

**National Commission
on the Parliamentary Electoral Law**

Parliamentary Electoral Draft Law

Submitted to His Excellency Prime Minister Mr. Fouad Siniora

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Chapter 1

Eligibility of Voters and Candidates

Article 1

Every Lebanese individual who has attained the age of eighteen years, whether or not resident on Lebanese territory, shall be entitled to vote in accordance with the “Charter of voters and candidates’ rights” set forth in Article 23 of the Constitution, and the provisions herein.

Article 2

The following shall be prevented from exercising their voting rights:

- 1- Persons deprived of their civil rights

- 2- Persons convicted to be permanently disqualified from public service at any grades or positions
- 3- Persons disqualified temporarily, until the end of the disqualification period
- 4- Persons convicted of a felony
- 5- Persons convicted of one of the following grand offences: burglary, fraud, breach of trust, misappropriation of funds, bribery, perjury, rape, intimidation, falsification, forgery, immoral crimes as stated in the seventh chapter of the penal code, and crimes related to the planting, production and/or trade in illicit drugs
- 6- Persons interdicted by court order through the interdiction period, and those interdicted by themselves through their stay in institutions for mental illness.
- 7- Persons whose bankruptcy is declared
- 8- Persons convicted and sentenced to the sanctions stated in Articles 329 to 334 of the penal code. The aforementioned persons may not vote until after rehabilitation. As for those interdicted by themselves, they may not get back their voting rights until they present to the competent registration committee a medical certificate issued by the institution for mental illness proving their recovery.

Article 3

Naturalized Lebanese individuals may not vote until four years after naturalization.

Article 4

Military personnel of any rank or those considered as such, whether they are in the army, the state security, the internal security forces, the public security or the customs police--with the exception of draftees into temporary military service--may not vote.

Article 5

Every Lebanese who has attained the age of twenty-five years may run for parliamentary elections.

Article 6

The only persons allowed to be elected Members of Parliament shall be Lebanese registered in the voter rolls, enjoying their civil and political rights and literate. Naturalized persons may not run for elections until ten years after their naturalization.

Article 7

Military personnel of any rank or those considered as such, whether they are in the army, the state security, the internal security forces, the public security or the customs police may not run for parliamentary elections even if they are transferred to provisional retirement or to the reserve; however, they may run as candidates if they are retired or if their resignation has been accepted six months before the date of elections.

Article 8

1- The following persons may not run as candidates while they are exercising their jobs and within the periods that follow their end of service or their resignation date, as follows:

- Judges in accordance with the provisions of the Judiciary law;
- Public employees of the first and second rank, for six months;
- Full-time board chairmen and members, directors general and officers of the public institutions, public utility institutions, mixed economy companies (semi-public), and public capital companies, for six months;
- Presidents or vice-presidents of the municipal councils and municipal unions, and *Mukhtars* (selectmen), in accordance with the laws of municipalities and of *Mukhtars*.

2- The date of the end of Parliament's mandate shall be taken into consideration in order to calculate the above-mentioned deadlines.

3- The resignation shall be deemed accepted as soon as offered.

4- The faculty of the Lebanese University shall be exempted from the provisions of the present article.

Chapter 2

The Independent Electoral Commission

Article 9

An independent commission, called "The Independent Electoral Commission", shall be created (hereinafter referred to as the "Commission"). It shall be entrusted with the preparation for and supervision of parliamentary elections. It shall also work for the development of democratic education and for the promotion of election awareness.

The Commission is an administrative body with judicial status. It enjoys financial and administrative autonomy and shall have its own headquarters.

Article 10

The Commission shall be made up of ten members as follows:

- A presiding judge of the Court of Cassation, selected from a list of three presiding judges nominated by the Higher Judicial Council (as President)
- A presiding judge from the Council of State, selected from a list of presiding judges nominated by the Council of State bureau (as Vice-president)

- A presiding judge from the National Audit Office, selected from a list of three presiding judges nominated by the National Audit Office (as member)
- A former head of the Beirut Bar Association, selected from a list of three former heads of the Beirut Bar Association nominated by the Beirut Bar Association board (as member)
- A former head of the Tripoli Bar Association, selected from a list of three former heads of the Tripoli Bar Association nominated by the Tripoli Bar Association board (as member)
- A member of the National Media Council, selected from a list of three nominated by the National Media Council (as member)
- A member of the Press Syndicate, selected from a list of three nominated by the Press Syndicate (as member)
- Three PhD holding experts with expertise in election-related matters such as political science, administrative affairs, social sciences, statistics, or demography.

The President, vice-president and members of the Commission shall be appointed by decision of the Council of Ministers upon the proposal of the Prime Minister.

Article 11

The term of office of the President and members of the Commission shall start as soon as they take the oath mentioned in Article 12 below, and shall end six months after the holding of parliamentary elections. Their term of office shall not be renewed, extended or reduced.

The President and the members of the new Commission shall be appointed before the expiry of the six-month period.

In case any member's position falls vacant for whatever reason, the Commission shall announce the vacancy and the termination of the term of office. The President shall notify, within one week, the concerned entity determined in the previous article, for information and in order to take appropriate measures to appoint a substitute member.

The substitute member shall be appointed within one month of notification, in the same way the original member was appointed, for the remaining period of the original member's term of office. The substitute member shall not be subject to the non-renewal rule if the remaining period of the original member's mandate is less than two years.

Article 12

The Commission members shall--before assuming their duties--take the following oath before the President of the Republic, within no more than 15 days of the date of their appointment:

“In the name of God, I swear to fulfill my duties within the Independent Electoral Commission faithfully, impartially, loyally, and independently. I undertake to fully comply with all rules and regulations, particularly those governing parliamentary elections, in order to ensure that elections are free and fair”.

Article 13

The Commission shall draw up its internal bylaws that should comprise rules and procedures governing its work in application of the present law, in addition to the terms of appointment of the Secretary-General of the Commission and his tasks. These internal regulations shall be ratified by decree of the Council of Ministers upon the proposal of the Prime Minister.

Article 14

No Commission member shall, at the same time, hold the office of Prime Minister or Minister, or of Parliament Head or Member of Parliament, or of board President or Member of any public institution, or of President or Member of any municipal council. In addition, a Commission member shall not be entitled, until one whole year after the expiry of his term of office, to run for or fill any public political, administrative, or judicial position in accordance with Article 18 below.

Article 15

The full-time President of the Commission shall be prohibited, while fulfilling the commission tasks, from exercising any profession or any public or private paid work, except for teaching in higher education institutions--within limits set forth in the rules and regulations relative to judges--and participating in conferences and academic activities.

The Commission President and members may not, during their term of office, carry out any task or activity incompatible with the impartiality or the autonomy of the Commission.

The Commission shall decide, by a two-thirds majority of the Commission members, to terminate the term of office of a member in case he breaches the aforementioned obligations, with observance of the principles of *Inter Partes* process and the right of defense.

Article 16

The President or any of the members of the Commission shall not be subject, without the Commission's authorization, to any criminal action, criminal measure or arrest during their term of office for acts related to their mission within the Commission.

The minister of justice shall submit to the Commission President the request for commencing proceedings or appropriate legal measures against any member of the Commission, attached to a note from the Attorney General of the Court of Cassation including the nature, place and time of the act, and relevant summary of evidence supporting such proceedings and penal measures.

The Commission shall be convened within one week to consider and decide on the request after listening to the Commission President or the concerned member who shall not take part in the vote. The Commission shall render its decision within the same timeframe.

Article 17

The Commission President shall receive a monthly salary. As for the members, they shall receive a monthly flat remuneration.

Such monthly salary and flat remuneration shall be determined by decree of the Council of Ministers upon the proposal of the prime minister.

Article 18

The Commission President shall be deemed as “delegated” and shall resume his judiciary work upon the expiry of his term of office in the Commission. The period during which he worked for the Commission shall be counted as active service. He shall reserve his right to promotion and pension or end-of-service indemnities.

Article 19

Contrary to any other provision, the Commission shall be in charge of all parliamentary election-related issues, especially the following tasks and prerogatives:

- 1- Submit suggestions to the executive branch and give opinion about election proposals and draft laws.
- 2- Spread electoral education, guide voters, and promote democratic practices.
- 3- Supervise the good preparation and editing of electoral rolls, and announce these rolls within the determined deadlines.
- 4- Draw up a master plan for all stages of the electoral process at least one year prior to the holding of parliamentary elections, and ensure the appropriate implementation of the said plan by all concerned bodies.
- 5- Appoint and supervise the registration and counting committees, provided that the Commission President appoints the judges chairing these committees upon the approval of the Higher Judicial Council.
- 6- Determine the place of the polling stations, and appoint the heads of these polling stations and their assistants after consulting with the *Muhafez* (Governor of a Muhafazat), the *Caimaqam* (deputy governor within cadas), and the Ministry of Foreign and Emigrant Affairs as regards out-of-country voting.
- 7- Train the heads of the polling stations and their assistants for the electoral process.
- 8- Secure equipment and tools necessary for the electoral process, distribute them to all centers, and make sure they are appropriately used and kept.
- 9- Receive, consider and decide on the rolls and the requests for voters' registration in accordance with the prevailing rules and regulations within the determined legal timeframe.
- 10- Receive the requests for registration of financial commissioners for the campaign of each electoral list or candidate, as well as the requests of election observers and poll watchers, and grant them the relevant passes.

