

ELECTION COMMISSION OF BHUTAN



Handbook for Candidates

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Publisher : Election Commission of Bhutan,
Post Box 2008,
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E-mail : cec@election-bhutan.org.bt

Visit us at : www.election-bhutan.org.bt

Phone : (00975) 2 334 851/2

Fax : (00975) 2 334763

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FOREWORD

The Election Commission is pleased to publish the Handbook for Candidates for contesting the elections to Parliament and Local Government.

This Handbook, we expect, would contribute towards:

- a. establishment of a strong electoral system in the Kingdom;
and
- b. preparation of Candidates to play a positive role in Parliamentary and Local Government elections.

While all efforts have been made to make it exhaustive and comprehensive; however, it is advised that the readers must use it in conjunction with the relevant Electoral Laws, Rules, Regulations and Guidelines.

We are confident that it will motivate Candidates to play a meaningful role in bringing in healthy and sound democratic practices ultimately contributing towards the fulfillment of the farsighted Vision of His Majesty the King.



(Kunzang Wangdi)

CHIEF ELECTION COMMISSIONER

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CHAPTER 1

ELECTIONS

This Handbook for Candidates is published by the Election Commission of Bhutan to assist Candidates standing for election to Parliament and Local Government.

Four main legislations govern the conduct of elections:

- (a) The Constitution of the Kingdom of Bhutan;
- (b) The Election Act of the Kingdom of Bhutan, 2008;
- (c) The Public Election Fund Act of the Kingdom of Bhutan, 2008;
and
- (d) The National Referendum Act of the Kingdom of Bhutan, 2008.

The Handbook explains in detail those aspects of the Election Act which relate directly to Candidates. However, it is not a substitute for the laws, and should be read in conjunction with the various Electoral Laws, Rules, Regulations, Guidelines, Orders and Notifications issued in this regard by the Election Commission of Bhutan.

Overview

Elections will be conducted according to the system of “First Past The Post” (FPTP) where voters elect their representatives to Parliament and the Local Governments, as the case may be, through a single member constituency (*Demkhong*), chosen by direct elections from territorial constituencies (*Demkhongs*) in each Dzongkhag.

Elections to the National Assembly differ from the National Council and the Local Governments as independent Candidates are not permitted to contest in the National Assembly elections, while only the Candidates not affiliated to a Political Party can contest in elections to the National Council and the Local Governments.

The National Assembly elections are held in two rounds: the first round is called the Primary Round where all registered parties can contest and the two parties obtaining the highest and the second

highest number of valid votes cast throughout the Kingdom will be declared eligible to contest in the second round, the General Elections. In the General Elections, each of the two parties eligible to contest will field Candidates in all of the *Demkhongs*.

The National Council elections are held to elect one member from each Dzongkhag for representation in the National Council. For this purpose, each Dzongkhag will form a *Demkhong* for the National Council with twenty seats being filled through direct election of one Candidate from each of the twenty Dzongkhags.

While the Election Commission can assist by providing information of a general nature in relation to the nomination process and campaign activity, it cannot render legal advice to Candidates. Therefore, Candidates must satisfy themselves as to their own legal positions and if necessary refer to the relevant provisions of the Constitution and the electoral laws and consult their own Legal Counsel.

CHAPTER 2

ROYAL DECREE CALLING ELECTIONS

As per the provisions of the Election Act, the Druk Gyalpo will, by Royal Decree, Command Parliamentary Elections on the dates so announced by the Election Commission. The Royal Decree will be addressed to the Election Commission of Bhutan and will signify the commencement of the election cycle.

National Assembly

The term of National Assembly, unless dissolved earlier, is five years counted from the date of the first sitting of the House.

The Election Commission will, at least ninety days before the date of expiration of duration of the National Assembly, announce the date on which the Royal Decree calling elections will be issued, to ensure that a new National Assembly is reconstituted within ninety days after the date of expiration of its duration. However, in the case of premature dissolution, such announcement will be made after the dissolution so as to ensure that the new National Assembly is reconstituted within ninety days of its dissolution.

Accordingly, to hold National Assembly elections or a by-election, the Druk Gyalpo will issue by Royal Decree a Notification Commanding the Election Commission to conduct the elections.

National Council

The term of National Council is five years counted from the date of the first sitting of the House.

The Election Commission will at least ninety days before the date of expiration of duration of the National Council, announce the date on which the Royal Decree calling elections will be issued so as to ensure that a new National Council is reconstituted on the date of expiration of the duration of the existing National Council.

Accordingly, to hold National Council elections or a by-election, the Druk Gyalpo will issue by Royal Decree a Notification Commanding the Election Commission to conduct the election.

Local Governments

The Local Governments comprise of the *Dzongkhag Tshogdu*, *Gewog Tshogde* and *Thromde Tshogde*. The term of a *Dzongkhag Tshogdu*, a *Gewog Tshogde* or a *Thromde Tshogde*, unless dissolved earlier, is for five years counted from the date of the first sitting of the respective bodies.

The Election Commission will, at least ninety days, before the date of expiration of duration of a Local Government, announce the date on which it will issue the Notification calling the elections so as to ensure that each Local Government is reconstituted on the date of expiration of duration of the existing Local Government. However, in the case of premature dissolution, announcement is made after the dissolution so as to ensure that a new Local Government is reconstituted within ninety days of its dissolution.

Accordingly, to hold the Local Government elections or a by-election, the Election Commission will issue the Notification calling the election and setting the process of election in motion.

Unlike Parliamentary elections, in the case of Local Government elections, instead of Druk Gyalpo issuing the Royal Decree, the Election Commission will issue the Notification.

CHAPTER 3

DATES FIXED IN THE ROYAL DECREE AND NOTIFICATION

The key dates of an election shall be given in election schedule which will notify, with respect to:

(a) Primary Round of Election:

- (i) Last date for the receipt of the Letter of Intent from the Political Parties;
- (ii) Date for the freezing of the Electoral Roll;
- (iii) Date of issue of Postal Ballot;
- (iv) Last date of receipt of application for Postal Ballots;
- (v) Commencement date for the issue of Postal Ballot by the Returning Officer;
- (vi) Date of disbursement of Public Election Campaign Funds;
- (vii) Prescribed hours for the commencement and end of Poll;
- (viii) Date on which the Poll shall be taken;
- (ix) Date of Counting and Declaration of Results; and
- (x) The Election Petition Period.

(b) General Election, National Council and Local Government elections:

- (i) Last date for Nominations of Candidates;
- (ii) Date for Scrutiny of Nominations of Candidates;
- (iii) Last Date for Withdrawal of Candidatures;
- (iv) Date of publication of Notification for the issue of Postal Ballot in the case of National Council and Local Government elections;
- (v) Date for the freezing of the Electoral Roll;

- (vi) Commencement date for the issue of Postal Ballot by the Returning Officer;
- (vii) Date of disbursement of Public Election Campaign Funds;
- (viii) Date on which the Poll shall be taken;
- (ix) Prescribed hours for the commencement and end of Poll;
- (x) Date of Counting and Declaration of Results; and
- (xi) The Election Petition Period.

Temporary Embargo on Entries in the Electoral Roll

As per the Election Act, no amendment, inclusion of name, transposition or deletion of any entry in the Electoral Roll for a *Demkhong* can be made during a period of thirty days before the date of Poll for an election. Accordingly, the general public will be given opportunity of 10 days to file claims and objections on the draft Electoral Roll prior to the freezing.

A facsimile of a claim or objection for enrolment received on the dates specified prior to the temporary embargo on entries of Electoral Roll would also be acceptable. By faxing the prescribed **Electoral Roll Form No. 1** of the *Electoral Roll Preparation and Voter Registration Guidelines of the Kingdom of Bhutan, 2012*, a voter must agree that the time of receipt is the time when the message has completed printing from the relevant fax machine. No other kind of electronic communication will be accepted.

Close of Nominations

The last date for acceptance of nominations for General Elections must not be later than the thirtieth day after the declaration of results of the Primary Round.

The date for the close of nominations for the National Council and the Local Government elections must not be later than the thirtieth day after the issue of notification calling for elections.

Date for Scrutiny of Nomination and Withdrawal of Candidature

As per the provision of the Election Act, the scrutiny of nominations for any election to the National Assembly, National Council or a Local Government will take place on the day immediately following the last date for making nominations. Similarly, the last date for withdrawal of candidatures at any election will be the second day after the date for the scrutiny of nominations.

Poll Day

The date fixed for Poll Day for Primary Round must not be a date later than thirtieth day after the issue of Royal Decree calling for elections. In the case of General Elections and elections to the National Council and the Local Government, the Poll Days shall be no later than thirtieth day after the last dates of withdrawal of candidatures.

