

Falsification of registers, ballot papers, minutes or documents pertaining to the election

Persons who, by any method, fraudulently subvert, replace, suppress, destroy or alter the registers of electors, the ballot papers, the minutes of the polling stations or the minutes of the vote count, or any documents pertaining to the election, will be punished with coercive detention from two to eight years and a fine between PTE 10,000 and PTE 100,000.

Article 166

Slandering accusation

Persons who fraudulently and groundlessly accuse others of practicing any infraction outlined in this law will be punished with the penalties applicable to slanderous accusation.

Article 167

Deceitful complaint and appeal

Persons who deceitfully file a complaint, appeal, protest or counter-protest, or who apply for invalidation of decisions issued by the electoral bodies through an appeal that is evidently groundless will be punished with a fine between PTE 500 and PTE 10,000.

Article 168

Non-compliance with other obligations imposed by law

Persons who do not comply with any obligations imposed by this law, or who do not practice the administrative acts necessary for its prompt compliance, or who unjustifiably delay compliance with legal stipulations, will be punished with a fine between PTE 1,000 and PTE 10,000, if such offence is not covered by the aforementioned articles.

HEADING VII

Final provisions

Article 169

Certificates

It is compulsory to issue, within three days counting from request from any interested party:

- a) The certificates required to file the delivery of candidature papers;
- b) Certificates of total vote count.

Article 170

Exemptions

The following are exempt of any charges and fees, stamp duties or legal fees, depending on the case:

- a) The certificates mentioned in the previous article;
- b) All documents required to file any complaints, protests or counter-protests in the polling stations or central polling stations, as well any complaints or appeals outlined by law;
- c) Notary certifications on documents for electoral purposes;
- d) Proxies to be used for complaints and appeals outlined in this law, which must specify their intended purpose;
- e) Any requests, including judicial requests, pertaining to the electoral process.

Article 171

Time limits

1. When any procedural act outlined in this law involves the intervention of public entities or utilities, the respective time limits are considered as expired by the end of the normal working hours of the competent services or departments.

2. For the purposes of the provided for in article 23, judicial offices will have the following working hours, applicable throughout the country:

- From 9:30am to 12:30pm;
- From 2:00pm to 6:00pm.

Article 172

Regime applicable outside national territory

1. In the constituencies outside national territory, the organization of the electoral procedure, the electoral campaign and the election will be ruled by decree-law, in line with the principles established in this law.

2. While there is no special law, the current legislation pertaining to elections in Macao and abroad will remain in force, with adaptations as appropriate.

Article 172-A

Subsidiary law

In all that is not ruled by this statute, the provisions of the Civil Procedure Code shall apply to acts requiring intervention from any court with regard to the declaration process, except for numbers 4 and 5 of article 145.

Article 173

Revocation

All statutes or standards that overlap or contradict that established in this law are hereby revoked.

ANNEX I

Receipt of Proof of Early Vote

For the purposes of Electoral Law for the Parliament it is hereby declared t(*name of the electing citizen*), resident at ..., holder of identity card no. ..., d/ ... / ..., registered at the polling station (*or polling section*) of ..., under no exercised his/her right to early vote on ... / ... / ...

President of the Municipality

Approved on 04.04.1979

The President of Parliament, *Teófilo Carvalho dos Santos*

Enacted on 25.04.1979

To be published.

The President of the Republic, *António Ramalho Eanes*

The Prime Minister, *Carlos Alberto da Mota Pinto*