- 11- Receive the requests of the press and the audiovisual media wishing to cover the electoral and counting processes, and grant them the relevant permits for this purpose.
- 12- Monitor electoral finances in accordance with Chapter 5 Section I herein.
- 13- Monitor the compliance of lists, candidates, and mass media of any form whatsoever, with the rules and regulations governing electoral advertising in accordance with Chapter 5 Section II herein.
- 14- Supervise the management of the electoral process, look after the appropriate implementation of rules and regulations in this respect, receive and settle complaints thereabout, and appoint observers to watch the electoral process within the polling stations and the counting centers.
- 15- Supervise the counting and calculation of votes, and the announcement of results.
- 16- Receive the financial statements of the electoral campaigns of lists and candidates within one month of polling day, and audit them.
- 17- Make all documents, reports and information pertaining to the electoral process and its results, available for the candidates within one week of the receipt of a request.
- 18- Draw up a final report on the whole electoral process including proposals meant to develop it. Submit the report, within five months of polling day, to the presidencies of the republic, the council of ministers and parliament. Publish this report in the official gazette.
- 19- Draw up a yearly report on the Commission's activities and submit it to the presidencies of the republic, the council of ministers and parliament. Publish this report in the official gazette.

Article 20

The competent civil society organizations may accompany and monitor the elections provided they fulfill the following conditions:

- The organization should be Lebanese, non-political and not-for-profit and should have duly lodged its articles of incorporation at least three years before the filing date of the request.
- It should not be connected to any political side and its administrative board should not include any candidate running for elections.
- Its statutes should specify, for the last three years at least, objectives relating to the promotion of democracy, human rights, free and fair elections, and transparency, or training related to these issues.
- The organization's members, pursuant to lists duly filed to the competent public authorities, should not be less than 100 at the filing date of the request.
- Its administrative board shall comply with a Code of Ethics established by the Commission.

The Commission shall examine the received requests and verify the fulfillment of the conditions above. It may accept or revoke the request. In case of acceptance, the

Commission shall determine the procedure of attending and monitoring the elections under decisions issued by it at least one month before polling day.

The Commission shall be in charge of considering the requests of the election-related international organizations wishing to observe the electoral process, in accordance with terms and conditions to be specified by it in due course.

Article 21

All administrative bodies involved in elections and security forces shall remain at the disposal of the Commission regarding all election-related matters during the election period. They shall get instructions and directives from the Commission in order to implement them under its supervision, and shall be held liable before it for any breach, act of negligence or omission.

The Commission shall immediately suspend from duty the defaulting heads or members of such bodies and forces and shall refer each one of them to his/her competent authority.

Article 22

The Commission's decisions can be challenged before the Council of State within five days of notification or implementation if they are individual decisions, or of publication if they are regulatory ones. Challenges shall be subject to the summary procedures adopted before the Council of State.

As for the Commission's media decisions, they shall be challenged as per the provisions herein.

Article 23

The Commission may delegate some of its powers to one or some of its members. It may also form committees to carry out specific election-related tasks.

Article 24

The Commission President shall have permanent mandate to exercise, as regards the Commission, the administrative and financial powers of a minister.

Article 25

The Commission shall create, in its headquarters, a central higher registration committee made up of a presiding judge of the Court of Cassation (as president), an active judge, a general inspector from the Central Inspection Bureau (as two members), and the director-general of the Personal Status directorate-general (as rapporteur).

The central higher registration committee shall be in charge of the following tasks:

- 1- Receive and audit the record of the results of elections held in Lebanon and abroad, calculate the votes and submit the results to the Commission.

- 2- Consider the requests for appeal against the decisions of the consular chargé d'affaires regarding the settlement of the requests mentioned in Article 47 herein, in accordance with a procedure to be determined by the Commission by virtue of a decision.

Article 26

1- The Commission shall set up, in its headquarters, at least seven days before polling day, an operations room made up of the Commission President or a Commission member appointed by him (as head), the Attorney General of Beirut, the Director-general of the Ministry of Justice, the Director-general of the Ministry of Political Affairs and Refugees, the Director-general of Personal Status, a liaison officer with the rank of general from each of the army, the internal security forces, general security, and state security, and a representative of the civil society organizations accredited to monitor the elections as per Article 20 above.

2- This operations room shall be in charge of following up the electoral process and making sure that it goes smoothly in accordance with the provisions herein. It shall also settle the procedural issues that might occur during the electoral process.

3- The president of the central higher registration committee, the presidents of the higher registration committees, the presidents of registration committees, the *muhafez*, the *Caimaqam*, the heads of security bodies, and the persons watching and involved in the electoral process shall permanently liaise with this room in order to fulfill the tasks mentioned in the previous paragraph.

Article 27

The Commission shall have an annual special budget specified separately in the State Budget.

Article 28

The Commission shall appoint a secretary-general and specify his tasks and powers. The Commission may enter into contract with a specialized administrative team. In addition, it may ask that a number of civil servants of the public administrations be affiliated to it on a provisional basis. Such an affiliation shall be done by virtue of a decision of the competent minister at the Commission's request. The said decision shall include the affiliation deadline provided that it does not exceed a renewable or extendable one-year period.

Chapter 3

Electoral Constituencies, Voting System and Number of Deputies

Article 29

Parliament shall be made up of 128 deputies elected according to the mixed system as follows:

- 77 deputies elected according to the majoritarian system within constituencies specified in the following tables.
- 51 deputies elected according to the proportional system within constituencies specified in the following tables.

Article 30

Electoral constituencies shall be divided into two categories; first, constituencies formed of cadas or equivalent electoral units; second, large constituencies subject to the proportional system. The number of deputies of each confession within each constituency is determined in the following tables:

First: The North

<u>Cada</u>	<u>Total number of seats</u>	<u>Distribution of cada seats</u>	<u>Total number of cada seats</u>	<u>Distribution of muhafazat seats</u>	<u>Total number of muhafazat seats</u>
Tripoli	8	Greek Orthodox 1 Sunni 3 Alawite 1	(5)	Maronite 1 Sunni 2	(3)
Miniye-Danniye	3	Sunni 2	(2)	Sunni 1	(1)
Akkar*	7	Maronite 1 Greek Orthodox 1 Sunni 2	(4)	Greek Orthodox 1 Sunni 1 Alawite 1	(3)
Zghorta	3	Maronite 2	(2)	Maronite 1	(1)
Becharre	2	Maronite 1	(1)	Maronite 1	(1)
Batroun	2	Maronite 1	(1)	Maronite 1	(1)
Koura	3	Greek Orthodox 2	(2)	Greek Orthodox 1	(1)
	(28)		(17)		(11)

* The National Commission recommends that electoral units be created in Akkar. The proposal of the Commission member Dr. Paul Salem is attached hereto.

Second: Northern Mount Lebanon

<u>Cada</u>	<u>Total number of seats</u>	<u>Distribution of cada seats</u>	<u>Total number of cada seats</u>	<u>Distribution of muhafazat seats</u>	<u>Total number of muhafazat seats</u>
Jbeil	3	Shiite 1 Maronite 1	(2)	Maronite 1	(1)
Keserwan	5	Maronite 3	(3)	Maronite 2	(2)
Metn	8	Maronite 2 Greek Orthodox 1 Greek Catholic1 Armenian Orthodox 1	(5)	Maronite 2 Greek Orthodox 1	(3)
	(16)		(10)		(6)

* See the dissenting opinion of Commission member Ziyad Baroud attached hereto.

Third: Southern Mount Lebanon

<u>Cada</u>	<u>Total number of seats</u>	<u>Distribution of cada seats</u>	<u>Total number of cada seats</u>	<u>Distribution of muhafazat seats</u>	<u>Total number of muhafazat seats</u>
Baabda	6	Maronite 2 Shiite 1 Druze 1	(4)	Maronite 1 Shiite 1	(2)
Aley	5	Maronite 1 Greek Orthodox 1 Druze 1	(3)	Maronite 1 Druze 1	(2)
Chouf	8	Maronite 2 Sunni 1 Greek Catholic 1 Druze 1	(5)	Druze 1 Maronite 1 Sunni 1	(3)
	(19)		(12)		(7)

Fourth: Beirut

<u>Electoral unit</u>	<u>Total number of seats</u>	<u>Distribution of seats in the electoral unit</u>	<u>Total number of seats in the electoral unit</u>	<u>Distribution of muhafazat seats</u>	<u>Total number of muhafazat seats</u>
- Ashrafieh - Rmeil - Saifi - Mudawar	8	Minorities 1 Greek Catholic 1 Maronite 1 Greek Orthodox 1 Armenian Orthodox 2	(6)	Armenian Orthodox 1 Armenian Catholic 1	(2)
- Mazraa - Mousaytby - Bashoura	7	Sunni 2	(2)	Sunni 2 Greek Orthodox 1 Shiite 1 Druze 1	(5)
- Ras Beirut - Dar al Mreissy - Zkak al Blat - Port - Mina al Hosn	4	Shiite 1 Sunni 1	(2)	Sunni 1 Evangelical 1	(2)
	(19)		(10)		(9)