However, the last date for making nominations or date of scrutiny of nominations, or the last date for withdrawal of candidatures or the date of Poll at any election to the National Assembly, National Council, or a Local Government is announced, the Election Commission may extend or postpone the same for reasons to be recorded in writing.

CHAPTER 4

NOMINATIONS

The Nomination papers of a Candidate must be filed in the prescribed **Nomination of Candidate** forms as in **Returning Officer Form No. RO-5A (General Elections), 5B (National Council Elections), and 5C (Local Government Elections)**.

When to File Nomination Papers

Nomination papers of a Candidate for National Council Election must be filed with the concerned Returning Officers on or before the last date of nomination specified in the Notification issued by the Election Commission, which shall be a date not later than the thirtieth day after issue of Notification by the Election Commission.

Nomination papers must be filed by a Candidate for National Assembly on or before the last date of nomination specified in the Notification issued by the Election Commission, which shall be a date not later than the thirtieth day after the declaration of the results of the Primary Round of Elections.

Nomination papers must be filed by a Candidate for a Local Government Election on or before the last date of nomination specified in the Notification issued by the Election Commission, which shall be a date not later than the thirtieth day after issue of Notification by the Election Commission.

Prospective Candidates are advised to file their nominations as early as possible since nominating on the last day may cause problems, particularly if there are deficiencies in the Nomination Form and other required clearances and documents which require time to resolve.

Where to Nominate

Nominations may be filed at the Returning Officer's office as specified in the Public Election Notice issued by the Returning Officer.

Nominations must be duly completed in all respects and handed over in person by the Candidate to the Returning Officer before the close

of nominations. Candidates must bear in mind that no other kind of communication will be accepted.

A Candidate must, at the time of filing the nominations, provide in writing the correct spelling of his/her name in Dzongkha and English and a photograph to be used on the Ballot Paper.

Nomination to the General Elections to the National Assembly

In the case of General Elections to the National Assembly, a Candidate will be deemed to be duly nominated to contest an election, if he/she:

- (a) is a member of that Political Party and his/her name is borne on the list of members of the registered Political Party submitted to the Election Commission; and
- (b) has made a declaration in his/her nomination paper that he/she has been nominated by the registered Political Party which qualified for the General Elections.

Further, a notice in writing endorsing the nomination of a Candidate, in the prescribed **Political Parties Form No. 4** of the *Political Parties Rules of the Kingdom of Bhutan, 2012*, must be presented to the Returning Officer not later than by 5.00 p.m. on the last date for making nominations. The notice must be signed by the President, the Secretary or any other office bearer of the Political Party and the President, Secretary or any other office bearer authorized by the Political Party to send the notice.

Nomination to the National Council Elections

In the case of National Council Elections, all *Gewogs* and the *Dzongkhag Thromde* of a Dzongkhag is eligible to nominate a Candidate each. A Candidate will be nominated by his/her *Gewog* or the *Dzongkhag Thromde*. The nominee will be selected at the *Zomdu* convened specifically for this purpose by the Gup/Thrompon/Chief Election Coordinator. The Dzongkhag Election Authority will be responsible for organizing and facilitating the *Zomdu*. The Dzongkhag Election Authority will set up Polling Station in the vicinity of venue of *Zomdu* for the purpose of selecting a Candidate through secret ballot

of all voters who are present in the *Zomdu*. The elections in the *Zomdu* will be conducted on the basis of the Voters' List from the Draft Electoral Roll of a particular *Gewog* or *Dzongkhag Thromde*.

Once nominated from the *Zomdu* as the nominee, he/she must file his/her nomination papers, duly countersigned by the *Gup*, the *Mangmi* and the *Gewog Tshogpas* present at the *Zomdu* in case of a *Gewog* or by the *Thrompon* in the case of the *Dzongkhag Thromdes* of Gelephu, Phuentshogling, Samdrup Jongkhar and Thimphu, and by the Chief Election Coordinator in the case of the rest 16 *Dzongkhag Thromdes*.

Non-Permissible Nomination

A Candidate cannot be nominated for an election to fill:

- (a) A seat in the National Assembly, unless he/she has been nominated by a registered Political Party;
- (b) More than one seat in the same election;
- (c) A seat in the National Council as well as the National Assembly or Local Government at the same time; or
- (d) A seat in the National Council or Local Government, if he/she belongs to or has affiliation to any Political Party.

Right to Information of Voters

In order to provide for an informed choice by the voters, the Election Act provides that every Candidate for an election to the National Assembly, National Council, or a Local Government must file along with his/her nomination paper, an affidavit in the prescribed **Returning Officer Form No. 7** of the Handbook for Returning Officer, declaring his/her:

- (a) profession;
- (b) annual income;
- (c) movable and immovable assets;

- (d) liabilities including government dues of self or spouse and dependent children;
- (e) bio-data and educational qualifications;
- (f) non-criminal conviction record; and
- (g) details of all criminal cases pending against him, if any, for an offence punishable with imprisonment and in which the charges are framed against him or her a Court of competent jurisdiction has taken cognizance of offence he/she is accused of, prior to the date of filing of a nomination.

Document to be Submitted

Along with the nomination paper, the Candidates must submit the following documents:

- (a) Security Clearance Certificate;
- (b) Certificate from the courts that he/she has not been convicted of corrupt practice at an election;
- (c) Certificate from the Royal Civil Service Commission that he/she has not been terminated from public service;
- (d) In case he/she has contested in previous elections an affidavit that he/she has lodged account of election expenses within the time and in the manner required by law;
- (e) An affidavit that he/she is not in arrears of taxes or other dues to government and does not have an existing contract with the government which has not been fully performed; or
- (f) An affidavit that he/she is not working as a civil servant and does not hold any office of profit as prescribed under the Electoral Law.
- (g) His or her profession, annual income, movable and immovable assets and liabilities including government dues of himself/herself, his/her spouse and dependent children in the prescribed form;

- (h) His or her bio-data and educational qualifications;
- (i) Details of all criminal cases pending against him or her, if any, for an offence punishable with imprisonment and in which the charges are framed against him or her or a Court of competent jurisdiction has taken cognizance of offence he/she is accused of, prior to the date of filing of a nomination.

The scrutiny of the aforementioned documents, along with the Nomination papers, will be conducted as per the laws. A person furnishing wrong information shall be charged for deceptive practice under the Penal Code of Bhutan.

CHAPTER 5

QUALIFICATION AND DISQUALIFICATION CRITERIA

Qualification for Nomination

To be nominated for either Parliament or the Local Government, a Candidate must:

- (a) Be a citizen of Bhutan as evidenced by the Citizenship Identity Card;
- (b) Be a registered voter of that *Demkhong* as evidenced by VPIC;
- (c) Be a minimum age of twenty five years and not more than maximum age of sixty-five years at the time of filing the nomination; and
- (d) Possess a formal university degree in the case of Parliament and be functionally literate in the case of Local Governments.

Disqualification for Nomination

Disqualification for nomination for elections to Parliament and the Local Governments will be on the following grounds:

- (a) Conviction for any criminal offence and sentenced to imprisonment;
- (b) Guilty of corrupt practice at an election;
- (c) Termination from public service;
- (d) Failure to lodge account of election expenses within the time and in the manner required by law and has no good reason or justification for the failure;
- (e) Soliciting or resorting to any form of fund raising for campaigning in an election to Parliament and Local Governments from private individuals or any agency; or
- (f) Married to a person who is not a citizen of Bhutan.

A member of the Royal Family, a *Truelku*, a *Lam*, any influential religious personality or ordained members of any religion or religious

institutions must remain above politics and should not use their influence for the benefit of any particular Political Party or Candidate. Therefore, political parties must refrain from seeking support from members of Royal Family or from the religious personalities.

Removal of Disqualification

Disqualification on account of:

- a) Marriage to a non-Bhutanese will cease to operate if the non-Bhutanese spouse is granted citizenship of Bhutan;
- b) Charges of felony in a pending case will cease to operate from the date of acquittal by a competent court;
- c) Arrears of taxes or other dues to government or non-performance of an existing contract with the government will cease to operate on the full payment of the arrears of taxes or other dues to government; and
- d) Holding any office of profit as prescribed under Chapter 8 of the Election Act or employment as a public servant will cease to operate from the date of resignation from the relevant Service before nomination.

CHAPTER 6

SCRUTINY

Crucial Date for Determining Qualification and Disqualification

The date fixed for scrutiny of nominations will be the crucial date for determining the Qualification and Disqualification of Candidates.

