



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

## **RREGULATION No. 19/2016 FOR POLLING STATION COMMITTEES**

### **I. GENERAL PROVISIONS**

#### **Article 1**

##### **Purpose**

This rule is intended to regulate: the composition and the establishment, nomination by political parties, qualifications and criteria for appointment of PSC members, appointing members of the PSC, the termination of membership in the PSC, replacing members PSC, rights of members of the PSC, the duties of the members of the PSC, the PSC operation, identification document (badge), the working time of PSC, decision making, the PSC documentation.

#### **Article 2**

##### **Definitions**

“**LGE**” - means: Law on General Elections.

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

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

“**Municipal Election Commission**” (MEC) - is the body responsible for the implementation of election activities within the municipal.

“**Political Party**” - means an organization of individuals who have joined voluntarily on the basis of ideas, interests and common views in order to influence and having their representatives elected to public office, or as it is otherwise determined by legislation in power.

“**CRC**” - means: Count and Results Center.

“**EPAC**” - means: Election Panel on Appeals and Complaints.

“**Polling Center**” (QV) - means, facilities where one or more polling stations are placed.

“**PS**” - means: Polling Station.

“**PSC**” - means: Polling Station Committee.

“**CPSC**” - means: Chairperson of the Polling Station Committee.

“**QC**” - means: Queue Controller.

- “**IO**” - means: Identification officer.
- “**BI**” - means: Ballot Issuer.
- “**BBS**” - means: Ballot Box Supervisor.
- “**FVL**” - means: Final Voters List.
- “**CVL**” - means: Conditional Voters List.
- “**MVL**” - means: Municipal Voters List.
- “**RRF**” - means: Result Reconciliation Form.
- “**CRF**” - means: Candidate Results Form.
- “**CB**” - means: Conditional Ballot.
- “**CTS**” - means: Candidate Tally Sheet.
- “**CBE**” - means: Conditional Ballot Envelope.
- “**Community**” - means residents who belong to the same ethnic, linguistic or religious group traditionally present on the territory of Kosovo.
- “**Political Entity**” - means political party, coalition, citizens' 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 Commission in accordance with the law and regulations of the Commission.
- “**SMEO**” - means: Senior Municipal Election Officer.

### **Article 3**

#### **Composition and establishment of PSC**

1. Polling Station Committee (hereinafter referred to as "PSC") is the electoral body, which is responsible for the preparation and administration of the election process at polling stations.
2. Composition of Polling Station Committee reflects the structure of members of MEC. Municipal Election Commission may, in certain cases, increase the number of members of a PSC and immediately notify the Commission.
3. Polling Station Committee consists of: Chair of PSC, Queue Controller, Identification Officer, Ballot Issuer, Ballot Box Supervisor. In cases where there are more than five members, sixth member assists the identification officer and seventh member assists the ballot issuer.
4. PSC are appointed by the Commission according to the procedures provided in Chapter XII of LGE.
5. In certain cases, with MEC's proposal, the Commission can add or reduce the number of members of the PSC.
6. The Commission, with a decision may create a second PSC, only for counting of votes.

7. In each Polling Station, a polling station is assigned that will serve as dual polling station (both for regular and conditional voting). In this case, the Polling Station Committee will be responsible for managing and supervising the voting and counting of regular and conditional votes, which takes place in the same polling station.