Fifth: The South

<u>Cada</u>	<u>Total number of seats</u>	<u>Distribution of cada seats</u>	<u>Total number of cada seats</u>	<u>Distribution of muhafazat seats</u>	<u>Total number of muhafazat seats</u>
Saida	2	Sunni 1	(1)	Sunni 1	(1)
Zahrany	3	Shiite 1	(1)	Shiite 1 Greek Catholic 1	(2)
Tyr	4	Shiite 2	(2)	Shiite 2	(2)
Jezzine	3	Maronite 1 Greek Catholic 1	(2)	Maronite 1	(1)
Nabatiye	3	Shiite 2	(2)	Shiite 1	(1)
Marjeyoun	3	Shiite 1 Greek Orthodox 1	(2)	Shiite 1	(1)
Hassbaya	2	Druze 1 Sunni 1	(2)		(0)
Bint Jbeil	3	Shiite 2	(2)	Shiite 1	(1)
	(23)		(14)		(9)

Sixth: Bekaa

<u>Cada</u>	<u>Total number of seats</u>	<u>Distribution of cada seats</u>	<u>Total number of cada seats</u>	<u>Distribution of muhafazat seats</u>	<u>Total number of muhafazat seats</u>
Zahle	7	Greek Catholic 1 Maronite 1 Greek Orthodox 1 Sunni 1 Shiite 1	(5)	Greek Catholic 1 Armenian Orthodox 1	(2)
Baalbek/Hermel *	10	Maronite 1 Sunni 1 Shiite 3 Greek Catholic 1	(6)	Sunni 1 Shiite 3	(4)
Western Bekaa/ Rashaya	6	Sunni 1 Druze 1 Shiite 1	(3)	Sunni 1 Maronite 1 Greek Orthodox 1	(3)
	(23)		(14)		(9)

* The National Commission recommends that electoral units be created in Baalbek/Hermel. The proposal of Commission member Dr. Zuheir Shokr is attached hereto.

Article 31

Candidates shall run for elections within the cadas or the electoral units no matter what voting system--majoritarian or proportional--shall apply.

Chapter 4

Preparatory Electoral Tasks

First: Voter rolls

Article 32

Registration on the voter rolls shall be mandatory for resident and non-resident voters; no one shall be allowed to be registered on more than one list, failing that the provisions of Article 461 of the Penal Code shall apply.

Article 33

The voter rolls shall be permanent. However, they shall be revised periodically under the supervision of the Commission in accordance with the provisions of the present law and the procedures specified by the Commission under executive decisions.

Article 34

The Commission shall prepare for each electoral constituency and for each cada or electoral unit within it, automated voter rolls including the names of voters- both resident and non-resident Lebanese- in accordance with the updated records of personal status, provided that these voters fulfill the conditions set forth in Articles 1, 2, 3, and 4 herein.

Article 35

Voter rolls must include: the voter's full name, his father and mother's names, his record number as per personal status records, his sex, his date and place of birth, his confession, and his voting place. A column shall be reserved, on each roll, for any occurring modifications, if any, to the records (rectification or change), with the relevant legal evidence thereof.

The voters who are 100 years old and above must automatically be crossed off the voter rolls. However, this crossing-off shall not prevent them from reregistering at the request of the concerned person submitted to the Commission within one month of publication of the voter rolls.

Article 36

There shall be created within the directorate-general of personal status an office called "Office of Voters' Records" that shall be responsible, under the present law, for the periodic additions, modifications, crossings-off, and rectification made to the voter rolls.

The Office of Voters' Records shall exercise its duties under the supervision of the Commission in accordance with Article 19 herein.

Article 37

Heads of census offices shall annually submit to the Office of Voters' Records, between the 5th of December and the 5th of January, primary rolls including the names of registered persons who meet the legal terms for registration, the names of those who are excepted to meet these terms by the closing date of voter rolls, the omitted names, and the names that were crossed, for any reason whatsoever, off the records of personal status.

Article 38

The Office of the Police Record of each *Muhafazat* shall annually submit to the Office of Voters' Records, between the 5th of December and the 5th of January, the names of the persons convicted of crimes that deprive them of exercising their voting right according to Article 2 herein.

Article 39

Judicial Courts shall annually submit to the Office of Voters' Records, between the 5th of December and the 5th of January, a list of verdicts declaring bankruptcy or interdiction.

Article 40

The Office of Voters' Records shall edit the voter rolls according to the documents referred to it by the authorities mentioned in the previous article, after reviewing them under the supervision of the Commission. It shall then submit them to the latter in their final edited form before the 1st of February of each year.

Each roll shall include a special box for the reasons of editing (additions or crossings-off), and for the transfer of the place of record from one roll to another. In the event of transfer, the place of record, the record number and the crossing-off date must be written down.

Any voluntary transfer of the place of record occurring within the year prior to Election Day shall not be taken into consideration in application of the present law. Transfer due to marriage shall not be deemed voluntary.

Article 41

Before the 5th of February of each year, the Commission shall send copies of the primary voter rolls to municipalities, *mukhtars*, *Muhafazat* and *cada* centers, and Lebanese consulates abroad, for publication purposes in order to make final editing easier. Addressees should receive these rolls before the 10th of February at the latest in order to proceed to editing according to available documentary evidence after making them known to the voters.

Article 42

The Commission shall announce in the media (press and audio-visual), within the deadline specified in the previous article, that the voter rolls are ready, and shall call voters to examine and take copies of them. For this purpose also, the Commission must, within the same deadline, publish the primary voter rolls on its website and release CDs thereof. Any person may have copies thereof against an amount of money determined by the Commission.

Article 43

Any interested individual may, as of the 10th of February of each year, submit to the competent registration committee mentioned in Article 49 herein, a request for correction of any mistake regarding him/her on the voter rolls, such as registration omission or distortion of his/her name due to negligence, material mistake or any other reason. The said request shall be submitted to the registration committee by the 10th of March of the same year, along with supporting evidence and documents. No fee shall be required for the request.

Article 44

Each voter, registered in any voter roll, shall have the right to ask the competent registration committee to cross off any name that has been illegally registered in the roll. The Commission as well as the *Muhafez*, the *Caimaqam*, the *Mukhtar* and the Consular Chargé d'Affaires abroad, each within their competence, may exercise this right, before the 10th of March falling after the publication of the primary voter rolls.

Article 45

Each voter may ask the competent registration committee, within the deadline set forth in the previous article, to move his/her original place of record where he/she is supposed to vote to his/her place of residence upon a certificate issued by the Mukhtar of his/her place of residence.

Article 46

The competent registration committee mentioned in Article 49 below shall consider and decide on the requests mentioned in Articles 41, 42, and 43 herein before the 5th of March of each year. It shall send copies thereof to the concerned persons and to the Commission

in order for the latter to supervise their implementation and accordingly the editing of the voter rolls.

Article 47

The non-resident voters may file the same requests mentioned in Articles 41 and 42 herein within the deadline set forth in Article 42, to Lebanese embassies and consulates that shall refer these requests to the competent registration committee through the Commission.

Article 48

The Commission shall observe, for the preparation of the final voter rolls, the operations of editing and record transfer provided for in the present law.

Voter rolls shall be closed on the 30th of March of each year and remain in force until the 30th of March of the following year.

Article 49

The Commission shall appoint in each cada or electoral unit one or more registration committees.

Each registration committee shall be made up of an active judge (as president), one of the presidents or members of the municipal councils within the electoral constituency and one civil servant of the census office of the electoral constituency (as two members).

The presidents and members of the registration committees shall be appointed in accordance with article 19 herein.

One or more personal status civil servants shall be affiliated to each registration committee by decision of the Commission that may also have recourse to any expert it deems appropriate.

Article 50

The registration committee shall:

- 1- Examine and make decisions on the requests for voter roll rectification as per the provisions of the present law. Such decisions may be appealed to the competent higher registration committee mentioned in Article 51 below within five days of notification by means of a duty-free petition. The appellant shall be exempted from retaining a lawyer.
- 2- Receive the ballot boxes upon the closing of polling stations, revise the records and documents, and take appropriate decisions in this regard.
- 3- Count and calculate the votes. Draw up a general table with the results of each candidate and list and submit it to the competent higher registration committee.

Article 51

The Commission shall appoint a higher registration committee for each PR electoral constituency.

Each higher registration committee shall comprise a active judge of the Court of Cassation or a presiding judge of the Court of Appeal (as president), an active judge and an inspector from the Central Inspection bureau (as two members), and the head of the census office within the directorate-general of personal status (as rapporteur).

The Commission shall appoint the presidents, the members and the rapporteur of each higher registration committee in accordance with Article 19 herein.

Article 52

The higher registration committee shall:

- 1- Examine and make decisions on the requests for appeal against the decisions of the registration committees before the 25th of March of each year.
- 2- Receive the records of results issued by all the registration committees acting within the scope of the committee and attached tables. It shall then revise them and calculate the votes. General tables shall be drawn up with the results of each candidate, each list, and each list candidate and they shall be immediately submitted to the Commission.