For the purpose of scrutiny, the nomination papers filed by the Candidates will be taken in order of their submission. During submission, opportunity will be given for on-the-spot correction of minor errors in the nomination papers with regard to particulars such as name, VPIC number, etc.

Presumption of Validity

The nomination paper of a Candidate will be presumed to be valid unless the contrary is obvious. However, the Candidate must take utmost care to furnish correct information as he/she may be held guilty of making a false statement and, hence, liable for prosecution in a Court of Law.

Grounds for Rejection of Nomination Papers

The nomination paper may be rejected, if:

- (a) A Candidate is clearly disqualified or not qualified under the Election Act;
- (b) It has not been delivered within the dates and time notified for making nominations;
- (c) It has not been delivered in person to the Returning Officer or the Assistant Returning Officer specified by the Returning Officer;
- (d) It has been delivered to a person other than the Returning Officer or the Assistant Returning Officer specified by the Returning Officer;
- (e) It has been delivered at a place other than that specified in the public notice;

- (f) It is not in the prescribed form;
- (g) A Candidate has not filed the Affidavit as required by law;
- (h) A Candidate has not signed the nomination paper;
- (i) A Candidate is not a voter of the *Demkhong* for which he/she has filed his/her nomination paper;
- (j) A Candidate has been nominated from more than one *Demkhong* or nominated by more than one Political Party in the same class of election or the simultaneous bye elections; and
- (k) The notice in writing endorsing his/her candidature for elections to the National Assembly from an authorized office bearer of a Political Party has not been delivered to the Returning Officer of the *Demkhong* by 5.00 p.m. of the last date for making nominations.

Further, a Candidate cannot be nominated from more than one *Demkhong* for the same election or file a nomination for filling a seat in the National Council as well as the National Assembly or a Local Government at the same time. In such cases, he/she will be guilty of making a false declaration in the nomination paper since it contains a categorical declaration that the Candidate must not be nominated from more than one *Demkhong* and fill a seat in the National Council as well as the National Assembly or a Local Government at the same time.

Examination of Nomination Papers by Candidate

A Candidate or his/her election representative may examine any of the nomination papers or the accompanying documents filed by a Candidate, if he/she so desires.

Objections and Summary Inquiry

A Candidate is entitled to raise any objection to any nomination paper. The Returning Officer will hold a summary inquiry to decide on the matter and to treat the nomination paper as either valid or invalid.

The Returning Officer should invariably record the reasons for accepting or rejecting a nomination paper on the spot, particularly where an objection has been raised a Candidate or his/her representative. Thereafter, he/she will supply a certified copy of his/her decision after due consideration of the objection raised.

Time for Rebuttal

If a nomination paper has been objected, the Candidate may apply for time to rebut such objection. The Returning Officer may give additional time for hearing of the objection, which shall not be later than 12.00 p.m. on the date fixed for the withdrawal of candidature.

Finalization of list of Validly Nominated Candidates

When the scrutiny has been completed, a list of the validly nominated Candidates will be drawn up by the Returning Officer. No names of Candidates found invalid on scrutiny will be entered in this list.

Thereafter, for the nominations found valid and duly accepted, the Returning Officer will issue an **Identity Card for Candidate** as prescribed in **Returning Officer Form No. 9** of the Handbook for Returning Officer. This Identity Card must be worn by the Candidate while entering premises where election related activities are being conducted.

CHAPTER 7

WITHDRAWAL OF CANDIDATURE

Notice of Withdrawal

A Candidate may withdraw his/her candidature by giving a **Notice of Withdrawal** as prescribed in the **Returning Officer Form No. 10** of the Handbook for Returning Officer. The Notice must be signed by him or her and delivered either in person or by his/her election representative, before 5.00 p.m. on the last date for the withdrawal of candidature. Any withdrawal made after that hour fixed is invalid and has no legal effect.

Endorsement by a New Party

After the withdrawal of a Candidate's first nomination by a Political Party all subsequent nominations will be considered void.

However, if a Candidate is a member of a registered Political Party which could not qualify for the General Elections, he/she may be admitted as a member and nominated as a Candidate by a Political Party contesting in the General Elections. For his/her nominations to be valid, he/she should first forfeit his/her membership in the original Political Party and be registered as a member of the nominating Political Party.

Further, a Political Party may nominate a Candidate as replacement even if he/she had withdrawn his/her candidature earlier, in the event that the nominated Candidate dies before the commencement of Poll.

Consent of the Candidate

No Political Party can withdraw the nomination of a candidature once duly nominated, except with the written consent of the Candidate.

CHAPTER 8

REPRESENTATIVES OF CANDIDATES

Appointment of Representatives

A Candidate can appoint an election representative at any time before the filing of return of elections with the Election Commission, polling representative at any time before the close of poll and counting representative at any time before the commencement of the counting of votes.

Appointment of representatives must be made in accordance with the Election Act. Further, appointment must be made by the Candidate or a person authorized by him or her in writing as **Appointment of Representative(s)** in the prescribed **Returning Officer Forms No. 12A and 12B** of the Handbook for Returning Officer. The Appointment Form must be supplied in duplicate to the Returning Officer of the concerned *Demkhong*.

Revocation of Appointment of Representatives

A Candidate may revoke the appointment of representative at any time by a letter as a **Notice of Revocation of Appointment** in the prescribed **Returning Officer Form No. 13** of the Handbook for Returning Officer. His/her may appoint another representative as replacement when a representative dies or when a representative's appointment has been revoked. However, for the revocation to take effect, the letter must be lodged with the Returning Officer.

Identification of Representatives

The appointment letter will serve as the identity card of the representatives during elections. Therefore, the appointment letter issued by the Candidate must have the photographs of the representatives affixed on the top right portion. The appointment letter must be carried by the representative while performing his/her duty.

Qualification of Representatives

A Candidate must ensure that certain conditions are fulfilled while appointing his/her election, polling and counting representative. The

representatives must have his/her name on the Electoral Roll of the *Demkhong* in which he/she is appointed. Further, any person who is for the time being not qualified or is disqualified under the Constitution or the Election Act as a voter at an election will be disqualified from being appointed as a representative at any election during the period the disqualification so subsists.

Liability

A Candidate must be careful in the appointment of his/her representative because a Candidate will be liable for all acts of commission and omission of his/her representatives and will incur civil or criminal liability in respect of any act done by him or her in connection with the elections.

CHAPTER 9

ELECTION SYMBOLS

Reservation of Election Symbols

The election symbol reserved for a Political Party will be assigned for use by its Candidates in the General Elections.

In the case of a Candidate for the National Council or the Local Government Elections, the Candidate must provide a photograph in lieu of a symbol.

CHAPTER 10

BALLOT PAPERS

Candidates to the National Assembly

In the case of Primary Round of Elections, the name of the Political Party and its election symbol both in Dzongkha and English will be printed on the ballot papers (refer Fig 1A).

PRIMARY ROUND OF ELECTIONS TO NATIONAL ASSEMBLY	
X ཚོགས་པ། X PARTY	
Y ཚོགས་པ། Y PARTY	
Z ཚོགས་པ། Z PARTY	



Fig 1A: Example of Ballot Paper for Primary Round

In the case of General Election the name of the Political Party will be printed on the ballot paper above the Candidate’s name (refer Fig 1B).

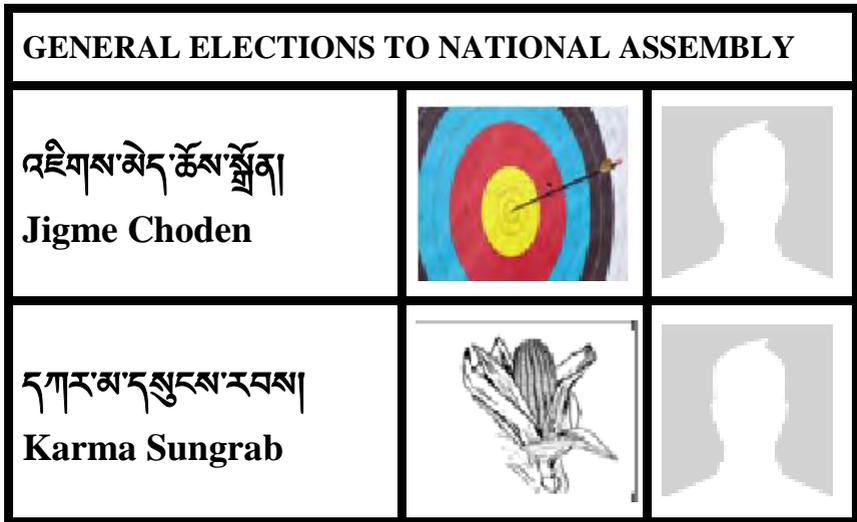


Fig 1B: Example of Ballot Paper for General Elections

Candidates to the National Council and Local Governments

For a Candidate contesting elections to National Council and Local Government, his/her name and photograph will be printed on the Ballot Paper (refer 1C).