**Article 4**  
**Nomination of the PSC**

1. The right to nominate members for PSC's have:
  - 1.1 Political parties represented in the Assembly of the Republic of Kosovo and participate in actual elections.
  - 1.2 Political parties represented in the Municipal Assembly and participate in actual elections.
2. If the criteria in paragraph 1.1 and 1.2 of this Article are not met, the Secretariat requires new political parties (certified for the elections), NGOs and other civic organizations, to submit additional nominations for the PSCs.
3. In the case when we have small number of certified political entities, the Commission with a decision may adopt a different formula from paragraphs 1 and 2 of this Article, which guarantees the integrity of the electoral process, based on preliminary election results.
4. If proposals for PSC under paragraphs 1, 2 and 3 of this Article are not met, additional nominations will be made by the MEC with the prior approval of the Commission.
5. At the time determined by the Commission/Secretariat, all political parties are invited, under paragraphs 1, 2 and 3 of this Article, to submit to the MEC nominations for appointment of PSC members in their respective municipalities.
6. Political parties send their nominations to MEC electronically and physically, not later than 5 days from the receipt of the invitation by the Secretariat.
7. List of nominations must contain:
  - 1.1 Code of municipality,
  - 1.2 Name and number of PC,
  - 1.3 Number of Polling Station,
  - 1.4 Name and acronym of the political entity or NGO,
  - 1.5 Name of the contact person with MEC,
  - 1.6 Name of the nominee,
  - 1.7 Surname of the nominee,
  - 1.8 Personal number of the nominee,
  - 1.9 Date of birth of the nominee,
  - 1.10 Telephone number,

- 1.11 Bank account number for every nominee,
  - 1.12 Election experience,
  - 1.13 Education,
  - 1.14 Position of the nominee,
  - 1.15 Contact person's signature and stamp of the political entity or NGO,
  - 1.16 Signature of the receiver of the List by the representative or Chairperson of MEC,
  - 1.17 Date and place of submission of the nominee list.
8. Subjects eligible to nominate will make special nominations for Polling Station Committees of voting for persons with special needs.
9. The number needed MEC will decide - depending on the number of mobile teams.

**Article 5**  
**Qualifications and criteria for appointment of PSC**

1. To be nominated and appointed as members of the PSC, the person must
- 1.1 Be a registered voter in the same municipality where Polling Center/Polling Station is located
  - 1.2 Literacy of the official languages of that municipality
  - 1.3 Have experience in elections.
  - 1.4 To have at least high school education.
2. No person may be nominated or appointed as a member or Chairman of the PSC, if he/she is:
- 2.1 Candidate for elected office in Kosovo,
  - 2.2 Member of the Municipal Assembly, the Assembly of Kosovo and every other elected body inside and outside Kosovo,
  - 2.3 Member of any MEC, Secretariat or Commission,
  - 2.4 Member of Kosovo Police,
  - 2.5 A member of the Kosovo Security Forces or a member of any other military, security or intelligence service,
  - 2.6 The legal eligibility was taken through a final court decision,

- 2.7 Was found guilty of a criminal offense during the three (3) years with a final court decision.
  - 2.8 Previously, with Commission's or EPAC decision, has been proved that violated the electoral process, or to anyone against whom criminal proceedings for a criminal offense under Chapter XVIII of the Criminal Code is being conducting.
3. To be appointed Chairman of the PSC, is preferred to have university education at least secondary school.

**Article 6**  
**Appointment of members and Chairpersons of PSC**

1. MEC, after receiving the list of nominees for PSC assigns Center/Station and position by implementing rules, as follows:
  - 1.1. A PE may not have more than one representative in the PSC, who will serve as chairman or member if the PSC.
  - 1.2. Among nominees, priority is given to candidates with better qualifications and those who have experience in elections.
  - 1.3. More than one person from the immediate family cannot be appointed in the same PSC, although they might be form different from PE (close family includes: spouses, children, parents or brothers and sisters).
  - 1.4. The nominees are appointed at the same Polling Center/Polling Station where he is registered to vote or at least at the closest to the center where they have to vote.
2. MEC receives the list of nominations for the PSCs by political parties and sends it to the Secretariat for recommendation to the Commission for appointment no later than 5 working days from the receipt of nominations, and the Commission shall appoint the PSC, including PSC reserve staff, not later than 4 days from the receipt of the list by the Secretariat.
3. PSC chairman are selected equally from the first four entities who received the most votes for the Assembly of Kosovo during the last elections in the municipality, and are certified to participate in the current election.
4. Appointment of chairpersons in polling stations, under paragraph 3 of this Article, is done through the rotation formula which is implemented by MEC, according to votes gained in elections.
5. Each PSC shall be approved by the Commission and directed by Chairperson.

6. Political entities eligible for PSC nomination, have the right to nominate for appointment 10% of the total number of members for the PSC, as reserve members and chairman.
7. Once appointed, each member / chairman of the PSC, is obliged to sign the Special Agreement on Service and Code of Conduct.