Second: Call for Elections

Article 53

Parliamentary elections must be held on one day in all electoral constituencies within sixty days prior to the expiry of Parliament's mandate. However, in case Parliament is dissolved, elections shall then be held within three months of the publication of the dissolution decree.

Article 54

Voters shall be called to vote pursuant to a decision of the Commission published in the official gazette. Ninety days at least shall separate the publication of this decision and election day.

Article 55

If a parliament seat becomes vacant- whether PR or majority vote seat- due to death, resignation, election annulment, or any other reason, elections shall be held to fill the vacant seat within two months of vacancy. If vacancy occurs within the last six months of Parliament's mandate expiry, the vacant seat shall not be filled.

By-elections shall be held within the cada to which the vacant seat belongs, according to the majoritarian system. Only resident voters shall take part in by-elections. Polling

stations shall be determined within this cada by the Commission without the voters being entitled to ask to transfer their voting place as per Article 45 herein.

The term of office of a candidate winning a by-election may not exceed the term of office of the replaced deputy.

Third: Candidacy Filing

Article 56

Any individual who meets the candidacy terms stated in Article 5 and subsequent articles of the present law may run as candidate in any constituency. However, no one may run for election simultaneously in more than one electoral constituency or on more than one closed list.

Article 57

1- Each candidate running for parliamentary elections must submit to the Commission a notarized request signed by himself pursuant to a specimen established by the Commission including the following data:

- The name of the candidate
- The seat and the constituency he/she would be running for
- Determination of the voting system (majoritarian or proportional) according to which he/she wishes to be elected, in case the choice between these two systems is available.

2- The following documents shall be attached to the request:

- A police record less than one-month old
- A receipt from the cashier's office proving that he has paid the candidacy fees amounting to 2 million Lebanese pounds and the election deposit amounting to three million Lebanese pounds
- Declaration by virtue of which he appointed a financial commissioner and an auditor in accordance with Article 72 herein
- Approval of both the financial commissioner and the auditor referred to in Article 72 herein
- A bank certificate confirming the opening of an electoral campaign account as per Article 72 herein

Article 58

1- Each winning candidate may recover the deposit paid. As for losers, they may recover the said deposit only if they get at least 10% of the legally counted votes within the electoral constituency.

2- Each closed list that obtained a number of votes equivalent to one electoral quotient may recover the deposit.

Article 59

1- Candidacy filing shall be closed sixty days before polling day.

2- The candidate must submit to the Commission his candidacy application along with all required documents no later than the candidacy closing date.

3- The Commission shall give the candidate a provisional receipt acknowledging receipt of the application and the documents.

4- The candidate may, willingly or at the request of the Commission, complete anything missing or rectify any mistakes by the candidacy closing date at the latest.

5- The Commission shall decide on the candidacy applications within five days of receipt. In case the candidacy is accepted, it shall give the candidate a final receipt for his application registration. However, in case of refusal, it shall inform the candidate about the reasons thereof.

6- If the Commission remains silent on the registration of the candidate application for more than five days, such an application shall be deemed approved and the Commission shall give the candidate the final receipt for his application registration.

7- In case the Commission rejects the candidate's application, he may, within five days of notification of the express rejection, file to the State Council a simple duty-free petition. This council shall then deliberate and decide on his petition within three days of receipt. The decision rendered in this regard shall be final and irrevocable.

8- Each candidate may challenge the Commission's decision under which it approved the application of one of his competitors, within five days of the publication mentioned in Article 67 herein. In this case, provisions of Clause 7 above shall apply.

Article 60

If the deadline for candidacy filing expires and no candidate has registered for a particular seat, this deadline shall be automatically extended by seven days.

If the deadline for candidacy filing expires and only one candidate has run for a given seat, this candidate shall be deemed the uncontested winner. The Commission shall immediately send the president of parliament a letter informing him thereof.

If the lists registration deadline mentioned in Article 65 herein expires without any of these lists nominating a candidate for a particular seat, every individual candidate running for this seat shall constitute a list.

Article 61

Candidacy applications not in compliance with the previous articles shall be considered null. The same applies to the applications filed at the same date by the same candidate in more than one constituency. However, if these applications bear different dates, only the last one shall be taken into consideration and all previous applications shall be deemed null.

Article 62

A candidate may not drop out except on the basis of a notarized legal authorization filed with the Commission at least forty-five days before polling day. In this case, he may recover half of the deposit paid.

Article 63

Candidates running for election within PR constituencies shall constitute closed lists, that may be complete or incomplete. Candidates forming incomplete lists shall not be less than four candidates, subject to Paragraph 3 of Article 60 herein.

Formation of lists within the said constituencies shall respect the confessional distribution of seats within cadastral or electoral units.

Article 64

Each list in the PR constituencies shall include at least 30% women candidates. Fractions equivalent to or exceeding the half shall be rounded up.

These provisions shall apply on a provisional basis for three elections only.

Article 65

List candidates who wish to run for election in a PR constituency shall delegate a representative under a notarized proxy signed by them all, so that the representative registers this list with the Commission within no more than forty-five days before polling day. When this period expires, no list shall be registered or modified.

Article 66

The Commission shall issue a receipt for approval of list registration if the application meets all legal conditions. If not, it shall give the members of the list to be registered forty-eight hours to rectify the registration request at the risk of refusal. This deadline shall run from the notification of the list representative mentioned in Article 65 herein.

The Commission's decision on rectification or refusal may be challenged within forty-eight hours of notification of the abovementioned list representative in accordance with Clause 7 of Article 59 herein.

Article 67

After closing candidacy filing, the Commission shall announce and publish in a special issue of the official gazette the names of the accepted candidates. It shall also notify whomever might be concerned.

Immediately after the expiry of the registration of lists mentioned in Article 65 herein, the Commission shall announce the names of the accepted lists and the names of list members. It shall publish them in a special issue of the official gazette and notify whomever might be concerned.

Chapter 5

Regulation of Electoral Competition

First: Electoral expenditure

Article 68

Any donation, cash or in-kind gift, subscription, loan, advance, financial amount, or anything that has a financial value offered to the list or the candidate, shall be considered a contribution under the present law.

Article 69

The following shall not be considered a contribution under the present law:

- 1- The value of services provided for free by volunteers.
- 2- Bank loans duly contracted under the prevailing interest rates within the usual bank activities.

Article 70

The aggregate expenses incurred by the list or the candidate and those paid in their favor or with their express or tacit consent by natural persons, parties, organizations, or bodies supporting them, shall be considered electoral expenditure under the present law. The said expenditure shall be directly related to the electoral campaign, to the electoral process and to the creation of legitimate links between the list or the candidate on one hand and the voters on the other; it shall include, for example not for limitation, the following:

- Rental of electoral offices and all related charges
- organization of rallies, festivals and public meetings
- election-related banquets
- equipment used during the campaign

- preparation, publication and distribution of advertising matter such as books, booklets, bulletins, publications, and letters sent by normal or digital postal means
- preparation, distribution and posting of posters or billboards
- cash or in-kind compensations and allowances paid to poll watchers and persons involved in the electoral campaign
- transportation fees of electoral campaign staff and voters
- electoral advertising and opinion poll costs and any other charges paid to any radio, TV, newspaper, magazine or any other publication as means for electoral campaigning.

Article 71

The electoral campaign period shall start sixty days prior to polling day and end with the closing of ballot boxes.

Article 72

1- Each candidate must, at the beginning of the electoral campaign period or upon the registration of the candidacy application at the latest, open an account with an operating bank in Lebanon called "Electoral Campaign Account". He shall also appoint a financial commissioner who shall exclusively be in charge of managing the account and an auditor member of the Certified Public Accountant Union in Lebanon, who shall verify the campaign accounts in accordance with the prevailing rules.

2- This account shall not be subject to banking secrecy. The candidate shall be automatically considered as waiving his claim to this secrecy upon the account opening.

3- All electoral contributions and expenses shall be exclusively made through this account by the financial commissioner during the period of the electoral campaign.

4- The financial commissioner shall not be entitled to run for election. He shall not keep or manage more than one electoral account.

5- No one but the financial commissioner shall be in charge of receiving funds and contributions meant to finance the electoral campaign and paying the electoral expenses. The financial commissioner shall keep a record stamped by the Commission where all electoral campaign account operations, all funds cashed and expenses contracted and paid of any nature whatsoever, shall be noted.

6- The financial commissioner shall reimburse the candidate for expenses incurred by him (the candidate) before the commissioner was appointed. He shall enter this amount under the electoral expenses in the record kept by him.

7- No amount exceeding 500,000 LBP or equivalent shall be received or paid unless by check or any other payment means except cash payment.

8- The financial commissioner shall, upon the accomplishment of his mission, submit to the candidate a statement of account along with a report on his management activities.

9- The mission of the financial commissioner shall automatically end three months after the submission of the campaign account to the Commission.

10- Each candidate shall, upon the filing of the candidacy application, declare the names of the aforementioned financial commissioner and auditor, under a notarized written letter submitted to the Commission.

The following shall be attached to the said declaration letter:

- Express approval of both the financial commissioner and the auditor to their appointment
- Bank certificate from the bank where the electoral campaign account was opened, including the bank name and, if necessary, its branch, the name of the account holder, the account number, and the name of the financial commissioner in charge of managing this account.

Each candidate shall legally inform the Commission of any change that might occur to the identity of the financial commissioner or the auditor within two days of such change.

11- The candidate may end the services of the financial commissioner and appoint another one, provided that he informs the Commission thereof within two days of the substitute's appointment. In this case, the electoral campaign bank account shall be blocked after bank notification by the account holder until the substitute financial commissioner is appointed.

The financial commissioner whose services have been terminated must submit a management statement of account to the entity that appointed him.

Article 73

1- The candidate may spend on his electoral campaign from his own money. The money of the spouse or any of the ascendants and descendants shall be considered candidate's own money.

2- All personal funds, as per Clause 1 above, addressed to the electoral campaign must be transferred to the bank account mentioned in Article 72 herein and notified to the financial commissioner.

3- All expenses contracted or paid by the candidate from his own money for his campaign shall be entered by the financial commissioner in the record kept for this purpose. They shall be subject to a binding expenditure ceiling in accordance with Article 74 herein.

4- Only Lebanese natural persons and Lebanese not-for-profit organizations may offer contributions for a candidate's electoral campaign.

5- The contribution offered by one natural or legal person for a candidate's electoral campaign shall not exceed ten million Lebanese pounds in total. The total amount of all contributions received by a candidate shall not exceed the electoral expenditure ceiling as determined in Article 74 herein.

6- Parties or any political entity may fund electoral campaigns of their candidates provided that the funding sources and expenses of these campaigns are subject to the terms and limits as per the present law.

7- Lebanese commercial establishments and companies of any form or nature whatsoever may not participate, directly or indirectly, in financing any candidate's campaign in any way whatsoever, whether by means of donations, loans, advances or other, or via services, products or other benefits provided in lower prices than the usual ones.

8- A candidate shall be strictly prohibited from accepting or receiving, directly or indirectly, contributions or aids from foreign states or from a non-Lebanese natural or legal person.

9- A candidate and his financial commissioner shall be prohibited from abusing public funds for electoral purposes.

Article 74

1- The maximum limit of funds each candidate or list may spend on his/its electoral campaign shall be determined as follows:

A fixed flat amount equivalent to one hundred million Lebanese pounds in addition to a variable part depending on the number of voters within his/its electoral constituency and equivalent to one thousand Lebanese pounds per voter registered on the final voter rolls issued by the Commission before polling day.

This expenditure ceiling may be reconsidered at the beginning of the electoral campaign period in the light of the economic circumstances under a decision issued by the Council of Ministers at the Commission's instigation.

2- This ceiling shall apply whether to individual candidates or to lists. In the last case, expenditure ceiling for a list shall not exceed the fixed amount multiplied by the number of candidates of this list.

3- Expenditure ceilings of a candidate and of a list shall not be added onto one another.

Article 75

1- Financial donations including service provision or payment of money to voters such as (for example not for limitation) in-kind and cash donations and support to individuals, charitable, social, cultural, family, religious organizations or other, or sports clubs and all

non-public institutions operating within the candidate's electoral constituency, shall be prohibited during the campaign period.

2- The above-mentioned donations shall not be prohibited if they are granted by candidates or institutions owned or run by candidates that have been doing so on a regular basis and with the same amounts since not less than three years prior to the commencement of the electoral campaign. In this case, donations and support offered during the electoral campaign shall be subject to the electoral ceiling set forth in Article 74.

Article 76

1- The financial commissioner of each candidate must submit to the Commission on a periodic basis, within one week of the end of each month of the campaign period, a monthly statement with the received and paid amounts and financial engagements of the previous month. He shall also attach to the said statement a campaign statement of account issued by the campaign bank.

2- The financial commissioner must, in case he notices any excess of the electoral ceiling or in case he knew about or suspected any financial leakage or any electoral expenses not contracted or incurred through him, immediately submit to the Commission a report thereon.

3- If the Commission finds clear breaches of the provisions of this chapter, it shall take immediate measures to stop them and shall, when need be, refer them to the competent judicial authority.

Article 77

1- After the end of the elections, each candidate must draw up an exhaustive statement of account certified by the authorized auditor and including in detail the total received amounts with their sources and dates, and the total of expenses paid or to be paid with their nature and dates, during the electoral period.

2- This statement should be submitted to the Commission within one month of polling day along with supporting documents related to all account items, such as receipts, and disbursement notes, in addition to an exhaustive bank statement of electoral account showing all operations made through this account since its opening until this statement submittal.

3- There shall be attached to the statement of account a notarized declaration signed by each candidate--whether list candidate or individual one. The candidate declares thereby, under his full responsibility, that the attached account is correct, exhaustive and includes all received amounts and paid or to be paid expenses pertaining to the electoral campaign. He shall also expressly declare that there are no other cash or in-kind expenses or monies paid in cash or through other bank accounts or by third parties.

4- The financial commissioner shall, in case the statement of account does not include any incomes or electoral expenses, make out a certificate in this regard certified by the auditor.

5- The Commission shall consider and verify all statements of account by making sure of all or part of the data thereof. For this purpose, it may have resort to experts, such as from the judicial police or others as it may deem appropriate.

6- The Commission shall decide on the accuracy of the said statements of account within two months of submittal. Accordingly, it decides whether to accept or reject it--in this case, the *inter partes* principle should be respected--or order total or partial amendment or correction. The Commission shall file its decision with the Council of State along with the relevant statement of account.

If, within two months of submittal, the Commission does not issue a decision regarding the statement of account, the latter shall be automatically deemed accepted.

7- The Commission shall reject the statement of account if it finds that it has not been presented within the legal deadline, is incorrect, or still exceeds, even after rectification or amendment, the expenditure ceiling.

8- If the Commission finds that any of the electoral expenses declared in the statement of account and attachments is less than the usually prevailing value of this expense, it shall, taking into consideration the *inter partes* principle, assess and enter the difference under the expenses items. This difference shall be subject to the expenditure ceiling stated under the present law.

9- Clause 8 above shall apply to direct or indirect benefits and all in-kind donations and services used by a candidate.

Article 78

Upon registration, a list shall open a bank account for itself subject to the provisions of Articles 72 and subsequent articles of the present law. It shall also have its own financial commissioner and auditor.

Article 79

1- The Commission shall refer any breach of the provisions of this chapter to the competent prosecution if these breaches are of a criminal (penal) nature.

2- Whoever intentionally breaches any of the provisions of this chapter shall be sentenced to 6 months imprisonment at most and to a fine ranging between 5 million LBP and 100 million LBP, or to one of the said sentences, with no prejudice to sanctions related to penal crimes as per the criminal code and special criminal laws.

3- Spending of prohibited electoral expenses set forth in Article 75 herein shall be considered as bribery crimes mentioned in the criminal code.

4- Sentences stipulated in Clause 2 above shall apply to legal persons in accordance with Article 210 of the Criminal Code.

5- Public and civil cases related to sentences set forth in Clause 2 above, shall become barred by lapse of time six months after the announcement of election results.

Article 80

1- The candidate who fails to submit the statement of account within the terms and deadline determined in Article 77 herein or who submitted a statement of account rejected by the Commission for considering it to be a penal crime, shall be deprived of running for election for one year as of the issue date of the Constitutional Council decision declaring his ineptness.

The Constitutional Council declares, after considering the file referred to it by the Commission, the ineptness of the said candidate in addition to the automatic annulment of his election in case he is a winning candidate.

2- If the Commission rejects the statement of account of a winning candidate for reasons other than penal crime or in case it proves that the candidate exceeded the electoral expenditure ceiling as specified in Article 74 herein, the Constitutional Council may, in the event the said candidate's victory is challenged before it, annul the election of this candidate and declare his ineptness for one year. In this case, the Constitutional Council has the right to assess, at its own discretion, the importance of this infringement or excess.

3- If the sentenced infringement implies the responsibility of some or all winning list candidates, the Constitutional Council shall have the power to assess, at its own discretion, how important the infringement or the excess is, as to the declaration of ineptness of all or part of the winning list candidates.

In this case, re-election shall be conducted in order to fill the vacant seat(s) pursuant to Article 55 herein.

Article 81

In addition to the above-mentioned sentences, the Commission shall compel each candidate proven to have exceeded the determined expenditure ceiling, to pay an amount equivalent to three times the excess to the Treasury and shall decide to confiscate the electoral deposit mentioned in Article 57 herein.

Second: Electoral Advertising

Article 82

Each list or candidate shall undertake by itself/himself the organization of the legitimate activities to explain the electoral program in a suitable way not in contradiction with prevalent rules and regulations.

Article 83

In order to implement the provisions related to electoral advertising, the electoral campaign period shall be determined in accordance with Article 71 herein.

