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Legal Department



ELECTION LAW OF REPUBLIKA SRPSKA

“Official Gazette of Republika Srpska”, 61/24

NOTE: On the day of entering into force of this Law shall cease to be valid the Election Law of Republika Srpska (“Official Gazette of Republika Srpska”, 34/02, 35/03, 24/04, 19/05, 24/12, 94/12 (BHCC), 109/12, 45/18, 18/20).

NOTE: According to the BHCC Decision U-12/24, adopted on 24 July 2024 and published in the “Official Gazette of Bosnia and Herzegovina”, 52/24, the Election Law of the Republika Srpska (Official Gazette of RS, 61/24) is temporarily rendered ineffective. This decision shall enter into force immediately and shall produce legal effect from the day of the entering into force of the Election Law of the Republika Srpska (Official Gazette of RS, 61/24) pending the final decision by the Constitutional Court of Bosnia and Herzegovina on the filed request. This decision shall be published in the Official Gazette of Bosnia and Herzegovina, the Official Gazette of the Federation Bosnia and Herzegovina, the Official Gazette of the Republika Srpska and the Official Gazette of the Brčko District of Bosnia and Herzegovina.

Pursuant to Article 80, Paragraph (1), sub-paragraph 4 of the Constitution of the Republika Srpska, the President of the Republic has adopted the following

DECREE
PROMULGATING THE ELECTION LAW OF REPUBLIKA SRPSKA

I have hereby promulgated the Law on Referendum and Citizens' Initiative, which was adopted by the National Assembly of Republika Srpska at its Thirteenth Special Session held on 19 April 2024.

In its letter No: 03/2.01-020-171/24, of 29 April 2024, the Council of Peoples of Republika Srpska has informed the National Assembly that the said law is relevance for an issue concerning the violation of the vital national interest of the Bosniak people.

Pursuant to Amendment LXXVII, the Joint Committee of the RS National Assembly and the Council of Peoples of Republika Srpska failed to reach the common agreement about the text of the said law at the session held on 27 May 2024, and thus the same law was forwarded to the Council for the Protection of Vital Interests of the Constitutional Court of Republika Srpska for consideration.

The Council for the Protection of Vital Interests of the Constitutional Court of Republika Srpska issued the Decision No: UV-3/24, of 25 June 2024, establishing that the Election Law of Republika Srpska, No: 02/1-021-450/24, does not violate the vital national interest of the Bosniak people.

The said decision was published in the "Official Gazette of Republika Srpska", No: 59/24, of 2 July 2024, thereby fulfilling the formal legal requirements to adopt the Decree.

No: 01-020-2749/24
8 July 2024

President of the Republic
Milorad Dodik, *manu propria*

ELECTION LAW
OF REPUBLIKA SRPSKA

CHAPTER ONE
GENERAL PROVISIONS

Article 1

(1) This law shall regulate the election and appointment of the members of the Republika Srpska National Assembly and the delegates of the Republika Srpska Council of Peoples, the President and Vice-Presidents of Republika Srpska, delegates to the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina from Republika Srpska, City/Municipal Assembly councillors, election and recall of City Mayors/Municipal Heads, election of members of the local community councils, appointment of authorities in charge of conducting elections, protection of election rights, rules of conduct during election campaigns, financing of election campaigns, including other issues of relevance for the implementation of this Law.

(2) The terms that are for the purpose of easier reference in this Law used in one gender, shall refer indiscriminately to both male and female genders.

Article 2

Certain expressions used in this Law shall have the following meaning:

1) "*Political entity*" shall mean a political party, an independent candidate, a coalition, or a list of independent candidates certified for participation in elections in accordance with this Law.

2) "*Electoral unit/constituency*" shall mean:

1. "Basic constituency" which means a Municipality and a City where a total number of representatives is elected and constituted for a municipal/city level of authority.

2. "Multi-member electoral constituency" shall mean a constituency where representatives are elected for the Republic level of authority.

3) "*Election cycle*" shall mean the mandate period relating to a certain level of authority.

4) "*Election threshold*" shall mean a certain percentage of votes received (valid ballots) that must be won by a political entity in order for it to be eligible to participate in the allocation of mandates.

5) "*Election campaign*" shall mean actions and procedures in the period established by this Law during which a political entity informs the voters and the public, as prescribed by this Law, about its programme and candidates for the forthcoming elections.

6) "*Compensatory mandates*" shall mean the mandates that are allocated to the lists of political parties or coalitions according to the number of valid votes received, and serve to compensate for inadequate proportional representation at the level of Republika Srpska arrived at by summing up the results for the particular multimember constituencies in the Republic.

7) "*Parliamentary party*" shall mean a political party represented in representative or legislative government authorities of Republika Srpska.

8) "*Election period*" shall mean the period from the day the elections are announced to the day when the election results are validated.

9) "*Election year*" shall mean the period that corresponds to a calendar year in which elections are planned to be held.

10) "*Eligible voter (loc. birač)*" shall mean a citizen of Republika Srpska and Bosnia and Herzegovina with the permanent residence in Republika Srpska or a citizen of the BiH Federation with the permanent residence in Republika Srpska as well as a citizen of Republika Srpska and Bosnia and Herzegovina with the permanent residence in the Brcko District of Bosnia and Herzegovina registered in the Voters Register of Republika Srpska (hereinafter: the Voters Register).

11) "*Active voter (loc. glasač)*", for the purpose of this Law, shall mean a citizen of Republika Srpska and Bosnia and Herzegovina who is registered in the Voters Register and who has exercised the right to vote (i.e. the active voting right).

12) "*Member of a national minority*" means a population section with which the eligible voter is affiliated, who is not affiliated with any of the three constituent peoples and is a citizen of an identical or similar ethnic origin, identical or similar traditions, customs, beliefs, language, culture and spirituality and with close or related history and other features;

13) "*Displaced person*" shall mean an eligible voter whose status of a displaced person has been established by a competent administration authority responsible for the displaced persons affairs as provided by law.

14) "*Refugee*" shall mean an eligible voter who has the voting rights and has taken up his/her residence abroad, having the status as refugee from BiH.

15) "*Social networks*" shall mean the Internet or mobile platforms that enable a two-way interaction through user-generated contents and communication, i.e. media available on specific platforms designed to allow users to generate contents and interact with information and its sources.

16) "*Hate speech*" shall mean any form of public expression or speech that provokes or

encourages hatred, discrimination or violence against any person or group of persons, based on race, skin colour, nationality, sex or religion, ethnic origin or any other personal characteristic or orientation that incites to discrimination, hostility and violence.

17) "*Abuse of public funds and resources*" shall mean any illegal use of funds and resources of Bosnia and Herzegovina, Republika Srpska, the BiH Federation Brčko District of Bosnia and Herzegovina, and units of local self-government, which the candidates in the elections and on the election lists hold at their disposal in their capacity as public officials or civil servants, or directly elected officials, for the needs of exercising their official duties.

18) "*Resources*" shall mean movable and immovable properties, including all human resources of the public institutions used during the working hours;

19) "*Electronic media*" shall mean any public and private television and radio stations holding an appropriate license issued by the Communications Regulatory Agency (CRA).

20) "*Online media*" shall mean the Internet portals and other Internet platforms that represent the means of communication with the purpose of disseminating information of public interest.

21) "*Print media*" shall include printed publications such as e.g. newspapers, tabloids, magazines, books, pamphlets, which represent the means of mass communication with the purpose of disseminating information of public interest.

22) "*Election technologies*" shall include a set of information and communication programmes, information and communication devices (such as, e.g., but not limited to: fingerprint readers, personal identification document readers, optical scanners, security cameras, etc.), methods and procedures used in the election process, including other technical equipment.

Article 3

(1) The cost and expense for the conduct of the elections shall be materials cost and expense and reimbursement costs for the operations of election implementation bodies.

(2) The materials cost and expense shall be the cost for conduct of elections by the election implementation bodies within their scope of competence under Articles 29 and 36 of this Law.

(3) The funds for conducting elections shall be provided in the Republika Srpska Budget, City/Municipality budgets, depending on the level of authority with regard to which the elections are conducted.

Article 4

(1) The Republika Srpska Budget shall provide the funds required in order to ensure the exercise of competences of the Republic Election Commission of Republika Srpska (hereinafter: the Republic Election Commission) referred to in Articles 29 and 44, paragraph (6) of this Law as well as the missing funds required to finance the obligations referred to in paragraph (2) of this article.

(2) The budgets of cities and municipalities shall provide the funds required for the exercise of the competences of City/Municipal Election Commissions referred to in Article 36 of this Law and the funds for the reimbursement costs referred to in Article 35, paragraph (10) and Article 44, paragraph (5) of this Law.

(3) The costs and expense exercise of the competencies and for the conduct of the elections shall be independently administered within the approved budget, by the Republic Election Commission, the City/Municipal Election Commission, and shall be authorized to determine the method of their use and supervise their allocation and use.

(4) The funds for conducting elections shall be made available not later than 15 days following the Decision of the Republic Election Commission announcing the elections.

(5) The Ministry of Finance and the authorities responsible for budget execution that participate in organizing the election process at the relevant Republic and local level shall be responsible for the implementation of the provisions of paragraphs (1), (2) and (4) of this article.

Article 5

If the mandate of a Head of Municipality/City Mayor who was elected directly has terminated in accordance with law, the costs and expense required for the conduct of the new elections shall be provided from the budget of the Municipality/City.

Article 6

The election of the bodies of authority shall be made on the basis of free elections, general and equal voting rights by direct s and secret ballots, unless otherwise stipulated by this Law.

Article 7

(1) Except in the cases defined by Article 15 of this Law, the mandates of the members of the representative bodies elected in accordance with this Law may not be terminated.

(2) Mandate of the members of a representative body elected in the regular elections shall be 4 years and shall commence on the day when the election results have been published in the “Republika Srpska Official Gazette”.

(3) The elected holder of the mandate that has been elected in the direct and indirect elections shall have the obligation to sign a declaration by which he/she shall refuse or accept the mandate on the form prescribed by the Republic Election Commission within the period of seven (7) days following the receipt of the declaration.

Article 8

(1) An eligible voter who has reached eighteen (18) years of age shall have the right to vote and to be elected (hereinafter: the voting right) as provided by this Law.

(2) In order to exercise his or her voting right, an eligible voter must be recorded in the Voters Register, as provided by this Law.

Article 9

(1) An eligible voter who has the voting right, pursuant to this law, shall have the right to vote in person in the Municipality/City of their permanent residence.

(2) An eligible voter who is temporarily residing abroad and has the right to vote, shall be entitled to vote in person (by appearing at an appropriate polling station in Republika Srpska or at a diplomatic and consular representation office of Bosnia and Herzegovina abroad) or by mail (by sending the voting ballot by mail) for the municipality/city where the person had the permanent place of residence prior to his or her departure abroad, provided that he or she is registered as a permanent resident in that municipality/city at the moment of submitting his or her application for voting out of Republika Srpska.

(3) The Republic Election Commission shall determine the number and distribution of polling

stations in the diplomatic and consular representation offices of Bosnia and Herzegovina according to the criteria referred to in Article 88 of this Law.

(4) An eligible voter who holds dual citizenship pursuant to Article I(7)(d) of the Constitution of Bosnia and Herzegovina, shall have the right to vote, only if he or she has the permanent residence in Republika Srpska.

Article 10

(1) No person who is serving a sentence imposed by the International Criminal Tribunal for the former Yugoslavia (hereinafter: the Tribunal), and no person who is under indictment by the Tribunal and who has failed to comply with an order to appear before the Tribunal, may be recorded in the Voters Register or stand as a candidate or hold any appointive, elective or other public office in the territory of Republika Srpska.

(2) In the event that any political party or coalition maintains such a person in a political party position or function as established in paragraph (1) of this article, that party or coalition shall be deemed ineligible to participate in the elections.

Article 11

No person who is serving a sentence imposed by the Court of Bosnia and Herzegovina, a court of the Republika Srpska or a court of the Federation of Bosnia and Herzegovina and the Court of the District of Brcko of Bosnia and Herzegovina or has failed to comply with an order to appear before the Court of Bosnia and Herzegovina, a Court of the Republika Srpska or a Court of the Federation of Bosnia and Herzegovina and the Court of the District of Brcko of Bosnia and Herzegovina for violations of humanitarian law where the Tribunal has reviewed the file prior to his/her deprivation of liberty and found that it meets international legal standards may be recorded in the Voters Register or stand as a candidate or hold any appointive, elective or other public office in the territory of Republika Srpska.

Article 12

No person who is serving a sentence imposed by a court of a foreign country or has failed to comply with an order to appear before a court of a foreign country for serious violations of humanitarian law where the Tribunal has reviewed his or her case file prior to arrest and found that it meets international legal standards, may be recorded in the Voters Register or stand as a candidate or hold any appointive, elective or other public office in the territory of Republika Srpska.

Article 13

(1) Judges of regular and Constitutional courts, prosecutors and their deputies, attorneys and their deputies, Ombudsmen and their deputies, members of the Human Rights Courts/Chambers/Councils, notaries, members of police forces, the Chief Auditors and the Deputy Chief Auditors in the institutions of Republika Srpska and Bosnia and Herzegovina, and the Governor and the Vice-Governors of the Central Bank of BiH, members of the Armed Forces of BiH, members of the Intelligence and Security Agency, and diplomatic and consular representatives of BiH abroad who have a diplomatic status in accordance with the 1961 Vienna Convention on Diplomatic Relations, may stand as a candidate for public elected office only if they resign from their position or abide by the laws regulating their status.

(2) Should the Republic Election Commission determine that the person referred to in

paragraph (1) of this article has not resigned from the position or has failed to act in accordance with the law regulating his/her status during the period between the certification of candidacy and the printing of ballots, this person shall be removed from the certified list of candidates. Should the same also be determined after the printing of ballots, this person shall not receive the mandate even if he/she has won the mandate.

(3) If a delegate in the Council of Peoples of Republika Srpska holds, at the same time, a mandate of a member of (the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, the Parliament of the Federation of Bosnia and Herzegovina) the National Assembly of Republika Srpska or cantonal assembly he/she shall be bound to inform in writing, within 3 days, the Republic Election Commission which of the mandates he/she selected thus terminating other mandates that he/she holds.

(4) If a delegate in the Council of Peoples of Republika Srpska acquires the right to a mandate in (the House of Representatives of Parliamentary Assembly of Bosnia and Herzegovina, the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina) National Assembly of Republika Srpska pursuant to Article 146 of this Law and if he/she does not inform, within 3 days, the Republic Election Commission on waiving of that right, the mandate shall not be allocated to him/her and it shall be distributed to the next qualified candidate on the list of the constituency according to paragraph (2) of Article 144 of this Law, if after a question of the Republic Election Commission the delegate decides to use that right his/her mandate of a delegate in the Council of Peoples of Republika Srpska shall cease.

(5) One person can hold maximum one (1) directly elected public office, or maximum one (1) directly elected office and one (1) indirectly elected public office, unless otherwise provided by the Law. It is also incompatible to hold at the same time one directly or indirectly elected office and one position in an executive body of authority, except in the period by the time when the executive bodies of authority are constituted which were elected in the ordinary elections within the same election cycle. It is incompatible to hold more than one public office at the same time in an executive body of authority.

(6) One person may not hold public elected office in Republika Srpska and at the same time hold any public elected or politically appointed office outside of Bosnia and Herzegovina. A person holding any elective or politically appointed office in another country shall be required to relinquish, within forty-eight (48) hours after the verification of his or her mandate in Republika Srpska, one of the two (2) offices he or she holds. A person who holds any public elected office in Republika Srpska and is elected to or appointed to a politically appointed office in another country, shall be required to relinquish his or her mandate in Republika Srpska, within forty-eight (48) hours after the election or appointment in another country.

(7) For the purpose of this article, an executive office notably includes the President and Vice Presidents of Republika Srpska, members of the government of Republika Srpska, the Mayor of a City, the Deputy Mayor of a City, the City Government, the Head of a Municipality, the Deputy Head of a Municipality, the managerial officials appointed by the responsible body of a City/Municipality, and other executive offices as defined by law.

Article 14

(1) A mandate belongs to the political party, coalition or list of independent candidates, which nominated him or her on the candidates list.

(2) The mandate cannot be terminated except where prescribed by law.

(3)The mandate of an elected holder of the mandate shall be terminated in the event that, during his/her mandate, he/she withdraws or is dismissed from a political party, coalition or list of independent candidates that participated in the elections or nominated him/her on its candidates list .

Article 15

(1)The term of office of an elected member of a body of authority at the Republic and local levels shall terminate before the expiration of the mandate for which he or she was elected if:

1. on the day when he/she resigns;
2. if he/she has been recalled in accordance with law;
3. on the day when he/she dies;
4. on the day when a court judgment becomes final and binding by which he/she has been sentenced to a sentence of six (6) months or longer;
5. on the day when a court decision becomes final and binding by which he or she has been deprived of legal capacity;
6. on the day when he or she is elected or appointed to an office which is incompatible with the office of an elected member of a certain body as stipulated by law;
7. if he/she has cancelled his/her permanent residence in the territory of the constituency in which he/she was recorded as a voter in the Voters Register and from which he/she was elected, after the end of a six-month-period following the date of cancellation; or
8. for a reason stipulated by this law that he or she loses the right to be elected;

(2)The mandate of an elected member of a body of authority at the Republic and local levels shall terminate on the day when one of the reasons for termination established by law occurs. The Republic Election Commission shall, within maximum fifteen (15) days after the reasons for termination have occurred or become known, take the decision to terminate the mandate of an elected member of a government authority and shall notify thereof the government authority in which the elected member had the mandate.

(3)If the elected member of an authority resigns, the resignation shall be completed on a form established by the Instructions of the Republic Election Commission.

Article 16

Candidates of all political parties, coalitions, lists of independent candidates as well as independent candidates and other participants in the election process shall have full freedom to carry out activities during the election campaign in the whole territory of Republika Srpska. The competent authorities shall ensure that no obstacles impede freedom of movement of candidates, supporters and voters during the entire electoral process.

Article 17

The competent bodies shall not discriminate against a person because of his or her affiliation to a political party or coalition, or because of his or her support for an independent candidate or a list of independent candidates in accordance with this law.

Article 18

The application for certification to participate in the elections shall include a statement signed by the President of a political party, coalition, the independent candidate(s), stating that this political

party, coalition, or independent candidates shall adhere to the General Framework Agreement for Peace in Bosnia and Herzegovina and the Republika Srpska Constitution in their activities, whose content shall be defined by the Instructions of the Republic Election Commission.

Article 19

(1) The elections at the Republic and local levels shall be held on the first Sunday in October unless that date conflicts with observance of a religious holiday of one of the constituent peoples of Republika Srpska.

(2) Any election that cannot be held on the first Sunday in October because of a conflict with a religious holiday shall be scheduled by the Republic Election Commission for the Sunday closest to the first Sunday in October, which does not conflict with a religious holiday.

(3) At least one-hundred and fifty (150) days prior to the holding of an election, the Republic Election Commission shall announce the elections in accordance with this Law and shall notify all competent authorities and the public when an election shall be conducted, unless otherwise provided by Chapter Fifteen of this Law.

(4) The decision about the date of the elections in Republika Srpska shall be announced in the “Republika Srpska Official Gazette”, and in the public media.

CHAPTER TWO

COMPETENT AUTHORITIES RESPONSIBLE FOR THE CONDUCT OF ELECTIONS

Article 20

(1) The competent election administration authorities responsible for the conduct of elections are:

- 1) the Republic Election Commission;
- 2) City Election Commission;
- 3) Municipal Election Commission; and
- 4) the Polling Station Committees.

(2) The authorities responsible for the conduct of elections shall be independent and impartial in their work. No member of an authority responsible for the conduct of elections shall participate in the decision of a case in which he/she and/or a close family member has a financial or another personal interest or other conflict of interest, which may raise doubt as to his/her impartiality.

(3) A “close family member” is defined in Article 199, paragraph (2) of this Law.

(4) All bodies of authority and officials in Republika Srpska shall provide administrative and technical assistance required for the work of the competent authorities responsible for the conduct of elections, within the scope of their competences.

Article 21

(1) Member of the authority responsible for the conduct of elections shall be a person eligible to vote.

(2) The member of the Republic Election Commission, and the member of the City/Municipal

Election Commission shall be a person with higher education qualifications (i.e. educational background) and experience in the administration of the elections, whereas the member of the polling station committee shall be a person with secondary and higher education qualifications (i.e. educational background).

(3)-One person cannot be a member of two election administration authorities. In the event that one person has been appointed to more than one election administration authorities, his/her duties in the authority to which he/she was appointed more recently shall be terminated by force of law.

(4) The Republic Election Commission shall determine what requirements need to be met for Member of the election commission and polling station established in paragraph (2) of this article.

(5) Efforts shall be made to ensure the gender representation within the authority responsible for the conduct of elections in accordance with the Law on Gender Equality in Bosnia and Herzegovina, unless the Election Commission and the Polling Station Committee are made of three candidates when the equal representation exists in the case where one of the genders is represented with 1/3 of the total number of members.

(6) Members of the competent authorities responsible for the conduct of elections shall have to attend the continued training sessions during their mandate, in accordance to the educational curricula (plan and programme) issued by the Republic Election Commission.

(7) If a member of the election commission or polling station committee fails to attend the training sessions referred to in paragraph (6) of this article, he/she shall be released from his/her duty.

Article 22

The composition of an authority responsible for the conduct of elections shall be multiethnic, reflecting the population of the constituent peoples including Others, bearing in mind the most recent Population Census.

Article 23

(1) No person can be appointed as a member of an Election Commission or Polling Station Committee who:

1. is not eligible to stand as a candidate in accordance with Articles 10, 11 and 12 of this Law;
2. is a member of the highest executive political body of a political party or coalition: a president, deputy president, the general secretary, secretary or members of the executive board or the central committee;
3. holds an elected mandate or is a member of an executive body of authority except as provided for in Article 35, paragraph (5) of this Law;
4. who currently stands as a candidate or has been a candidate at the Republic and local levels of authority in the elections; and
5. has been sanctioned for a serious violation of this Law or regulations where the person was found to be personally responsible for the violation, in the previous four (4) years, starting from the day the decision became final.

(2) The Republic Election Commission shall decide if the severity of the violation and the personal responsibility of the individual as stated in paragraph (1), sub-paragraph 5) of this article makes the person ineligible to be a member of a City/Municipal Election Commission or a Polling

Station Committee.

Article 24

- (1) The election commission member shall be appointed for a term of seven (7) years.
- (2) Polling Station Committee members shall be appointed for each election.

Article 25

(1) The Republic Election Commission shall be an independent authority that consists of its President and six members.

(2) The President and members of the Republic Election Commission shall be appointed and dismissed by the National Assembly of Republika Srpska, at the proposal of the Commission for Selection and Nomination, in accordance with this Law, following an open competition process, from among legal experts with experience in administration of the elections.

(3) A person who holds any office in the bodies of a political party cannot be elected as a member of the Republic Election Commission.

(4) In the event that a member of the Republic Election Commission is unable to perform his/her duties for reasons specified in Article 38, paragraph (1) of this law, the Republic Election Commission shall inform the RS National Assembly thereof. The National Assembly shall then dismiss that member and appoint a new member from among the same constituent people, including the group of Others, with which the previous member was affiliated.

(5) Members of the Republic Election Commission shall be appointed from among all three constituent peoples and from among the group of Others, provided that at least one representative of each constituent people and from among the group of Others is represented.

(6) Members of the Republic Election Commission shall be appointed for a term of seven years.

(7) The head office of the Republic Election Commission shall be in Banja Luka.

(8) The Republic Election Commission shall have its seal as provided by law.