ELECTIONS TO THE NATIONAL COUNCIL	
<p>འཇིགས་མེད་ཚོས་སྐྱོན།</p> <p>Jigme Choden</p>	
<p>དཀར་མ་དུངས་རབས།</p> <p>Karma Sungrab</p>	

Fig 1C: Example of Ballot Paper for National Council and Local Governments

Ballot Paper Size

The font size of the letters used on the ballot paper will be a minimum of 8 millimeters and the photograph of the Candidate will be a minimum of 9 mm by 9 mm. This is sufficiently legible by a person with normal vision from a distance of one meter.

Order of Names on Ballot Papers

The Returning Officer will draw up the List of validly nominated Candidates in alphabetical order showing their addresses, election symbols and Political Party affiliations, if any, together with other particulars as prescribed.

The order of the names on the Ballot Paper shall be drawn in the same order as provided in the List.

CHAPTER 11

VOTING

Before polling begins, each Presiding Officer is supplied with a copy of the final Voter's List. Only those persons whose names are on the Voter's List are entitled to vote at an Election or National Referendum.

Methods of Recording a Vote

- (a) Ordinary voting;
- (b) Provisional voting;
- (c) Postal voting; and
- (d) Assisted voting.

EVM Voting

An ordinary vote is a vote recorded by a voter on Election Day at a Polling Station prescribed for the *Demkhong* for which he/she is enrolled. This is the simplest way to vote and the method used by the majority of voters.

Provisional Voting

If a person claiming to be a particular voter comes to the Polling Station after another person has already voted, the second voter may be allowed to cast a provisional vote. However, he/she must produce a valid citizenship identity card along with the Voter Photo Identity Card.

Postal Voting

A voter may register and apply for a postal ballot if he/she is a:

- (a) Diplomat or a person working in the Embassies of Bhutan abroad;
- (b) Person on special government duty who is for the time being residing outside Bhutan for the performance of the duty;
- (c) Members of the Armed Forces of Bhutan;
- (d) Person on election duty;

- (e) Civil servant;
- (f) Student and trainee; and
- (g) Spouse or dependent of a person referred to in sub-sections (a), (b), (c), (d) and (e) if the spouse or dependent is ordinarily residing with him or her.

An application for a postal vote must be presented in the prescribed **Postal Ballot Form No. 3** of the Postal Ballots Rules and Regulations of the Kingdom of Bhutan. Postal Ballot Form will also be available on the website of the Election Commission of Bhutan. The application must be signed by the applicant in the presence of a competent witness.

A Competent Witness must be a Bhutanese citizen known to the postal voter and is a registered voter in any *Demkhong*.

Voters who are registered in the Postal Voter's List will be automatically issued a postal ballot upon receipt of their Postal Ballot Application Form.

Assisted Voting

Assisted voting is available at all Polling Stations. If the Presiding Officer is satisfied that owing to physical infirmity, a voter is unable to recognise the symbols on the ballot paper to record his/her vote in the voting machine, without assistance, such voter will be allowed to take with him/her a companion to the voting compartment for recording the vote.

However, if no person is appointed as a companion, the same role may be performed by the Presiding Officer.

CHAPTER 12

PUBLIC ELECTION CAMPAIGN FUNDING

Candidates should refer the Election Act of the Kingdom of Bhutan, 2008 and the Public Election Fund Act of the Kingdom of Bhutan, 2008 for further details.

Campaign Accounts

A Candidate must open separate campaign account in the bank notified by the Election Commission. The details of the separate campaign account must be intimated to the Election Fund Division within 5 working days of such opening of accounts as per Section 43 of the Public Election Fund Act.

Election Campaign Funding

After the candidature for elections to either House of Parliament has been accepted on scrutiny, the Candidate must submit a valid funding application to the Election Commission as prescribed in **Public Election Fund Form No. 1B (General Elections to the National Assembly)** or **1C (National Council Elections)**

The Public Election Fund Division will then disburse the eligible amount to the Candidate's campaign account at the earliest from the date of receipt of the application, but no later than the specified date.

Mode of Spending

A Candidate can designate any other person with authority to withdraw funds from his/her campaign account. The Public Election Fund Act categorically, prohibits spending out of the campaign account for any purpose that is not related to the election campaign.

A Candidate must conduct all financial activity through a single campaign account. It must be borne in mind that no other deposit can be made in the campaign account except the contributions received from Political Party in the case of National Assembly.

All payments above Nu. 5,000/- must be in the form of cheque and all such payments from the campaign account must be made directly to

the person providing goods and services for the campaign. No expenses can be incurred on real or personal property that can be retained for more than 30 days after an election.

No fresh expenses from the campaign account shall be incurred by the Political Party or Candidate 48 hours before the Commencement of Poll, except the expenditures on Daily Subsistence Allowance for the Candidate and duly appointed representatives. Further, all election expenses incurred must be paid before the filing the return of election expenses.

Permissible Expenses

The following campaign expenses are permissible as per the Public Election Fund Act:

- (a) Rental of campaign office spaces;
- (b) Utilities like water, telephone and electricity;
- (c) Goods and services for direct campaign purpose only;
- (d) Hire and rent of office automation equipment during elections;
- (e) Stationery;
- (f) Rent for facilities for a specific campaign-related event;
- (g) Communication expenses;
- (h) Production of manifesto;
- (i) Canvassing and election rallies;
- (j) Hire of motor vehicles for campaign purposes; and
- (k) Daily Subsistence Allowance for Candidates and duly appointed representatives of the political parties and Candidates.

Prohibited Expenditure

The following expenditures are prohibited under law:

- (a) Anything that is in violation of the laws in force in the Kingdom of Bhutan;

- (b) Purchase of goods to sell for profit;
- (c) Anything clearly in excess of the fair market value of the services, materials, facilities, or other things of value received in exchange for the satisfaction or repayment of any debts; and
- (d) Gift or donations.

Further, the Election Commission is empowered to declare by Order an expenditure which it deems not related to elections as prohibited expenditure.

Expenditure Ceiling

In the General Elections, as per the Public Election Fund Act, a Candidate can, in addition to Nu. 130,000/- received from the Election Commission, incur expenditure from funds received from his/her Political Party up to an amount but not exceeding the fund provided by the Election Commission.

In the National Council Elections expenditure incurred by a contesting Candidate must not exceed an amount of Ngultrum 130,000/-.

In Local Government Elections, expenditure incurred by a Candidate must not exceed an amount of Ngultrum 50,000/-.

Disclosure of Election Campaign Expenditure

Political Parties and Candidates are obliged to disclose election campaign expenditure to the Election Commission within 30 days from the Declaration of Results. In case a Candidate wins the seat but fail to lodge the Election Return, within the time and in the manner required by law, and he/she has no good reason or justification for the failure, he/she will be bound to forfeit his/her seat and further become ineligible to contest in any future elections.

A Candidate may appoint election representatives to undertake these responsibilities on his/her behalf. If a Candidate does not appoint a representative he/she will be considered to be his/her own representative and will therefore, be responsible for completing and filing the election returns.

However, in the case of National Assembly elections, if the Political Party appoints representative on behalf of the Candidate, such representative automatically becomes his/her representative.

Prohibition on Fund Raising

Fund raising for campaigning in an election to Parliament and Local Governments from private individuals or any agency is strictly prohibited under law. In case of its breach the Election Act and Public Election Fund Act provides for permanent disqualification from contesting in any future election.

CHAPTER 13

ELECTION CAMPAIGN

Constitutional Provisions Guaranteeing Political Freedom

The Constitution of Kingdom of Bhutan confers fundamental rights to citizens which make it permissible for Candidates and Political Parties to inform the voters in a certain manner.

As per the Constitution, eligible voters registered as members of Political Parties are vested with the right to engage freely in political campaigns and activities. Further, the Election Act empowers a Candidate to adopt and strategize on the best means/methods of carrying out the election campaign and provides for freedoms such as expressing political views through rallies, media and other forms.

Legal Provision Regulating the Conduct of Election Campaign

As per the Election Act, any activity resembling election campaign can be carried out only after the issuance of Royal Decree or in the case of Local Government Elections Notification calling an election.

Defamation of Candidates

As per the Election Act, a Candidate must avoid at all forums and at all times defamatory and derogatory attacks on rival parties or individual personalities through any form of communication and avoid the use of inflammatory language, provocative actions, images or manifestation that incite violence, hatred or intimidation against another Political Party or Candidate or any person or group of persons.