#### **Article 7**

#### **The conclusion of membership in the PSC**

1. The Commission may at any time revoke the appointment of any member of the PSC, if member
  - 1.1. Does not participate in the training sessions organized from the MEC,
  - 1.2. Attended training but does not work the day before and on Election Day,
  - 1.3 Who cannot pass the test after the training session,
  - 1.4. Acts in contradiction with LGE, Code of Conduct and other acts of the Commission,
  - 1.5. Resigns for the personal reasons or discharged by the person who nominated him/her,
  - 1.6. For whatever reason if he/she is not willing, or is unable to perform obligations.
2. Discharge and replacement of members of the PSC are done with a proposal of MEC and Commission approval
3. PSC member discharged by the decision of the Commission cannot be elected for this position anymore.

#### **Article 8**

#### **Replacement of the members of PSC**

1. For all the cases listed in article 7 of this regulation, a member of the PSC is replaced by the MEC with a trained reserve member, of the same political entity and appointed by the Commission
- 2.
3. Political entity may request through MEC from the Commission, to make the replacement of an appointed member not later than ten days before Election Day.

**Article 9**  
**The rights of PSC members**

1. Each member of the PSC, including reserve members, have the right to compensation for the work done
2. Amount of compensation shall be determined by a Commission decision.
3. Each member of the PSC has the right to communicate and inform the MEC for every problem he sees reasonable.
4. Every member has the right to be informed of the decisions of the Commission and MEC.
5. All PSC Chairpersons in training sessions must be provided by the MEC with schedule on receipt of non-sensitive material and sensitive material.
6. The Chairperson shall upon receipt and delivery of sensitive material to be provided with a copy of the form on handover.
7. Chairman and members of the PSC, vote first, but only after polling stations are opened, therefore no earlier than 7:00.
8. The chairman and members of the PSC, if they are assigned to work in an inadequate center and polling station, they can vote conditionally at the dual polling station or in their regular PC and polling station, but with the permission of the Chairperson of the PSC, but not more than one member at the same time.

**Article 10**  
**Duties of the chairperson and members of the PSC, before, during and after the electoral process**

1. PSC conducts its activity professionally impartially and in service to all voters.
2. Carries out activities before election day, on election day and during the election process, such as the continuation of training, acceptance and verification of election materials, control of equipment and labeling of election materials, preparation and arrangement of the polling station, the proper implementation of voting and counting process, reporting on the opening and closing of PC / polling stations reporting on the percentage of voters turnout, packaging and transportation of electoral material in the MEC warehouse.
3. Chairman of the PSC, together with members of the PSC is responsible for the overall functioning of the polling stations and other obligations set out in Commission regulations, and for all activities at the polling station, from the intake process, to handover of the material in the MEC Warehouse.

4. Chairperson of the polling station may decide to reduce the number of observers in polling stations, under the present circumstances.
5. The PSC shall inform the MEC directly or through PC Manager, for absent PSC members and requires their replacement. If the chairman is absent, then one of the members of the PSC acts as Chairman of the polling station temporarily, until the MEC makes a new replacement.
6. Political entities and NGOs, are responsible for their nominees to attend training sessions organized by the MEC.
7. The Chairperson of the PSC and PSC members should perform their duties in conformity with the Training Manual for Voting and Counting Procedures at the Polling Station and the Commission regulations.
8. The Chairperson of the PSC receives a non-sensitive material before the election day and the sensitive material on election day, in accordance with the Operational Plan MEC.
9. A copy of Form on handover, remains in MEC offices and a copy kept by the Chairman of the PSC.
10. If any of the members of the PSC is absent, the Chairperson of the PSC through the PC Manager, must request the MEC a reserve member from the same Political Entity.
11. If any items are missing, PC manager should be notified, who informs and requires MEC to bring the needed supplies to PS.
12. PSC members cannot come or leave the polling station and polling center, without the permission of the chairman of the PSC.
13. PS will be allowed to be opened with a minimum of three (3) members of the PSC, but cannot operate with less than 5 members during the entire election process.
14. Mark in the Poll Book the names and personal ID numbers of all members of the PSC.
15. Mark in the Poll Book the names, surnames and personal ID numbers and accreditation numbers (observer badge) of all accredited observers present, and remind them of the obligations and rights as observers.
16. The Chairperson of the PSC announces the opening of the PSC and the beginning of the voting process, at 07:00.
17. Chairman of the PSC, and at least one member of the PSC is responsible for packaging in accordance with the procedures described in Chart of the packaging and delivery of election material to the PS, to the municipal warehouse of the MEC.