(9) The Republic Election Commission shall have an official website where all election regulations shall be posted within 24 hours of their adoption, including also any other decisions of relevance for the election process.

(10) The Republic Election Commission shall submit an annual report about its activities to the Republika Srpska National Assembly.

Article 26

(1) Members of the Republic Election Commission shall exercise their employment rights within the Republic Election Commission, in accordance with the law.

(2) The document confirming that a member of the Republic Election Commission has been appointed, that he/she has assumed office or that his/her office has been terminated shall be issued by the Republika Srpska National Assembly.

(3) Each member of the Republic Election Commission shall be entitled to a salary as determined by the Decision of the RS National Assembly.

(4) The labour law-related status of the members of the Republic Election Commission shall be subject to application of the general labour regulations.

Article 27

(1) The work of the Republic Election Commission shall be public.

(2) Publicity of the work of the Republic Election Commission shall be ensured in the way that the Republic Election Commission broadcasts its sessions and press conferences on its website and posts the records of its sessions, provides the media with an audio and video signal that enables them to broadcast its sessions, enables the interested domestic, foreign and international organizations and associations to monitor its work.

(3) The Republic Election Commission shall adopt its rules of procedure which regulate the method of its work.

Article 28

(1) Members of the Republic Election Commission shall not be held criminally or civilly liable for any acts carried out within the scope of their rights and duties which are provided by this Law and other laws.

(2) The immunity referred to in paragraph (1) of this article may be invoked by the members of the Republic Election Commission at any time for the acts committed within the scope of their rights and duties in the Republic Election Commission, but may not be treated as a general bar preventing criminal prosecution or the institution of civil proceedings against them.

Article 29

The Republic Election Commission shall:

- 1) adopt decisions to hold direct elections in Republika Srpska as prescribed by this law;
- 2) adopt administrative regulations required for implementation of this Law ;
- 3) monitor the implementation of and provide opinions relating to implementation of this Law;
- 4) co-ordinate, oversee and regulate the lawful operation of all city/municipal election commissions and Polling Station Committees in accordance with this Law;
- 5) propose a budget for the Republic Election Commission and report on its spending to the RSNA;
- 6) be responsible for accuracy, update and overall integrity of the Voters Register for the territory of Republika Srpska;
- 7) ensure the statistical records classified by gender, age, classified by polling stations for each part of the election process;
- 8) certify the participation of political parties, coalitions, lists of independent candidates and independent candidates for the Republic and local levels of authority for direct elections in Republika Srpska;
- 9) enact more detailed regulations and be responsible for a timely distribution and security of the election technologies used at a polling station and counting centres, i.e. equipment for

electronic counting of ballots – optical ballot scanners, electronic identification of voters, i.e. fingerprint readers, security cameras and other appropriate technical equipment and election materials required for the conduct of elections falling within the responsibility of the Republic Election Commission;

- 10) carry out the procurement and enact the regulations for the use of security cameras at the polling stations and counting centres so as to prevent any breach of secrecy of the voting right;
- 11) verify and certify the lists of candidates and the candidates for all levels of direct and indirect elections in Republika Srpska covered by this Law;
- 12) be responsible for the timely printing, distribution and security of ballots and forms for both levels of authority in direct elections in Republika Srpska;
- 13) define the contents and the form of the ballots for both levels of direct elections in Republika Srpska;
- 14) determine and verify election results for all direct and indirect elections covered by this Law, and certify that elections were conducted in accordance with this Law and send for publication to the RS Official Gazette the results of the direct and indirect elections covered by this Law
- 15) issue certificates to persons who receive mandates at both levels of direct and indirect elections in Republika Srpska covered by this Law;
- 16) notify a City/Municipal election commission or Polling Station Committee or any other competent authority responsible for the conduct of elections in the event that they do not comply with or violates a provision of this Law and order the remedial action required to be taken by the competent body;
- 17) send for publication in the RS Official Gazette all Regulations and election results of the direct and indirect elections in Republika Srpska covered by this Law, voter information and all other information necessary for the implementation of this Law;
- 18) conduct all election activities for the elections for the President and Vice-Presidents of Republika Srpska and the members of the Republika Srpska National Assembly;
- 19) take the decision to terminate the mandate of an elected official at the Republic and local levels of authority but also where necessary establish whether a member who resigned has done so of his or her own volition);
- 20) review the decision taken by the competent authority to terminate the mandate of an elected official by recall, in order to ensure that the elected official's mandate was terminated in accordance with this Law;
- 21) report annually to the Republika Srpska National Assembly on the electoral administration in Republika Srpska, the implementation of this Law and initiates amendments to this law; and
- 22) adopt the general acts for the recall of City Mayors and Heads of Municipalities, supervise the recall procedure, and be responsible for the lawful implementation of this procedure,
- 23) provide expert assistance to the Municipal or City assembly, and to the bodies in charge of implementing the recall procedure,
- 24) adopt the acts defining the criteria for the distribution of funds required for financing election campaigns,
- 25) adopt the acts regulating its internal organization and methodology of its work, which are subject to the consent of the Republika Srpska National Assembly; and
- 26) perform all other duties as authorised by law.

Article 30

The Republic Election Commission shall invalidate the elections in a constituency or at an individual Polling Station should it establish that irregularities occurred, during the voting, manual and electronic ballot counting, which may affect the election results.

Article 31

(1) The administrative, technical and professional duties for the Republic Election Commission shall be conducted by the Secretariat of the Republic Election Commission, established by the Republic Election Commission.

(2) The Republic Election Commission Secretariat shall have a General Secretary who is appointed by the Republic Election Commission and according to the procedure and in the way provided by the Law.

(3) The Republic Election Commission shall enact the Rulebook on Internal Organization and Systematization of the Positions of the Secretariat of the Republic Commission, , subject to the approval of the Republika Srpska National Assembly.

(4) The labour-law status of persons employed with the Secretariat of the Republic Electoral Commission shall be governed by the law that regulates the status of civil servants and employees.

Article 32

In the cities that do not consist of multiple municipalities, the election for city authorities shall be conducted by the City Election Commission.

Article 33

(1) In the cities consisting of multiple municipalities, the election for city authorities shall be conducted by the City Election Commission.

(2) The Commission referred to in paragraph (1) of this article shall be made of five members appointed by the City Assembly with the consent of the Republic Election Commission.

(3) The President of the City Election Commission shall be elected by the members of the Commission.

Article 34

The commission referred to in Article 33 of this Law shall carry out the following tasks:

- 1) coordinate the work of municipal election commissions in relation to the election of city authorities,
- 2) deliver the election results to the Republic Election Commission, and
- 3) perform other duties determined by this Law and also in line with the implementing regulations adopted by the Republic Election Commission.

Article 35

(1) A City/Municipal Election Commission shall consist of three (3), five (5) or seven (7) members, while the number of members shall be determined by the Republic Election Commission according to the number of voters registered in the Voters Register and the size of a City/Municipality.

(2) A City/Municipal election commission may appoint the City/Municipal election commission Secretary, who shall perform administrative and technical duties.

(3) Other criteria may also be used by the Republic Election Commission set by it when determining the number of City/Municipal Election Commission members.

(4) The City/Municipal Commission shall have its seal as provided by law.

(5) The member of the City/Municipal Election Commission can be appointed from among the following persons: the president or a judge of a regular Court, persons employed with the Republic administration authorities and bodies of local self-government as well as other persons if they meet the conditions established in the Article 21, paragraphs (1) and (2) of this Law, and they do not have the obstacles from the Article 23, paragraph (1) of this Law.

(6) The members of the City/Municipal Election Commission shall be appointed by the City/Municipal Assembly, subject to the approval of the Republic Election Commission based on a public advertisement according to the procedure established by a rulebook of the Republic Election Commission.

(7) Members of the City/Municipal Election Commissions shall be dismissed by the City/Municipal Assembly, with the consent of the Republic Election Commission.

(8) A member of the City/Municipal Election Commission may be neither a representative or attorney of the political subject participating in the elections, nor a person sentenced to an imprisonment sentence of six (6) months or longer under a final and binding court decision.

(9) Amongst the members of the City/Municipal Election Commission from paragraph (5) of this article the City/Municipal Assembly shall appoint the President, subject to the approval of the Republic Election Commission.

(10) Members of the election commissions of the basic constituency shall be entitled to a permanent monthly remuneration for their work. The decision on the amount of remuneration for Election Commission members shall be reached by the Republic Election Commission in its decision, so that in the election period it is paid out in the maximum amount of a allowance paid for the councillor in that basic election unit, while out of the election period it will be 30% of that amount.

Article 36

The City/Municipal Election Commission shall:

- 1) monitor and control the work of the Voters Register Centre referred to in Article 53 of the Law;
- 2) designate Polling Stations in the territory of the city/municipality for voting at the Republic and local levels of authority in Republika Srpska;
- 3) conduct the appointment procedure, appoint and train the members of the Polling Station Committee;
- 4) ensure the security of, and deliver to the Polling Station Committees the polling material for voting at the Republic and local levels of authority;
- 5) as directed by a rulebook of the Republic Election Commission notify voters of information necessary for the administration of elections;
- 6) be responsible for the technical arrangements at the Polling Station and any other technical preparations for the elections;
- 7) be responsible for the proper conduct of the ballot counting at the Polling Stations and the city/municipal counting centres;
- 8) be responsible for the proper conduct of the manual ballot counting by using the election

- technologies at the Polling Stations, proper consolidation of election results from the polling stations in the city/municipal counting centres and entering of the election results in the election information system application;
- 9) compile the results of elections from all Polling Stations in the city/municipality, separately for each body for which elections were administered and forward the results to the Republic Election Commission;
 - 10) ensure that all candidate lists for the city/municipal assembly are compiled in accordance with this Law and submit them for approval to the Republic Election Commission,
 - 11) oversee the conduct of elections for the Local Community Council (hereinafter: the Council) and
 - 12) perform all other tasks as authorised by law and by the Regulations of the Republic Election Commission.

Article 37

(1) The members of a City/Municipal Election Commission shall be appointed from among all three constituent peoples and among the group of Others, provided that at least one representative of each constituent people and the group of Others is represented.

(2) The gender representation shall be ensured within the City/Municipal Election Commission in accordance with the law governing the matters of gender equality, unless the Election Commission is made of three candidates when the equal representation exists in the case where one of the genders is represented with 1/3 of the total number of members.

Article 38

(1) In the event a member of an Election Commission resigns, dies, becomes incapacitated, is dismissed from the commission or cannot be a member of a election commission or Polling Station Committee as established in Article 23, paragraph (1) of this Law, the new member of the body shall be appointed in the manner and procedure as prescribed by Article 35 paragraph (6) of this Law.

(2) The appointment of a new member of a City/Municipal Election Commission shall be carried out no later than thirty (30) days of the date of expiration of the term of the previous member, and during the election period, the Municipal Assembly shall appoint a replacing member of the City/Municipal Election Commission, without conducting the election procedure provided in Article 35, paragraph (6) of this Law, no later than seven (7) days of the date of expiration of the term referred to in paragraph (1) of this article.

(3) In the event that the appointment of the new member of the City/Municipal Election Commission has not been made within the period of 30 days, the Republic Election Commission may make the appointment of the new member of the City/Municipal Election Commission.

(4) In the event that the appointment of the new or of the replacing member of the City/Municipal Election Commission has not been made within the period prescribed by law, the Republic Election Commission shall be allowed to make their appointment.

(5) The mandate of the replacing member referred to in paragraph (2) of this article, shall run until such time as a new member has been elected as under the procedure provided by Article 35 paragraph (6) of this Law.

(6) In the event that the mandate for the election commission member ends in the election period, the mandate of the same member shall be renewed to last until the end of the election period, or until such time as the election results have been validated, after which a new member of the election

commission shall be appointed under the procedure provided by this Law.

Article 39

(1) If a member of a City/Municipal election commission has a prolonged absence without a valid reason, obstructs the work of the commission or violates the provisions of this Law or other regulations, the Municipal Assembly with the prior approval of the Republic Election Commission, or the Republic Election Commission itself may dismiss that member.

(2) The Republic Election Commission shall, in accordance with Article 35, paragraph (6), appoint a new member of the City/Municipal Election Commission.

(3) If a member of a City/Municipal Election Commission has a prolonged absence with a valid reason, a new member of the city/municipal election commission shall be appointed to replace the appointed member of the City/Municipal Election Commission during the period of his/her absence.

(4) The valid reasons in terms of the preceding paragraph shall include illness, education, professional training and other reasons that are considered valid by the authority in charge of appointing the city/municipal election commission.

Article 40

(1) Unless otherwise determined in the regulations of the Republic Election Commission, all City/Municipal Election Commission meetings shall be public.

(2) The City/Municipal Election Commission shall ensure that the public is notified of their meetings in a timely manner.

Article 41

The Republic Election Commission, the City/Municipal Election Commission and the Polling Station Committees shall make decisions by a simple majority of the total number of members, unless otherwise stipulated by this Law.

Article 42

(1) The Polling Station Committee shall consist of three (3) or five (5) members of whom one shall be appointed as the President.

(2) The President and members of the Polling Station Committee shall have deputies.

(3) The President and members of the Polling Station Committee and their deputies shall be appointed by the City/Municipal Election Commission no later than 30 days prior to the date of conducting the elections.

(4) Within the period of 24 hours after the decision, a complaint may be lodged with the City/Municipal Election Commission against the decision of the City/Municipal Election Commission appointing the President, members of the Polling Station Committees, and their deputies.

(5) The City/Municipal Election Commission shall be required to decide the complaint within the period of 48 hours after receiving the complaint.

(6) Within the period of 24 hours after receiving the decision deciding the complaint, an appeal may be lodged to the Republic Election Commission against the decision of the City/Municipal Election Commission deciding the complaint.

(7) Within the period of 48 hours after receiving the appeal, the Republic Election Commission shall be required to decide the complaint and the decision of the Republic Election Commission deciding the appeal shall be final.

(8) If the City/Municipal Election Commission fails to appoint the members of the Polling Station Committee and their deputies within the period under paragraph (3) of this article, then the Republic Election Commission shall appoint the members of the Polling Station Committee and their deputies.

(9) The abuse of the right to participate in the work of the Polling Station Committee by way of fictitious representation as prescribed in Article 133, paragraph (2), of this Law, shall be strictly prohibited.

Article 43

(1) A political party that is a coalition member or an independent candidate that is a member of the list of independent candidates shall not be entitled, in the election constituency in which it participates in the elections, to participate independently in the lottery procedure and the procedure of appointment as members of the Polling Station Committee.

(2) A political party that is a member of several certified coalitions for the Republic and local government authorities shall be entitled to participate in the lottery procedure as part of a coalition that is certified as the higher authority with regard to which the elections are conducted.

(3) A political entity in the election constituency in which it has a certified candidate list or a candidate for participation in the elections in accordance with this Law, shall be entitled to participate in the lottery procedure for allocation of positions in the Polling Station Committee.

(4) The lottery procedure referred to paragraph (3) of this article shall be conducted by the City/Municipal Election Commission within the period of no less than sixty (60) days prior to the election day.

(5) Once the lottery has been conducted, but not longer than within 7 days following the lottery, the political entity participating in the lottery procedure shall provide the relevant City/Municipal Election Commission with the list with names of the candidates who qualify as members of the Polling Station Committee in which they won the positions by way of the lottery procedure.

(6) Should a political entity fail to provide the names of the candidates for the Polling Station Committee members within the period provided by paragraph (5) of this article, such failure will be considered as the the political entity's waiver from the position allocated in the Polling Station Committee, or should the number of the candidates for the Polling Station Committee members proposed by a certified political party be lower than the required number of the Polling Station Committee membership, the City/Municipal Election Commission shall appoint the Polling Station Committee members independently, taking into account the multi-ethnic composition of the Polling

Station Committee where possible.

(7)The lottery procedure shall be conducted in line with the Instructions issued by the Republic Election Commission.

(8) Only one representative of a single political entity may be a member of a Polling Station Committee.

Article 44

(1) The candidates appointed as presidents and deputy presidents of the Polling Station Committees shall have the obligation to attend the special training required for the work in a Polling Station Committee and organized by the City/Municipal Election Commission.

(2) Once the test of knowledge has been completed, the City/Municipal Election Commission shall award certificates to the successful presidents and their deputies who have passed the test.

(3) The presidents and deputy presidents of the Polling Station Committees who have received the certificate referred to in paragraph (2) of this article shall have the obligation to participate in the training of the Polling Station Committee members, which is organized by the City/Municipal Election Commission.

(4) Once the test of knowledge has been completed, the City/Municipal Election Commission shall award certificates to the successful Polling Station Committee members and their deputies who have passed the test.

(5) Members of a Polling Station Committee are entitled to a salary, and the decision on the amount of the salary shall be made by the City/Municipal Election Commission.

(6) The decision on the amount of payment for the members of the Polling Station Committees for the conduct of all elections shall be made by the Republic Election Commission.

Article 45

(1)The Polling Station Committee shall directly manage the conduct of the Polling Station, ensure the regularity and secrecy of the ballot and record the election results at the Polling Station.

(2)The President of the Polling Station Committee shall ensure that the voting process at a Polling Station proceeds without impediments, in accordance with Chapters Five and Seven of this Law.

CHAPTER THREE VOTERS REGISTER

Article 46

(1)The Voters Register shall constitute the records of eligible voters who have the voting right as provided by this Law.

(2)The Voters Register shall be established, maintained and used for the following purposes: to organize and conduct elections at the Republic and local levels of authority as provided by this Law, to conduct referendums at the Republic and local levels, to conduct recalls of elected City Mayors/Heads of Municipality.

(3)The Voters Register and excerpts from the Voters Register shall be public, made available on the official website of the Republic Election Commission and the Voters Register Center in the City/Municipality.

(4)The right to get access to the excerpt from the Voters Register shall be exercised in accordance with this Law.

(5)The political entities certified for participation in the elections, and whose candidate lists are certified for participation in the elections in accordance with this Law, shall be provided, at their own request, with an electronic or printed excerpt from the Voters Register for the level of authority or for the constituency in which they participate in the elections.

Article 47

(1)The Voters Register shall be unique, permanent and shall be updated on a regular basis.

(2)The following eligible voters shall be recorded in the Voters Register:

- a) those of age 18 or older;
- b) those who will become 18 years of age on the Election Day;
- c) those who have the right to vote in accordance with this Law, but are temporarily residing abroad; and
- d) those having the right to vote as provided by Article 234 of this Law.

(3)The Voters Register shall not contain the names of eligible voters whose legal capacity has been withdrawn by the final and binding decision of a competent authority.

(4)In the event that the person referred to in paragraph (3) of this article has already been recorded in the Voters Register, he/she shall be deleted from the Voters Register, whereas in the event that the competent authority has issued a final and binding decision fully restoring his/her legal capacity, the person shall be recorded in the Voters Register.

Article 48

(1) The Voters Register shall be made and maintained on the basis of data received from official records on permanent and temporary residence of eligible voters maintained by the Ministry of Internal Affairs as provided by law, and the records from the citizenship registry maintained by the Ministry of Government and Local Self-Government for the needs of cities and municipalities. .

(2) The Voters Register shall, as requested, include the data about eligible voters residing abroad and the data about eligible voters with permanent residence in the Brcko District of Bosnia and Herzegovina.

Article 49

(1)The Voters Register shall be maintained and processed electronically.

(2)The records of the Voters Register or its excerpts shall be available for access and data contained therein shall be processed by the same methodology and by using the same computer program, at all locations where the data are processed and collected for the purposes of the Voters Register.

(3)The records of the Voters Register shall be processed and maintained by using

computerized data processing, according to the uniform methodology and program whose contents and manner of use are determined concertedly by the competent authority and the Republic Election Commission.

Article 50

(1)The Voters Register shall be maintained *ex officio*.

(2)The Republic Election Commission shall maintain the Voters Register for the territory of Republika Srpska on the basis of the records maintained by the Ministry of Internal Affairs in accordance with the laws regulating the concerned area, unless otherwise determined by this Law.

(3)The competent authority referred to in paragraph (2) of this article shall maintain and shall be responsible for the overall technical processing of all data of relevance for the records of the Voters register (hereinafter: the authority in charge of technical maintenance of the Voter Register records).

(4)The competent Civil Registry Offices shall be required to deliver the information about the death of citizens older than 18 and the eligible voters' waiver of citizenship to the competent authority in charge of maintaining the official records about the eligible voters, in line with the laws governing the matters of personal identification numbers, permanent and temporary residence and identity cards

(5)The Ministry of Internal Affairs shall deliver the information in accordance with the law governing the central record and data exchange, as well as with the provisions of the law referred to in paragraph (4) of this article, to the body responsible for the technical maintenance of the Voter Register,

(6)The authority in charge of technical maintenance of the Voters Register records shall receive data from the following parties:

- a) City/Municipal election commissions and about the Polling Stations,
- b) The Republic Election Commission and City/Municipal election commissions about the change in the polling options,

(7)The competent authority in charge of maintaining the official records concerning such data shall be responsible for accuracy and update of data necessary to produce the Voters Register

(8)The competent Registry Offices shall provide to the authority competent for maintaining the official records concerning the Citizens' Single Identification Number, Permanent and Temporary Residence of the Citizens of Republika Srpska and Bosnia and Herzegovina with the data on all changes that affect the accuracy of the Voters Register, in writing, not later than within seven (7) days from the date the change has occurred.

(9)The administrative authorities competent for maintaining the official records concerning the Citizens' Single Identification Number, Permanent and Temporary Residence of the eligible voters shall be responsible for keeping the data updated and accurate and is required to keep the files with documents, public identification documents and requests of citizens, on the basis of which the Voters Register is maintained and updated, and make the access to these files possible and the files available at the request of the Republic Election Commission.

Article 51

(1) The Republic Election Commission is responsible for accuracy, correctness and general integrity of the Voters Register.

(2) In terms of maintaining the Voters Register, the Republic Election Commission shall:

- 1) inform competent authorities about the established deficiencies and take the appropriate measures and actions towards removing the irregularities and establishing the accurate and updated Voters Register,
- 2) draw up the excerpts from the Voters Register for displaced persons of Republika Srpska and Bosnia and Herzegovina,
- 3) draw up the excerpts from the Voters Register for voters who participate in the voting out of Republika Srpska and Bosnia and Herzegovina,
- 4) keep special records on the persons whose right to vote was withdrawn in accordance with the Law; and
- 5) complete and verify the final excerpts from the Voters Register to be used for the elections.

(3) The excerpts from the Voters Register for voters referred to in paragraph (2), sub-paragraph 2) of this article shall be drawn up on the basis of data received from the competent authorities and citizens in accordance with this Law.

(4) The excerpts from the Voters Register for the voters referred to in paragraph (2), sub-paragraph 3) of this article shall be drawn up on the basis of data possessed by the Republic Election Commission and data delivered by the citizens who participate in the in the voting out of Republika Srpska and Bosnia and Herzegovina.

(5) The competent authorities referred to in paragraphs (3) and (4) shall responsible for accuracy, update and timely delivery of data necessary to draw up the excerpts from the Voters Register.

(6) The Republic Election Commission shall issue a rulebook guiding the following:

- 1) deadlines for completion and verification of the final Voters Register; and
- 2) deadlines for delivery of data on the changes in the records of displaced persons and records of citizens who participate in the in the voting abroad.

Article 52

(1) The Republic Election Commission makes the excerpt from the Voters Register for each basic constituency, containing the data on all voters with the right to vote for the particular basic constituency, on the basis of data contained in the records of the Voters Register. Such excerpts shall be delivered to the given City/Municipal Election Commission not later than twenty (20) days prior to the Election Day.

(2) The excerpt shall be made according to the place of permanent residence of an eligible voter and by Polling Station.

(3) The Republic Election Commission may issue an excerpt from the Voters Register also for other constituencies where the particular elections are to be conducted, for the purpose of conducting the procedure of recalling the elected individual in line with the provisions of this Law, on the basis of data contained in the Voters Register.

(4) An eligible voter is included in one excerpt of the Voters Register, for one basic

constituency and in one Polling Station.

Article 53

(1) In each City/Municipality, the competent city/municipal authority shall establish a Voters Register Centre.

(2) The competent city/municipal authority shall conduct the training of staff of this Centre, in co-operation with the City/Municipal Election Commission.

(3) Voters Register Centre shall:

- 1) provide technical support to the City/Municipal Election Commission in identifying the Polling Stations on the city/municipal territory and in allocation of voters by Polling Station;
- 2) update data referred to in sub-paragraph 1) of this Paragraph in accordance with changes in number of voters and regulations of the Republic Election Commission;
- 3) provide access to the excerpt from the Voters Register of the territory of its City/Municipality;
- 4) provide data for the Voters Register established by the regulations of the Republic Election Commission;
- 5) technically support the City/Municipal Election Commission regarding the requests and appeals of voters related to the excerpt from the Voters Register;
- 6) carry out other tasks assigned by the Republic Election Commission and by the City/Municipal Election Commission, in accordance with the regulations of the Republic Election Commission.

(4) The Voters Register Centre shall keep records of submitted requests and appeals referred to in paragraph (3), sub-paragraphs 4) and 5) of this article and is required to keep the supporting documentation submitted together with the requests and appeals.

(5) The Republic Election Commission shall issue a rulebook in order to regulate the manner, the responsibility for the work, the deadline for the establishment and other issues relevant to the functioning of the Voters Register Centre.

Article 54

(1) An eligible voter who has the right to vote in accordance with this Law shall be recorded in the Voters Register for the basic constituency where he is registered as a permanent resident in Republika Srpska, unless otherwise specified by this Law.

(2) An eligible voter who has the right to vote under this Law and who is temporarily residing abroad shall be recorded in the Voters Register for the basic constituency in which he was registered as a permanent resident in Republika Srpska before the departure abroad.

(3) An eligible voter who has the right to vote under this Law and who has the status of a refugee established by a competent authority shall be recorded in the Voters Register for the basic constituency where he used to have permanent residence in accordance with the provisions of Article 234 of this Law.

(4) An eligible voter who has the right to vote under this Law and who has a status of a displaced person shall be recorded in the Voters Register for the basic constituency on the basis of the

expressed voting option, in accordance with the provisions of Article 234 of this Law.

(5) An application for determination or a change in the voting option, in accordance with paragraph (4) of this article, shall be submitted by applicants in person, in due time and in the form as prescribed by the Instructions of the Republic Election Commission.

(6) If an eligible voter fails to submit an application for determination or a change in the voting option pursuant to paragraph (5) of this article, he shall be recorded in the Voters Register for the basic constituency where he was recorded in the last elections, and if he was not recorded in the Voters Register at all, he shall be recorded in the Voters Register for the basic constituency in which he had a permanent residence according to the last Population Census.

Article 55

(1) Records of the Voters Register shall contain the following information on eligible voters who have the right to vote:

- 1) Last and first name and name of one of parents,
- 2) Date of birth,
- 3) National Identification number,
- 4) Biometric fingerprint data,
- 5) Gender,
- 6) Name of the City/Municipality where this person has a permanent or temporary residence,
- 7) Address of the permanent/temporary residence (street, street number and town),
- 8) Name of the City/Municipality and/or constituency for which this person is eligible to vote,
- 9) Voting option,
- 10) Polling Station
- 11) Date of registration of the permanent or temporary residence,
- 12) Field with the heading: "Notes".

(2) Excerpts from the Voters Register shall be made on the basis of the electronic records of the Voters Register.

(3) The format and contents of an excerpt from the Voters Register, used for the conduct of the elections, shall be determined by a rulebook issued by the Republic Election Commission.

Article 56

The Voters Register data shall be published and its contents made available to the public pursuant to the law governing the matters of relevance for personal information protection.

Article 57

(1) The place of permanent residence is the City/Municipality in which an eligible voter has settled down with the intention to permanently reside there and where the permanent residence is registered pursuant to the law governing the matters of relevance for permanent and temporary residence of eligible voters.

(2) The place of permanent residence of an eligible voter who has the status of a displaced person or a refugee shall be a place where he/she had the permanent residence in accordance with the last Population Census.

Article 58

(1) A voter who has changed the place of his/her permanent residence within the period of 45 days before the election day until the election day, shall be appear in the excerpt from the Voters Register at a regular Poling Station in the City/Municipality in which he/she had his/her permanent residence until the day when the permanent residence was changed.

(2) The authority in charge of maintaining the records on any change of permanent or temporary residence shall check the accuracy of the data on such changes of permanent or temporary residence. An official report shall be compiled about this check.

Article 59

(1) Entry of a voter in the Voters Register shall be made by the competent authorities in accordance with the provisions of Article 50 of this Law.

(2) Any eligible voter shall have access to an excerpt from the Voters Register and shall be entitled to request its correction if it is the correction of his personal data.

(3) Such request for correction of personal data in the Voters Register shall be submitted in writing to the authority referred to in paragraph (5) of this article.

(4) Personal data referred to in paragraph (2) of this article are data described in Article 55, Paragraph (1), sub-paragraphs 1), 2), 3), 5) and 10) of this Law.

(4) Corrections of personal data in the Voters Register shall be made by the competent Republic administration authority responsible for keeping records of such data.

Article 60

The Republic Election Commission shall adopt a rulebook to determine the manner and procedure to draw up excerpts from the Voters Register in case of homebound voters due to old age, illness or disability and voters who confined to correctional and penitentiary institutions or other institutions and have the right to vote in the elections.

Article 61

(1) An eligible voter who has the right to vote under this Law and is temporarily residing abroad and is recorded in the Voters Register, in order to be included in the excerpt from the Voters Register for voting abroad, is required to submit an application to the Republic Election Commission for every elections.

(2) The application referred to in paragraph (1) of this article must be received before the deadline set by the Republic Election Commission during the period after the elections are announced.

(3) Proof of identity of the applicant referred to in paragraph (1) of this article as prescribed by this Law and accurate details of the address abroad, as well as a declaration concerning the voting option: in a diplomatic and consular representation office of Bosnia and Herzegovina or by mail, shall be attached to the application, signed by the applicant.

(4) An eligible voter who has the status of a refugee from BIH and has the right to vote under

this Law, and is recorded in the Voters Register, in order to be included in the excerpt from the Voters Register for voting abroad, is required to submit an application to the Republic Election Commission for every elections.

(5) The application referred to in paragraph (4) of this article must be received before the deadline set by the Republic Election Commission during the period after the elections are announced and contain the declaration concerning the voting option: in a diplomatic and consular representation office or by mail.

(6) The applicant referred to in paragraph (4) of this article should attach to the signed application, the following proofs:

- 1) proof of identity of the applicant as prescribed by this Law;
- 2) accurate details of the address abroad; and
- 3) proof of the permanent residence in Republika Srpska in accordance with Article 230 of this Law, if he wants a change of the data recorded in the Voters Register for the basic constituency with regard to which he/she is entitled to vote.

(7) A refugee who is not recorded in the Voters Register, in order to be recorded in the Voters Register and thus exercise his right to vote under this Law, must submit an application to the Republic Election Commission. The applicant should attach to the signed application, the following proofs:

- 1) proof of identity of the applicant,
- 2) proof of citizenship,
- 3) proof of change of the permanent residence in Republika Srpska, in accordance with Article 234 of this Law; and
- 4) accurate details of the address abroad.

(8) The following documents shall be admissible as valid proof on identity of the applicant, pursuant to sub-paragraph 1) of paragraph (6) of this article:

- 1) Passport
- 2) Driving license
- 3) Valid personal identity card issued by an authority of the country where the persons has taken a registered permanent residence and
- 4) Refugee card issued by the Government of the host country or another international organization.

(9) The applicant may send the completed and signed application and the required documents by fax and electronically, while the procedure and method of sending, receiving, processing, filing (archiving) and protection of electronic applications and documents shall be established by the Republic Election Commission under a separate instruction.

(10) If the requirements of paragraphs (1) through (7) of this article have been met, the applicant shall be recorded in the excerpt from the Voters Register for voting abroad and shall be held responsible for authenticity of data attached to the application.

(11) The Republic Election Commission shall prescribe the format and layout of the application form referred to in paragraphs (1), (2) and (3) of this article, the manner and procedure to verify the accuracy of data in the documents submitted by refugees who request to be recorded in the Voters Register, to verify the proofs of identity and permanent residence of the refugees and shall issue relevant Instructions regarding the procedure for recording voters in the excerpts of the Voters

Register for voting abroad.

(9)Registration into the Voters Register of the eligible voters who have the status as refugees from Republika Srpska and Bosnia and Herzegovina, and who have their voting rights as provided by this Law, shall be a continuing process conducted during the entire year, with the documentation attached as provided by paragraph (7) of this article.

Article 62

(1)An eligible voter referred to in paragraphs (1), (2) and (3) of Article 61 of this Law shall be required to provide all changes affecting the data that he previously submitted to the Republic Election Commission and based of which he or she is recorded in the excerpt from the Voters Register for voting abroad.

(2) The changes of the data must be submitted not later than the deadline established for the submission of applications for voting abroad in the next elections.

(3)If an eligible voter referred to in paragraph (1) of Article 61 of this Law fails to submit an application before the deadline established for voting abroad in the next elections, he shall be recorded in the excerpt from the Voters Register for voting in the appropriate Polling Station in the basic constituency of his permanent residence.

(4)If an eligible voter referred to in paragraph (4) of Article 61 of this Law, fails to submit proof of his permanent residence in BIH in accordance with Article 234 of this Law, he shall be recorded in the excerpt from the Voters Register for voting abroad with the right to vote for the basic constituency of his permanent residence according to the information available to the authority in charge of technical maintenance of the records of the Voters Register.

(5)If an eligible voter, who is recorded in the excerpt from the Voters Register for voting abroad has returned to Republika Srpska and/or Bosnia and Herzegovina before the deadline established for submission of applications for voting outside Republika Srpska and Bosnia and Herzegovina in the next elections, he is required to submit a request to change his voting option to the competent Voters Register Centre.

(6)The Voters Register Centre shall receive through the City/Municipal Election Commission and process all requests referred to in paragraph (4) of this article in accordance with the bylaws of the Republic Election Commission and shall deliver these data to the Republic Election Commission in order to record changes in the excerpt from the Voters Register for voting abroad.

(7)If an eligible voter who is recorded in the excerpt of the Voters Register for voting abroad has returned to Republika Srpska and/or Bosnia and Herzegovina after the expiry of the deadline established for submission of applications for the completion of the excerpt from the Voting Register in the next elections, he shall be allowed to vote with the tender-ballot/enveloped ballot in the Polling Station in the basic constituency with regard to which he has the voting right.

Article 63

(1)An eligible voter who has the right to vote and is not found in the completed excerpt from the Voters Register may vote if he presents a valid identification document referred to in Article 99 paragraph (7) of this Law and a confirmation on permanent residence.

(2)An eligible voter referred to in paragraph (1) of this article shall vote in a Polling Station according to his permanent residence.

(3) The Republic Election Commission shall adopt its Instructions in order to regulate the manner and procedure of voting for the voters referred to in paragraph (1) of this article and the manner to verify these voters' right to vote.

CHAPTER FOUR

CERTIFICATION AND CANDIDACY FOR THE ELECTIONS

Article 64

In order to participate in the elections political parties, independent candidates, coalitions and lists of independent candidates shall certify their eligibility with the Republic Election Commission.

Article 65

In order to be certified for the elections for all bodies of authority at the Republic and local levels in Republika Srpska, an independent candidate or a candidate on a political party, list of independent candidates or a coalition's candidates list shall meet the following requirements:

- 1) the candidate must be recorded in the Voters Register in the City/Municipality in which he or she is standing for office or in the City/Municipality found within the constituency if he or she is standing for office at the Republic level of authority, no later than by the day when the elections are announced; and
- 2) the candidate may only run for office in one constituency at the Republic and local levels of authority and may appear only on one political party, coalition or list of independent candidates.

Article 66

(1) In order to participate in the elections, a political party must be registered with the competent court of law in accordance with the law.

(2) The application for certification of a political party must be accompanied by evidence not older than 60 days that the political party is registered with the competent court of law.

(3) The political party must apply for certification under the same name that it registered with the competent court of law.

Article 67

(1) The application for certification of a political party or independent candidate must include a list setting out the name, original signature, number of a valid ID Card and National Identity number of each voter recorded in the Voters Register who supports the application of the political party or independent candidate.

(2) The application referred to in paragraph (1) shall contain the number of the account used for financing the election campaign.

(3) The signature form shall be prescribed by the Instructions of the Republic Election Commission.

(4) The form referred to in paragraph (3) of this article shall be pre-printed forms and shall contain a space for the name of the political party or independent candidate, and sequential serial numbers.

(5) Political parties and independent candidates shall only collect signatures on the forms assigned to them by the Republic Election Commission, whereas the other forms submitted by a political party or independent candidate shall not be accepted.

(6) The signature form shall also include the name and surname, number of a valid ID Card, original signature and National Identity number of the person(s) who are responsible for collecting the supporter's signatures.

(7) In order to be certified for participation in the elections, a political party or an independent candidate must present to the Republic Election Commission an application for participation in the elections, which contains at least:

- 1) three thousand (3,000) signatures of voters recorded in the Voters Register for the elections of the President and Vice-Presidents of Republika Srpska;
- 2) three thousand (3,000) signatures of voters recorded in the Voters Register for the elections of the members of the Republika Srpska National Assembly;
- 3) one hundred (100) signatures of voters recorded in the Voters Register for the elections for the authorities of local self-government where the number of voters registered in the Voters Register on the day of announcement of the elections did not exceed the number of 10,000 voters, or two hundred (200) signatures of voters for the elections in the unit of local self-government where this number exceeded the number of 10,000 voters registered in the Voters Register;
- 4) 5% of signatures of voters registered in the Voter Register for the election of local self-government authorities where the number of voters registered in the Voter Register on the day of announcement of the elections did not exceed 1000; and

(8) Support signatures submitted for the elections at the Republic level of authority shall be valid also for the local level of authority incorporated in the Republic level of authority.

Article 68

(1) A political party shall be exempt from the signature requirement established in Article 67 of this Law if a member of this political party holds a mandate in the same body that the political party applies to certify to stand for office.

(2) A political party shall be exempt from the signature requirement established in Article 66 of this Law also in the event that a application for verification of candidacy is filed for the body at the same or lower level of authority in comparison with the body in which the political party member already holds a mandate.

(3) The supporting signatures that have been collected for a specific level of authority may also be used in the early elections within the same election cycle.

Article 69

(1) A political party shall submit its application for certification to the Republic Election Commission no later than one hundred and thirty-five (135) days before the date of holding the elections.

(2) The Republic Election Commission shall certify the application of a political party for participation in the elections if the application meets the requirements as established by this Law no later than within 15 days following the day the application is received.

(3) If the Republic Election Commission identifies incorrect or incomplete information, or if it identifies any other deficiency or irregularity in the application in the sense of this Law or of the bylaws issued by the Republic Election Commission, after the date of receipt of such notification it shall notify the applicant thereof, who shall be bound to correct the information within two (2) days.

(4) Upon the expiration of the deadline referred to in paragraph (3) of this article, in the event that the political party fails to remove the deficiency or irregularity from the application, the Republic Election Commission shall not certify the application of that political party for participation in the elections.

(5) the Republic Election Commission shall decide whether or not to certify or reject the application for participation in the elections.

Article 70

If two (2) political parties have identical names or names that are so similar that it could cause confusion or mislead a voter, the Republic Election Commission shall determine which party has the right to use the name for the purposes of the elections, taking into account the date each party registered with the competent authority.

Article 71

An independent candidate, who has a mandate in his/her capacity as independent candidate, shall, in the event that he/she stands as a candidate for election of an authority at the same or lower level [like the authority] where he/she holds his/her mandate, be exempt from the obligation of collecting the signatures referred to in Article 67 of this Law, except for the obligation to collect signatures for the election of the President and Vice President of Republika Srpska.

Article 72

(1) An independent candidate shall submit his or her application for candidacy no later than one-hundred and thirty-five (135) days prior to the election and it shall contain: the name and surname, ethnicity and valid ID Card number, address, national identification number, date and signature of the independent candidate.

(2) The Republic Election Commission shall certify the application of an independent candidate for participation in the elections if the application meets the requirements as established by this Law not later than within 15 days following the date the application is received.

(3) The Republic Election Commission shall examine within two (2) days whether the application was submitted in accordance with this Law and certify the application, reject it or request from the candidate to correct his or her application.

(4) If the Republic Election Commission identifies incorrect or incomplete information, or if it identifies any other deficiency or irregularity in the application in the sense of this Law or of an act issued by the Republic Election Commission, it shall notify the applicant thereof, who shall be bound to correct the information within two (2) days, after the date of receipt of such notification.

(5) Once the deadline referred to in paragraph (2) has expired, in the event that the independent candidate fails to remove the deficiency or irregularity from the application, the Republic Election Commission shall not certify the application of that independent candidate for participation in the elections.

(6) An independent candidate may not at the same time stand for office as an independent candidate in more than one constituency or run for office on a political party, list of independent candidates or coalition's candidates list.

(7) After certification an independent candidate may not withdraw his or her candidacy.

Article 73

(1) In order to be certified for the elections a political party or independent candidate must present signatures of support as established in Article 67 of this Law.

(2) One voter may support only one political party or independent candidate on the signature of support form.

(3) The Republic Election Commission shall regulate how the signatures of support shall be checked and verified.

Article 74

(1) Two (2) or more certified political parties that choose to form a coalition must submit an application for certification under one name to the Republic Election Commission and a decision on the selection of the authorized representative of coalition signed by all presidents of political parties-coalition members and shall also provide the data about the coalition seat and/or address where all correspondence shall be sent to.

(2) If the name of a coalition is identical to or so similar to a political party or coalition's name that it could cause confusion or mislead a voter, the Republic Election Commission shall determine who has the right to use the name for the purposes of the elections.

(3) A coalition shall submit its application for certification no later than one hundred and ten (110) days before the date of the elections.

(4) The Republic Election Commission shall certify the application of a coalition for participation in the elections, no later than within 7 (seven) days following the day the application is received, if it meets the requirements as established by this Law.

(5) If the Republic Election Commission identifies inaccurate or incomplete information, or if it identifies any other deficiency or irregularity in the application in the sense of this Law or of an act issued by the Republic Election Commission, it shall notify the applicant thereof, who shall correct the information within two (2) days after the date of receipt of such notification.

(6) Once the deadline referred to in paragraph (5) of this article has expired, in the event that

the coalition fails to remove the deficiency or irregularity from the application, the Republic Election Commission shall not certify the application of that coalition for participation in the elections.

Article 75

(1) A political party that is a member of a coalition cannot participate as a member of another coalition or as a separate political party for the same authority.

(2) A coalition shall have the status of a political party in the election process from the day the coalition certification for participation in the elections is submitted to the day when the election results are certified.

(3) A political party that is a member of a coalition, may not withdraw from the certified coalition until the election results are certified.

Article 76

A coalition may keep its coalition name certified for previous elections only if it consists of the same political parties that comprised the certified coalition in the previous election.

Article 77

(1) For the elections at the Republic and local levels of authority two (2) or more certified independent candidates may join together and submit a single candidates list under one name and an act designating an official authorized to represent them before the Republic Election Commission.

(2) The list of independent candidates shall submit its application for certification no later than one hundred and ten (110) days before the date of the elections.

(3) The Republic Election Commission shall certify the list of independent candidates' application for participation in the elections if it meets the requirements as established by this Law no later than within seven (7) days following the date the application is received.

(4) If the Republic Election Commission identifies incorrect or incomplete information, or if it identifies any other deficiency or irregularity in the application in the sense of this Law or of the bylaws issued by the Republic Election Commission it shall notify the applicant thereof of the list of independent candidates, who shall correct the information within two (2) days after the date of receipt of such notification.

(5) Once the deadline referred to in paragraph (4) of this article has expired, in the event that the leader of the list of independent candidates fails to remove the deficiency or irregularity from the application as required under paragraph (4) of this article, the Republic Election Commission shall not certify the application of that applicant for participation in the elections the Republic Election Commission.

Article 78

(1) A political party or independent candidate shall enclose a proof that the government stamps have been paid with its application for certification in the amount determined by the Republic Election Commission for these elections.

(2) The cash amount paid as the Certification fee shall be refunded if a political party or

independent candidate wins:

- 1) for the RS President and Vice-Presidents, 1/3 of votes of the total number of votes achieved by an elected RS President and Vice Presidents in the elections, from among the constituent people;
- 2) for the Republika Srpska National Assembly, more than 3% of the total number of valid votes in that constituency;
- 3) for the Municipal Heads/City Mayors, 1/3 of votes of the total number of votes won by the elected Head/Mayor,
- 4) for the members of City/Municipal assemblies, more than 3% of the total number of valid votes in the respective constituency.

(3) If a coalition or a list of independent candidates has won the number of votes referred to in paragraph (2) of this article, each political party in the coalition or each independent candidate on the list of independent candidates shall be considered to have met the requirement for the fee refund.

Article 79

In order to certify its participation in the elections, a political party, coalition, independent candidate or list of independent candidates shall enclose all the necessary documentation and information as established by this Law together with each application.

Article 80

(1) The certified political party, coalition or list of independent candidates shall submit to the Republic Election Commission the candidates lists for certification.

(2) The name and surname of the candidate(s) on the candidate list of a certified political entity must be identical to the name and surname of the candidate(s) in the Voters Register.

Article 81

(1) The certified political party or coalition shall submit a separate candidates list for each constituency.

(2) The number of candidates on the candidates list may be higher by 5 candidates than the number of mandates that are to be allocated.

(3) Every candidates list shall include candidates of male and female gender who are equally represented, whereas the equal gender representation shall exist in case when one of the genders is represented with minimum of 40% of the total number of candidates on the list.

(4) The minority gender candidates shall be distributed on the candidates list in the following manner. At least one (1) minority gender candidate amongst the first two (2) candidates, two (2) minority gender candidates amongst the first five (5) candidates, and three (3) minority gender candidates amongst the first eight (8) candidates.

(5) The candidates list shall contain: the name and surname of every candidate on the list, their personal identification number (JMBG number), permanent residence address, declared affiliation

with a particular constituent people or “Others”, and the signature of the president of the political party, or the signature of a coalition official authorized to represent the coalition before the Republic Election Commission.

(6) The declaration of each of the candidates on the list validating the acceptance of candidacy and the statement confirming that there are no impediments referred to in Article 13, paragraph (1), and Article 15, paragraph (1), sub-paragraph 5) of this Law shall both be enclosed with the proposed list.

(7) The declaration and statements must be certified in the way described by law or with the competent City/Municipal Election Commission.

(8) The declaration of affiliation with the particular constituent people or the group of “Others” referred to in the Paragraph (4) of this article shall be used as the grounds for the exercise of rights to hold an elected or appointed office for which the statement of ethnic affiliation with the particular constituent people or the group of “Others” is a condition in the election cycle for which the candidates list has been submitted.

(9) A candidate shall be entitled not to declare his or her ethnic affiliation with a particular constituent people or the group of “Others” on the candidacy list. However, any such failure to declare the personal affiliation shall be considered as a waiver of the right to an elected or appointed office for which the declaration of affiliation with the particular constituent people or the group of “Others” is a condition.

(10) If the number of candidates on the candidates list exceeds the number required by paragraph (2) of this article or if the candidates list fails to meet the requirements established in paragraph (3), the Republic Election Commission shall certify the candidate list up to the number fulfilling the requirements established by this Law.

Article 82

(1) The name of a candidate on a political party, coalition or independent candidates list may not be withdrawn after the candidates list is certified by the Republic Election Commission.

(2) If the candidate has been deprived of legal capacity or rejects the mandate after the election results are certified by the Republic Election Commission, the name of the candidate shall be deleted from the candidates list and the mandate shall be allocated in accordance with Article 146, except for lists in cities/municipalities which shall be allocated in accordance with Article 163 of this Law.

(3) The candidate, or in the event that the candidate has been deprived of legal capacity, his or her representative must submit a statement rejecting the mandate in writing to the Republic Election Commission.

(4) A candidate may not withdraw his or her candidacy before the certification of the election results.

Article 83

(1) Political parties, lists of independent candidates and coalition’s candidates lists must be submitted to the Republic Election Commission no later than ninety (90) days prior to the elections.

(2) No later than twenty-five (25) days after a candidates list has been submitted to it, the Republic Election Commission shall review the candidates list and shall certify or reject candidates

on the list.

(3) The Republic Election Commission shall notify the political party, coalition or list of independent candidates of any rejected individual candidates.

(4) A political party, coalition, or list of independent candidates shall have five (5) days after the date of receipt such notification to correct a candidates list by replacing candidates or providing further documentation if requested by the Republic Election Commission.

(5) Once the candidates lists have been certified, and until such time as the mandate of the body has expired, the political party, coalition or list of independent candidates may not amend the candidates list, nor may the candidate withdraw his or her candidacy.

(6) Once the candidates lists have been certified, and until such time as the ballot printing has started, the political party, coalition or list of independent candidates shall be entitled to replace a candidate on the list only in case of death of the candidate, or insofar as the reasons referred to in Article 15, paragraph (1), sub-paragraph 5) of this Law have occurred during that period of time.

Article 84

(1) The Republic Election Commission shall keep the record of the applications for certification for participation in the elections.

(2) All changes of data kept in the record of applications for certification for participation in the elections shall be reported to the Republic Election Commission by political parties, coalitions, independent candidates and lists of independent candidates within ten (10) days of the date of the change.

Article 85

(1) Once the submitted candidates lists have been certified, the Republic Election Commission shall publish a list of candidates with the names of the certified political parties, coalitions, independent candidates and lists of independent candidates for each election in the sequence of the lottery number resulting from the lottery established in Article 102, paragraph (2) of this Law.

(2) The lists of candidates shall be published no later than forty-five (45) days before the election day in the Republika Srpska Official Gazette.

(3) The candidates lists shall also be posted at the Polling Stations and published in the public media.

(4) The Republic Election Commission shall remove from the candidate list the candidates referred to in Article 81, paragraph (4), of this Law and order the political party, coalition or list of independent candidates to replace the candidates on the candidate list within the period of 48 hours and the candidate shall be subject to verifications in accordance with the provision of this Law.

(5) If the political party, coalition or independent candidate list fails to replace such candidates within the period of time required under paragraph (2) of this article, the candidates list without the names of candidates referred to in Article 83, paragraph (6) of this Law shall be considered complete and certified.

Article 86

(1) Each political party and coalition certified to submit candidates for the Republika Srpska National Assembly shall submit a list of candidates for compensatory mandates to the Republic Election Commission. Such list shall be submitted for each of the bodies listed above for which the political party or coalition is certified, within five (5) days of the date of certification of the candidates' lists, in accordance with paragraph (1) of Article 81 of this Law.

(2) The list of candidates for compensatory mandates shall include only the names of candidates already included on the regular candidates lists submitted by the political party or coalition for one or more multi-member constituencies.

(3) Candidates on a list of candidates for compensatory mandates may be from the list of any multi-member constituency and at the same electoral level.

(4) Every candidates list submitted for the compensatory mandates shall include the candidates of male and female gender who are equally represented.

(5) The equal gender representation shall exist in the case when one of the genders is represented with minimum of 40% of the total number of candidates on the list.

(6) The candidates of a less represented gender shall be distributed on the candidate list for compensatory mandates in the following way: at least one candidate of the less represented gender among the first two candidates, two candidates of the less represented gender among the first five candidates, three candidates of the less represented gender among the first eight candidates.

(7) A candidate list for compensatory mandates may contain a maximum number of so many candidate names as are already certified to a political party or coalition on all regular lists of candidates for all multi-member constituencies and at the same electoral level.

(8) Lists of candidates for compensatory mandates shall not be published on the ballot, but shall only be used for purposes of awarding compensatory mandates pursuant to Articles 141 of this Law.

(9) The candidate list shall be sent out by the Republic Election Commission for publication in the "Republika Srpska Official Gazette".

Article 87

(1) Each document or writ submitted to the Republic Election Commission by a political party, coalition, independent candidate or independent candidate list shall be considered valid only if it is signed by the person/s indicated in the application for certification as persons authorized for representation and whose signatures are deposited with the Republic Election Commission.

(2) The Republic Election Commission shall have all relations with political parties, coalitions, independent candidate and lists of independent candidates exclusively through the head office of the political party, coalition, independent candidate or independent candidate lists or through a person authorized to represent them before the Republic Election Commission.

CHAPTER FIVE CONDUCT OF ELECTIONS

Article 88

(1) Voting shall be conducted at Polling Stations, unless provided otherwise by this Law.

(2) The Polling Stations shall be designated by the City/Municipal Election Commission no later than sixty five (65) days before the election day.

(3) The City/Municipal Election Commission, immediately after designating the Polling Stations, shall submit a list of the locations of the Polling Stations to the Republic Election Commission.

(4) The Republic Election Commission may change the location of a Polling Station if it determines that the location is not an appropriate location for polling.

(5) A Polling Station may not be located in a place of worship, a government building, a building which is owned by or is the seat of a political party, on the premises in which alcohol is served and consumed.

(6) Polling Stations shall be designated by a serial number.

(7) No later than fifteen (15) days before the election day, the City/Municipal Election Commission shall announce which Polling Stations have been designated for voting and where the voters may cast their votes.

Article 89

(1) A Polling Station shall be designated in accordance with the number of voters.

(2) A Polling Station should generally have up to 800 but not greater than one thousand (1000) taking into consideration the distance of voters from the Polling Station.

(3) The room designated for polling shall have special space which ensures the secrecy of ballot.

(4) The City/Municipal Election Commission shall ensure, in a timely manner, that the premises designated to be a Polling Station are prepared and open during the time specified for the voting.

(5) For the purposes of this Law, "Polling Station and surrounding area" shall include the area within fifty (50) metres of perimeter around the entrance of a building in which a Polling Station is located.

(6) At each polling station the Municipal Election Commission shall ensure the conditions for the implementation of the election technologies.

Article 90

(1) The City/Municipal Election Commission, as directed by the Republic Election Commission, shall deliver, no later than twelve (12) hours prior to the opening of polling stations on election day, the election material to the Polling Station Committee, including the required number of ballot boxes, the required number of ballots, the required number of candidates lists, the excerpt

from the Voters Register for a specific Polling Station, and the form of the Polling Station committee Poll Book whereof the minutes shall be made, signed by all Polling Station Committee members.

(2) In the event that the election material referred to in the Paragraph 1 of this article is not delivered as complete and correct, the Polling Station Committee shall inform the City/Municipal Election Commission thereof, and the City/Municipal Election Commission shall be required to remove all detected deficiencies without delay, but not later than by the time the Polling Station is opened.

(3) The Polling Station Committee shall be responsible for security of the election material from its receipt until the Polling Station Committee has completed all its duties after the close of the Polling Station, and polling materials have been delivered to the Municipal Election Commission, in accordance with this Law.

(4) The City/Municipal Election Commission shall deliver to the Polling Station Committee at the polling station, no later than 48 hours prior to the opening of the polling stations on the election day, the equipment for electronic ballot counting and electronic voter identification for each the respective Polling Station.

(5) The Polling Station Committee shall be required to lock the election material and equipment referred to in paragraphs (1) and (4) of this article at the polling station in presence of the police immediately upon its receipt and shall be responsible for safety (safekeeping) of the election material from the moment of its receipt until the Polling Station Committee has completed all its duties.

Article 91

(1) The Republic Election Commission shall provide to the Polling Station Committee a sufficient number of ballots, which shall include a number of extra ballots in addition to the number of ballots needed for voters of that Polling Station according to the excerpt from the Voters Register.

(2) The manner in which all ballots issued to a Polling Station are accounted for shall be defined in the acts issued by the Republic Election Commission.

(3) The number of ballots received and distributed to Polling Stations shall be verified by the competent City/Municipal Election Commission in accordance with the acts issued by the Republic Election Commission.

(4) The Republic Election Commission shall issue the Instructions for the control of ballots.

Article 92

(1) The President and all members of the Polling Station Committee must be present during the entire process of voting and ballot counting, including the determination of voting results at a Polling Station.

(2) The President and members of the Polling Station Committee shall be replaced by their deputies in the event of their absence during the process of voting or ballot counting.

(3) At a Polling Station where more than 350 voters have voted, the deputy presidents and deputy members of the Polling Station Committee shall be required to participate in the entire process of ballot counting.

Article 93

(1) The President of a Polling Station Committee, together with the other members of the Polling Station Committee, shall take care of order at the Polling Station and the surrounding area.

(2) If order at a Polling Station is breached, the President of a Polling Station Committee may require assistance by the police. Voting shall be suspended while police are present at the Polling Station.

(3) When opening the Polling Station, the President of the Polling Station Committee shall have the obligation to assign duties, in accordance with the decision of the Republic Election Commission, to each member of the Polling Station Committee and to register them in the section of the Polling Station Poll Book designated for the entry of the said data.

(4) The President of a Polling Station Committee may expel from the Polling Station and surrounding area any person disrupting order at the Polling Station.

(5) Any expulsion from the Polling Station shall be recorded in the Polling Station Poll Book.

(6) The Polling Station Committee shall decide on expulsion of an observer accredited under Chapter Eighteen of this Law.

(7) It is not allowed to carry weapons or dangerous objects at the Polling Station and surrounding area, except for police officers in cases referred to in paragraph (1) of this article.

(8) It is not allowed to bring to the Polling Station and the surrounding area political insignia and symbols.

Article 94

(1) A Poll Book shall be kept during the voting process.

(2) The Poll Book is a written document in which information related to voting and other events occurring at the Polling Station and the surrounding area, from the opening of the Polling Station until the establishing of the voting results, is recorded.

(3) The form of the Poll Book shall be regulated by the Instruction of the Republic Election Commission.

(4) The following information shall be included in the Poll Book:

1. a list of all election material and the quantities thereof delivered to the Polling Station;
2. a list of all accredited observers at the Polling Station;
3. observations on all important events occurring at the Polling Station; and
4. all information required by this Law to be recorded in the Poll Book.

(5) A member of the Polling Station Committee, a voter or an accredited observer shall be entitled to enter into the Poll Book his or her opinion or objections concerning the voting process or deliver them in writing, and receive a receipt issued by the President of the Polling Station committee certifying the submission of such objections. In addition, the President may also inform thereof the City/Municipal Election Commission.

(6) If a member of the Polling Station Committee, an eligible voter or accredited observer has not signed the Poll Book personally then his or her opinion or objections will not be considered.

(7) If a member of the Polling Station Committee, an eligible voter or an accredited observer is prevented from entering his/her opinions or objections into the Poll Book, such opinions or objections may then be communicated by them to the City/Municipal Election Commission in writing.

Article 95

Before the polls open, and in the presence of accredited observers, the Polling Station Committee in the composition as foreseen in the Article 92 of this Law shall:

- 1) display the empty ballot boxes and seal them;
- 2) count and record on the prescribed forms the total number of voters for the Polling Station based on the excerpt from the Voters Register; and
- 3) count and record on the prescribed forms the total number of all ballots received by the Polling Station;
- 4) check whether the video surveillance, optical scanners and biometric fingerprint readers are in proper working order; and
- 5) display in a visible place the list of members of the polling station committee with the name of the political entity that nominated them.

Article 96

(1) Voting shall last continuously during the day commencing at 07:00 hours and ending at 1900 hours.

(2) If there is a disturbance of the order, the President of the Polling Station Committee may interrupt the polling until order is restored.

(3) The reasons and causes of the interruption of polling shall be entered into the Poll Book of the Polling Station Committee.

(4) The Polling Station shall close at 19:00 hours. Voters who are in line at the Polling Station at the time of closing shall be allowed to cast their vote.

(5) If the polling was interrupted because of the disturbance of order for three (3) hours or less, the polling shall be prolonged for the period of the interruption, which shall be decided by the President of the Polling Station Committee.

(6) If the interruption referred to in paragraph (5) is more than three (3) hours, then the City/Municipal Election Commission shall decide the length of time for which polling shall be prolonged.

(7) If the polling was interrupted because of the disturbance of public order or due to malfunction of the election technologies for up to three (3) hours or less, the polling shall be prolonged for the period of the interruption, which shall be decided by the President of the Polling Station Committee.

(8) If the interruption referred to in paragraph (7) is more than three (3) hours, then the

City/Municipal Election Commission shall decide the length of time for which polling shall be prolonged.

(9) If the Polling Station is not opened on time, the voting in that Polling Station may be extended by the length of time which the delay lasted if the delay is three (3) hours or less.

(10) If the delay referred to in paragraph (9) is more than three (3) hours, then the Municipal Election Commission shall decide the length of time for which voting shall be extended.

Article 97

The authorities responsible for the conduct of elections shall ensure and by using video surveillance monitor whether that the voting is secret and conducted in person, by way of a voting ballot.

Article 98

(1) Members of the Polling Station Committee shall explain to the voter the manner of polling and ensure secrecy of the voting.

(2) Members of the Polling Station Committee shall not exert influence on the decision of the voter.

Article 99

(1) A voter shall cast his or her ballot at the Polling Station where he or she is entered into the excerpt from the Voters Register.

(2) If a voter has the right to vote in accordance with this Law, for his or her 1991 City/Municipality, the voter may vote at an absentee Polling Station.

(3) The president or a member of the Polling Station Committee shall determine the identity of the voter on the basis of a valid identification document.

(4) The President or a member of the Polling Station Committee shall establish the identity of the voter by sliding – scanning a valid personal identification document through the biometric data reading device.

(5) The President or member of the Polling Station Committee shall check the finger print by using the biometric fingerprint reader.

(6) The identity of the persons who are unable to present the fingerprints due to their disability, or who for any other justifiable reason do not have a biometric fingerprint maintained with the competent Republic body, shall be established solely on the basis of a valid personal identification document.

(7) A valid identification document, in terms of the preceding paragraph, shall be one of the following which includes a photograph:

- 1) identification card;
- 2) passport;
- 3) driver's license;

(8) If a voter has changed his or her name, he or she shall be required to present a certificate of name change issued by the competent body, in addition to one of the above stated identification documents.

Article 100

(1) A member of the Polling Station Committee shall be required to identify the voter, shall mark his or her name and surname in the excerpt from the Voters Register, the voter shall sign the excerpt from the Voters Register and a member of the Polling Station Committee shall issue the appropriate ballot(s).

(2) The signature of a voter in the excerpt of the Voters Register must correspond to the signature on the identification document the voter presented to the Polling Station committee member, about which the Polling Station Committee member shall have the obligation to warn him, and it is the responsibility of the member of the Polling Station Committee to ascertain that.

(3) A member of the Polling Station Committee shall have the right and duty to warn each voter that his/her signature affixed to the excerpt from the Central Voters Register must correspond to the signature affixed to the personal identification document that is presented by the voter to the member of the Polling Station Committee for identification purposes referred to in paragraph (2) of this article.”

(4) A member of the Polling Station Committee shall be responsible and have the right and duty to warn each voter of the fact that the voter identification through use of election technologies shall be verified only if it corresponds to the information maintained by the competent Republic authority.

Article 101

(1) The Republic Election Commission shall determine the format and layout (form and contents) of the ballots for direct elections by virtue of a rulebook for the Republic and local levels of authority in Republika Srpska.

(2) The ballot shall allow a voter to vote for only one of the following options:

- 1) an independent candidate, if there are any; or
- 2) a political party, coalition, or independent candidates list, if there are any; or
- 3) within one list of candidates of one political party, coalition, or list of independent candidates, to mark one or more candidates on the one list chosen by the voter.

(3) Where a voter has validly marked one or more candidates on one list, the list shall be considered to have received one valid vote for the purpose of allocating mandates.

(4) A voter may cast his or her vote only as provided in this article.

(5) Ballot papers and other election materials shall be printed at the printing house of the public enterprise “Official Gazette of Republika Srpska.”

Article 102

(1) A ballot shall contain only the following elements:

- 1) date of the election;
- 2) name of the body for which election is being made;
- 3) names of political parties, coalitions, lists of independent candidates designated with the marking as “independent candidate” and independent candidates in the sequence specified in the collective list based on the lottery conducted to determine their order on the ballot, and names of all the candidates;
- 4) instructions on the manner of using and marking the ballot; and
- 5) instructions issued to the voter about the use of election technologies.

(2) A lottery number shall be drawn for each political party, coalition, list of independent candidates and independent candidate to determine their order on the ballot.

(3) The lottery number shall be used for the political party or coalition at the particular level of elections in which this political party or coalition appears on the ballot.

(4) The Republic Election Commission shall publicise the location, date, and time at which the lottery for ballot order shall be held.

(5) Representatives of political parties, coalitions, lists of independent candidates, independent candidates, and other accredited observers may attend the lottery.

Article 103

A voter shall vote in a special place which ensures the secrecy of the voting.

Article 104

A ballot shall be invalid if:

- 1) it is not completed or is completed in such a way that it is not possible to reliably ascertain for which political party, coalition, independent candidate, list of independent candidates a voter has cast his or her vote; or
- 2) names of candidates have been added in writing; or
- 3) more than one political party, coalition, or independent candidate or list of independent candidates has been marked; or
- 4) the voter can be identified based on markings added by the voter to the ballot, such as a signature; or
- 5) the voter marks the ballot in a manner other than as provided by Article 101, paragraph (2) of the Law.

Article 105

(1) If a voter cannot be found on the excerpt from the Voters Register because the voter registered to vote abroad and has returned to vote in person in Republika Srpska, the voter's name will be added to a special form that consists of all the categories of data as the excerpt of the Voters Register.

(2) The voter will sign the excerpt of the Voters Register, and the voter will have the right to vote by tendered/enveloped ballot in accordance with the other provisions of this Law.

(3) The voter's identification documentation shall be retained until the voter returns the

tendered/enveloped ballot in the sealed envelope.

(4) The voter's ballot will be placed in a special envelope by the voter, on which is written information from which the voter's right to vote can be verified.

(5) The envelope shall be sealed before being placed by the voter in the ballot box.

(6) After the close of the polling and after opening the ballot boxes in accordance with this Law, the Polling Station Committee shall count the number of tendered/enveloped ballots found in the ballot box and record the number in the Poll Book and shall package and forward all sealed envelopes to the City/Municipal Election Commission.

(7) The City/Municipal Election Commission shall forward the packages of sealed envelopes from each Polling Station in the City/Municipality to the Republic Election Commission.

(8) The Republic Election Commission shall confirm that the voter is registered to vote abroad and the voter's right to vote before the envelope is opened and the ballot is counted and processed by using the election technologies.

(9) If it cannot be confirmed that the voter is registered to vote abroad and has the right to vote, then the envelope shall not be opened or counted.

Article 106

(1) Upon request of voters who are blind, illiterate or bodily incapacitated, the President of the Polling Station Committee shall approve to another person, selected by the eligible voter concerned to assist the voter during the signing of the excerpt from the Voters Register and casting his or her ballot.

(2) The helping person may not be a member of the Polling Station Committee, an accredited observer, or an observer of a political party, coalition, list of independent candidate or independent candidate.

(3) The person helping the voter shall print his or her name and sign the excerpt from the Voters Register next to the name of the voter whom he or she assisted.

(4) The person helping the voter does not need to be a registered voter.

(5) A person may, in terms of paragraphs (1) and (2) of this article, help only one voter.

Article 107

In the event that a ballot is spoiled in the course of voting, the Polling Station Committee shall issue a new ballot to the voter and place the spoiled one in a special envelope marked "spoiled ballots".

Article 108

(1) An eligible voter who has the right to vote under this Law and is residing abroad shall have the right to vote by mail.

(2) The Republic Election Commission shall regulate the manner and procedure of voting by

mail by eligible voters who have the right to vote.

(2) The Republic Election Commission shall adopt the instructions for voting by eligible voters who have the right to vote as provided by Article 61 of this Law.

Article 109

(1) The Republic Election Commission shall adopt a rulebook for manual counting and counting of ballots through the use of election technologies and establishing the voting results for ballots cast by voters who have voted by tendered ballots, absentee ballots, ballots cast by prisoners or voters confined to institutions, and homebound voters unable to come to the Polling Station due to age, illness or disability, and ballots cast by mail.

(2) All ballots shall be counted at the Polling Stations, except where the Republic Election Commission determines that ballots should be counted at the Republic Counting Centre.

(3) The Republic Election Commission shall adopt the regulations for manual counting and counting of ballots through the use of election technologies and establishing the results at the Republic Counting Centre, including the instances where the election results cannot be established at a specific polling station due to a malfunction of the technical equipment.

(4) The voting results shall be posted publicly at the Republic Counting Centre, City/Municipal Counting Centres so that the results can be viewed by the public, while the copies of voting results shall be delivered to accredited observers of activities of the Republic Counting Centre, upon their request.

(5) The Republic Election Commission shall appoint a director of the Republic Counting Centre and three deputies.

(6) The director of the Republic Counting Centre and his/her deputies shall be appointed from among different constituent peoples and one shall be from among the group of Others.

(7) The director of the Republic Counting Centre and his/her deputies shall be persons with a minimum of three years of experience in conducting the elections and may not be active members of any political party.

(8) Ballots shall be counted by using the election technologies and manually in a manner that would not constitute a breach of voting secrecy, in accordance with the procedure prescribed by the rulebook of the Republic Election Commission referred to in paragraph (1) of this article.

Article 110

(1) When ballots are counted at the Polling Station, after completion of the voting process and closure of the Polling Station, the Polling Station Committee shall start establishing the voting results.

(2) The Polling Station Committee shall count first unused and spoiled ballots and put them into separate packages to be sealed.

(3) The Polling Station Committee shall count separately, the number of voters who signed the excerpts from the Voters Register, the number of voters who signed the form described in Article 105, paragraph (1) of this Law, and the total number of voters who appeared at the Polling Station to vote, and shall record this information on the form.

(4) The Polling Station Committee shall then open ballot boxes one by one, and count manually and electronically the total number of tendered ballot envelopes, if applicable, and the total number of regular ballots contained in the ballot box.

(5) The Polling Station Committee shall count the number of valid votes cast for each political party, coalition, list of independent candidates, independent candidate, and the number of votes for each candidate on a candidates' list, and the number of invalid ballots.

Article 111

(1) After the close of an absentee Polling Station, the Polling Station Committee shall classify the ballots according to the criteria of cities/municipalities for which the voters voted, and forward them to the competent City/Municipal Election Commissions.

(2) The Republic Election Commission shall issue an Instruction in order to regulate the manner and procedure of classifying the ballots according to the Cities/Municipalities as well as their forwarding to the Election Commissions.

Article 112

(1) Except in the case in which the Republic Election Commission determines that the manual and electronic count shall be fully or partly conducted in the city/municipal counting centres in accordance with Article 109 paragraph (2) of this Law, the following information shall be recorded on the appropriate forms by the Polling Station Committee after the close of the Polling Station and the counting procedures have been completed:

- 1) the total number of all ballots cast;
- 2) the total number of valid votes cast for each political party, coalition, list of independent candidates and independent candidate;
- 3) the total number of votes for each individual candidate on a candidates list;
- 4) the total number of invalid ballots, stating separately the number of ballots that are invalid because they are blank and the number of ballots that are invalid due to markings;
- 5) the total number of spoiled ballots;
- 6) the total number of tendered ballots contained in the ballot box if appropriate; and
- 7) the total number of unused ballots.

(2) The Polling Station Poll Book and the appropriate forms shall be signed by all members of the Polling Station Committee.

(3) If a member of the Polling Station Committee refuses to sign the Poll Book, then the President or one of the signing members shall record this fact and the reason why the member will not sign.

Article 113

(1) Once the voting results have been established, a Polling Station Committee shall forward immediately to the competent City/Municipal Election Commission, and no later than twelve (12) hours after the close of the Polling Station, the Polling Station Poll Book, the excerpt from the Voters Register, all the special forms described in Article 105, paragraph (1) of this Law, all tendered ballots, valid ballots, invalid ballots, separately unused and spoiled ballots, and all other forms required by the Republic Election Commission.

(2) The President of the Polling Station Committee shall retain a copy of the report of results.

(3) The President of the Polling Station Committee shall post the table containing a detailed overview for the voting results categorized by political entity and candidate at the Polling Station so that the results can be publicly viewed, while the copies of voting results shall be made available to accredited observers of activities of the Polling Station Committee, upon their request.

(4) The Polling Station Committee shall deliver all remaining election materials to the City/Municipal Election Commission.

(5) The Republic Election Commission may adopt the instructions to ensure a secure, real-time electronic transmission of information contained in the Polling Station Poll Book through the use of election technologies directly to the City/Municipal Election Commission, and from the City/Municipal Election Commission to the Republic Election Commission.

Article 114

(1) Once it has received all the election-related documents and materials from the Polling Station Committees, the City/Municipal Election Commission shall establish a consolidated summary of the results of voting within the area of the City/Municipality for the bodies at the level of authority at which the elections were conducted and shall make a report accordingly, which shall be submitted to the Republic Election Commission within twenty-four (24) hours after closing of the polls.

(2) The consolidated summary of results for the City/Municipality shall contain the information referred to in Article 112, paragraph (1), sub-paragraphs 1. to 7. of this Law.

(3) A copy of the consolidated summary of results shall be retained by the City/Municipal Election Commission, and shall be distributed to the other electoral bodies as defined in the regulations of the Republic Election Commission.

(4) The City/Municipal Election Commission shall post the table containing a detailed overview for the consolidated summary of the results categorized by political entity and candidate so that the consolidated summary can be publicly viewed, and copies of comprehensive voting results categorized by political entity and candidate shall be delivered to accredited observers of activities of the City/Municipal Election Commission, upon their request.

Article 115

(1) In order to be acceptable, each individual envelope containing a ballot must have a postmark affixed by the postal office of the country from which the ballot is cast, containing the date that is not later than the election date.

(2) By mail ballots that are not delivered in compliance with the previous paragraph shall not be counted.

(3) In order for a timely delivered by mail ballot to be counted, it must be returned by a voter who has been determined to be properly registered to vote by mail, sealed in the ballot envelope to ensure secrecy of the person's vote, and accompanied by a copy of an identification document referred to in Article 99, paragraph (7) of this Law.

Article 116

(1) The Republic Election Commission shall establish the results of all direct and indirect elections covered by this Law, after the expiry of the deadline for filing the appeals/complaints, or after the decisions have become final and binding.

(2) The Republic Election Commission shall provide in its Instructions the order of establishing the election results for the bodies of authority at the Republic and local levels, the manner of making the detailed tabulation of election results available to the public and announcing the election results.

(3) The detailed tabulation of election results, without violating the secrecy of the vote required by Article 97 of this Law, shall include results at the polling station level categorized by political entity and candidate.

Article 117

The Republic Election Commission shall announce the preliminary, unofficial and incomplete election results for the level of authority where the elections are held, in the following order:

- 1) 24:00 hours on the election day,
- 2) twice within the following 24 hours,
- 3) each 24 hours within the following five days,
- 4) each 48 hours in the following days until the announcement of the final, official and complete election results.

Article 118

(1) After the establishment and announcement of the election results by the Republic Election Commission, a City/Municipal Election Commission, a certified political party, coalition, list of independent candidates, or independent candidate may request that a recount of ballots be conducted by the Republic Election Commission in specified constituencies in which the political party, coalition, list of independent candidates, or independent candidate stood for election.

(2) An accredited observer may request that a recount of ballots be conducted by the Republic Election Commission in a Polling Station at which the observer observed.

(3) A certified political party, coalition, list of independent candidates, independent candidate, or observer may also request that a recount of ballots be conducted by the Republic Election Commission of absentee ballots, ballots cast abroad or tendered/enveloped ballots.

(4) A group of fifty (50) or more voters who voted at the same Polling Station may request that a recount of ballots be conducted by the Republic Election Commission in the Polling Station at which they voted.

(5) A City/Municipal Election Commission may request that a recount of ballots be conducted by the Republic Election Commission in a Polling Station in its City/Municipality.

(6) The Republic Election Commission may consider a request for recount if the request meets each of the following requirements:

- 1) the request is in writing and signed by the accredited observer, group of fifty (50) or more voters who voted at the same Polling Station, independent candidate, president of the political

- party, leaders of the list of independent candidates, any of the presidents of political parties which formed a coalition or City/Municipal Election Commission;
- 2) the request states with specificity the facts which justify a recount, including the specific articles of this Law which were disregarded or violated;
 - 3) the request states with specificity the approximate number of ballots believed to have been affected;
 - 4) the request states how the results would have been affected by the violation of this Law;
 - 5) there is a discrepancy between the results obtained by manual and those obtained by electronic counting; and
 - 6) the request is presented to the Republic Election Commission within three (3) days of the date the Republic Election Commission announced the election results.

(7) The Republic Election Commission may order a recount, *ex officio*, even if no request for recount has been made under paragraph (1) of this article or if the request for recount has been deemed invalid under paragraph (3) of this article.

(8) The Republic Election Commission shall order a recount if it is established that this law was violated and the violation affected the allocation of mandates.

(9) The Republic Election Commission may order a recount of ballots, upon request or *ex officio*, for a specific Polling Station at the Republic Counting Centre if it determines that there is a discrepancy between the results obtained by manual and those obtained by electronic counting of ballots.

(10) The Republic Election Commission shall invalidate the voting results at a Polling Station where, after the recount of ballots, a discrepancy has been identified between the results obtained by manual and those obtained by electronic counting of ballots.

Article 119

(1) In the event the Republic Election Commission orders a recount of the ballots, it shall specify the ballots which shall be the subject of the recount and the dates, locations, and procedures for the recount.

(2) Candidates of the political parties, coalitions, lists of independent candidates and the candidate from the list of members of national minorities and independent candidates appearing on the ballot for which a recount is being conducted, and other accredited observers may be present for the recount.

Article 120

(1) After completion of a recount of ballots and after the expiry of the time for filing of the appeal, of after the the decision by which the Republic Election Commission ordered the recount has become final and binding, the Republic Election Commission shall verify the election results for the bodies of authority at each individual level of authority, within 30 days after the elections are held.

(2) The Republic Election Commission shall issue the rulebook governing the verification of the election results.

CHAPTER SIX

PROTECTION OF THE ELECTORAL RIGHT

Article 121

Protection of the electoral right shall be secured by the election commissions and the Supreme Court of Republika Srpska.

Article 122

(1) Any voter and any political entity whose right established by this Law, is violated, may lodge a complaint with the election commission not later than within 48 hours , or within 24 hours in the election period after the violation occurred ,unless otherwise specified by this Law.

(2) The election commissions may, upon receiving information concerning the violations, from the scope of their competence initiate an *ex officio* procedure by virtue of its authority against a political entity and persons employed or those otherwise hired in the election administration because of the violations of the provisions of this Law.

(3) The initiative for the procedure referred to in paragraph (2) of this article, may be launched by a legal or natural entity to the competent Election Commission, in a written form, where information on the place, the time, the content of the violation and the name of the perpetrator shall be mandatory information.

Article 123

(1) The complaint shall be filed on the form prescribed by the Republic Election Commission.

(2) The complaint also must be signed by the complainant, and it shall contain a brief description of the violation and, as an attachment, the evidence that confirms the allegations of the complaint.

(3) If the complainant is a political party or a coalition or a list of independent candidates, it shall be signed by the President or the authorised representative of the political party or the coalition or the list of independent candidates or a person authorized by them, with the authorization attached to the complaint.

(4) The data about the authorized representative of a political party or coalition or list of independent candidates shall be deposited with the City/Municipal Election Commission.

(5) The complaint shall be sent to all parties that are named in the complaint.

(6) The parties named in the complaint shall have the opportunity to respond in writing within 24 hours after receiving the complaint. The authorised bodies may order a hearing of the parties.

(7) The Republic Election Commission shall establish the procedure for adjudicating complaints filed with any election commission.

(8) The complaint referred to in Article 122, which has been filed by an unauthorised person as well as the complaint which has been filed untimely or is incomplete, shall be rejected.

(9) The complaint shall also be rejected if it is impossible to establish who has submitted the complaint.

(10) The filed complaint or appeal in the procedure of protection of the electoral right shall

not postpone the conduct of election-related activities prescribed by this Law.

Article 124

(1) The City/Municipal Election Commission shall have first instance competence in its City/Municipality to decide complaints submitted for violation of the code of conduct referred to in Chapter Seven, with an exemption in case of the prohibition referred to in Article 133, paragraph (1), sub-paragraphs 3) and 7), Article 133, paragraph (2), and Article 134, paragraph (1), sub-paragraph 3) of this Law, subject to a decision of the Republic Election Commission.

(2) The City/Municipal Election Commission shall adjudicate the complaint and make a decision no later than within forty-eight (48) hours from the expiration of the deadline referred to in Article 123 paragraph (6) of this Law.

(3) The City/Municipal Election Commission shall immediately notify the complainant and the other parties of the decision.

(4) When deciding the complaints the City/Municipal Election Commission may act on the basis of the established facts or conduct hearings.

(5) The complaint referred to in Article 122, paragraph (1), which has been filed by an unauthorised person or has been filed untimely, shall be rejected.

Article 125

The City/Municipal Election Commission may order measures to correct irregularities referred to in the complaint from Article 124 of this Law, including, but not limited to adding or deleting voters from the Voters Register raise an initiative for removing the person working on the voters registration or remove the member in the Polling Station Committee, or remove the member ordering certain person or a party to cease the activities that violate the provisions of this Law and impose a fine.

Article 126

(1) The Republic Election Commission shall be competent to decide in the first instance the complaints lodged on account of violation of the rules of election process, electoral rights, financing of political campaigns, committed by the political entity and violations referred to in Article 133, paragraph (1), sub-paragraphs 3 and 7, Article 133, paragraph (2) and Article 134, paragraph (1), sub-paragraph 3) of this Law.

(2) Decisions issued by the election commissions may be appealed to the Republic Election Commission, within 48 hours following the receipt of the first-instance decision.

(3) The Republic Election Commission shall consider the complaint and appeal and make a decision no later than within forty-eight (48) hours from the expiration of the deadline referred to in Article 123 paragraph (6) of this Law.

(4) The Republic Election Commission shall be required to immediately notify the complainant and the other parties of its decision.

(5) The complaint which has been filed under Article 122 of this Law by an unauthorized

person, or the complaint or appeal, which have been filed untimely, shall be rejected.

(6) When adjudicating a complaint, the Republic Commission may proceed on the facts established or may conduct hearings.

(7) The Republic Election Commission may allow parties to present new evidence or base their decisions on the documentation from the written record of the City/Municipal Election Commissions.

Article 127

(1) When deciding *ex officio* or when deciding the appeals and complaints, the Republic Election Commission shall have the authority to order a City/Municipal Election Commission, the Voters Registration Centre or a Polling Station Committee to undertake measures to correct the identified irregularities.

(2) In addition to the authorities referred to in paragraph (1) of this article, the Republic Election Commission shall also have the authority to impose the following penalties:

- 1) fines foreseen under this Law;
- 2) removal of a candidate's name from the list of candidates, where it is determined that the candidate is personally responsible for a violation;
- 3) de-certification of a political party, coalition, list of independent candidates or independent candidate; and
- 4) prohibition of engagement of an individual to work at a Polling Station, in the Voters Registration Centre and in a City/Municipal Election Commission.

Article 128

(1) If The Republic Election Commission or the City/Municipal Election Commission has a reasonable suspicion that a criminal act has been committed concerning the electoral process, it shall report it to the competent Public Prosecutor.

(2) When submitting the report referred to in paragraph (1) of this article, the Republic Commission, the City/Municipal Election Commission shall also refer to the evidence that is known to it, as well as undertake the necessary measures to preserve the traces of the committed criminal act referred to in paragraph (1) of this article, objects with which or by use of which the alleged criminal act has been committed and other evidence.

Article 129

(1) The Supreme Court of Republika Srpska shall be competent to hear appeals against the decisions of the Republic Election Commission.

(2) An appeal shall be submitted to the Supreme Court of Republika Srpska no later than 2 days after a decision of the Republic Election Commission referred to in paragraph (1) is received of this Law.

(3) An appeal shall be submitted through the Republic Election Commission.

(4) The provisions of the law governing the administrative disputes shall be applicable accordingly to the decision-making with regard to the appeal filed against the decision of the Republic

Election Commission deciding the complaint.

(5) The Supreme Court of Republika Srpska shall be required to make a decision on an appeal within three (3) days from the day of the receipt of the appeal.

(6) The decision on the appeal shall be delivered to the appellant and the Republic Election Commission.

CHAPTER SEVEN

RULES OF CONDUCT IN THE ELECTION CAMPAIGN

Article 130

(1) Political parties, coalitions, lists of independent candidates and independent candidates have the right to:

- 1) conduct the election campaign in a peaceful environment;
- 2) organise and hold public meetings in which they can freely express their positions in order to gain support from the voters; and
- 3) print and disseminate placards, posters and other materials related to the election campaign;
- 4) conduct the campaign through social networks.

(2) For the purposes of public meetings as stated in paragraph (1), sub-paragraph 2), permits from the competent body shall not be required, but the organiser shall notify the competent body responsible for public order and peace twenty-four (24) hours prior to holding such an event.

(3) In case that two or more organisers announced to the competent body holding of their public meetings at the same time and place, the holding of a public meeting at that time and place shall be permitted to the organiser which notified the competent body in writing of the holding of the public meeting first, whereas the competent authority shall inform the applicants thereof within maximum of 12 hours following the receipt of the submitted notifications about the public meeting.

Article 131

(1) The competent city/municipal authorities shall be required to ensure equitable treatment of political parties, coalitions, lists of independent candidates certified for participation in elections and independent candidates in their requests to use public places and public facilities for campaign purposes, including holding meetings, display of notices, placards, and posters and other materials which have such purpose.

(2) It shall be forbidden to remove, cover, destroy or alter any printed notice, placard, poster or other materials, which are in accordance with the law and are used for the purpose of election campaigning by political parties, coalitions, list of independent candidates, or independent candidates.

(3) The Republic Election Commission shall forbid the posting, printing and dissemination of notices, placards, posters or other materials, which are used for the purpose of election campaigning by political parties, coalitions, list of independent candidates, or independent candidates, on which women or men are presented in stereotype and offensive or humiliating ways and shall order the political party, coalition, list of independent candidates, or independent candidate to remove the posted materials.

(4) An administrative dispute may be initiated against the decision or conclusion of the Republic Election Commission.

(5) Political parties, coalitions, lists of independent candidates and independent candidates shall not be allowed to display notices, placards and posters, or to place their names or slogans related to the election campaign in or on the buildings of the bodies and institutions of Republika Srpska, public enterprises, public institutions and local communities, on religious facilities, on public roads and public areas, except for the places designated for distribution of posters and advertising.

(6) The competent authorities of the City/Municipality shall be required to designate public places and facilities where election-related gatherings can take place, and where advertisements, placards, posters, and other election materials can be displayed, including the installation of portable billboards, etc.

(7) Within 10 days of the election day, a political entity shall be required to ensure that all advertisements, posters, placards, banners, and similar materials used for the purpose of its election campaign are removed from the place designated for campaigning.

Article 132

(1) A holder of executive office defined under Article 13, paragraph (5) of this Law and a mandate holder shall not be allowed to abuse public resources.

(2) The following actions shall constitute abuse of public resources referred to in paragraph (1) of this article:

- 1) involvement of the civil servants and officials employed with the City/Municipal authorities who are subordinate to a candidate in the elections in the performance of work during the working hours in order to promote the candidate in the elections or political entities;
- 2) use of premises occupied by public institutions and authorities for pre-election campaigning activities where the use of the same premises is not guaranteed to other candidates and political entities under the same terms and conditions;
- 3) use of means of communication, information services, office equipment of public institutions and authorities for election campaigning;
- 4) use of a means of transportation owned by Bosnia and Herzegovina, Republika Srpska, the Federation of Bosnia and Herzegovina, the Brčko District of Bosnia and Herzegovina, City/Municipal authorities and organizations free of charge or at reduced charges for campaigning activities. This provision shall not be applicable to transport of individuals who under a regime of special protection defined by law which is provided as part of security measures applicable in respect of high-ranking officials subject to official protection provided by competent authorities during the course of performance of their official duties or when acting in line of their official duty;
- 5) collection of signatures or election campaigning carried out by persons who hold elected offices or are civil servants, during the official activities or events organized by a public institution or authority.

Article 133

(1) Candidates and supporters of political parties, lists of independent candidates, list of members of national minorities and coalitions, as well as independent candidates and their supporters,

and election administration officials or those otherwise hired in the election administration are not allowed to:

- 1) carry or display weapons at political meetings, Polling Stations and the surrounding area, or during any gatherings related to the activities of political parties, coalitions, list of independent candidates and independent candidates in the election process;
- 2) disturb gatherings of other political parties, coalitions and independent candidates, as well as to incite others to conduct such activities;
- 3) prevent journalists from carrying out their duties, in accordance with the rights of their profession and the election rules;
- 4) promise any financial reward or other material gain with the purpose of gaining support of voters, or to threaten supporters of other political parties, coalitions, list of independent candidates or independent candidates;
- 5) induce a person to vote who does not have the legal right to vote;
- 6) induce a person to vote more than once in the same election, or to vote in the name of another person; or
- 7) use speech that could motivate or induce someone to commit violence or spread hatred, and/or, publish or use pictures/images, symbols, audio and video recordings, SMS messages, Internet communications, social networks and mobile applications or any other materials that can have such effect.

(2) False impersonation on behalf of any political party, coalition, list of independent candidates or independent candidate shall be prohibited, as well as the abuse of the legal right to participate in the work of a Polling Station Committee on behalf of one political entity contrary to the provision of Articles 42 and 43 of this Law by fictitiously representing a political entity entitled to a seat at the Polling Station Committee, in order to favour another political entity not entitled to the seat at the Polling Station Committee.

(3) The prohibition referred to in paragraph (2) of this article shall also be applicable to members of a Polling Station Committee.

Article 134

(1) Commencing twenty-four (24) hours prior to opening of the Polling Stations, and until they close, political parties, coalitions, list of independent candidates and candidates on the lists of members of national minorities and independent candidates are prohibited from engaging in public political activity, which includes but is not limited to:

- 1) holding meetings for the purpose of election campaigning;
- 2) presenting at the Polling Station and the surrounding area, any kind of materials for the purpose of influencing voters;
- 3) using national and international means of communication intended to influence voters
- 4) using megaphones or other public address systems for the purpose of influencing voters
- 5) any activity that interferes with or obstructs the election process.

(2) Means of communication referred to in sub-paragraph 3) of paragraph (1) of this article include means that can deliver audio, video or textual contents.

(3) Means of communication shall include but are not limited to Radio and TV program, printed media, the Internet, SMS-messages or video messages delivered over the mobile phones etc.

CHAPTER EIGHT

ELECTION OF MEMBERS OF THE REPUBLIKA SRPSKA NATIONAL ASSEMBLY

Article 135

(1) The National Assembly of the Republika Srpska shall consist of eighty-three (83) members, who shall be directly elected by voters registered to vote for the Republika Srpska.

(2) A certain number of members shall be elected from multi-member constituencies under the proportional representation formula set forth in Article 140 of this Law.

(3) There compensatory mandates shall be awarded according to Article 141 of this Law.

(4) A minimum number of four (4) members of each constituent people shall be represented in the National Assembly of Republika Srpska.

(5) A voter shall have one ballot for the proportional representation mandates in the multi-member constituency for which the voter is registered.

(6) The mandate of members of the National Assembly of the Republika Srpska shall be four (4) years.

Article 136

(1) The National Assembly of Republika Srpska shall determine the number of mandates and the boundaries of multi-member constituencies and the number of compensatory mandates.

(2) Out of 83 mandates for the National Assembly, 20 mandates shall be compensatory mandates, while the remaining mandates shall be distributed in the multi-member constituencies.

(3) A multi-member constituency shall have a minimum of 4 and a maximum of 15 members of parliament.

(4) The Brčko District of Bosnia and Herzegovina shall be included in one of the multi-member constituencies.

(5) The number of mandates for a constituency shall be determined by dividing the number of voters registered in the Voters Register determined by the Republic Election Commission by the total number of constituency mandates to be allocated.

(6) To determine the number of mandates allocated to one constituency, the number of voters registered in the Voters Register for the respective constituency shall be divided by the quotient obtained in the way defined under paragraph (5) of this article.

(7) Mandates that cannot be distributed based on whole numbers shall be allocated to the constituencies on the basis of the highest decimal remainder.

Article 137

(1) For the election of 63 parliamentary mandates in the multi-member constituencies, nine (9) multi-member constituencies shall be established as follows:

- 1) Constituency 1 - shall elect seven members of parliament and it consists of the City of Prijedor and the municipalities: Kozarska Dubica, Kostajnica, Krupa na Uni, Novi Grad, and Oštra Luka..

- 2) Constituency 2 - shall elect seven members of parliament and it consists of the cities of Gradiška, Laktaši, and Prnjavor, and the municipality of Srbac.
- 3) Constituency 3 - shall elect twelve members of parliament and it consists of the City of Banja Luka and the municipalities: Istočni Drvar, Jezero, Kotor Varoš, Kneževo, Kupres, Mrkonjić Grad, Petrovac, Ribnik, Čelinac, and Šipovo.
- 4) Constituency 4 - shall elect four members of parliament and it consists of the City of Derventa and the municipalities: Brod, Vukosavlje, and Modriča.
- 5) Constituency 5 - shall elect six members of parliament and it consists of the City of Doboj and the municipalities: Petrovo, Stanari, and Teslić.
- 6) Constituency 6 - shall elect nine members of parliament and it consists of the City of Bijeljina and the municipalities: Donji Žabar, Lopare, Pelagićevo, Ugljevik, Šamac, and voters from the Brčko District of Bosnia and Herzegovina registered to vote in Republika Srpska.
- 7) Constituency 7 - shall elect seven members of parliament and it consists of the City of Zvornik and the municipalities: Bratunac, Vlasenica, Milići, Osmaci, Srebrenica, and Šekovići.
- 8) Constituency 8 - shall elect four members of parliament and it consists of the municipalities: Istočna Ilidža, Istočno Novo Sarajevo, Istočni Stari Grad, Pale, Rogatica, Sokolac, Trnovo, and Han Pijesak.
- 9) Constituency 9 - shall elect seven members of parliament and it consists of the City of Trebinje and the municipalities: Berkovići, Bileća, Višegrad, Gacko, Istočni Mostar, Kalinovik, Ljubinje, Nevesinje, Novo Goražde, Rudo, Čajniče, and Foča..

(2) The remaining 20 parliamentary mandates shall be compensatory mandates, to be allocated in accordance with this Law.

Article 138

Following the proposal made by the relevant parliamentary working body, every four years the National Assembly of Republika Srpska shall review the constituencies and the number of mandates assigned to each constituency as determined by this Law, in order to ensure the principle of geographic limitation, based on democratic principles, and in particular on the principle of proportionality between the number of mandates and the number of registered voters.

Article 139

(1) Political parties, coalitions, and independent candidates, certified in accordance with this Law, may stand for election in a constituency.

(2) Every independent candidate for a constituency mandate shall run with a deputy on a single ticket.

(3) The deputy shall have no authority or competence except in case when he/she succeeds the mandate of elected candidate in line with Article 146 of this Law.

Article 140

(1) Mandates are allocated in each constituency in the following manner: For each political party and coalition, the total number of valid votes received by that political party or coalition shall be divided by 1, 3, 5, 7, 9, 11, et seq., as long as necessary for the allocation in question.

(2) The numbers resulting from this series of divisions shall be the “quotients”.

(3) The number of votes for an independent candidates is the quotient for that candidate.

(4) The quotients shall be arranged in order from the highest quotient to the lowest quotient.

(5) Mandates shall be distributed, in order, to the highest quotient until all the constituency mandates for the body have been distributed.

(6) Political parties, coalitions, lists of independent candidates and independent candidates cannot participate in the allocation of mandates if they do not win more than 3% of the total number of valid ballots in a constituency.

Article 141

Compensatory mandates shall be allocated in the following manner:

- 1) Only political parties and coalitions, which won more than 3% of the total number of valid ballots for which the compensatory list is made may take part in the distribution of compensatory mandates. First, the total number of mandates for the National Assembly to be allocated, reduced by the number of mandates won by independent candidates, is distributed according to the formula set forth in Article 140 of this Law.
- 2) From the number of mandates a list of a political party or coalition has won according to this procedure, the number of mandates won by the same party or coalition, according to the procedure set forth in Article 140 of this Law, is deducted. The remaining number is the number of compensatory mandates the list wins.
- 3) If a political party or coalition receives a negative number of mandates according to the procedure in sub-paragraph 2), the political party or coalition keeps the mandates won in the constituencies, but does not receive any compensatory mandates. In case one or more lists get a negative number of mandates, the mandates to be distributed according to the procedure of this article is decreased correspondingly to preserve the correct number of mandates in the National Assembly of Republika Srpska.

Article 142

(1) Compensatory mandates won by a political party or coalition according to Article 141 of this Law are allocated one by one to unelected candidates on the political party or coalition's list of candidates for compensatory mandates, beginning at the top of the list, until all mandates are distributed or until the list is exhausted.

(2) Unless each constituent people receives a minimum of four (4) mandates, the later compensatory mandate(s) shall be given to the candidate(s) of the relevant constituent people(s) from the compensatory list of the political party or coalition having received the highest number of votes and having eligible candidates of the relevant constituent people left on the list.

(3) If a political party or coalition does not have enough eligible candidates of the relevant constituent people on its compensatory list to fill the seats allocated to it, the mandate shall be transferred to the party or coalition's list having received the highest number of votes and having such candidates left on its compensatory list(s).

(4) If no candidate from the constituent people(s) can be found on any compensatory lists, the

seat(s) shall be transferred to the party or coalition's list having received the highest number of votes and having such candidates left on another list(s) in accordance with Article 144, paragraph (2) of this Law

Article 143

(1) Notwithstanding the provisions of Articles 141 and 86 of this Law, a political party or a coalition which does not have more candidates on the list of candidates for compensatory mandates but has won more mandates to be distributed, may, upon informing the Republic Election Commission within 48 hours and by using the prescribed form, submit a supplementary list of candidates for compensatory mandates as provided by Article 86, paragraph (2) of this Law.

(2) The procedure of submission of the supplementary list of candidates for compensatory mandates and the layout of the form referred to in paragraph (1) of this article shall be prescribed by the Republic Election Commission in a separate Instruction.

Article 144

(1) If a tie occurs because the quotients are identical in the distribution according to Articles 140, 141, and 142 of this Law, the mandate shall be allocated on the basis of the drawing of a lot.

(2) Mandates won by a list shall be distributed first amongst candidates on the list who individually received at least twenty percent (20%) of the total number of valid votes received by that list, these mandates being awarded in the order of the highest number of votes to the lowest number of votes.

(3) If there are still mandates to be distributed to a list and the candidates remaining are those who received less than twenty percent (20%) of the total valid votes received by that list, then distribution of the mandates among the remaining candidates from the list will be done according to their order on the list.

(4) If a political party or coalition does not have enough eligible candidates on the list to fill seats allocated to it, the mandate shall be transferred to the party or coalition's list in another constituency according to the procedure set forth in Article 141 of this Law.

Article 145

If the mandate of an elected independent candidate terminates, in accordance with Article 15 of this Law, the position shall remain vacant until the next regular elections.

Article 146

(1) If an elected political party or coalition candidate's mandate terminates in accordance with the provisions of Article 15 of this Law, then the mandate shall be given to the next candidate from the same constituency list in accordance with Article 144 paragraph (2) of this Law.

(2) A vacancy in a compensatory mandate shall be filled from the party's compensatory mandate list.

(3) If there are no more candidates on the same constituency list, then the mandate shall be given to the same political party or coalition's list in another constituency in accordance with Article 144 paragraph (3) of this Law.

(4) If there are no more candidates remaining on any list for the political party or coalition, then the mandate shall remain vacant until the next regularly scheduled elections.

Article 147

(1) When allocating mandates to fill the positions terminated in accordance with article 15 of this Law, a minimum representation of four (4) members of each constituent people shall be ensured.

(2) The following rules will apply and supersede the solutions specified in Articles 145 and 146 of this Law whenever the application of these articles would bring the representation of a Constituent people below the minimum spelled out in Article 135, paragraph (4) of this Law.

1) If the mandate of the elected independent candidate terminates, in accordance with Article 145 of this Law, the vacant position shall be filled by a candidate from the political party or coalition with the highest quotient in the same constituency, and which, in accordance with Article 144, paragraph (2) of this Law, still has qualified candidates on its list from the same constituent people as the independent candidate whose mandate has terminated.

1 If the political party or coalition does not have enough eligible candidates on the list in the same constituency to fill seats allocated to it, the mandate shall be transferred to the party or coalition's list having received the highest number of votes and having such candidates left on its list(s) in any other constituency in accordance with article 144, paragraph (2) of this Law.

2) If an elected political party or coalition candidate's mandate terminates, then the mandate shall be given to the next candidate from the same constituency list and belonging to the same constituent people as the original candidate in accordance with Article 144, paragraph (2) of this Law.

1. Should there be no more candidates on the same constituency list belonging to the same constituent people, then the mandate shall be given to the list of the same political party or coalition in another constituency that received the highest number of votes, in accordance with Article 144, paragraph (2) of this Law.

2. If there are no more candidates on any of the party or coalition's lists, then the mandate shall be given to the political party or coalition from the same constituency that received the highest number of votes and has eligible candidate(s) belonging to the same constituent people as the original candidate on its list, in accordance with Article 144, paragraph (2) of this Law.

3. Should there be no more candidates from the same constituency belonging to the same constituent people as the original candidate, then the mandate shall be given to the political party or coalition in any of the constituencies, that has received the highest number of votes and has eligible candidates belonging to that constituent people in accordance with Article 144, paragraph (2) of this Law.

3) If an elected political party or coalition candidate's compensatory mandate terminates, then the mandate shall be given to the candidate on the same compensatory mandate list who belongs to the same constituent people in accordance with Article 142 of this Law.

1. Should there be no more eligible candidates belonging to the same constituent people on

the same compensatory mandate list, then the mandate shall be given to the party or coalition that has received the highest number of votes and that has an eligible candidate belonging to the same constituent people on its compensatory mandate list. The mandate shall then be allocated in accordance with Article 142 of this Law.

CHAPTER NINE

ELECTION OF DELEGATES TO THE COUNCIL OF PEOPLES OF REPUBLIKA SRPSKA

Article 148

(1) The composition of the Council of Peoples is parity-based so that each constituent people shall have the same number of representatives.

(2) The Council of Peoples shall be composed of twenty eight (28) members, eight (8) from among each of the constituent peoples and four (4) representatives of Others.

Article 149

(1) The members of the Council of Peoples shall be elected by their respective caucus in the National Assembly, which shall be established only for that particular purpose by the criteria of ethnic affiliation of the caucus delegates.

(2) In the event that the number of members elected to one caucus of the Council of Peoples exceeds the number of the representatives of the respective caucus of the National Assembly, an additional number of members shall be elected by an *ad hoc* caucus to be established for that purpose from among all members of the appropriate constituent peoples or from among Others in the City/Municipal Assemblies in Republika Srpska.

Article 150

(1) Any political party represented in the caucuses of the their respective constituent peoples and the group of Others or any member of one of these caucuses, including the *ad hoc* members shall have the right to propose one or more candidates on the list for election of members of that relevant caucus.

(2) Any list may contain a number of candidates that is larger than the number of members to be elected.

(3) No delegate in the National Assembly or councillor of the City/Municipal Assembly may be a candidate.

(4) Each delegate in the National Assembly shall cast one vote for a list within his or her caucus.

(5) The vote shall be cast as a secret ballot.

Article 151

(1) The results of the votes shall be communicated to the Election Commission for the final allocation of seats.

(2) Mandates shall be distributed, one by one, to the lists or candidate with the highest quotients resulting from the proportional allocation formula provided for in Article 140 of this Law.

(3) When a list wins a mandate, the mandate shall be allocated from the top of the list.

Article 152

(1) If there is a vacancy due to death, resignation or permanent incapacitation of a delegate to the Council of Peoples in the Republika Srpska, then the vacancy shall be filled by the next eligible candidate on the same list as the delegate who died, resigned or is permanently incapacitated.

(2) If there are no remaining candidates on the list, the mandate shall be allocated to the non-elected candidate with the highest quotient from another list running as candidate for the appropriate constituent people or for the group of Others.

(3) In the event that several candidates have the same quotient, the lottery procedure shall be conducted by the Republic Electoral Commission to elect the candidates.

(4) If there is no candidate, new elections for the candidate from that constituent people shall be held, in accordance with Articles 149 and 150 of this Law.

Article 153

The election of delegates to the Council of Peoples of the Republika Srpska shall take place as soon as the National Assembly convenes but no later than a month after the validation of the results by the Republic Election Commission.

Article 154

(1) The mandate of a delegate to the Council of Peoples of the Republika Srpska shall be for four (4) years, provided that such mandate does not expire earlier.

(2) The mandate of the Council of Peoples shall terminate as a result of reduction of the mandate of the National Assembly or dissolution of the National Assembly.

CHAPTER TEN

ELECTION OF PRESIDENT AND VICE PRESIDENTS OF REPUBLIKA SRPSKA

Article 155

The President and two (2) Vice-Presidents of Republika Srpska shall be directly elected by the voters registered in the Voters Register in accordance with this Law.

Article 156

A voter registered in the Voters Register in accordance with this Law to vote for the President of the Republika Srpska may vote for one candidate only.

Article 157

The President and Vice Presidents of Republika Srpska shall be elected directly from the

candidate list for the President of Republika Srpska. The candidate who achieves the highest number of votes shall be elected as the President of Republika Srpska, while the Vice-Presidents of Republika Srpska shall be elected from among the candidates of other two constitutive peoples receiving the highest number of votes after the elected President of Republika Srpska.

Article 158

The mandate for the President and Vice Presidents of Republika Srpska shall be four (4) years.

CHAPTER ELEVEN

ELECTION OF DELEGATES TO THE HOUSE OF PEOPLES OF THE PARLIAMENTARY ASSEMBLY OF BIH FROM REPUBLIKA SRPSKA

Article 159

(1) The House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina shall consist of 15 Delegates, of whom one-third is from Republika Srpska (five Serbs).

(2) Delegates from Republika Srpska to the House of Peoples of the Parliamentary Assembly of BIH shall be elected by the National Assembly of the Republika Srpska.

(3) Bosniak and Croat delegates and delegates of the group of Others to the National Assembly shall participate in the process of electing the delegates to the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina from Republika Srpska.

(4) Delegates from Republika Srpska to the House of Peoples of the Parliamentary Assembly of BIH shall be elected immediately after the National Assembly of the Republika Srpska is inaugurated, but not later than within thirty (30) days upon the certification of the election results in accordance with this Law.

Article 160

(1) The delegates from Republika Srpska to the House of Peoples of the Parliamentary Assembly of BIH shall be elected in such a way that each political party or each delegate in the Republika Srpska National Assembly shall have right to nominate one or more candidates to the list from among Serb people to the House of Peoples of the Parliamentary Assembly of BIH.

(2) Each list may include more candidates than the number of delegates to be elected to the House of Peoples of the Parliamentary Assembly of BIH.

(3) Each delegate to the National Assembly shall cast one vote for a list of candidates for the election of delegates to the House of Peoples of the Parliamentary Assembly of BIH from Republika Srpska.

(4) The vote shall be cast as a secret ballot in accordance with this Law.

Article 161

(1) The election material and results of the vote referred to in Article 160 of this Law shall be delivered to the Central Election Commission of Bosnia and Herzegovina, through the Republic Election Commission, for verification and for the final allocation of mandates in accordance with the Election Law of Bosnia and Herzegovina.

(2) Mandates shall be allocated one by one according to the lists and in accordance with the

Election Law of Bosnia and Herzegovina.

(3) Mandates won shall be allocated in the order as contained in the list.

(4) In the event that the allocation of mandates results in a tie because the quotients are identical, a mandate shall be allocated by drawing a lot.

Article 162

(1) In the event that a vacant delegate position remains in the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina, this position shall be filled by the next qualified candidate of the same list which included the Delegate whose mandate has ceased.

(2) If there are no candidates remaining on the same list, the mandate shall be allocated to the candidate with the highest quotient on the other list.

(3) If there is no such candidate referred to in paragraph (2) of this article, the new elections shall be organized for the election of delegates in accordance with the provisions of this chapter.

CHAPTER TWELVE

ELECTION OF MUNICIPAL AUTHORITIES AND RECALL OF THE MUNICIPAL HEAD

Article 163

(1) Mandates for the Municipal Assemblies shall be allocated under the proportional representation system in accordance with the provisions of Article 140 of this Law.

(2) The mandate of the Municipal Assemblies shall be for four (4) years.

(3) The mandate of the Municipal Assemblies may be terminated even before the expiry of the term for which the assembly was elected, in accordance with the Law.

Article 164

(1) The number of the councillors of the Municipal Assemblies shall be as follows:

- 1) 11 councillors for the municipalities having up to 1,000 voters registered in the Voters Register;
- 2) 13 councillors for the municipalities having between 1,001 and 3,000 voters registered in the Voters Register;
- 3) 15 councillors for the municipalities having between 3,001 and 5,000 voters registered in the Voters Register;
- 4) 17 councillors for the municipalities having between 5,001 and 8,000 voters registered in the Voters Register;
- 5) 19 councillors for the municipalities having between 8,001 and 11,000 voters registered in the Voters Register;
- 6) 21 councillors for the municipalities having between 11,001 and 13,000 voters registered in the Voters Register;
- 7) 23 councillors for the municipalities having between 13,001 and 15,000 voters registered in the Voters Register;
- 8) 25 councillors for the municipalities having between 15,001 and 20,000 voters registered in the Voters Register;
- 9) 27 councillors for the municipalities having between 20,001 and 30,000 voters registered

- in the Voters Register;
- 10) 29 councillors for the municipalities having between 30,001 and 50,000 voters registered in the Voters Register;
- 11) 31 councillors for the city, i.e. municipalities having more than 50,000 voters registered in the Voters Register.

(2) According to paragraph (1) of this article, the number of councillors of the Municipal Assemblies shall be determined by the statute of the respective municipality.

(3) The Municipal Assembly shall, in the last year of the current mandate, reconsider and determine the number of councillor mandates for the forthcoming election circle, in accordance with the provisions of this Law.

Article 165

A political party, coalition, independent candidate, or list of independent candidates, certified by the Republic Election Commission, may stand for election for mandates allocated in accordance with the provisions of this Law.

Article 166

(1) The allocation of mandates for the Municipal Assembly shall be conducted in accordance with Article 140 of this Law.

(2) If a political party, coalition, or list of independent candidates is distributed mandates equal to the number of candidates on its list and there are still mandates to be distributed, then the remaining quotients of that political party, coalition, or list of independent candidates shall be ignored in distributing the remaining mandates.

(3) If an independent candidate wins a mandate, then the remaining quotients of that independent candidate shall be ignored in distributing the remaining mandates.

(4) If a tie occurs because the quotients are identical, the mandate shall be allocated on the basis of the drawing of a lot.

(5) The mandates for the Municipal Assembly that has won a list shall be distributed first amongst the candidates on the list who individually received at least ten percent (10%) of the total number of valid votes received by that list, these mandates being awarded in the order of the highest number of votes to the lowest number of votes.

(6) If there are still mandates referred to in paragraph (5) of this article that need to be distributed to a list and the candidates remaining are those who received less than ten percent (10%) of the total valid votes received by that list, then the distribution of the mandates among the remaining candidates from the list shall be done according to their order on the list.

Article 167

(1) If the mandate of a candidate from the list of a political party, coalition, or independent candidates terminates for the reasons referred to in Article 15 of this Law, then the mandate shall pass to the next candidate as set forth in Article 166 paragraph (5) and (6) of this Law.

(2) The Republic Election Commission shall carry out the redistribution of mandates according to the procedure set out under Article 140 of this Law.

Article 168

(1) The Municipal Head shall be elected by citizens in the general and direct elections for a term of four years.

(2) The candidate who has received the highest number of votes from the voters who participated in the elections shall be elected as the Municipal Head.

Article 169

(1) An individual may be elected as the Municipal Head in accordance with Article 8 of this Law.

(2) The term of office for the Municipal Head shall commence on the day when his/her mandate is verified by the Republic Election Commission.

(3) In the event that the term of office for an elected Municipal Head has terminated as provided by Article 15 of this Law, the Municipal Head shall each be elected in accordance with this Law.

Article 170

(1) The mandate of a Municipal Head may be terminated by dismissal.

(2) The procedure of the Head's dismissal may be initiated for one of the following reasons:

- 1) If he/she fails to ensure the implementation of laws, other regulations and general acts;
- 2) If he/she fails to ensure the implementation of the strategic documents of relevance for the Republic;
- 3) If he/she fails to implement the decisions of the Municipal Assembly and strategic development documents of the municipality;
- 4) If a material damage has been caused to the municipality due to enactment or failure to enact the acts falling within the Head's competence;
- 5) If he/she fails to submit the operation report to the Assembly;
- 6) If he/she fails to propose the budget of the Municipality within the time limits set forth in the law.

(3) The initiative for the dismissal of the Municipal Head may be launched by one-third of the councillors or 10% of the voters registered in the municipal Voters Register.

(4) The initiative for the dismissal of the Head has to be explained.

(5) The Municipal Assembly shall be bound to include all initiatives for the dismissal of the Municipal Head on the agenda.

(6) The Municipal Assembly shall make the decision to initiate the Head's dismissal by a majority vote of the councillors.

(7) The funds required in order to conduct the procedure for the Head's dismissal shall be raised in the municipal budget.

Article 171

(1) The dismissal procedure shall be conducted within 30 days following the day when the decision to initiate the procedure of Head's dismissal has entered into force.

(2) The citizens shall decide in the dismissal procedure by a direct secret ballot.

(3) The Head shall be dismissed. i.e. the mandate of the Head shall be terminated if more than 50% of the total number of valid ballots have been cast in favour of his/her dismissal.

(4) If the Municipal Head is not dismissed, the procedure of repeated dismissal cannot be initiated before the expiry of the deadline of one year from the day the voters have declared their will regarding his/her dismissal.

Article 172

(1) With decision to initiate the procedure for the dismissal of the Municipal Head, the following facts shall be established:

- 1) The issue about which the citizens shall declare their opinion in the dismissal procedure;
- 2) Date of voting; and
- 3) Funds required to be raised in order to conduct the dismissal procedure.

(2) Simultaneously with making the decision to initiate the dismissal procedure, the Municipal Assembly shall appoint a commission in charge of conducting the procedure for the dismissal of the Municipal Head (hereinafter: the Commission).

(3) The Commission shall have three, five or seven members, of whom one shall be the chairperson.

(4) The Chairperson and Commission members shall have deputies.

(5) The number of the Commission members shall be equal to the number of members of the Municipal Election Commission and the members of the Municipal Election Commission may be appointed as its members.

(6) Persons who meet the requirements for appointment of the members of the City/Municipal Election Commission under Article 35 of this Law shall be appointed as the President and Commission members.

Article 173

The Commission shall fulfil the following tasks:

- 1) Ensure the lawful conduct of the Municipal Head dismissal procedure;
- 2) Designate the polling stations for declaration of citizens' opinion about the dismissal of the Municipal Head;
- 3) Ensure the voting material and forward it to the polling station committees;
- 4) Designate the polling stations;
- 5) Appoint and train the members of the polling station committees and ensure their proper operation;
- 6) Inform the voters on all issues pertaining to the conduct of dismissal procedure;
- 7) Be responsible for technical arrangements at the polling stations and other technical preparations concerning the dismissal procedure;
- 8) Be responsible for proper counting of ballots;
- 9) Consolidate the election results from all polling stations;

- 10) Make and submit the report to the Municipal Assembly on results of the citizens' declaration concerning the dismissal of the Municipal Head;
- 11) Provide the Municipal Assembly with the following voting materials: ballots (valid, invalid and unused), posters, audio and video records pertaining to informing the voters about the dismissal, review of polling stations, delivery slips or other appropriate evidence concerning the forwarded registered mail to the voters casting ballot by mail and extracts from the final Voters Register; and
- 12) perform all other tasks as authorised by this Law and bylaws of the Republic Election Commission.

Article 174

(1) No later than 15 days following the date when the citizens have declared their opinion about the dismissal of the Municipal Head, the Commission shall be required to provide the Municipal Assembly and the Republic Election Commission with a report and polling materials referred to in Article 173, sub-paragraphs 10) and 11) of this Law.

(2) The Republic Election Commission shall consider the Commission report and the polling materials referred to in paragraph (1) of this article, for the purpose of verifying the legality of the entire dismissal procedure, no later than within seven (7) days after the day of receiving the report and polling materials, regardless of whether the Municipal Assembly has considered and/or adopted the Commission report.

(3) In the event that the Municipal Head has not been dismissed, the Republic Election Commission shall submit a report on the conducted dismissal procedure to the Republika Srpska Government, no later than seven days after the day of verifying the legality of the entire dismissal procedure.

(4) Based on the submitted report referred to in paragraph (3) of this article, the Republika Srpska Government shall propose a decision on the dissolution of the Municipality Assembly and submit it to the Republika Srpska National Assembly for decision.

(5) In the event that the Municipal Head has been dismissed, the Republic Election Commission shall order the termination of the mandate for the Municipal Head in accordance with this Law.

Article 175

(1) In the event that the mandate of a Municipal Head has been terminated as a result of dismissal, the Republic Election Commission shall make a decision to announce early elections, in accordance with Law.

(2) The decision to announce the early elections shall set the exact date when the elections will be held.

(3) Early elections shall be held within 90 days of termination of the Municipal Head's mandate, in accordance with the Law.

(4) The term of office for the Municipal Head elected in early elections shall last until such time as the current mandate of the authority elected in the regular elections has ended.

CHAPTER THIRTEEN

ELECTION OF CITY AUTHORITIES AND THE DISMISSAL OF CITY MAYOR

Article 176

- (1) The City Assembly shall be made of 31 councillors.
- (2) The City Assembly shall be appointed for a four-year term of office.

Article 177

In the cities which do not consist of more than one municipality, the election of the City Assembly councillors and the election/dismissal of the City Mayor shall be conducted in the manner and according to procedure provided for by this Law with regard to the election of Municipal Assembly councillors, and the election/dismissal of the Municipal Head.

Article 178

- (1) In the cities consisting of more than one municipality, the Municipal Assemblies shall elect the councillors to the City Assembly in accordance with provisions of this Law.
- (2) The election of the councillors to the City Assembly shall be carried out within 15 days following the date of inauguration of the Municipal Assembly.
- (3) Mandates for the City Assembly shall be allocated to candidate lists according to the system of proportional representation of political parties, coalitions, lists of independent candidates or groups of members in accordance with Article 166 of this Law.
- (4) Distribution of mandates amongst the candidates from the same list shall be done according to the order on the list of candidates for this election.

Article 179

The municipal assemblies referred to in Article 178 of this Law shall elect the following number of councillors to the city assembly:

1. Municipal assemblies with 11, 13 or 15 councillors shall elect three councillors;
2. Municipal assemblies with 17 or 19 councillors shall elect five councillors;
3. Municipal assemblies with 21 or 23 councillors shall elect six councillors;
4. Municipal assemblies with 25 and more councillors shall elect eight councillors.

Article 180

(1) In the cities consisting of more than one municipality, the election and dismissal of the City Mayor shall be carried out in the manner and under the procedure prescribed by the provisions of this Law governing the matters of relevance for the Municipal Heads.

(2) The City Mayor referred to in paragraph (1) of this article shall be elected by the voters registered in the Voters Register of municipalities that comprise the respective City.

Article 181

The provisions of Article 179 of this Law shall be applicable to the election of the Speaker of the City Assembly.

CHAPTER FOURTEEN

PARTICIPATION OF MEMBERS OF NATIONAL MINORITIES IN THE ELECTIONS FOR THE LOCAL LEVEL

Article 182

(1) Members of national minorities shall be entitled to representation in the City/Municipal Assembly in proportion to the percentage of their share in the total population according to the last Population Census.

(2) The number of the members of national minorities who are elected directly to the City/Municipal Assembly shall be defined by the Statute of the particular City/Municipality as appropriate, and in that connection the members of all national minorities which make up more than 3% in the total number of population of the particular constituency according to the last Population Census, shall be guaranteed the minimum of one seat.

(3) In order to certify the participation in the elections for filling the mandates guaranteed to the members of national minorities in the City/Municipal Assembly, the political parties and independent candidates shall submit the application for participation in the elections for the City/Municipal Assembly, in accordance with the provisions of this Law.

(4) The following parties shall also be eligible to apply to participate in the elections in order to fill the guaranteed mandates for the members of national minorities:

- 1) A registered association or other registered organized form of activity of the national minorities; and
- 2) A group consisting of at least 40 citizens who have the right to vote at minimum, who submit the names of candidates along with the application to participate in the elections.

(5) The candidates nominated by an association or other registered organized form of activity of national minorities or by a group of minimum 40 citizens, who have the right to vote, shall have the status of independent candidate.

(6) Political parties, political party coalitions, national minority associations as well as other registered organized form of activities of the national minorities and the group with minimum 40 citizens who have the right to vote may nominate at most as many candidates as there are representatives of the national minorities being elected in this constituency.

Article 183

(1) Once each candidate's nomination has been certified, the Republic Election Commission shall establish a final special list of candidates, members of national minorities, for the City/Municipal Assembly as appropriate.

(2) Only the candidate whose name is on the special list of candidates representing national minorities nominated as provided by this article 182 of this Law may be elected as representative of

a national minority.

(3) The special list of candidates members of national minorities referred to in paragraph (1) of this article shall appear on the ballot following the list of other political entities whose candidate lists are standing for the regular mandates for the City/Municipal Assembly.

(4) The order of the candidates on the special list referred to in paragraph (3) of this article shall be established by drawing lots in the way and in the procedure established by the Republic Election Commission.

(5) A voter shall have only one vote.

(6) In case a voter decides to vote for the special list of the candidates who are members of national minorities, the voter shall vote by marking the name of only one candidate on the special list of candidates who are members of national minorities.

(7) The candidate with the highest number of votes on the special list of candidates members of national minorities shall be elected as representative of a national minority.

(8) In the City/Municipal Assembly, where more than one mandate is to be allocated, the mandates shall be allocated to those candidates with the next highest number of votes according to the number of valid votes won.

Article 184

(1) Provisions of Article 140, paragraph (6) of this Law shall not be applicable when allocating the mandates for the lists of members of national minorities for the City/Municipal Assembly as appropriate.

(2) When allocating the mandates, the first allocation of mandates shall be the allocation of mandates guaranteed to the representatives of national minorities, and then the regular mandates referred to in Article 140 of this Law.

(3) In the event that two candidates on the special list of candidates members of national minorities win equal number of valid votes, the mandate shall be allocated by drawing lots to be organized by the Republic Election Commission.

(4) In the event that the mandate has not been allocated to a member of a national minority, the mandate shall remain vacant.

(5) In the event that the mandate for an elected holder of mandate referred to in Article 182, paragraph (6) of this Law has terminated as provided by Article 15 of this Law, the substitute mandate shall be allocated to the candidate with next highest number of valid votes received on the special list of candidates members of national minorities.

(6) If the list is exhausted, the mandate shall remain vacant.

(6) The general provisions of this Law shall be applicable in respect of the matters that are otherwise not regulated by Articles 182 through 184 of this Law. .

CHAPTER FIFTEEN

ELECTION OF THE LOCAL COMMUNITY COUNCILS

Article 185

- (1) The local community shall have a Council.
- (2) The term of office for the Council shall be four years.
- (3) The number of Council members shall be:
 - 1) for local communities with up to 1,000 registered voters – five members;
 - 2) for local communities between 1,001 and 5,000 registered voters – seven members;
 - 3) for local communities between 5,001 and 10,000 registered voters – nine members; and
 - 4) for local communities with over 10,000 registered voters – eleven members.

Article 186

- (1) The assembly of a City/Municipality shall adopt a decision to announce the elections to appoint the Council members.
- (2) Elections for members of the Council shall be conducted no later than 90 days following the inauguration of local authorities.
- (3) The term *inauguration* referred to in paragraph (2) of this article shall mean the election of the President of the City/Municipal Assembly.
- (4) The Council members shall be elected at an assembly of citizens by secret ballot.
- (5) Members of the Council shall be elected by the voters registered in the Voters Register who have taken permanent residence in the territory of the local community.

Article 187

- (1) The Statute of a City/Municipality shall determine the required number of citizens present at the assembly of citizens for the election of the Council members.
- (2) The candidates who have received the highest number of votes from the voters voting at the assembly of citizens for the election of Council members shall be elected as members of the Council.

Article 188

- (1) Elections for members of the Council shall be conducted in accordance with Articles 185, 186 and 187 of this Law and the decision taken by the City/Municipal Assembly.
- (2) The decision referred to in (1) of this article shall regulate the procedure of organization and implementation of elections for members of the Council, including the matters of relevance for convening and constituting the Council.

CHAPTER SIXTEEN REPEATED, POSTPONED, AND EARLY ELECTIONS

Article 189

Repeated elections shall be conducted by using the candidate lists and the excerpts from the Voters Register which were used in the annulled elections and shall be conducted on a date and at a Polling Station designated by the Republic Election Commission, which shall be no later than fourteen (14) days from the date when the decision of the Republic Election Commission to invalidate the elections has become final and binding.

Article 190

(1) The decision to postpone the elections at a particular polling station or constituency shall be issued by the Republic Election Commission on the basis of facts indicating that the elections are not possible to be conducted in accordance with the provisions of this Law.

(2) Postponed elections shall be conducted if, in a constituency or at a Polling Station, the voting did not take place on the day designated for voting.

(3) Postponed elections shall be scheduled by the Republic Election Commission.

(4) Postponed elections shall, as a rule, be conducted within seven (7) days, and no later than thirty (30) days, from the day designated for voting in the regular elections.

Article 191

(1) In the event that an elected body is dissolved, or that its mandate has ceased, in accordance with the Constitution and Law, the Republic Election Commission shall make a decision to announce early elections, establishing the exact date of the elections therein.

(2) Early elections shall be held within 90 days of the dissolution of the elected body and/or the cessation of its mandate in accordance with the Constitution and Law.

(3) From the date of the announcement of early elections to the date of holding of the elections no less than 30 and no more than 90 days may pass.

(4) Terms of office of the members of the body elected in early elections shall last until the mandate of the body elected in the regular elections has expired.

(5) The Republic Election Commission shall conduct early elections in the manner and through the procedure prescribed by this Law for the conduct of regular elections.

(6) The Republic Election Commission shall adopt a rulebook in order to specify time-table (calendar) of election activities required for holding of elections, in accordance with the provisions of this Law.

Article 192

Notwithstanding the provisions of Article 234, paragraphs (1) and (2) of this Law, for the purpose of early elections for the City/Municipal Assembly, Municipal Head/City Mayor, the voters registered in the excerpt of the Voters Register to vote in absentia shall exercise their voting right in person in the City/Municipality of their permanent residence as recorded in the last Population Census.

CHAPTER SEVENTEEN

FINANCING ELECTION CAMPAIGNS

Article 193

(1) A political party and independent candidate that participates in the elections for bodies of authority at the Republic and local levels shall be required to file with the Republic Election Commission, at the time of submission of the application for certification to participate in the elections a financial report for the period beginning three months prior to the date of submission.

(2) No later than thirty (30) days after the election results are published in the Republika Srpska Official Gazette, a financial report shall also be submitted for the period beginning on the day of submission of the application for certification until the certification of the results.

(3) The financial report referred to in paragraph (2) of this article shall contain the following:

- 1) All cash at hand;
- 2) All income and disbursements based on: memberships; transparent; contributions from abroad; contributions from individual and legal entities; contributions in the form of goods and services (hereinafter referred to as “in-kind contributions”); returns on its own assets and entrepreneurial activities in accordance with provisions of a law governing the matters of political party financing; credits; loans; donations; rebates; refunds; other operating expenditures; and other sources for the reporting period as determined by the Republic Election Commission;
- 3) Identification of the person or source of any payment and in-kind contribution, as well as the identification of a person who received that payment, in excess of one hundred (100.00) convertible marks, together with the date and amount of any such receipt;
- 4) The total amount of all account payables and total amount of disbursements in the following categories: costs for printing and distribution of posters, printing costs for pre-election announcements, statements and so on, in the public media, organizational and operational costs for organizing rallies, costs for printing, reproducing and delivering pre-election materials directly to voters; and
- 5) the amount and nature of outstanding debts and obligations owed by or to the person who files a report and where such debts and obligations are settled for less than their reported amount or value, a statement as to the circumstances and conditions under which such debts or obligations were extinguished.

(4) The application for participation in the elections filed by a political party and an independent candidate shall not be certified if the political party and the independent candidate have failed to submit the financial report for the period commencing three months prior to the start of the period designated for submission of the application for certification.

Article 194

(1) The Republic Election Commission shall adopt instructions regulating in greater detail the content, format, method and other details of reporting.

(2) All persons who are required to file reports must also file such additional reports as required by the Republic Election Commission or by the law governing the matters of political party financing.

Article 195

(1) Every political entity shall appoint an authorized person who shall be in charge of filing reports and record-keeping, and who shall be authorized to receive communications from the Republic Election Commission.

(2) Those who file reports shall inform the Republic Election Commission about appointing the authorized person referred to in paragraph (1) of this article within three (3) days of his or her appointment, and must inform the Republic Election Commission within three (3) days in case of any changes to his or her status.

(3) The authorized person shall sign each such report and shall be responsible for keeping records that support the reports, and must make such reports available to the Republic Election Commission upon request.

Article 196

An independent candidate shall be directly responsible for filing reports with the Republic Election Commission.

Article 197

The Republic Election Commission shall enable public access to all reports, and shall take appropriate actions to ensure that all citizens have easy access to information contained within the reports.

Article 198

(1) The Republic Election Commission shall investigate instances of non-compliance with the provisions of Articles 193 through 202, and may request from certain individuals to answer written questions, to provide evidence, and to provide testimony in connection with the procedure initiated by the Republic Election Commission may initiate.

(2) The Republic Election Commission may initiate investigation or take appropriate implementing actions, on its own initiative or in response to a complaint filed by a person.

(3) The Republic Election Commission shall make determinations as to whether a political party, coalition, list of independent candidates or an independent candidate, or any other person has violated provisions of Articles 193 through 202 of this Law, and it shall assess civil penalties against any political party, coalition, list of independent candidates or independent candidate for non-compliance with the mentioned provisions, or to take appropriate action within its general authority under this law.

(4) Before imposing a civil penalty or taking action, the Republic Election Commission shall seek to ensure that the political party, coalition, list of independent candidates or independent candidate that are found to be in violation of the provisions of Articles 193 through 202 of this Law voluntarily comply with these provisions.

Article 199

(1) The candidates elected at the Republic and local levels of authority shall be required to submit to the Republic Election Commission, on a prescribed form, a signed statement on his or her total property situation, containing:

- 1) current income and sources of income, including all incomes, wages, profit from property, contributions as defined in Article 193 of this Law, account receivables and other incomes realised in Republika Srpska and/or Bosnia and Herzegovina and abroad for a period of the past calendar year;
- 2) property, including money, bank accounts, business documentation, shares, securities, bonds, real property, personal property, occupancy right and other property and possessions which exceed five thousand (5,000) convertible marks, in Republika Srpska and/or Bosnia and Herzegovina and abroad; and
- 3) disbursements and other liabilities, including all debts, liabilities, promissory notes, loans and guarantees of such liabilities in Republika Srpska and/or Bosnia and Herzegovina and abroad.

(2) The statement referred to in paragraph (1) of this article should include the property situation of the candidates and close members of his or her family: spouse, children and members of the family household whom it is the candidate's legal obligation to sustain.

Article 200

(1) All candidates elected at the Republic and local levels of authority shall be required to submit to the Republic Election Commission, within thirty (30) days from the publication of the verification of mandates in the Republika Srpska Official Gazette, a signed statement of their property situation referred to in Article 199 of this Law on a special form.

(2) Candidates elected to a body of authority at the Republic and local levels shall be required to submit a statement of their property situation to the Republic Election Commission 30 days after to the expiration of the mandate for which they have been elected, as well as in the case of cessation of the mandate in the context of the provisions of Article 15, paragraph (1), sub-paragraphs 1), 3), 5), 6) and 7) of this Law, within 30 days from the cessation of the mandate.

(3) The Republic Election Commission shall issue instructions to regulate the format and the manner of filling out of necessary forms as described by paragraph (1) of this article and Article 199 of this Law.

Article 201

(1) The Republic Election Commission shall make the forms containing the statements on total property situation available to the public.

(2) The Republic Election Commission shall not be responsible for accuracy of data or complaints regarding the information contained in the forms.

Article 202

(1) The Republic Commission shall announce the number of voters for each constituency within seven days of the day of completion of the Voters Register.

(2) The number of voters for each constituency shall serve as a basis to determine a maximum amount that a political entity shall be allowed to spend for financing the election campaign.

(3) The maximum amount allowed to be spent for financing the election campaign shall represent a result of the multiplication of the number of voters in all constituencies in which the political entity referred to in paragraph (1) of this article has a list of candidates by:

- 1) 0.60 KM for the elections of City Mayors/Municipal Heads and members of City/Municipal Assemblies;
- 2) 0.60 KM for the elections of members of the Republika Srpska National Assembly; and
- 3) 0.60 KM for the elections of President and Vice-Presidents of the Republika Srpska.

(4) For the elections referred to in paragraph (2), sub-paragraph 1) of this article, in the municipalities with less than 3,000 voters recorded in the Voters Register, it shall be considered that 3,000 voters are registered.

(5) In the event that the elections are repeated in a constituency, or in the Polling Station, the costs of the election campaign per voter can increase by up to 30% of the costs of the elections annulled in the constituency or the polling.

CHAPTER EIGHTEEN

MEDIA IN THE ELECTION CAMPAIGN

Article 203

The media in Republika Srpska shall cover the election activities in a just, professional and competent manner, consistently respecting the journalists code of conduct and generally accepted democratic rules and principles, especially the basic principle of freedom of expression.

Article 204

Electronic media shall cover the pre-election activities and observe the principle of balance, fairness and impartiality.

Article 205

(1) In broadcasts of the electronic media, no political entity shall have a privileged position with respect to another political entity.

(2) Officials at the Republic and local levels of authority who participate in the elections as candidates must not enjoy a privileged position with respect to other participants in the electoral process.

(3) Informing on regular activities of officials at the Republic and local levels of authority is allowed within information programs of electronic media, with no reference to their candidacy for the elections or their party membership, whenever the information is about the activities that fall within the scope of activities of the body they represent as set forth by the Law.

Article 206

Electronic media shall pay special attention to respect the principles of balance, fairness and impartiality in information programs, especially in news, interviews and discussions on important political issues, such as round tables and similar, which thematically do not directly concern the election activities of political entities, but which could influence the opinion of voters.

Article 207

(1) The media shall clearly disclose to the public the following information during the period of releasing the results of a public opinion survey:

- a) Name of the institution or person that ordered and paid the survey,
- b) Name and the seat of the institution that conducted the survey,
- c) Size of the sample and a possible tolerance in the survey results,
- d) The period in which the survey was conducted.

(2) Results of a telephone public opinion research or street poll conducted among voters during the campaign shall not be presented as a reliable or trustful opinion of a particular social group, which must be particularly emphasized by the media that conducts the survey and announces results.

Article 208

Journalists and moderators in the electronic media must not express their possible party membership or affiliation in regular or special programs.

Article 209

The order of appearance for direct address by political entities in special programs shall be established by drawing a lot prior to the campaign, in the presence of representatives of political entities.

Article 210

(1) The electronic media shall inform all political entities of the timings for their participation in special programs.

(2) Once established the timings must not be changed, and failure of a political entity to show up shall be considered as voluntarily giving up of the election campaign presentation in the electronic media.

Article 211

(1) The public electronic media shall broadcast radio and TV promotionals entire statements and information by the Republic Election Commission free of charge for the purpose of informing voters about all aspects of the electoral process.

(2) If the public electronic media refuse to act in accordance with paragraph (1) of this article, the Republic Election Commission shall file a report with a competent regulatory authority for competent action.

Article 212

Results of public opinion research related to the voting and elections shall not be released during the period beginning 48 hours prior to the opening of Polling Stations and until the close of polling stations.

Article 213

(1) No media coverage of any political and electoral campaign activity shall take place in the

whole territory of Republika Srpska and/or Bosnia and Herzegovina during the period beginning twenty-four (24) hours prior to the opening of the Polling Stations.

(2) The campaign silence period shall continue until the close of Polling Stations.

Article 214

(1) The electronic media shall provide equal conditions for paid political advertisements of political entities (commercials, public calls, jingles, video-clips and any other type of promotion of a political entity) in the period of 30 days prior to the election day.

(2) The electronic media shall ensure that paid political advertisements are clearly separated from the rest of the program and shall not be counted within the limit on the allowed time for commercials set by the competent regulatory authority.

(3) The electronic media shall receive orders for paid political advertisements directly from political entities or through the legal or private persons so authorised by the political entities.

(4) Orders including the contents of advertisements shall be delivered to the electronic media not later than 48 hours prior to broadcasting.

(5) Advertisements shall be paid in advance and the prices of political advertisements must not be higher than the prices in the existing marketing price-list of the given media.

Article 215

The electronic media shall have the right to refuse to broadcast a political advertisement in case that:

- 1) the advertisement has not been properly ordered in a written form;
- 2) the advertisement does not meet technical and professional standards which are clearly identified and of which the political entity has been duly informed; and
- 3) the advertisement or the content thereof violates the Constitution or laws of Republika Srpska.

Article 216

(1) The public electronic media shall present political entities in an equal and fair manner and shall inform the public of all issues related to the campaign and the election process during 30 days prior to the Election Day.

(2) The public electronic media shall provide free broadcast time for direct access by political entities during 30 days prior to the Election Day.

(3) No conduct of a paid election campaign shall be allowed by way of electronic and printed media, or any form of paid public advertising, except for the holding of internal gatherings of authorities and statutory bodies of the political entities, within the period between the day when elections are announced and the day of official start of the election campaign.

(4) No conduct of an election campaign shall be allowed by way of electronic and printed media where the contents are stereotype and offensive against men and/or women or which encourages any stereotype and offensive behaviour on the grounds of gender or any humiliating attitude against the members of different genders.

(5) The instructions of the Republic Election Commission shall determine the amount of broadcast time to be allocated to the political entities, the broadcast time and duration of the broadcast, as well as the geographic regions covered by the broadcasts.

(6) The public electronic media shall provide equal conditions for paid political advertisements of political parties in the duration of maximum 30 minutes per week during 30 days prior to the election day.

Article 217

(1) The private electronic media shall provide equal conditions for paid political advertisements of political entities in the duration of maximum 60 minutes per week during 30 days prior to the election day.

(2) The private electronic media may provide free broadcast time for direct access by political parties, during 30 days prior to the Election Day, but under equal conditions applicable to all.

(3) At the written request, the body competent to regulate the work of the electronic media may exempt specific private electronic media from application of this article.

(4) The private electronic media broadcasting its own information and political program or relaying a program received from another media shall not be subject to the provisions of paragraph (3) of this article.

Article 218

(1) The body regulating the work of the electronic media that is responsible to implement laws and regulations related to media, shall be competent in all cases of violation of the provisions governing the media concerning elections as established by this Law and other laws governing the work of the media.

(2) The Republic Election Commission shall be competent to decide complaints filed by political entities about any violations of the provisions of Articles 203 through 218 of this Law.

Article 219

The political entities shall refer to an authority in charge of press-related matters with their complaints of a content in the printed media concerning coverage of the electoral campaign.

Article 220

The Republic Election Commission shall issue instructions in order to regulate the participation of public media in the campaign.

CHAPTER NINETEEN ELECTION OBSERVERS

Article 221

(1) Representatives of international observers, associations of citizens, political parties,

coalitions, lists of independent candidates and independent candidates (hereinafter “observers”) may observe all electoral activities in Republika Srpska provided that they are accredited in accordance with this Law.

(2) Observers shall have access to relevant documents and public election commission meetings, shall be free to contact any person at any time during the entire period of the electoral process, and shall have access to all Voter Registration Centres, Polling Stations, Counting Centres, and other relevant locations as specified by the Republic Election Commission

Article 222

(1) Observers shall not in any way interfere with electoral activities and they shall respect the secrecy of the voting.

(2) An observer may have only 1 representative at the same time at a public election commission meeting, Voter Registration Centre, Counting Centre, Polling Station, or any other relevant location, as specified by the Republic Election Commission.

(3) International observers shall not be subject to the limitation of the number of observers referred to in paragraph (1) of this article.

(4) Observers, while observing electoral activities, shall wear official accreditation identification and an observer shall not wear or carry any insignia or mark that identifies him or her with a particular political party, coalition, list of independent candidates or independent candidate.

Article 223

(1) The Republic Election Commission shall accredit and issue accreditation identification for International Observers.

(2) The Republic Election Commission shall adopt a rulebook in order to determine the criteria and the application process for the accreditation of international observers.

Article 224

(1) The Republic Election Commission shall accredit and issue accreditation identification to associations of citizens.

(2) The Republic Election Commission shall adopt a rulebook in order to determine the criteria for accreditation of the associations of citizens and the distribution of accreditation identification.

(3) The application for accreditation referred to in paragraph (1) of this article shall include:

1. a signed statement by the authorised person of the association of citizens that the association is not established or sponsored by or engaged in any activities on behalf of a registered political party, coalition, list of independent candidates or independent candidate; and
2. the personal name, valid ID card number, national identification number (JMBG) of the nominated observer.

(4) In the event that the Republic Election Commission has found that an association of

citizens is established and sponsored by a certified political party or that it is involved in any activities on behalf of the certified political party, the Republic Election Commission shall refuse to issue the accreditation identification to that association.

Article 225

(1) The competent election commission shall accredit a registered political party, coalition, list of independent candidates or independent candidate to act as observers in the constituency in which the political party, coalition, list of independent candidates or independent candidate has registered to stand for office.

(2) The Republic Election Commission shall accredit observers who will observe the work of the Republic Election Commission and the Republic Counting Centre.

(3) A City/Municipal Election Commission shall accredit observers who will observe the work of the City/Municipal Election Commission, Voter Registration Centres, Polling Stations, and any other relevant location in its jurisdiction.

(4) The political party, coalition, list of independent candidates or independent candidate shall submit the names, numbers of valid ID Cards and uniform personal identification numbers of the nominated observers to the competent election commission.

Article 226

The Republic Election Commission shall adopt instructions concerning the accreditation identification's design, and the manner that it is to be used by the observer.

Article 227

The final deadline for submission of an application for accreditation of observers shall be established by the Republic Election Commission, and the deadline concerning requests for the accreditation of observers.

Article 228

An observer who has been denied accreditation by a City/Municipal Election Commission may within three (3) days from the day of receipt of the decision file a complaint with the Republic Election Commission, which will resolve it within seven (7) days after the complaint is received.

Article 229

(1) An observer may submit a substantiated objection, in writing, to the work of the bodies responsible for the conduct of elections as established by this Law, which shall be enclosed to the record on the work of said body responsible for the conduct of elections, on the basis of which a political entity may submit a complaint to the competent body.

(2) The observer shall have the right to request a copy of the record on the work of the body responsible for the conduct of elections whose work she/he has observed.

Article 230

The body issuing accreditation to an accredited observer may revoke his/her status of an observer and cancel the accreditation because of a violation of the provision of Article 222, paragraphs (1) and (4) of this Law.

CHAPTER TWENTY – PENALTY PROVISIONS

Article 231

(1) A fine in the amount between BAM 200.00 and BAM 1,000.00 shall be imposed for a violation on those employed or hired in the election administration, if :

1. if he/she participates in the decision which may raise doubt as to his/her ability to act impartially [Article 20, paragraph (2)];
2. if he/she fails to designate polling stations in the territory of the municipality for voting at both levels of authorities in Republika Srpska [Article 36 sub-paragraph 2)];
3. if he/she fails to take care of safety and delivery of the election materials for voting at both levels of the elections in Republika Srpska [Article 36 sub-paragraph 4)];
4. if he/she fails to notify voters of all information necessary for the administration of elections in line with the rulebook of the Republic Election Commission [Article 36, sub-paragraph 5)];
5. if he/she conducts the counting of ballots at the polling stations and in the City/Municipal counting centres in an inappropriate manner [Article 36, sub-paragraph 7)];
6. if he/she appoints the president and members of the polling station committees and their deputies in contravention to Article 42, paragraph (3);
7. if he/she fails to update data in line with the changes in the number of voters and regulations of the Republic Election Commission [Article 53, paragraph (3) sub-paragraph 2)];
8. if he/she fails to provide access to the excerpt from the Voters Register in the territory of its City/Municipality [Article 53, paragraph (3) sub-paragraph 3)];
9. if he/she fails to provide data for the Voters List as stipulated by the regulations of the Republic Election Commission [Article 53, paragraph (3) sub-paragraph 4)];
10. if he/she fails to keep the records of requests and appeals and fails to keep the supporting documentation [Article 53, paragraph (4)];
11. if he/she fails to deliver the list of the polling stations locations [Article 88, paragraph (3)];
12. if he/she fails to provide for security of the election material for voting [Article 90, paragraph (3)];

13. if he/she is not present during the entire process of voting without justified cause, including the determination of voting results (Article 92);

14. if he/she fails to assign duties to the members of the Polling Station Committee [Article 93, paragraph (2)];

15. if the Poll Book on the operation of the polling committee does not contain the information stipulated by this Law (Article 94);

16. if he/she fails to explain to the voters the manner of voting and fails to secure secrecy of the voting [Article 98, paragraph (1)];

17. if he/she fails to verify the identity of the voter and his/her signature in the excerpt from the Voters Register in accordance with this Law [Article 100, paragraphs (1) and (2)];

18. if he/she issues ballot(s) contrary to the regulations governing the issuance of ballot [Article 101, paragraph (1) and Article 102, paragraph (1)];

19. if he/she helps individuals with voting in the manner which is not in accordance with this Law [Article 106, paragraph (2)];

20. if the forms have been filled contrary to Article 112; or

21. if the data of the consolidated summary of voting results for the City/Municipality are not in accordance with Article 114.

(2) For the violations referred to in paragraph (1) sub-paragraphs 1), 12), 13), 14), 15), 16), 17), 18), 19) and 20) of this article, the members of the Polling Station Committee shall be fined in an amount ranging from BAM 300.00 KM and BAM 3,000.00.

Article 232

(1) A political entity shall be fined for a violation in an amount ranging between BAM 1,000.00 and BAM 10,000.00, if:

1. if it fails to submit changes of data within ten (10) days [Article 84, paragraph (2)];
2. if it removes, covers up, damages or alters printed notices, placards, posters or other materials which are used, in accordance with law, for purposes of the election campaign of political parties, coalitions, lists of independent candidates or independent candidates [Article 131, paragraph (2)];
3. if it displays a notice, placard or a poster, or places its name or slogan related to the election campaign, in or on the building of a government authority at any level, public enterprise, public institution or a local community, or on a religious facility, on a public road or in a public area, except for the places designated for distribution of posters and advertising [Article 131, paragraph (3)];
4. fails to, within 10 days from the Election Day, remove all notices, placards, posters and other similar material used for campaign purposes [Article 131, paragraph (5)];
5. if it abuses public resources for his/her personal use and for the promotion of the political entity he/she is a member of [Article 132, paragraph (2)];

6. if it carries and displays a weapon in a political gathering, polling station or its surroundings, or during a gathering related to an activity of a political party, coalition, independent candidates' list or an independent candidate in the election process [Article 133, paragraph (1) sub-paragraph 1)];
7. if it disturbs a gathering of other political party, coalition or independent candidate, or incites another persons to conduct such activities [Article 133, paragraph (1) sub-paragraph 2).];
8. if it prevents a journalist from carrying out work in accordance with his/her professional rules and election rules [(Article 133, paragraph (1), sub-paragraph 3)];
9. if it promises a financial reward or other material benefit with the purpose of gaining the support of voters or threatens the supporters of other political parties, coalitions, independent candidates' lists and independent candidates [Article 133, paragraph (1) sub-paragraph 4)];
10. if it induces a person to vote who are not entitled to vote [Article 133, paragraph (1) sub-paragraph 5)];
11. if it induces a person to vote more than once in the same election, or to vote in the name of another person [Article 133, paragraph (1) sub-paragraph 6)];
12. if it uses language which could provoke or incite someone to violence or spreading of hatred, or publishes or uses a picture, a symbol, audio or video recordings, an SMS message, internet communications or other materials that can have such effect [Article 133, paragraph (1), sub-paragraph 7)]
13. if it falsely impersonates any political party, coalition, independent candidates' list or independent candidate, or fictitiously represents a political entity to which a seat in the Polling Station Committee was allocated so as to favour another political entity to which that seat in the Polling Station Committee was not allocated [Article 133, paragraph (2)]
14. if it holds a meeting for the purpose of election campaigning [Article 134, paragraph (1), sub-paragraph 1)];
15. if it presents any kind of materials for the purpose of influencing voters at a polling station and the surrounding area [Article 134, paragraph (1), sub-paragraph 2)];
16. if it uses national or international means of communication with the aim of influencing voters [Article 134, paragraph (1), sub-paragraph 3)];
17. if it uses a megaphone or other public address systems for the purpose of influencing voters [Article 134, paragraph (1), sub-paragraph 4)];
18. if it carries out any activity that interferes with or obstructs the election process [Article 134, paragraph (1), sub-paragraph 5)];
19. if it fails to submit, within the period of 30 days following the date of publication of the certified mandates in the Republika Srpska Official Gazette, the statement about the total property situation on the required form (Article 200 and Article 201);
20. if it exceeds the highest amount of funds allowed to be spent for financing of the election

campaign referred to in Article 202, paragraph (2);

21. if it conducts the paid election campaign in the period from the day when the elections have been announced to the day of official start of the election campaign [Article 216, paragraph (3)];
22. if an observer, while observing electoral process, interferes with the election activities and fails to respect the secrecy of voting [Article 222, paragraph (1)]; or
23. if an observer, while observing electoral activities, fails to wear official accreditation or wears or carries any insignia or a symbol that identify him/her with a particular political party, coalition, independent candidates' list or independent candidate [Article 222, sub-paragraph 3)].

(2) For the violations referred to in paragraph (1) sub-paragraphs 2) to 17) of this article committed by a follower of a political entity, that political entity shall be fined in an amount ranging between BAM 1,000.00 and BAM 10,000.00.

(3) For the violations referred to in paragraph (1), sub-paragraph 1) of this article, the responsible person in the political party, coalition and list of independent candidates shall also be fined in the amount between BAM 200,00 KM and BAM 5,000.00.

(4) For the violations referred to in paragraph (1), sub-paragraphs 2) to 17) of this article, the candidate of the political entity shall also be fined in an amount ranging between BAM 1,000.00 and BAM 5,000.00.

(5) For the violations referred to in paragraph (1) sub-paragraphs 4), 8). and 9) of this article, those employed or hired in the election administration shall also be fined in an amount ranging between BAM 200,00 and BAM 1,000.00.

(6) For the violations referred to in this article, the Republic Election Commission may, in addition to the fines, also impose others sanctions as set forth in Article 127 of this Law.

Article 233

A candidate elected for any level of government shall be fined in an amount ranging between BAM 300.00 and BAM 3,000.00 if:

- 1) he/she fails to submit on a special form a signed statement of his/her property situation as specified in Article 199 of this Law [Article 200, paragraph (1)] within thirty (30) days from the day when the mandate verification is published in the Republika Srpska Official Gazette, and
- 2) he/she fails to submit the statement of his/her property situation [Article 200, paragraph (2)] within 30 days from the day on which the mandate to which he/she was elected has expired as well as in case of termination of the mandate in terms of Article 15, paragraph (1), sub-paragraphs 1), 3), 5), 6) and 7) of this Law.

CHAPTER TWENTY-ONE

TRANSITIONAL AND FINAL PROVISIONS

Article 234

(1) An eligible voter who is a displaced person and has the right to vote, shall have the right to register in the Voters Register and to vote in person or absentee for the City/Municipality in which the person had his or her permanent place of residence according to the last Population Census, except in the case where the person can provide proof of a change of his or her permanent residence in accordance with the law, in the period from the last Population Census until that person acquired status as a displaced person, or in person for the City/Municipality of his or her current place of temporary residence, under the condition that he or she became a temporary resident of that City/Municipality at least six (6) months prior to the election day.

(2) An eligible voter who is a displaced person and has the right to vote under this article, shall register in the Voters Register depending on the voting option this person chooses, for the City/Municipality where he or she had a permanent place of residence according to the last Population Census, except in the case where this person can provide proof of a change of his or her permanent residence in accordance with the law, in the period from the last Population Census until this person acquired status as a displaced person, or for the City/Municipality where this person has taken temporary residence and provides proof that he or she has registered as a temporary resident in that City/Municipality at least six (6) months prior to the election day.

(3) An eligible voter who is occupying a house or an apartment for which s/he does not have an ownership or occupancy right, while an enforcement document is issued by a competent court or administrative authority of the Republic on the restitution of a house or an apartment, has no right to vote in the place of temporary residence, until s/he abandons real-estate property owned by other, and may register in the Voters Register to vote only in the City/Municipality where s/he had the permanent residence in accordance to the last Population Census.

(4) The place of temporary residence, for the purpose of this article, is the City/Municipality where a displaced person-voter has taken temporary residence, until conditions are met for his or her return to the City/Municipality where he or she had taken permanent residence according to the last Population Census.

(5) An eligible voter who has the status of a refugee and who has the right to vote in accordance with this Law, shall have the right to register in the Voters Register and to vote in person or by mail for the City/Municipality in which the person had his or her permanent place of residence according to the last Population Census, except in the case where the person can provide proof of a change of his or her permanent residence in accordance with the law, in the period from the last Population Census until that person acquired refugee status.

(6) An eligible voter who has refugee status and has the right to vote under this article, shall register in the Voters Register maintained for the City/Municipality where he or she had a permanent place of residence according to the last Population Census, except in the case where he or she can provide proof of a change of his or her permanent residence in accordance with the law, in the period from the last Population Census until that person acquired refugee status.

Article 235

Voting in the diplomatic and consular representation offices of Bosnia and Herzegovina referred to in Article 9 paragraph (2) of this Law, shall be held only in the respective diplomatic and

consular representation office for which the Republic Election Commission finds that it meets the requirements provided by a special regulation referred to in Article 9, paragraph (3) of this Law.

Article 236

The National Assembly of Republika Srpska shall conduct a review the amount of financial penalties and expenses limitations established by this Law at least every four (4) years.

Article 237

The financial penalties established under this Law shall be the income of the Republika Srpska Budget.

Article 238

(1) The implementation of the provisions of this Law relating to the introduction of election technologies, including electronic ballot counting and electronic voter identification, shall commence once all necessary requirements have been met for their implementation.

(2) The fulfilment of technical requirements shall include the development of a feasibility study, procurement of the necessary equipment and implementation of a pilot project, including any other additional activities aimed at ensuring the integrity and functionality of the election technologies in the election process.

(3) The Republic Election Commission shall adopt a special legal act in order to confirm whether the technical requirements have been met enabling the start of application of the election technologies in the election process in Republika Srpska, and shall provide information thereof to the National Assembly of Republika Srpska.

Article 239

The Republic Election Commission shall supervise the implementation of this Law.

Article 240

(1) Within 6 months after the entry into force of this Law, the Republic Election Commission shall adopt:

- 1) Rulebook on the Implementation of the Public Competition Procedure for the Election of Members of the City/Municipal Election Commissions referred to in Article 35, paragraph (6) of this Law,
- 2) Rulebook on the Deadlines and Methods for Closing and Verifying the Final Voters Register and Deadlines for Delivery of Data on Changes Made in the Records of Displaced Persons and Records of Citizens who Vote Abroad referred to in Article 51, paragraph (6) of this Law,
- 3) Rulebook on the Operation of the Voters Register Center referred to in Article 53, Paragraph 5 of this Law,
- 4) Rulebook on the Format, Layout and Content of Extracts from the Voters Register referred to in Article 55, paragraph (3) of this Law
- 5) Rulebook on the Method and Procedure of Making Excerpts from the Voters Register for Voters Committed to Institutions for the Elderly, Sick or Disabled and Voters Placed in Correctional and Penitentiary Institutions or Other institutions, and Entitled to Vote in the Elections referred to in Article 60 of this Law

- 6) Rulebook on the Form and Content of the Ballots for the Republic and local level direct elections in Republika Srpska referred to in Article 101, paragraph (1) of this Law,
 - 7) Rulebook on the Method of Manual Ballot-Counting and Ballot-Counting by Using Election Technologies referred to in Article 109, paragraph (1) of this Law,
 - 8) Rulebook on the Method and Procedure for Verification of Election Results referred to in Article 120, paragraph (2) of this Law,
 - 9) Rulebook on the Time-tables for the Conduct of Elections referred to in Article 191, paragraph (6) of this Law,
 - 10) Rulebook on the Accreditation of International Observers referred to in Article 223, paragraph (2) of this Law ;
 - 11) Rulebook on the Procedure for Awarding and Revoking Accreditation to and from Election Observers referred to in Article 230 of this Law; and
 - 12) Rulebook on the Criteria for Accrediting Citizens' Associations and Distributing Accreditations under Article 224, paragraph (2) of this Law.
- (2) Within 6 months after the entry into force of this Law, the Republic Election Commission shall adopt:
- 1) Instructions on the Format, Layout and Content of the Statement by Which the Elected Office Holder Rejects or Accepts the Mandate referred to in Article 7, paragraph (3) of this Law ,
 - 2) Instructions on the Method in Which an Elected Member of the Government Authority Tenders His/Her Resignation referred to in Article 15, paragraph (4) of this Law ,
 - 3) Instructions on the Lottery Procedure for Political Entities to Allocate Seats in the Polling Station Committees referred to in Article 43, paragraph (7) of this Law ,
 - 4) Instructions on the Method and Form of Filing an Application to Determine or Change a Voting Option referred to in Article 54, paragraph (5) of this Law ,
 - 5) Instructions on the Procedure and Method of Sending, Receiving, Processing, Archiving and Safe-Guarding Electronic Applications and Documents referred to in Article 61, paragraph (9) of this Law ,
 - 6) Instructions on the Format and Layout of the Form and the Method of Filing an Electronic Application and Processing, Archiving and Safe-Guarding Applications and Documents referred to in Article 61, paragraph (11) of this Law,
 - 7) Instructions on the Procedure for Registration of Voters in the Extract from the Voters Register to Vote Abroad referred to in Article 61, paragraph (11) of this Law,
 - 8) Instructions on the Method and Procedure of Vote-Casting and Verification of Voting Rights referred to in Article 63, paragraph 3 of this Law ,
 - 9) Instructions on the Format, Layout and Content of the Form for Signatures referred to in Article 67, paragraph 3 of this Law ,
 - 10) Instructions on the Method of Checking and Verifying Support Signatures referred to in Article 73, paragraph (3) of this Law
 - 11) Instructions on the Method Used to Account for the Ballots Issued to Individual Polling Stations referred to in Article 91, paragraph (2) of this Law ,
 - 12) Instructions on the Ballot Control referred to in Article 91, paragraph (4) of this Law
 - 13) Instructions on the Format and Layout of the Poll Book Concerning the Work of the Polling Station Committees referred to in Article 94, paragraph (3) of this Law ,
 - 14) Instructions on the Method and Procedure of Voting Abroad referred to in Article 108, paragraphs (2) and (3) of this Law

- 15) Instructions on the Method and Procedure of Classifying Ballots by City/Municipality and their Forwarding to the Polling Station Committee referred to in Article 111, paragraph (2) of this Law ,
- 16) Instructions on the Method of Establishing and Announcing Election Results referred to in Article 116, paragraph (2) of this Law ,
- 17) Instructions on the Forms of Complaints referred to in Article 123, paragraph (1) of this Law ,
- 18) Instructions on How to Decide Complaints referred to in Article 123, paragraph (7) of this Law ,
- 19) Instructions for the Procedure to Submit a Supplementary List of Candidates for Compensatory Mandates and the Format and Layout of the Form referred to in Article 143, paragraph (2) of this Law ,
- 20) Instructions on the Content, Format, Layout, Method and Other Details of Reporting referred to in Article 194, paragraph (1) of this Law ,
- 21) Instructions on the Foarmat, Layout and Content of the Candidate's Declaration of Financial and Property Status referred to in Article 199, paragraph (1) of this Law ,
- 22) Instructions on How to Conduct an Election Campaign through Public Media referred to in Article 216, paragraph (5) of this Law ,
- 23) Instruction on How to Report to Public Media in the Election Campaign referred to in Article 220 of this Law; and
- 24) Instructions on the Layout of Accreditation and the Method by Which Observers Use this Accreditation as referred to in Article 226 of this Law.

(3) Within six months after the entry into force of this Law, the Republic Election Commission shall adopt a detailed training curriculum for members of the bodies in charge of election administration referred to in Article 21, paragraph (6) of this Law.

(4) Within six months after the entry into force of this Law, the Republic Election Commission shall adopt the Rules of Procedure of the Republic Election Commission referred to in Article 27 of this Law.

(5) Within six months from the entry into force of this law, the Republic Election Commission shall issue the instructions as to how to ensure secure transmission of information by using election technologies from the Polling Station in real-time directly to the City/Municipal election commissions, and from the City/Municipal election commissions to the Republic Election Commission as referred to in Article 113, paragraph (5) of this law.

Article 241

Within six months from the entry into force of this law, the assembly of the local self-government unit shall adopt a decision on the procedure of organizing and conducting elections for members of the local community councils, including on the matters related to convening and constituting the local community councils.

Article 242

(1) In order to conduct the 2024 Local Elections, the deadlines specified in Article 19, paragraph (3); Article 69, paragraphs (1) and (2); Article 72, paragraphs (1) and (2); Article 74, paragraphs (3) and (4); Article 77, paragraphs (2) and (3); Article 83, paragraphs (1) and (2); Article 84, paragraph (2); Article 85, paragraph (2); and Article 88, paragraph (2) of this law shall not be applicable.

(2) The Republic Election Commission shall determine the deadlines for the conduct of the 2024 Local Elections by virtue of its decision.

Article 243

Once the provisions of this Law have entered into force, the provisions of the Election Law of Bosnia and Herzegovina (“Official Gazette of Bosnia and Herzegovina”, Nos. 23/01, 7/02, 9/02, 20/02, 25/02 – Corrigenda, 4/04, 20/04, 25/05, 77/05, 11/06, 24/06, 33/08, 37/08, 32/10, 48/11 – Decision of the Constitutional Court of Bosnia and Herzegovina, 63/11 – Decision of the Constitutional Court of Bosnia and Herzegovina, 18/13, 7/14, 31/16, 54/17 – Decision of the Constitutional Court of Bosnia and Herzegovina, 41/20, 38/22, 51/22 and 67/22) governing the matters such as: i) election and appointment of members of the National Assembly of Republika Srpska, delegates in the Council of Peoples of Republika Srpska, President and Vice-Presidents of Republika Srpska, delegates to the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina from Republika Srpska, councillors in the City Assemblies, councillors in the Municipal Assemblies, City Mayors, Municipal Heads; ii) appointment of authorities/bodies in charge of election administration for elections to the legislative, representative and executive authorities in Republika Srpska; iii) participation of members of national minorities in the elections for the local level; iv) protection of election rights in Republika Srpska; v) the rules of conduct in the election campaign and financing of the election campaigns in Republika Srpska, including other provisions of the above rules related to the elections for legislative, representative and executive authorities in Republika Srpska – shall not longer be applicable.

Article 244

Once this Law has entered into force, the Election Law of Republika Srpska (“Republika Srpska Official Gazette”, Nos. 34/02, 35/03, 24/04, 19/05, 24/12, 94/12 – Decision of the Constitutional Court of Bosnia and Herzegovina, 109/12, 45/18 and 18/20) shall be repealed.

Article 244

This Election Law shall enter into force eight (8) days after its publication in the “Republika Srpska Official Gazette”.

No: 02/1-021-450/24

Date: 19 April 2024

SPEAKER
OF THE NATIONAL ASSEMBLY
Dr Nenad Stevandić, *manu propria*