The Election Commission recommends that a Candidate seek his/her own legal advice on issues of defamation and initiate action to seek an injunction in accordance to the relevant laws.

Public Property

As per the Election Act, no Political Party or Candidate is permitted to make use of any public or private property, without the owner's written permission for purposes of erecting flag-staffs, cut-outs,

suspending banners, pasting election posters and notices, besides the approval of the concerned Returning Officer.

Holding Meeting and Rallies

A Candidate organizing an election meeting must, in advance, ascertain, if there are any restrictive or prohibitory orders in force in the place proposed for the meeting or in the localities through which the Political Party members pass. If any restrictive orders are in force a Candidate must ensure strict compliance.

While organizing a political rally a Candidate must determine and give intimation to the Returning Officer and the Superintendent of Police beforehand the time and place of the starting of the rally, the programme, the route of the rally, and the time and place of its termination, and take steps to ensure that there is no blockage or hindrance to traffic and no cause is given for any other public inconvenience. The places must be those designated by the concerned Superintendent of Police.

A Candidate must instruct his/her supporters that no dangerous article that can be used to cause injury should be brought to the political rally, meeting or any other political function.

Undue Influence

If a Candidate is an elected representative in Parliament, including being a Minister or a member of a Local Government, he/she must not combine his/her official visit with electioneering work or make use of official machinery or personnel during the electioneering work or use any government transport, for the furtherance of his/her electoral prospects.

Election Campaign Schedule

A Candidate must seek prior written approval from the Returning Officer on the proposed campaign schedule or any subsequent change in order to ensure proper regulation and monitoring of the activities. Door-to-door campaign activities must be carried out only from 7.00 a.m. to 8.00 p.m.

Attendance during Debates

A Candidate must compulsorily attend the debates sponsored by the Election Commission. However, for unavoidable reasons if a Candidate is unable to attend the debate, he/she must seek exemption by submitting a written request to the Election Commission at least one week prior to the scheduled debate, stating the reason justifying the exemption. Otherwise, he/she will be ineligible to receive funds and must refund the funds already received for that election.

Common Campaign Forums

A Candidate may participate in the Common Forum arranged by the concerned Returning Officer and reduce the need to call the general public for separate meetings and to provide them with the opportunity to hear, see and assess the candidates at one forum.

Regulation on the Use of Vehicles

In the interest of proper regulation of the electoral process, a Candidate is required to log details of vehicles to be used for election campaign and submit the same to the Returning Officer before the campaigning starts. Thereafter, the Returning Officer will intimate the details of the vehicles permitted for used by a Candidate to the concerned Superintendent of Police.

Use of Loudspeakers

The Royal Bhutan Police will ensure that the order of the Commission prescribing the use of loud speaker is strictly adhered to. The order will determine the time and manner of the use of loud speakers so as to check unnecessary disturbance to the general public.

Permits for Display of Posters and Banners

A Candidate must obtain from the Returning Officer, as soon as possible, after the nomination proceedings have closed, a permit to display Posters and Banners in the **Election Advertising Form No. 2 (A, B or C)**, authorising the display of posters and banners in the prescribed place.

The Returning Officer may, in the permit, impose such terms and conditions as he/she may think fit, including conditions as to the specific place, structures or things on which, posters and banners are permitted to be displayed and manner in which posters and banners may or must not be displayed.

A Candidate must keep in mind that no person is allowed to display poster or banner by pasting, nailing or otherwise affixing it on any public property, private property or tree or structure on or along any public road. However, in case of private property it may be displayed only with the consent of the owner and approval of the concerned Returning Officer.

Removal of Posters and Banners

The Returning Officer shall direct the removal of any poster or banner which is displayed in contravention of any of the provisions of the Electoral Law or Rules or Orders made thereunder. In such cases, a Candidate must ensure the removal of unauthorised campaign banners, posters and stickers.

Further, a Candidate will be responsible to remove and dispose properly the banners, posters and stickers put up in his/her behalf during campaign.

Direction to the Representatives

A Candidate must instruct his/her representatives in attendance at Polling Stations and counting places to perform their duties in accordance with the Election Act and Rules and Regulations made thereunder.

Further, a Candidate must not engage in confrontation with officers on election duty at the Polling Station or counting place and he/she must also instruct his/her representatives to do the same.

Appropriate Authority

Any complaint relating to processes and procedures at a Polling Station or counting place must be lodged with the Presiding Officer or

Returning Officer or be made directly to an officer of the Election Commission for appropriate resolution of the matter.

Stoppage of Campaign

The Election Act provides that a Candidate cannot convene public meetings and campaign during forty-eight hours preceding the hour fixed for Commencement of Poll.

If he/she contravenes this provision it will result in the cancellation of his/her nomination, notwithstanding any other penalty that may be imposed under any other law.

Infringement of the Code of Conduct

If Candidates or their representatives are found contravening or persisting to contravene the Election Code of Conduct to an extent that the contravention undermines the institution of democracy; legal sanctions will be imposed as per the provisions of the Election Act.

Conduct on the Day of Poll

A Candidate must on the day of poll:

- (a) Co-operate with the officers on election duty to ensure a peaceful and orderly polling;
- (b) Co-operate with the officers on election duty to ensure complete freedom to voters to exercise their right to vote without being subjected to any annoyance or obstruction;
- (c) Co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtain permits for them, which should be displayed prominently on those vehicles;
- (d) Supply to the supporters suitable badges or identity cards;
- (e) Not canvass or display any poster, flag, symbol or any other propaganda material;

- (f) Not serve or distribute any food or drink or make transport arrangements to or for anyone, except his/her duly appointed polling representatives;
- (g) Not solicit vote of any voter;
- (h) Not induce any voter to refrain from voting for any particular Candidate;
- (i) Not induce any voter not to vote at the election; and
- (j) Not prevent or obstruct any voter from coming to the Polling Station to vote.

CHAPTER 14

ELECTION RETURN

Election Return Forms

A Candidate must file, within thirty days of declaration of results, before the Election Commission the Return of Election Expenses in the prescribed **Public Election Fund Form No. 7B (General Elections to the National Assembly)** and **7C (National Council Elections)**. It is recommended that copies of the Election Returns filed with the Election Commission be retained.

Nil Returns

If a Candidate did not receive any funding and did not incur electoral expenditure, he/she or his/her representative must submit a Return showing nil funds and where no expenditure has been incurred the Return showing nil expenditure must be submitted.

Failure to Submit Returns

Failure to lodge account of election expenses within the time and in the manner required by law and having no good reason or justification for the failure is punishable under law. The Election Act provides that in such cases the Candidate incurs permanent disqualification from contesting in any future election.

Amendments to Returns

The Act provides penalties for furnishing an incomplete or inaccurate Return. It is also an offence to knowingly provide false or misleading information in a Return.

If, after submission of a return, it is realised that an error or omission has been made, a written request may be made to the Election Commission for a specified amendment to the Return. The Election Commission will permit such amendment if the mistake in the opinion of the Election Commission is genuine.

Public Inspection

All Election Returns including details of all bank accounts and campaign finance records received by the Election Commission will be made available for public scrutiny.

Fieldwork

The Election Commission shall provide the Political Party or Candidate at least seven days' notice of the Election Commission's intention to commence fieldwork on audit and examination.

A Candidate must on the date scheduled for the commencement of the fieldwork which is at least seven days after receipt of notice, facilitate the examination or audit by making records available at the Election Commission's office or provide the Election Commission with office space and records. A Candidate must be present at the site of the fieldwork.

CHAPTER 15

ELECTORAL OFFENCES

Offences under the Election Act

Candidates should refer to the Election Act of the Kingdom of Bhutan, 2008 for further details on the Electoral Offences.

False Statement

The offence of knowingly making a false or misleading statement in relation to the personal character or conduct of any Candidate, or in relation to the candidature, or withdrawal of any Candidate, being a statement reasonably calculated to prejudice the prospects of that Candidate's election is punishable under the law.

Forgery

Forging and altering a nomination paper or a ballot paper shall be offenses of felony of fourth degree and prosecutable under the laws.

Booth Capturing

Under the Election Act, Booth Capturing is an offence of felony of fourth degree. Section 526 of the Act defines the offence as follows:

- ‘A person shall be guilty of “Booth capturing”, if he/she:
- ‘(a) Seizes a Polling Station, making election officers surrender the ballot papers or voting machines;
 - ‘(b) Takes possession of a Polling Station and allows only his/her own supporters to exercise their right to vote and prevent others from exercising their right to vote;
 - ‘(c) Coerces or intimidates or threatens directly or indirectly any voter and prevents him or her from going to the Polling Station to cast his/her vote; or
 - ‘(d) Seizes a place for counting of votes by any person or persons, making the counting supervisors surrender the ballot papers or voting machines.’

