



Pursuant to article 64.2, paragraph (a) and (b), article 128.2 and Chapter XI of Law No 03/L-073 on General Elections in Republic of Kosovo, Central Election Commission, on date 24.02.2016, issues this:

**REGULATION No. 18/2016**  
**ON APPOINTMENT, COMPOSITION AND FUNCTION OF**  
**MUNICIPAL ELECTION COMMISSIONS**

**I. GENERAL PROVISIONS**

**Article 1**  
**Purpose**

This rule is intended to regulate, composition, establishment and responsibilities of the MEC, the criteria for appointment of members of MEC, replacement, dismissal of members of MEC and termination of the mandate, the rights and duties of MEC, function of MEC, MEC stamp, the working time of MEC, MEC meetings, proceedings of the meetings of the MEC, decision making, conflict of interest, documentation of MEC.

**Article 2**  
**Definitions**

“**Municipal Election Commission**” is the responsible body for implementation of electoral activities within the territory of the municipality.

“**Municipality**“ - means: the fundamental unit of local self-government in Kosovo.

“**Community**“ - means: the inhabitants that belong to a same national, ethnic and language or religious group traditionally present in territory of Kosovo.

“**Commission**“ - means: Central Election Commission, independent body of experts responsible for administration of elections.

“**Secretariat**” - means: Secretariat of CEC.

**“Political Party“** - means: an organization of individuals who have joined together voluntarily on the basis of the ideas and views of common interest, with the purpose of obtaining influence and having their representatives elected to public office or as otherwise determined by the legislation in force.

**“Political Entity“** - means: political party, coalition, citizen initiative or independent candidate;

**“Certified political entity(es)“** - means: political entity, which is the political party, coalition of political parties, citizens' initiative or independent candidate, which is certified by the Central Election Commission, in accordance with this law and CEC rules.

**“SMEO”** - means: Senior Municipal Election Officer.

**“Polling Center” (PC)** -means: building where one or more polling stations for the purpose of voting in elections and includes a public space within the radius of 25 meters from the entrance to the building.

**“Polling Station” (PS)** - means: a room, hall or similar facility, for the purpose of voting on Election Day, which also includes public space with a radius of 25 meters of the entrance of the building in which the polling station is located.

### **Article 3** **Composition and establishment of MEC’s**

1. Municipal Election Commission (hereinafter "MEC" →) generally has seven (7) members. This number may increase if the number of political parties that qualify to be part of the commission is higher. Each Municipal Election Commission is composed of:
  - 1.1 Executive Officer of MEC, employed by Commission whom will be the Chair of the MEC; and
  - 1.2 one member nominated by each political party that passed the electoral threshold in national elections, if they are subject to electoral threshold;
2. MEC members are persons entitled to vote in the municipality and with high professional and ethical behaviors, with administrative or electoral experience and sufficient knowledge to enable MEC to effectively perform its duty.
3. The Commission should attempt to ensure fair representation of the MEC for all communities, with the number of distinct populations within a municipality.

**Article 4**  
**Presentation of proposals by Political Entities for members of MEC**

1. The Commission, through the Secretariat not later than 2 days from the announcement of the elections, notifies the political parties that have the right to submit their nominations for members of MEC (under Article 3 of this Regulation), through SMEO. Political parties not later than 5 days from receipt of the notification, shall submit nominations
2. Written nomination, contains: name and acronym of political entity, name, parent's name, surname, residence, qualifications and number of ID (appendix form no. 1) nominees for members of MEC
3. Along with the above data, nomination must have the attached documentation, as follows:
  - 3.1 Identity Card,
  - 3.2 Evidence of academic qualification,
  - 3.3 Number of bank account,
  - 3.4 Certification on the employment relation – employment contract (if he/she is employed),
  - 3.5 Candidate form.