Article 84

Paid electoral advertising in the public and private audio-visual media shall be authorized in accordance with the following provisions:

- 1- The private medium wishing to take part in electoral advertising shall submit to the Commission at least ten days before the beginning of the electoral campaign, a declaration, along with a price list, by virtue of which it expresses its will to participate.
The Commission shall determine for each audio-visual medium the maximum broadcasting space and relevant timing of lists'/candidates' advertising programs.
- 2- The audio-visual media shall comply with their price list submitted to the Commission. Furthermore, they shall not reject any electoral advertising requested by a candidate or list complying with the set prices and spaces.
- 3- The audio-visual media that did not submit their declaration within the specified deadline shall be prohibited from undertaking any electoral advertising activity during the whole electoral campaign period.
- 4- While determining and allocating the maximum advertising spaces, the Commission shall respect equity among candidates and their right to equal access within the framework of law and legitimate electoral competition.
- 5- The audio-visual media shall mention in an express way while broadcasting electoral ads that they are paid ads and shall also make clear the advertiser's identity.

Article 85

1- Registered lists or each individual candidate shall be entitled to free access to the public audio-visual media in order to present their electoral programs in accordance with the provisions of the present law and rules set by the Commission.

2- Each list or candidate wishing to exercise this right shall submit a written request in this regard to the Commission. The Commission shall draw up a list with the names of candidates and lists authorized to use the public media.

3- The Commission shall make out a special schedule with the hours and terms of air time allocation in a way guaranteeing equal access and equal opportunities among lists and candidates.

4- The public media shall remain impartial in all stages of the electoral process. They (branches and staff) may not carry out any activity that might be considered in favor of any list or candidate at the expense of another candidate or list.

Article 86

1- The Commission shall observe the freedom of expression of opinions and trends of thought in the private audio-visual media during the electoral campaign through binding recommendations made to them so that equity, equality, and impartiality among candidates and lists will be secured.

2- Clause 1 above shall apply to all public and political news programs including news bulletins, interviews, meetings, talk shows, round tables and live electoral events.

3- The Commission shall ensure equal media access among competing lists and candidates by binding the medium to host all competitors--list representatives or individual candidates--under the same conditions in terms of timing, duration and program types.

4- No private audio-visual medium shall be entitled to declare its support for any candidate or electoral list. In compliance with the principle of autonomy, the mentioned media shall, during the electoral campaign, clearly distinguish between facts and realities on one hand and opinions and comments on the other hand, in all their news bulletins or political programs.

5- During the electoral campaign, the audio-visual media, lists and candidates shall abide by the following obligations:

- Refrain from any act of defamation towards any list or candidate.
- Refrain from broadcasting anything that might trigger religious/confessional/ethnic sensitivities or acts of violence or riots, or support terrorism, crimes, or sabotage.
- Refrain from broadcasting anything that might be a means of pressure, intimidation, mistrust, allusion to or promise of material or in-kind benefits.
- Refrain from distorting, screening, falsifying, omitting, or misrepresenting information.

6- Before the commencement of the electoral process, the Commission shall specify the criteria that distinguish between electoral information and electoral ads. It has the right to make sure, at any moment, whether any program hides, under the guise of information, an illegitimate electoral ad, and take all legal measures to counteract this matter.

Article 87

In compliance with Clause 2 of Article 19 herein, the Commission shall bind all audio-visual media to reserve, during the electoral campaign, at least half an hour per week for election-related educational programs broadcasted under its supervision.

Article 88

1- The competent local authority shall designate, in each city or village, appropriate billposting places for electoral ads and posters during the whole electoral campaign period.

2- No ad or poster for candidates shall be posted outside the places reserved for this purpose. In addition, any candidate shall be prohibited from posting an ad or a poster in places reserved for the others.

3- The Commission shall allocate the specified places as per Clause 1 of this article among lists and candidates according to the order in which requests were filed. Local authorities and companies exploiting the ads places shall collaborate with the Commission for the good implementation of these provisions.

4- No candidate or list may waive his/its electoral ads places in favor of another candidate or list.

Article 89

1- Public utilities, governmental institutions, public institutions, private or public universities, faculties, institutes and schools, and houses of worship may not be used for electoral events, rallies and meetings or for electoral advertising purpose.

2- Civil servants and employees of public institutions, municipalities, and municipal unions along with *Mukhtars* may not carry out electoral propaganda for a candidate or a list, nor distribute voting papers or flyers in favor or against any list or candidate.

Article 90

Distribution of voting papers, flyers, or any other documents in favor of or against a candidate or a list shall be prohibited throughout election day at polling center entrances or any other place located within 200 meters of this center, at the risk of confiscation without prejudice to all other sentences stated herein.

Article 91

As of the twenty-four hours preceding polling day until the closing of ballot boxes, all private and public audio-visual media shall be prohibited from broadcasting any electoral advertisement or call, and any interviews with candidates.

Article 92

1- The Commission shall specify the terms for opinion polls during the electoral campaign and the procedure to follow in order to ensure reliable, fair and impartial polls.

2- The Commission shall specify the terms and conditions of publication, broadcasting, and distribution of opinion polls results during the electoral campaign. It shall have all powers to make sure of the compliance of opinion polls with rules and regulations and with the Commission's decision. It shall be entitled to take all necessary measures in order to stop or remedy violations against audio-visual media, opinion polls institutions, or any third party.

3- The announcement, publication, broadcasting, or distribution of the opinion polls results must be accompanied by, at least, the following, under the responsibility of the polling institution:

- Name of the entity conducting the opinion poll
- Name of the entity asking for and paying the cost of the opinion poll
- Size, mode of selection and distribution of the polled sample
- Poll technique
- The verbatim asked questions
- Limits of results interpretation and margin of error

4- Within the week preceding polling day until the closing of all ballot boxes, no opinion polls or comments thereon shall be published, broadcast or distributed in any way whatsoever.

Article 93

The press and the audio-visual media that wish to cover the voting and counting processes shall ask the Commission for written permits in this regard in accordance with Clause 11 Article 19 herein.

Article 94

1- The Commission shall make sure of the adherence of the audio-visual media in Lebanon to the electoral advertising provisions mentioned herein and to the decisions taken in application thereof.

2- The Commission shall, at its own discretion, assess whether or not, and to what extent, the access of candidates to satellite media should be part of the advertising spaces allocated by the Commission to each list or candidate.

3- The Commission shall immediately consider any complaint filed by a wronged list or a wronged candidate. Decisions in this regard shall be taken within forty-eight hours of receipt.

Article 95

1- Without prejudice to the criminal code, press law, and audio-visual law, the Commission may impose upon the private audio-visual media breaching the provisions and decisions related to electoral advertising, sanctions, to the extent that it deems appropriate, from among the following measures:

- Give a warning to the defaulting medium and compel it to broadcast an excuse or enable the wronged candidate to exercise the Right to an Answer.
- Impose a financial fine on the defaulting medium ranging between 50 and 100 million Lebanese pounds.
- Suspension of all political and news programs, bulletins, interviews and forums in that audio-visual medium for up to three days.
- Totally close the defaulting medium and totally suspend all its programs for a period up to but no longer than the closing of ballot boxes on election day.

2- In case of violation of the provisions and decisions related to electoral advertising, the Commission may also impose on the defaulting list or candidate a fine ranging between 50 and 100 million Lebanese pounds without prejudice to legal proceedings before the competent court when need be.

3- The Commission's decisions in this regard shall be taken by the absolute majority of its members. They shall be justified, urgent and immediately enforceable.

4- The Commission's decisions may be appealed, within five days of issuance, to the judge in chambers of the Court of Cassation.

The said judge shall consider the contestation in his capacity as a Court of Appeal judge, regardless of the reasons listed in Article 708 of the Civil Procedure Code, and shall render his judgment within five days of the date of the contestation registration at the court registry.

Article 96

The aforementioned electoral advertising provisions shall not apply to the written press that shall remain governed by its own rules and regulations.

Chapter 6

Electoral Process

First: Voting of Lebanese Residents

Article 97

1- The electoral constituency shall be divided, as decided by the Commission, into a number of polling centers (*markaz*) including polling stations (*qalam*), as follows:

- Each village having at least two hundred registered voters shall be entitled to one polling station. Otherwise, these voters shall vote in the closest polling station as determined by the Commission.
- Each four hundred voters shall be entitled to one polling station at least. The Commission may decide, on an exceptional basis, to increase the number to six hundred if deemed necessary for the smooth conduct of the electoral process.
- The number of polling stations shall not be more than fifteen in one polling center.

2- The Commission shall specify polling stations for voters who choose to vote outside their place of record in accordance with Article 45 herein.

3- The Commission's decision regarding the distribution of polling stations shall be published in the official gazette and on the Commission website at least one month before polling day. Such a distribution may not be modified within the week preceding polling day unless for serious reasons and under justified decision.

4- The Commission shall establish information offices for voters in all regions in order to facilitate the determination of their polling stations.

Article 98

1- The Commission shall, in collaboration with the competent authorities, appoint for each or many polling centers an officer, and for each polling station a head and a clerk from amongst civil servants, at least one month before polling day, provided they are not informed of the polling place they are assigned to until five days before polling day.

2- Only the head of the polling station shall have the authority to keep order inside the polling station. No security forces are allowed to be inside the station without his request. They intervene temporarily and exclusively to look after the good conduct of the electoral process.

3- The polling station head shall not, in any case, prevent the candidates and poll watchers from exercising their right of supervising electoral activities. He may not evict any poll watcher unless he causes disorder or is witnessed in a flagrant offence.

If the station head takes such a measure, he shall make out a record in this regard stating the facts, the reasons and the time thereof. He shall then sign it with all the present poll watchers and immediately submit it to the polling center officer.

Article 99

1- Voting shall take place on one day, which shall always be a Sunday, throughout Lebanon. It shall start at 7:00 am and end at 7:00 pm.

2- The Commission shall organize, within each electoral constituency, on the Friday immediately preceding polling day, a voting process for the civil servants in charge of running the polling stations. Boxes related to civil servants stations shall be closed after calculating the number of envelopes in each box. They shall be dispatched closed to the competent registration committee in order to count them with the other boxes at the end of Sunday's electoral process. In this case, the rules set forth in Article 105 and subsequent articles of the present law shall be respected.

Article 100

1- The Commission shall issue, according to the voter rolls, check lists (*lawa'ih shatib*) which shall be adopted in all polling stations inside or outside Lebanon. Each check list shall include, in addition to the data of the voter rolls, three boxes; the first for the voter's signature, the second for the signature of the member in charge of confirming the voting, and the third for any relevant note.

2- All pages of the check list of each polling station shall be attached to each other, numbered, and stamped by the Commission.

3- No one shall be allowed to vote unless his name is registered on the check list of the polling station or if he has permission from the competent registration committee to register his name.

4- The right to vote shall be suspended:

- for registered persons under arrest
- for registered persons who are in an institution for mental illness even if they are not under a legal interdiction.

Article 101

1- Each polling station shall be made up of a head and a clerk as mentioned in Article 98 herein, with four assistants chosen by the polling station head at the opening of the station from among the present voters who can read and write. The Commission may, if necessary, appoint reserve assistants.

2- The head of the polling station and at least half of the assistants must be present throughout the electoral process.

Article 102

1- Each candidate within a majority vote constituency and each list within a PR constituency shall have the right to delegate one of the electoral constituency voters to access the polling station at the rate of one poll watcher for every polling station. They may also choose mobile poll watchers from among the voters of the constituency who shall have access to all polling stations within the said constituency. In this case, each three polling centers shall have one poll watcher.

2- The Commission shall provide the poll watchers with passes according to rules specified by it.

3- Supervisors appointed by the Commission according to Article 19 Clause 14 herein, may enter, at any moment, the polling stations to accompany the developments of the electoral process.

Article 103

Security forces shall maintain order at the entrance of and around the polling centers under the supervision of the Commission. Any electoral or advertising activity, for example loudspeakers use, shall be prohibited within a 200 meter radius from the polling center.

Article 104

1- The Commission shall provide the polling stations with the necessary equipment and stationery for the electoral process. Furthermore, it shall provide them with two ballot boxes with one hole each made up of a transparent solid material; one for the majority vote constituency and another for the PR constituency.

2- Each polling station shall have one or more voting booths, all conforming to the specifications determined by the Commission.

3- No voting operation shall be carried out in a station that does not have a voting booth. Otherwise, the voting operation shall be annulled in the polling station in question.

Article 105

Before the commencement of voting, the polling station head shall open the two boxes stated in the previous article and verify with the polling station panel and the poll watchers that they are empty. He shall then lock them using two different locks; one key remains with him and the other with the eldest assistant.

2- During the electoral operations, official copies of electoral lists and the Commission's decision that establishes and designates the polling station shall be published at the polling station entrance. A copy of the electoral law and a list of the poll watchers shall be placed on a table in the polling station so that the voters, the candidates and their poll watchers can examine them.

3- Before the commencement and until the end of the electoral operations, the polling station head shall make sure that all posters, symbols, writings, and slogans of any nature whatsoever are removed from the polling station.

Article 106

1- Voting shall take place by means of ballot papers prepared by the Commission for each electoral constituency. They shall be available only at the polling station as of 7:00 am.

2- There shall be two types of ballot papers:

- The first shall be for majority vote constituencies. In this case, the ballot paper shall include all candidates' names within the constituency with a photograph of each one of them next to their names, in addition to other information and specifications to be determined in the specimen set by the Commission.
- The second shall be for PR constituencies. In this case, the ballot paper shall include the names of all lists and candidates forming these lists, in addition to the specifications determined in the specimen set by the Commission, such as: each candidate's name, surname and father's name (in alphabetical order according to the family name), a photograph of each candidate near his name, and an empty box near the photographs where the voter can exercise his right to two preferential votes as per Article 109 herein.

3- Voters shall be bound to use these ballot papers and no other ones in order to exercise their right to vote.

Article 107

1- As soon as the voter enters the polling station, the head shall make sure of his identity according to his ID card.

2- After the polling station panel has made sure that the voter's name exists on the check list of the polling station, the head shall give the voter two opaque and stamped envelopes; the first for the constituency subject to the majoritarian system and the second for the PR one. The head or his assistant shall sign each of these envelopes in front of the voter as soon as they are given to him. Envelopes of each type shall be similar for all voters. The number of each type of envelopes delivered to the polling station shall be equal to the number of the registered voters of this polling station. Unused envelopes shall be attached to the record.

Before voting operations, the head shall, under his full responsibility, make sure that the number of all sealed envelopes of both types is absolutely equal to the number of the registered voters. In case there is any difference, he shall immediately inform the Commission thereof in order to remedy the situation.

Article 108

The polling station head shall give the voter both ballot papers mentioned in Article 106 herein and shall ask him to go necessarily into the voting booth so that he can put in each of the mentioned stamped envelopes the relevant ballot paper.

Article 109

1- Each voter shall be entitled:

- To vote, in the majoritarian vote constituency, for a number of candidates equal to the number of seats allocated to it on a confessional basis.
- To vote, in the PR constituency, for one closed list chosen amongst the competing lists. In order to rank the candidates, the voter shall cast two preferential votes for two candidates from the list he has chosen provided that these two candidates belong to two different cadas, by ticking the box mentioned in Clause 2 of Article 106 herein.

2- In case the candidate has not cast any preferential vote, voting shall be considered valid and the list shall be counted regardless of ranking votes. If he casts only one preferential vote, it shall be counted along with the list. However, if he casts more than two preferential votes or casts them in a way contrary to the provisions of the previous clause, they shall be considered void and only the list shall be taken into account.

Article 110

1- The voter shall put each ballot paper in the relevant envelope while he is still in the voting booth. He may not put in each envelope more than one ballot paper. Afterwards, he shall come to the polling station panel and show them that he holds only two stamped envelopes. The head makes sure of that without touching the envelopes and authorizes the voter to drop, in person, each envelope in the relevant ballot box.

2- The polling station head shall make sure that the voter has indeed gone into the voting booth; if the voter fails to do so he shall be prohibited from voting.

3- Voting is confirmed by the voter's signature on the check list or by inking his thumb with a special indelible ink provided by the Commission for all polling stations. The said ink should last at least 24 hours. Any voter with such ink on his thumb is barred from voting again.

4- The polling station head shall, under his own responsibility, prevent any voter who breaches the provisions of Clause 1 of the present article from voting.

Article 111

No voter may delegate to anyone his right to vote. However, a handicapped voter who cannot put his voting paper in one of the aforementioned envelopes and drop it in one of the ballot boxes shall be allowed, under the supervision of the polling station panel, to have the assistance of another voter of his choice. This event shall be written down in the box reserved on the check list for the comments.

Article 112

The Commission shall take into consideration the needs of disabled persons while organizing the election process and facilitate all measures allowing them to exercise their right to vote with no obstacles.

The Commission shall put in place a relevant exhaustive implementation code after consulting with Disabled Persons organizations and Service Providing organizations set forth in the Law on Rights of Disabled Persons no 220 dated 29/5/2000.

Article 113

The polling station head shall announce the end of the voting process at 7:00 pm. However, if there are still voters present in the entrance area of the polling station who have not voted yet, the deadline shall be extended until they have finished voting. This event shall be written down in the record.

Article 114

1- At the end of the voting process, only the polling station panel, the poll watchers and the authorized observers may stay inside the polling station. Each of the ballot boxes shall be opened and the envelopes shall be counted. If their number is more or less than the number of the crossed-off names, this shall be mentioned in the record drawn up by the polling station head for each box in two original copies. This record shall be signed by the head and the whole polling station panel. A copy of each record shall be posted at the polling station door. Each candidate or poll watcher may have, at his request, a certified copy of the said records before they are posted.

2- Envelopes shall be placed in each of the boxes along with the copy of the relevant record. The boxes shall then be locked again and sealed as specified by the Commission. The head and the clerk and whoever of the poll watchers who wishes shall with no delay transfer the boxes, with security escort, to the competent registration committee.

Second: Out-of-country Voting

Article 115

Every Lebanese citizen that does not reside on the Lebanese territory shall be entitled to vote only if his name is registered on the voter rolls stated in Article 32 herein.

Article 116

Voting of non-resident Lebanese citizens shall be governed by the provisions of Article 99 and subsequent articles herein. The following provisions shall be observed:

1- At least two months before polling day, the Commission shall send each Lebanese embassy or consulate, through the Ministry of Foreign Affairs and Emigrants, CD-ROMs of the check lists of the Lebanese citizens reporting to this embassy or consulate.

2- Each Lebanese embassy or consulate and each other place determined by the Commission in coordination with the Ministry of Foreign and Emigrant Affairs shall constitute a polling station.

3- The Commission shall, in coordination with the Ministry of Foreign and Emigrant Affairs, appoint a polling station panel made up of a head and a clerk from among the employees of the embassy or the consulate abroad. It shall also specify their powers in coordination with the Ministry of Foreign and Emigrant Affairs.

The voter shall vote with his Lebanese ID card or a valid Lebanese passport.

Article 117

In coordination with the Ministry of Foreign and Emigrant Affairs, the Commission shall specify by virtue of a decision how to implement the provisions of the present law as to out-of-country voting for non-resident Lebanese.

Chapter 7

Counting of Votes and Announcement of Results

Article 118

Primary counting of votes shall take place in front of the competent registration committee that receives all ballot boxes and records of the polling stations falling within its scope. The delivery shall be done by the polling station head who draws up a record in this regard. The Commission shall provide the registration committee with all necessary equipment, namely a transparent container big enough to take all the envelopes, a scanning machine connected to a programmed computer and a wide screen where the

results would be displayed, in addition to any other installations meant to secure the automation of the electoral process in a sound way.

Article 119

The envelopes shall be placed in a large transparent container in stages, each of at least 10 polling stations. They shall be mechanically counted under the supervision of the registration committee, the poll watchers and the observers.

The president of the registration committee or his assignee shall open the envelopes successively, making sure that each envelope contains only one official ballot paper. Counting of votes shall start with a scanning machine showing separately each voting paper on the wide screen. The programmed computer also counts the votes.

The registration committee shall stamp every duly counted valid ballot paper with a seal provided by the Commission for this purpose.

In all cases, official ballot papers shall be confidentially kept by the Commission, for three months from the date of results announcement, in packets referring to the relevant group of polling stations. The Commission shall then destroy them under a record drawn up for this purpose as long as the Constitutional Council has not requested them.

Article 120

Any paper other than the official ballot paper and any paper containing identification marks shall be deemed a "spoiled vote". Each envelope containing more than one ballot paper shall be considered void.

As for empty envelopes, they shall be considered as blank votes and shall be mentioned in the record that specifies the number of blank and spoiled votes. Their total shall be mentioned in the final counting record.

Spoiled votes shall be kept, after noting on them the reason why they were considered void, and they shall be stamped with the seal mentioned in the previous article.

Article 121

As a result of the primary counting process, the competent registration committee shall note:

- The number of votes won by each candidate in the majority vote constituency
- The number of votes won by each list in the PR constituency in addition to the number of preferential votes belonging to each candidate
- The results shall be sent with no delay to the higher registration committee by virtue of two records, the first for majority vote constituencies and the second for PR constituencies.

Article 122

Candidates and poll watchers may have a certified copy of each counting record containing the results of each registration committee.

Article 123

1- Immediately after receiving the records referred by the registration committees, the higher registration committee shall write down the total number of votes won by each candidate in the majority vote constituencies and the total number of votes of each list in the PR constituencies along with the number of preferential votes won by these lists' candidates.

2- The higher registration committee shall draw up for each category of results a record attached to a general schedule. The said record shall be submitted to the central higher registration committee mentioned in Article 25 herein that shall, in its turn, submit it to the Commission.

Article 124

1- Within the majority vote constituencies, the candidate with the highest number of votes for each contested seat shall be declared the winner. In case of equal votes between two candidates running for the same seat, the eldest candidate shall win.

2- The number of seats going to each list in PR constituencies is determined according to the electoral quotient.

3- In order to determine the electoral quotient, the number of voters of each *Muhafaza* shall be divided by the number of seats of this *Muhafaza*.

4- Each list shall get a number of seats equal to the total number of votes it received divided by the electoral quotient. The remaining seats shall go to the qualified lists with the highest fraction. In case of vacant seats after the distribution of fractions, they shall go to the qualified lists starting from the first list.

5- Candidates shall be declared winners starting with the candidate with the highest number of preferential votes no matter what list he belongs to, then the candidate with the second highest number of preferential votes, and so on, until candidates of qualified lists fill all their deserved number of seats within the constituency. The candidate whose turn is to be considered but meets one of the following conditions shall be eliminated and replaced with the candidate who comes directly after him.

- A candidate running for a confessional seat within a given cada/electoral unit that has already been filled;
- A candidate from a list that has already filled all its deserved seats.

6- In case of equal preferential votes between two candidates, the eldest candidate shall be ranked higher.

Article 125

The Commission shall be in charge of announcing through the media the final results and the names of the winning candidates, winning lists and winning list candidates, within twenty-four hours of receipt of all records from the central higher registration committee. The Commission shall notify the President of Parliament and the President of the Constitutional Council of these results.

Chapter 8

Incompatibility between Parliamentary Membership and Some Other Offices

Article 126

1- No one may be a Member or President of Parliament and at the same time be a board member or chairperson of any public institution or public utility institution or hold any post in any public administration, public institution, municipality, municipal union, privileged company, mixed-economy company, or public-capital company.

No MP may hold any religious post with a salary or remuneration paid from the Treasury.

Each of those elected as MP shall be automatically considered discharged from their job if they do not refuse the MP mandate within one month of election results announcement.

2- No one may be a Member of Parliament and at the same time be attorney of the State or any of its departments or its public institutions or municipalities or municipal unions or any of the institutions or companies mentioned in Clause 1 above.

Each of those elected as MP shall be automatically discharged from his duties.

Chapter 9

Miscellaneous Provisions

Article 127

No public monopoly, concession or business contract may be awarded to a deputy or to any of his first- or second degree relatives.

Article 128

Wherever the present law makes no provision as to the implementation of its content, the Commission shall be in charge of specifying such implementation details.

Article 129

The present law shall be published in the official gazette.

The present draft law is prepared by the National Commission on Parliamentary Electoral Law appointed by the Council of Ministers under Decision no 58 dated 8/8/2005 and composed of Messrs:

Fouad Boutros (President)- Ghaleb Mahmassany- Michel Tabet- Zouheir Shokr- Ghassan Abou Alwan- Ziyad Baroud- Nawaf Salam- Abdel Salam Sheuib- Fayez Al-Hajj Shahine- Paul Salem- Khaldoun Naja- Arda Ekmekji

Dear President and Members of the National Commission on Parliamentary Electoral Law,

Subject: Lodging of an objection

In application of the Rules of Procedure of the Commission, I would like to lodge the following objection:

With great respect of the circumstances that made the majority of the Commission members settle on dividing the traditional Mount Lebanon muhafazat into two constituencies, I hereby oppose their decision and insist – within the scope of the proposed draft law exclusively- on the unity of the said muhafazat, for the following reasons:

- 1- One of the significant characteristics of the draft law agreed upon by the Commission is that it adopted, for the distribution of seats within cadas and muhafazats, clear and predetermined criteria according to which seats were to be distributed. One of these criteria is the adoption of the five “traditional” muhafazats. As a result, the muhafazat of Nabatiye (established since 1975), and the two muhafazats of Baalbek/Hermel and Akkar (both established in 2003) were all eliminated. Consequently, the division of Mount Lebanon into two constituencies will be considered a breach of the adopted criterion and will constitute the only exception thereof. Such a breach might be seen as a constitutional infringement in accordance with Decision no 4/96 dated 7/8/1996 of the Constitutional Council providing for “One [prevailing] criterion throughout all Lebanese regions for the sake of equality”.
- 2- The argument that Mount Lebanon is the biggest Muhafaza and should therefore be divided is to be dismissed. In fact, the number of seats allocated under the proposed draft law for the said muhafazat is 13, while it amounts to 11 in the muhafazat of the North, 9 in the South, and 9 in Beirut. Thus, the difference does not imply any division; on the contrary, it would result in two muhafazas in Mount Lebanon the first of 6 seats and the second of 7!
- 3- Such a division, if adopted, would push some people to propose to also divide the muhafaza of the North (comprising 28 seats and including, since 2003, the muhafaza of Akkar), as well as the muhafaza of the South (comprising 23 seats and including, since 1975, the muhafaza of Nabatiyeh), and the muhafaza of the Bekaa (comprising 20 seats and including, since 2003, the muhafaza of Baalbek/Hermel). Consequently, the coherent draft law would be subject to altercations that were overcome owing to the criterion of the historical muhafazas and the existing cadas.
- 4- The difference in the number of seats among cadas: some cadas are single-seat or two-seat cadas (Batroun, Besharre, Danniye, Saida, Tyr, Hasbaya...), while others

comprise 5 or 6 seats (Zahle, Tripoli, Baabda...), one seat- as an average- being allocated for each confession. Therefore, it would be more appropriate to adopt equal distribution of seats within cadas or the single-member constituency within these cadas, in order to standardize the electoral quotient and enhance fair representation.

THEREFORE,

For the aforementioned reasons, I hereby lodge my objection to what has been agreed by most of the Commission members.

Beirut, on 31/5/2006

Ziyad Baroud
Commission member