Bribery

Declarations of public policy or promises of public action during campaigns are not regarded as bribery. However, a person shall be guilty of offences of bribery, if he/she:

- (a) Offers any gift, promises or any gratification, with the object of inducing a person to stand or not to stand, or to withdraw or not to withdraw from being a Candidate, or to vote or refrain from voting at an election; or
- (b) Receives or agrees to receive, any gratification for himself/herself, or on behalf of any other person, for having voted or refrained from voting, or for standing or not standing, or for withdrawing or not withdrawing from being a Candidate.

Bribery shall be an offense of felony of fourth degree.

Interference with Political Liberty

No person must interfere directly or indirectly or attempt to interfere on the part of any person, with the free exercise of any electoral right. A person shall be guilty of an offense of felony of fourth degree for offenses relating to political liberty.

Offences Relating to Election Advertising

Under the Election Act, a person shall be guilty of misdemeanour, if he/she:

- (a) Tampers, removes, destroys, obliterates or defaces, any poster or banner displayed in accordance with the established Rules and Regulations;
- (b) Displays or causes to be displayed any poster or banner not in accordance with the established Rules and Regulations;
- (c) Obstructs the Returning Officer or any member of his/her staff or any police officer on duty, in carrying out their duties; or
- (d) Obstructs any Candidate or his/her election representatives or any person lawfully conducting an election activity from doing any act which he/she is legally authorised to do.

Prohibition of Public Meetings

As per the Election Act, no person can convene, hold or attend, join or address any public meeting in connection with an election, in any polling area during the period of forty-eight hours ending with the hour fixed for the commencement of the poll for any election in the polling area. Under Section 537 of the Election Act, contravention of these provisions shall be an offense of felony of fourth degree.

Disturbance of Public Meetings

As per the Election Act, no person should act, or incite others to act in a disorderly manner for disturbing or preventing the transaction of the business of an election meeting shall be liable to be arrested forthwith.

The person in charge of the public election campaign meeting can ask police to remove anyone who, in his/her opinion, is preventing the business of the meeting. Under Section 538 of the Election Act, contravention of these provisions shall be an offense of felony of fourth degree.

Fraudulent Removal or Tampering

As per the Election Act, no one should tamper, steal, deface, mutilate, replace, open or break the seal, destroy or remove any official notice, election material, list or document or attempt any of the foregoing acts or willfully aid or abet any such acts. Under Section 547 of the Election Act, contravention of these provisions shall be an offense of felony of fourth degree.

Offences Relating to Voting

Candidates should also be aware of the various acts and omissions that constitute an offence in casting a voting. Except where explicitly authorised by the Election Commission, for example, assistance to physically challenged voters, no one shall cast a vote or mark a vote on a ballot paper issued to another voter.

A person is said to have committed an offence of impersonation if he/she applies for a ballot paper or seeks permission to cast vote in a fictitious name, or in the name of any other person whether living or

dead or who having voted once at such election again applies for a ballot paper or seeks permission to cast a vote in his/her own name. Further, abetting or attempting to procure the voting by impersonation is an offence. Contravention of these provisions shall be an offence of felony of fourth degree

Offences Relating to Poll Day

The following acts are prohibited on polling day:

- (a) Canvassing or soliciting for votes;
- (b) Persuading any voter not to vote for any particular Candidate;
- (c) Persuading any voter not to vote at the election; and
- (d) Exhibit any notice or sign other than an official notice relating to the election.

Under Section 545 of the Election Act, contravention of these provision shall be an offense of felony of fourth degree.

CHAPTER 16

GENERAL PROVISION

Recounts

A Candidate or his/her representative can, apply in writing to the Returning Officer for recount of votes either wholly or in part stating the grounds on which the recount is being demanded.

A recount may be undertaken, approved or directed, within 24 hours of the announcement of the result by the Returning Officer or Counting Supervisor. However, the Electoral Officer is not obliged to conduct a recount automatically on the request of a Candidate.

Election Disputes

An election dispute must be filed as in the **Election Dispute Form No. 1** and will be settled with due diligence and process as outlined in the *Election Dispute Settlement Rules and Regulations, 2013*.

Election Petition

The validity of any election may only be disputed by a petition to the Court. The High Court of Bhutan has the authority to try an election petition relating to an election to the National Assembly or National Council, while the Dzongkhag Court of the Dzongkhag concerned has the authority to try an election petition relating to an election to a Local Government.

The Trial Court sits as an open court and its powers include the following:

- (a) Dismissing the election petition;
- (b) Declaring the election of the elected Candidate to be void;
- (c) Declaring the election of the elected Candidate to be void and the petitioner or any other Candidate to have been duly elected;
or
- (d) Holding the person liable for election offences.

It may be advised that those contemplating a challenge should consult their own Legal Counsel.

Requisites of Petition

An election petition must:

- (a) Contain a concise statement of the facts on which the petitioner relies;
- (b) Set forth full particulars of any corrupt practice that the petitioner alleges and state the names of the parties alleged to have committed corrupt practice and the date and place of the commission of such practice; and
- (c) Be signed by the petitioner and verified in the manner laid down in the Civil and Criminal Procedure Code of Bhutan.

Further, any schedule or annexure to the petition must be signed by the petitioner and verified in the same manner as the petition.

It may be noted that the Election Commission will not assist petitioners in preparing petitions as there would be a conflict of interest since the Election Commission may be summoned by the court to render its opinion in the matter.

Uncontested Elections

An uncontested election shall be held where there is only one validly nominated Candidate with a “Yes” or “No” Ballot.

Equality of Votes

In case of equality of votes in an election, a re-election shall be held. In case of equality of votes in a re-election, draw of lots as per the *Guidelines for Implementation of Section 464 of the Election Act of the Kingdom of Bhutan, 2008 Relating to Equality of Votes in Re-elections, 2013* shall be conducted by the concerned Returning Officer.

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- ༡/- མི་ཁྲུངས་རོ་སྤོད་ལག་ཁྱེར་ཨང་ཟེར་མི་འདི་ ནང་སྲིད་དང་སྲོལ་འཛིན་ལྷན་ཁག་གིས་གནང་མི་ ད་ལྟོ་མི་སེར་རང་སོའི་ལག་པར་ ཡོད་མི་རོ་སྤོད་ལག་ཁྱེར་འདི་གི་ཨང་ཡིན།
- ༢/- མིང་རྒྱལ་བུ་ཟེར་མི་འདི་ རང་སོའི་མི་ཁྲུངས་རོ་སྤོད་ལག་ཁྱེར་ནང་བཀོད་དེ་ཡོད་མི་མིང་འདི་ཡིན།
- ༣/- རླུ་ཚེས་ཟེར་མི་འདི་ རང་སོའི་རླུ་ཚེས་/དབྱིན་ཚེས་འདི་ཡིན།
- ༤/- སོ་མོ་: སོ་ཨིན་པ་ཅིན་ཕོ་གུ་རྟགས་བཀལ་མོ་ཨིན་པ་ཅིན་མོ་གུ་རྟགས་བཀལ།
- ༥/- ཞེ་བའི་ཐོ་བཀོད་ཁ་བྱང་ནང་གི་མི་རྩིས་དང་གྲང་གི་ཁ་བྱང་ཟེར་མི་འདི་ རང་རང་སོ་སོའི་རྟོད་འོག་མི་རྩིས་ཐོ་བཀོད་མ་ཡིག་ནང་ བཀོད་དེ་ཡོད་པའི་མི་རྩིས་དང་གྲང་གི་ཁ་བྱང་འདི་གཉིས་ཡིན།
- ༦/- ད་ལྟོ་འཛོལ་གནས་ཟེར་མི་འདི་ མི་རྩིས་དང་གྲང་རྩིས་གཞན་ཁར་ཨིན་ཅུང་ ད་ལྟོ་གཞིས་ཆགས་སྲོད་སའི་ས་རྫོང་འདི་ཡིན།



**NOMINATION PAPER FOR CANDIDATE CONTESTING NATIONAL COUNCIL
ELECTION**

I hereby submit my nomination to contest the General Elections in*Demkhong*
..... Dzonkhag as the Candidate of
Political Party.