18. PSC Chairman of the regular PS, will collect all non-sensitive material, which will be placed in the bag. While the dual PS, will collect all non-sensitive material in the empty conditional ballot box, and the same shall be submitted to warehouse of MEC, along with ballot boxes.
19. The polling station must be left clean, furnishings should be returned to their proper place. All posters and election material should be removed and all the waste should be discarded appropriately.
20. Under the guidelines of MEC, the Chairman of the PSC and at least one member, will convey all election materials to the municipal depot of the MEC.
21. If the packaging is not done according to the procedures described in Chart of Packaging, MEC has the right to order proper packaging.
22. The Chairperson of the PSC is responsible for the electoral process, including the accuracy of filling out forms.
23. In case of not fulfilling the duties specified by this section, the Commission may deduct payment.

**Article 11**  
**Functioning of the PSC**

1. PSC should work with at least 5 members of the PSC during the entire election process.
2. The polling station is allowed to open with a minimum of three (3) members of the PSC.
3. Polling Station Committee has the following positions / functions:
  - 3.1 Chairperson of the PSC,
  - 3.2. Queue Controller (Q. C),
  - 3.3. Identification Officer (ID officer),
  - 3.4. Ballot provider (B. P),
  - 3.5. Ballot Box Supervisor (BBS),
  - 3.6. Identification Officer assistant and
  - 3.7. Ballot provider assistant.

**Article 12**  
**Identification document (badge)**

When on duty, the PSC members are required to hold visibly the identification documents (badge), according to the design approved by the Commission.

**Article 13**  
**Work Schedule of PSC**

1. The work schedule of PSC, is considered:
  - 1.1. Training under Operational Plan of the MEC,
  - 1.2. A day before Election Day, the PSC will accept non-sensitive election materials, according to the Operational Plan of the MEC,
  - 1.3. On election day, until the completion of voting and counting process, while for the chairman of the PSC until delivery of the election material to depot of MEC.

**Article 14**  
**Decision making**

1. In cases where the decision is within the responsibilities of the Chairman of the PSC, his decision is final in the polling station. If any member of the PSC or an accredited observer disagrees with the assessment of the Chairperson of the PSC for a particular ballot, he may file a complaint with the Election Panel on Appeals and Complaints
2. Decisions of the PSC's responsibilities are taken by majority vote of all members of the PSC, present in PSC.
3. Chairman of the PSC, if he/she thinks that the number of accredited observers present inside the Polling Station (PS) is hindering the voting or counting process, he/she shall order the observers to release the PS, with the reason that at the same time not to have more than one observer from an organization.

**Article 15**  
**Conflict of interest**

Conflict of interest exists when there more than one person from close family in the same OSC are appointed, although they may be from different political entities (close family includes: spouses, children, parents, siblings).

**Article 16**  
**Documentation of PSC**

1. Chairman of the PSC, together with members of the PSC is responsible for the receipt, maintenance and recovery of non-sensitive and sensitive election materials, which he received from MEC
2. The Commission will create conditions for every member of the PSC to obtain copies of the form which he signed, through photocopying, photographing or description.

**Article 17**  
**Final Provisions**

Issues related to the work of the PSC, which are not regulated by this regulation, shall be determined by decision or any other act of the Commission, in accordance with LGE.

Integral part of this regulation, are annexes:

Annex I- Form of nominations from political entity,  
Annex II - Form of proposals from MEC to Commission,  
Annex III – Code of Conduct for members of PSC

**Article 18**  
**Entry into force**

This Regulation enters into force on 24.02.2016

President of Central Election Commission

\_\_\_\_\_  
Valdete Daka