

# **ELECTION COMMISSION OF BHUTAN**



## **Guidelines for Evaluation of the Asset Declaration of the Candidates Contesting Elections, 2018**

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# **Guidelines for Evaluation of the Asset Declaration of the Candidates Contesting Elections, 2018**

## **1. Purpose**

1.1 These *Guidelines for Evaluation of the Asset Declaration of the Candidates Contesting Elections, 2018* is adopted for evaluation of asset declaration submitted by the Candidates wishing to contest the Elections.

## **2. Legal Provision**

2.1 The Section 6 of the Article 23 of the Constitution and the Section 213 of the Election Act of the Kingdom of Bhutan 2008 require that, in order to provide for an informed choice by the voter, every candidate for an election to the National Assembly, National Council and Local Government must file along-with his/her nomination paper, an affidavit in the prescribed form declaring her/his, spouse's and dependent children's:

- 2.1.1 Immovable properties such as land and building/house/flat;
- 2.1.2 Shares and Stocks;
- 2.1.3 Vehicles/Machineries;
- 2.1.4 Personal Savings;
- 2.1.5 Convertible Assets;
- 2.1.6 Commercial Activities and Intellectual Properties;
- 2.1.7 Income Statement; and
- 2.1.8 Liabilities.

### 3. Transparency

- 3.1 A Candidate nominated by a Political Party or Candidate to contest Parliamentary Elections is under the Electoral Laws required to declare the Assets of herself/himself as well as spouse's and dependent children so as to:
  - 3.1.1 Provide voters with the opportunity to make informed decisions;
  - 3.1.2 Ensure that the political leadership comprises persons of integrity and high moral standing;
  - 3.1.3 Prevent corruption; and
  - 3.1.4 Foster Public confidence.
- 3.2 The declaration filed by a Candidate shall be assessed to verify whether the declarations are accurate, honest and crosscheck for any discrepancy in comparison to the earlier declarations and records with the Commission and the Anti-Corruption Commission of Bhutan.
- 3.3 The Candidates contesting Parliamentary Elections shall submit the duly filled Asset Declaration ***Returning Officer Form No.8*** for assessment to the Commission before filing nominations to the concerned Returning Officer.
- 3.4 The Department of Election, in collaboration with the Anti-Corruption Commission, shall carry out the assessment based on the data maintained.
- 3.5 The Department of Election shall, based on such assessment, prepare a report on each Candidate making specific recommendation for action that may be taken by a Returning Officer as in the format in the ***Returning Officer Form No.9***.

#### **4. Scrutiny of Asset Declarations**

4.1 The Returning Officer shall, under Sections 199 and 218 of the Election Act, conduct scrutiny of the nomination papers of the contesting candidates on the day immediately following the last date for making nominations. The Returning Officer shall be guided by the Asset Declaration Assessment.

#### **5. Scrutiny of other Requirements**

5.1 The Returning Officers are required to carry out the scrutiny of all documents thoroughly.

#### **6. Penalty**

6.1 Any person or organization found guilty of violation of these Guidelines shall be dealt with in accordance to the Election Act.

#### **7. Power of the Commission to Issue Instructions and Directions**

7.1 The Commission may issue instructions and directions;

7.1.1 For the clarification of any of the provisions of these guidelines;

7.1.2 For the removal of any difficulty which may arise in relation to the implementation of any such provisions; and

7.1.3 In relation to any matter in respect to Assets Declarations, for which these guidelines make insufficient provision, and clarification is necessary in the opinion of the Commission.

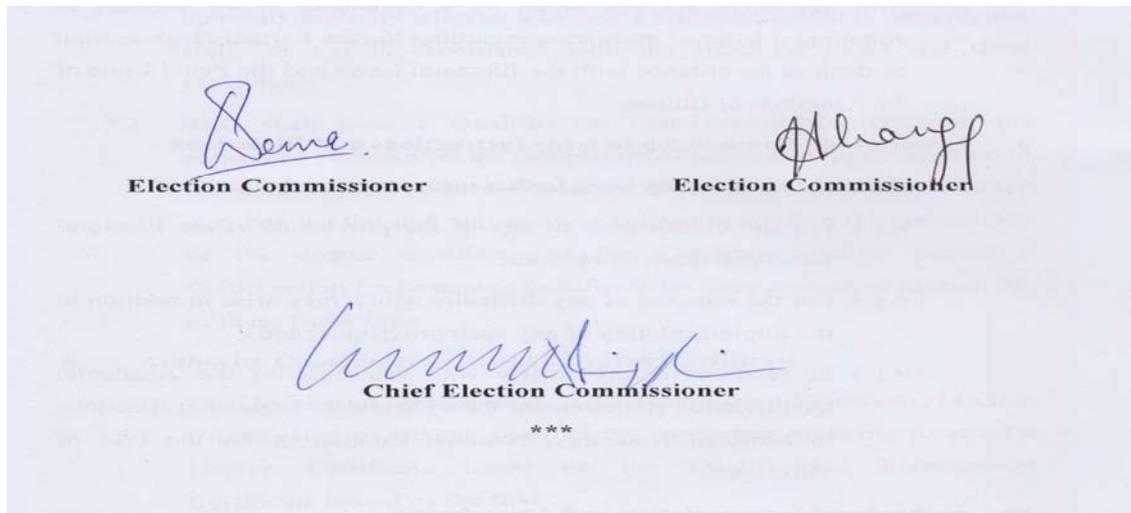
#### **8. Interpretation and Amendment**

8.1 The Election Commission shall be the competent authority to interpret the provisions of these Guidelines.

8.2 The Election Commission shall have the power to amend the existing Guidelines by way of addition, variation or repeal, provide

that no such amendment shall be made in contravention to the provisions of the Election Act.

**Done under the seal of the Election Commission of the Kingdom of Bhutan on this 9<sup>th</sup> of February 2018 corresponding to the 24<sup>th</sup> Day of the 12<sup>th</sup> Month of the Fire Female Bird Year in the Bhutanese Calendar.**



The image shows three handwritten signatures in blue ink on a light-colored background. The first signature on the left is for an Election Commissioner, the second on the right is for another Election Commissioner, and the third, larger signature in the center is for the Chief Election Commissioner. Below each signature is the printed name of the respective official. At the bottom center of the image, there are three asterisks (\*\*\*) indicating the end of the document.

**Election Commissioner**                      **Election Commissioner**

**Chief Election Commissioner**

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