The details are as furnished hereunder:

Name	:	
Date of Birth	:	
VPIC No.	:	
Village	:	
Name of Spouse	:	
CID Card No. of Spouse	:	
Academic Qualification (Attach Letter of Attestation)	:	
Asset Declaration Form (Attach the filled in Form)	:	
Security Clearance Certificate (Attach original copy)	:	
Relieving Order (if relevant) (Attach original copy)	:	
Tax Clearance Certificate (Attach original copy)	:	
Audit Clearance Certificate (Attach original copy)	:	
Marriage Certificate (Attach photocopy)	:	

I, hereby, attest that I:

1. Have not been accused of felony in a pending case and no Court has taken cognizance and charges framed against me;
2. Have not been dismissed or removed from public service;
3. Have not failed to lodge account of election expenses as required by law;
4. Have not solicited or resorted to any form of fund raising for campaigning from any sources prohibited by law;
5. Do not have an existing contract with the government which has not been fully performed;
6. Am not married to a person who is not a citizen of Bhutan;
7. Am not in arrears of taxes or other dues to government;
8. Am not working as a civil servant;
9. Do not hold any office of profit;
10. Have contested in previous elections and have lodged account of election expenses within the time and in the manner required by law.

In testimony thereof, the Affidavit is attached.

Date:

Name:

Place:

Signature:

Legal
Stamp

Countersigned by:

1. Name & Signature of *Party President*:

2. Name & Signature of *Party General Secretary*:

(To be filled by the Returning Officer)

Serial No. of Nomination Paper

This Nomination Paper was delivered to me at my office at (hour)
on ... / ... / ... (date) by the Candidate.

All nomination papers will be taken up for scrutiny at (hour)
on ... / ... / ... (date) at (place).

Dated: ... / ... / ...

Returning Officer

..... *Demkhong*

I, hereby, attest that I:

1. Have not been accused of felony in a pending case and no Court has taken cognizance and charges framed against me;
2. Have not been dismissed or removed from public service;
3. Have not failed to lodge account of election expenses as required by law;
4. Have not solicited or resorted to any form of fund raising for campaigning from any sources prohibited by law;
5. Do not have an existing contract with the government which has not been fully performed;
6. Am not married to a person who is not a citizen of Bhutan;
7. Am not in arrears of taxes or other dues to government;
8. Am not working as a civil servant;
9. Do not hold any office of profit;
10. Am not a member of a Political Party or have resigned more than a year ago from the membership of Political Party.
11. Have contested in previous elections and have lodged account of election expenses within the time and in the manner required by law.

In testimony thereof, the Affidavit is attached.

Date:	<input type="text"/>	Name:	<input type="text"/>
Place:	<input type="text"/>		
Signature:	<input type="text"/>		<div style="border: 1px solid black; padding: 5px; text-align: center;">Legal Stamp</div>

Countersigned by:

1. Name & Signature of *Gup/Thrompon/Chief Election Coordinator:*
2. Name & Signature of *Mangmi/Thromde Thuemi:*
3. Names & Signatures of *Gewog Tshogpas/Thromde Tshogpas:*

(To be filled by the Returning Officer)

Serial No. of Nomination Paper

This Nomination Paper was delivered to me at my office at (hour)
on ... / ... / ... (date) by the Candidate.

All nomination papers will be taken up for scrutiny at (hour)
on ... / ... / ... (date) at (place).

Dated:

Returning Officer

..... *Demkhong*

Marriage Certificate
(Attach photocopy)

:

I, hereby, attest that I:

1. Have not been accused of felony in a pending case and no Court has taken cognizance and charges framed against me;
2. Have not been dismissed or removed from public service;
3. Have not failed to lodge account of election expenses as required by law;
4. Have not solicited or resorted to any form of fund raising for campaigning from any sources prohibited by law;
5. Do not have an existing contract with the government which has not been fully performed;
6. Am not married to a person who is not a citizen of Bhutan;
7. Am not in arrears of taxes or other dues to government;
8. Am not working as a civil servant;
9. Do not hold any office of profit;
10. Am not a member of a Political Party or have resigned more than a year ago from the membership of Political Party.
11. Have contested in previous elections and have lodged account of election expenses within the time and in the manner required by law.

In testimony thereof, the Affidavit is attached.

Date:

Name:

Place:

Signature:

**Legal
Stamp**

(To be filled by the Returning Officer)

Serial No. of Nomination Paper

This Nomination Paper was delivered to me at my office at (hour)
on ... / ... / ... (date) by the Candidate.

All nomination papers will be taken up for scrutiny at (hour)
on ... / ... / ... (date) at (place).

Dated: ... / ... / ...

Returning Officer

..... *Demkhong*



NOTICE OF ENDORSEMENT OF NOMINATION OF THE CANDIDATE

General Elections to National Assembly

To,
Returning Officer

.....
.....

Subject: **NOTICE OF ENDORSEMENT OF NOMINATION OF THE CANDIDATE**

We declare that Party bearing
Registration No. endorses the nomination of:

Candidate's Name:.....

Father's/Mother's Name:.....

Spouse's Name:.....

His/her name is entered at Sl. No. of the Electoral Roll for
..... *Demkhong*.

I hereby issue this notice of endorsement under the authority vested in me by the Political Party.

Designation of Signatory authorized by the Party:

Name: Dated: ... / ... / ...

Signature Place:



NOTICE OF NOMINATION OF A CANDIDATE

The *Gewog/Dzongkhag Thromde*, hereby, nominates
Mr. /Ms. to contest in the National Council Elections in
..... Dzongkhag.

The above-mentioned Candidate bears Voter Photo Identity Card No. and
is enrolled in the Electoral Roll of *Gewog*.

I, hereby, issue this Notice as the Team Leader of the Dzongkhag Election Authority for the
nomination of the Candidate.

Signature:

Name:

Date: .. / .. / ..

Designation:

Place:



**IDENTITY CARD FOR CANDIDATES
(SAMPLE)**

IDENTITY CARD FOR CANDIDATES	
	IDENTITY CARD NO:
	Election to:
Name:	<div style="border: 1px solid black; width: 150px; height: 100px; display: flex; align-items: center; justify-content: center;">Passport size Photograph</div>
CID No.:	
VPIC No.:	
Demkhong:	
Dzongkhag:	
Name of the Political Party (if applicable):	Issuing Authority



NOTICE OF WITHDRAWAL OF NOMINATION OF A CANDIDATE

To,
Returning Officer
.....
.....

Subject: **NOTICE OF WITHDRAWAL OF NOMINATION OF A CANDIDATE**

I bearing Voter Photo Identity Card No. and borne in the Electoral Roll of and nominated as candidate from *Gewog/Thromde/Demkhong*, would like to withdraw my candidature forthwith.

This decision is taken consciously and on my own free will.

Name: Dated: ... / ... / ...

Signature: Place:

(To be filled by the Returning Officer)

Serial No. of the Withdrawal Notice

This nomination was delivered to me at my office at (hour) on ... / ... / ... (date) by (person).

Returning Officer



APPOINTMENT OF ELECTION/POLLING/COUNTING REPRESENTATIVE(S) BY POLITICAL PARTY

To,
Returning Officer
.....
.....

Subject: APPOINTMENT OF ELECTION/POLLING/COUNTING REPRESENTATIVE(S) BY POLITICAL PARTY

Under section 246/254/258 of the Election Act of the Kingdom of Bhutan, 2008
..... Party bearing Registration No.
..... would like to appoint Mr./Ms.
bearing Voter Photo Identity Card No. and borne in the Electoral
Roll of that *Demkhong* as its Representative.

He/She will serve in the Polling Station of
..... *Demkhong* under
Dzongkhag.

This decision has been taken by the Party as per the provisions of the Political Party Rules of the Kingdom of Bhutan.

I hereby issue this Letter of Appointment under the authority vested in me by the Political Party.

Designation of Signatory authorized by the Party:

Name:

Dated: ... / ... / ...

Signature

Place:

(To be filled by the Returning Officer)

Serial No. of appointment of Election/Polling/Counting Representative(s)

This appointment letter was delivered to me at my office at (hour) on ... / ... / ...
(date) by the Candidate.

Returning Officer



APPOINTMENT OF ELECTION/POLLING/COUNTING REPRESENTATIVE(S) BY CANDIDATE

To,
Returning Officer
.....
.....

Affix the Photo
of the
Representative
(Passport Size
Photo)

Subject: APPOINTMENT OF ELECTION/POLLING/COUNTING REPRESENTATIVE(S) BY CANDIDATE

Under section 246/254/258 of the Election Act of the Kingdom of Bhutan, 2008 I (name of Candidate) of
Demkhong Party (in the case of National Assembly) would like to appoint Mr./Ms. bearing Voter Photo Identity Card No. and borne in the Electoral Roll of that *Demkhong* as his/her Representative.