**Article 5**  
**Qualification and criteria for appointment of MEC**

1. The person nominated for appointment as member of MEC, must fulfill the following criteria:
  - 1.1. Must be voter of respective municipality,
  - 1.2. University education is preferred, at least high school,
  - 1.3. Preferably have experience in administration/elections,
  - 1.4. Must not be convicted of a criminal offense, with a final decision of the court, in the last three (3) years ,
2. No person may be appointed to serve as a member of MEC, or may continue to serve once appointed, if he/she:
  - 2.1 Is a candidate for any elected public office,
  - 2.2 Is the holder of a appointed public office,
  - 2.3 Is the holder of a senior public office or a high position in a political party,
  - 2.4 Is declared mentally incompetent by a court decision,

- 2.5 Previously, with Commission's decision or EPAC, has been proved that violated the electoral process, which is conducting criminal proceedings for a criminal offense under Chapter XVIII of the Criminal Code of Kosovo.

**Article 6**  
**Appointment of members of MEC**

1. Commission appoints the members of MECs, according to nominations brought by political parties, as article 3 and 4 of this Regulation.
2. Commission appoints MEC within fifteen (15) days after the announcement of elections.
3. MEC members, once appointed by the Commission, are provided by the secretariat with a certificate of appointment, stating the date of commencement and termination of appointment, will obtain labor contract and code of conduct.

**Article 7**  
**The end of the mandate of a member of MEC**

1. The mandate of a member of MEC ends with:
  - a) End of the mandate,
  - b) Discharge,
  - c) Resignation,
  - d) Loss of nomination criteria,
  - e) Death.
2. The mandate of a member of MEC ends 15 days after the certification of the election results, unless this mandate is terminated prior to the expiration or is extended.
3. MEC member, is dismissed from the position of the member:
  - a) Fails to perform the duties of his/her functions under regulations of the Commission,
  - b) acts in a biased and unprofessional manner;
  - c) fails to attend two consecutive meetings of the MEC without a valid reason;
  - d) participates in an electoral campaign on behalf of a political entity or interferes in the election process;
  - e) Fails to report to work two consecutive (2) days during the election period without a valid reason;

f) whenever contradicts the criteria for nomination, according to Article 6 of this regulation.

4. Discharge is done by decision of the Commission.
5. MEC Chairperson shall notify the Commission, if the member of MEC acts in contradiction with LGE in, electoral regulations and code of conduct.
6. The Commission, in accordance with paragraph 3 of this Article, shall issue a merit decision after reviewing the notice.
7. In each case, the Commission requires political entity of whose ranks the member of MEC was discharged, to make a new nomination within 3 days of discharge.

### **Article 8** **Replacement of MEC members**

1. When the position of a member of MEC remains free, the Commission requires from the political entity to present a proposal for a new member
2. Appointment of new member is done under the terms defined for each case
3. When the MEC members resigns, the declaration of resignation must be processed to MEC.
4. Chairman of MEC, after receiving the proposal/request for replacement by the political party, keeps records in the Protocol Book and immediately sends it to the Secretariat/Commission for further proceedings.
5. Chairperson of MEC requests from the political entity, that along with the request for replacement, to attach a written notice with the original copy of the declaration of resignation.
6. MEC member, resigned or discharged cannot leave the MEC without submitting all equipment assigned by the Commission / Secretariat and MEC.

### **Article 9** **Responsibilities of the MEC**

1. All MEC administer elections within the municipality, under the exclusive supervision and direction of the Commission acting through the Secretariat, ensuring the legality, legitimacy and efficiency of the electoral process. Without limiting the general principle of their responsibilities, each MEC must:

- a) establish an office in the building of the municipal administration to perform its duties;
  - b) provide information to voters of all communities and to provide information necessary for the administration of elections;
  - c) impartially provide information for political parties, citizen initiatives, coalitions and independent candidates regarding the rights and obligations in relation to elections;
  - d) attend any training session required by the Commission;
  - e) assist in the appointment and training of any person assisting in the administration of elections, including polling station committees;
  - f) help the technical agreements in polling stations and any other technical preparations for the elections including receiving all non-sensitive material;
  - g) ensure the proper conduct of voting and counting and the tabulation of election results within their jurisdiction;
  - h) collect and store election materials after elections; and
  - i) perform other duties as required by applicable legislation or regulations of the Commission.
2. Each Senior Municipal Election Officer (hereinafter SMEO) reports to the Secretariat, every week, on the work of MEC, as defined by the Secretariat. If the Secretariat requires from a SMEO to write an immediate the report shall be prepared immediately. SMEO performs other duties as assigned by the Commission.
  3. Municipal Election Commission holds regular records of their work, including minutes of meetings, decisions issued and the weekly reports to the Commission and other relevant information.
  4. Chairman, will propose to the MEC for approval, the teams for intake and distributing election materials, tracking and reception of mobile teams, for voting for people with special needs and other electoral staff
  5. MEC drafts operational plans at the local level, which provides all the activities and their timeframe within its responsibilities.
  6. MEC will implement the procedures planned for the election campaign and assigns an MEC member as a contact person with police.

7. MEC, in accordance with regulations, compiles the list of Voting Center Manager, and forwards it to the Commission,
8. MEC proposes PSC members' positions, the Polling Center and Polling Station where they will be engaged on Election Day.

**Article 10**  
**The rights and duties of members of MEC**

1. MEC member is entitled to compensation for the work done
2. Compensation is determined by the decision of the Commission
3. MEC member has the right to communicate and inform the Commission of any problem that he deems appropriate, solely through the Chairman, who shall notify the Secretariat.
4. The member has the right to propose / initiate, with the support of two other members holding the meeting to the needs of MEC.
5. The Member has the right to be informed about the decisions of the Commission.
6. Require reimbursement of funds spent for the needs of MEC, emergency needs, for technical logistical issues which are justified by the Chairperson of MEC.
7. MEC members who are currently employed in the public sector receive 50% of the monthly salary of MEC member.
8. Chairperson of MEC is a member of the panel for recruitment of trainers of Polling Stations Committees.
9. To perform the tasks and functioning of the MEC, the chairman assigns administrative and technical tasks to MEC members and trainers.
10. Chairperson requests from political parties to appoint a contact person with MEC.
11. MEC member is required to appear regularly at work, in accordance with the dynamics and volume of work of MEC.
12. In the exercise of this function, member of MEC must respect regulations of the Code of Conduct (Appendix 2) of this Regulation.

**Article 12**  
**Functioning of the MEC**

Besides duties provided in article 68, paragraph 1 of the Law on Elections, MEC exercises these competencies:

1. Notifies certified political entities or NGOs regarding training program of PSC's organized by the Commission
2. Take measures for the progress of training and registers training participants;
3. Collaborating with municipal departments of education or other institutions for the provision of facilities and the necessary logistics for the training of electoral staff and disposition of election material;
4. It exposes in public places data related to the conduct of elections within their respective municipality.
5. Reviews and makes decisions on all claims that are under their jurisdiction, and complaints filed by political parties.
6. Supervise, assist as necessary in the preparation of the Polling Centers spaces and storage of election materials at MEC warehouses until the conclusion of the election process.

### **Article 13** **Office of the MEC**

1. Location of MEC offices, where possible, should be within buildings administered by the municipal administration, which must meet the conditions for normal work
2. In the office of MEC symbols of the Republic of Kosovo and the Commission must be placed.
3. In the main entrance to the MEC office, shall be placed an indicating/notifying table of the MEC and the names of the members of the MEC, office telephone number and opening hours must be published.
4. MEC's office should be equipped with the necessary tools for work.
5. Municipal administration, through the mayor is obliged to provide the assistance necessary to logistics for the MEC, offering: additional space to accommodate the electoral staff of MEC, car, computer, generator and other tools for the work of MEC, for the election process.
6. In case of inability to meet the requirements under paragraph 5 of this Article, the Commission is obliged to fulfill the alternative conditions for the needs of the MEC.



**Article 14**  
**Identification document (badge)**

When on duty, MEC members are required to carry in a visible place the identification documents (badge), according to the design approved by the Commission.

**Article 15**  
**The stamp of the MEC**

1. MEC uses the stamp approved by the Commission.
2. The stamp the MEC is kept by the Chairman of MEC, which administers it in accordance with the Law on the use of official stamps, Election Law and other acts of the Commission.
3. The stamp of the MEC must be placed on all documents issued and approved by MEC, signed by the Chairman of MEC.
4. The stamp cannot be issued without any reason outside work environments of the MEC.
5. In cases when MEC stamp is damaged, lost or drawn out of the office of the MEC an official note must be drafted, which is recorded in Protocol Book.
6. MEC shall notify the Commission with an official note.
7. The Commission, after assessing the official note of MEC, provides MEC with a new stamp

**Article 16**  
**Opening hours of MEC**

1. Opening hours of MEC is from 8: 00-16: 00. For the purpose of performing additional tasks, the schedule may be extended.
2. Chairperson of MEC defines working time as necessary, according to the dynamics and work activities within the MEC.

**Article 17**  
**Establishment and meetings of MEC**

1. Constitutive meeting of MEC is convened by the Chairman, immediately after the appointment of members of the Commission.

2. Notice for the constitutive meeting of MEC must be sent to members of MEC, through their political parties.
3. After establishment, the MEC determines the schedule of regular meetings.
4. In each case, the notification for the meeting include: date, place, time and agenda.
5. Meetings are convened by the Chairman or by at least three members of MEC.

**Article 18**  
**Procedures of development of the meetings of MEC**

1. Meetings are held at the offices of MEC.
2. The quorum for meeting is when the majority of members of MEC are present.
3. MEC meetings are public.
4. MEC meeting are chaired by the chairman, and in his absence, by a member of MEC, which is appointed by the chairperson based on rotation.
5. Each member of MEC presents the proposal for the agenda and discusses issues that are on the agenda.
6. Minutes of meetings of the MEC are recorded in the Protocol Book, which should contain:
  - 6.1 Date, place, time of meeting and agenda,
  - 6.2 Participants and the ones who were absent
  - 6.3 Content of the discussions,
  - 6.4 Results of voting of MEC members
  - 6.5 Decisions taken.
7. After the end of the meeting, the minutes are signed by the Chairman and the record clerk, whom is determined by majority members present, whom is recorded in the Protocol Book.

**Article 19**  
**Decision making**

1. MEC attempts to decide by consensus, but if this is impossible, then decides by a majority vote of all members present at the meeting
2. If the result of the vote is equal, the vote of Chairman is determinative.
3. MEC decisions are signed by the Chairman of MEC.
4. MEC is obliged to make the decisions public immediately and send them to the Commission through the Secretariat.

**Article 20**  
**Conflict of interest**

1. No member of the MEC cannot participate in the review and decision making process of the issue in which he/she or a member of his/her family, has interests of personal or financial nature, which could put into question the ability of the member to act impartially
2. Member, who has a conflict of interest, must self-declare such a thing or this is done by a member present who is aware of the situation.

**Article 21**  
**Documentation of the MEC**

1. Chairperson of MEC is responsible for archiving and filing the documentation of the MEC, creates separate file for decisions, instructions of the Commission, and keeps files for acts issued by MEC such as requests, complaints, appointing members of PSC and other staff engaged in elections
2. The format of the documents of MEC are unique MEC and are compiled by the Secretariat
3. At the request of the political parties, a copy of the acts can be issued.

**Article 22**  
**Final provisions**

1. Issues related to the work of MEC, which are not regulated by this regulation shall be determined by decision or any other act of the Commission, in accordance with the election laws.
2. Integral part of this rule are annexes:

Annex I- Form of nominations from political entities,  
Annex II- Candidate Form,

Annex III- Appointment Form,  
Annex IV- Code of conduct for members of MEC.

**Entry into force**

This Regulation enters into force on 24.02.2016

President of Central Election Commission

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Valdete Daka