He/She will serve in the (name of *Demkhong*/Polling Station) under Dzongkhag.

This decision has been taken by the Party as per the provisions of the Political Party Regulations of the Kingdom of Bhutan.

I hereby issue this Letter of Appointment under the authority vested in me by the Political Party.

Designation of Signatory Authorized by the Party:

Name:

Dated: ... / ... / ...

Signature:

Place:

(To be filled by the Returning Officer)

Serial No. of appointment of Election/Polling/Counting Representative(s)

This appointment letter was delivered to me at my office at (hour) on ... / ... / ... (date) by the Candidate.

Returning Officer



NOTICE OF REVOCATION OF APPOINTMENT

To,
Returning Officer
.....
.....

Subject: NOTICE OF REVOCATION OF APPOINTMENT

Having appointed as the
..... representative for election
..... I would like to revoke his/her appointment forthwith
under Section 251/256/259 of the Election Act of the Kingdom of Bhutan, 2008.

Any act done by him thereafter will not be attributed to me/party.

Name of candidate/Designation of Signatory Authorized by the Party:

Dated: ... / ... / ...

Signature:

Place:

(To be filled by the Returning Officer)

Serial No. of Notice of Withdrawal

This notice was delivered to me at my office at (hour) on ... / ... / ... (date)
by the Candidate.

Returning Officer



Fund Application Form - Candidate

To,
The Chief Election Commissioner,
Election Commission of Bhutan,
P. O. Box No. 2008,
Thimphu, Bhutan.

Sir,

I, _____, the nominated candidate of _____ Party, from _____ Demkhong would like to submit this application for the Election Campaign Fund for contesting the General Election of _____ (year) to be held on _____

Name of Candidate: _____
Party Registration No.: _____
ECB Letter of Acceptance No.: _____
Campaign Account No.: _____
Name of Bank & Branch: _____

Please sanction the transfer of fund allotted to my Campaign A/C.

Thanking you,

Yours faithfully,

Candidate
Signature

Dated:

Contact Address & Tel. No.....

Party Secretary
Seal & Signature

Dated:

Note:

1. This form is required to be filled in by every candidate of the registered political parties.
2. The form must be submitted to the Office of the Election Commission with the following documents.
 - a. Copy of Letter of Acceptance issued by the Returning Officer
 - b. Confirmation from the Bank for the Campaign A/C No.



Fund Application Form - National Council Candidate

To,
The Chief Election Commissioner,
Election Commission of Bhutan,
P. O. Box No. 2008,
Thimphu, Bhutan.

Sir,

I, _____, the nominated candidate of _____ Gewog of _____ Dzongkhag would like to submit this application for the Election Campaign Fund for contesting the National Council election to be held on _____

Name of Candidate: _____
ECB Letter of Acceptance No. & Date: _____
Campaign Account No.: _____
Name of Bank & Branch: _____

Please sanction the transfer of fund allotted to my campaign A/C.

Thanking you,

Yours faithfully,

Candidate
Signature

Dated:

Contact Address & Tel. NO.:

Note:

1. This form is required to be filled in by a candidate for contesting the National Council election.
2. The form must be submitted to the Office of the Election Commission with the following documents.
 - a. Copy of Letter of Acceptance issued by the Returning Officer
 - b. Confirmation from the Bank for the Campaign A/C No.



PERMIT TO DISPLAY POSTERS AND BANNERS FOR GENERAL ELECTION

The Election Commission is pleased to hereby issue this Permit to Candidate for display of posters and banners for General Elections to be held onon the following Terms and Conditions:

- (a) The banners and posters may be displayed at the places, structures or things specified here below:
.....
- (b) The size and manner in which posters and banners are displayed conform to instructions issued vide order No:dated; and
- (c) Every poster and banner displayed during the campaign period must be affixed with stamp of respective Returning Officer of the *Demkhong*.

Date:

Place:

Signature

Returning Officer for *Demkhong*



**PERMIT TO DISPLAY POSTERS AND BANNERS FOR NATIONAL COUNCIL
ELECTIONS**

The Election Commission is pleased to hereby issue this Permit to
Candidate for display of posters and banners for National Council Elections to be held on
..... on the following Terms and Conditions:

- (a) The banners and posters may be displayed at the places, structures or things specified here
below:
.....
- (b) The size and manner in which posters and banners are displayed conform to instructions issued
vide order No:dated; and
- (c) Every poster and banner displayed during the campaign period must be affixed with stamp of
respective Returning Officer of the *Demkhong*.

Date:

Place:

Signature

Returning Officer for..... *Demkhong*



**PERMIT TO DISPLAY POSTERS AND BANNERS FOR LOCAL GOVERNMENT
ELECTIONS**

The Election Commission is pleased to hereby issue this Permit to
..... Candidate for display of posters and banners
for Local Government Elections to be held
on.....on the following Terms and Conditions:

- (a) The banners and posters may be displayed at the places, structures or things specified here below:
.....
- (b) The size and manner in which posters and banners are displayed conform to instructions issued vide order No: dated; and
- (c) Every poster and banner displayed during the campaign period must be affixed with stamp of respective Returning Officer of the *Demkhong*.

Date:

Place:

Signature

Returning Officer for..... *Demkhong*



Election Return Form - National Assembly Candidate

To,
The Chief Election Commissioner,
Election Commission of Bhutan,
P. O. Box No. 2008,
Thimphu, Bhutan.

Sir,

I, _____, the candidate from _____ Demkhong of _____ Party, would like to submit this Election Return for the Fund received for the General Election to the National Assembly held on _____

Name of the Candidate:	-----
Name of the Party:	-----
ECB letter of Acceptance No.:	-----
Campaign Account No.:	-----
Fund Received:	-----
Party Contribution:	-----
Total Amount Received:	-----
Less: Campaign Expenses (as per PEF Form No. 3):	-----
Balance on Campaign Fund:	-----

Thanking you,

Yours faithfully,

Candidate
Signature

Dated:

Contact Address & Tel. No:

Party Secretary
Seal & Signature

Dated:

Note:

1. This form is required to be filled in by every party within 30 days of the declaration of the election result.
2. The form must be submitted to the Office of the Election Commission with the following documents.
 - a. PEF Form No. 3
 - b. Copy of the Bank Statement - Campaign Account
 - c. Bank Reconciliation Statement



Election Return Form - National Council Candidate

To,
The Chief Election Commissioner,
Election Commission of Bhutan,
P. O. Box No. 2008,
Thimphu, Bhutan.

Sir,

I, _____, the candidate from _____ Gewog of _____
Dzongkhag, would like to submit this Election Return for the Fund received for the National Council Election held
on _____

Name of the Candidate: _____
ECB Letter of Acceptance No. & Date: _____
Campaign Account No.: _____
Fund Received: _____
Less: Campaign Expenses (as per PEF Form No. 3): _____
Balance on Campaign Fund: _____

Thanking you,

Yours faithfully,

Candidate
Signature

Dated:

Contact Address & Tel. NO

Note:

1. This form is required to be filled in by a National Council candidate within 30 days of the declaration of the election result.
2. The form must be submitted to the Office of the Election Commission with the following documents.
 - a. PEF Form No. 3
 - b. Copy of the Bank Statement - Campaign Account
 - c. Bank Reconciliation Statement



Election Complaint Form

To

Chief Election Commissioner
Election Commission of Bhutan
Thimphu

or

Chief Election Coordinator/National Observer/Returning Officer

.....*Demkhong*

.....*Dzongkhag*

I, Mr./Mrs., bearing Voter Photo Identity Card (VPIC)/Citizenship Identity Card number of (permanent address) would like to lodge, under Rule 9 of the Election Dispute Settlement Rules and Regulations 2013, a complaint related to the elections in *Gewog/Thromde* of Dzongkhag.

The details of the complaint are as follows:

1. Case of controversy

2. The legal provisions of the Electoral Laws which has been/ is being breached and is the ground of the complaint

3. All material facts of the case (e.g. place, date, time, identification and details of witness cause of action, documentary and/ or other physical evidence etc.); and

4. Name of the parties/ Candidates/ Individuals against whom the complaint is filed.

I hereby, in testimony of the above and in full knowledge that appropriate action can be taken under the Election Act of the Kingdom of Bhutan 2008, put my signature here-below:

.....

Affix Legal Stamp

(Name of Complainant)

(Present Residential/Work Address and Telephone Number)

This must be signed by the complainant with proper address and contact details

Date:

.....

(Name and Designation of Receiver)

Election Complaint Receiving Authority

Date of Receipt:.....

Handed over to the:

Chief Election Coordinator/Chief Election Commissioner on date: