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ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/NOTIF-01/2023/1005

Dated: 16th February 2023

NOTIFICATION

Fourth Parliamentary Elections 2023: National Council

Under the Constitution of the Kingdom of Bhutan

The Election Commission of Bhutan, in obedience to the Royal Decree of His Majesty the Druk Gyalpo issued on the 8th of February 2023 and in pursuance of Section 191 of the Election Act of the Kingdom of Bhutan 2008, hereby issues this notification calling elections to the National Council of the Parliament of Bhutan.

The Election Schedule and the details concerning Nomination of Candidates, Electoral Rolls, EVMs, Polling Stations, Election Officials, Polling Management, Security and other requirements are hereby notified as follows:

(A) Elections

1. The National Council elections shall be contested in each of the 20 Dzongkhags by the nominees of the respective *Gewogs/Dzongkhag Thromdes* whose nomination is accepted by the concerned Returning Officer.
2. An incumbent National Council Member wishing to contest the elections shall not be required to resign, as per Section 15A and 22 of the National Council Act 2014. However, such aspiring candidates shall not display, deploy or use any insignia, human resources, property, materials, information or any kind of advantage related in any way to holding of the office.

(B) Election Schedule

3. The schedule of activities, date and time for the *Fourth Parliamentary Elections 2023: National Council* shall be as follows:



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Sl. No	Event	Date
1	The Royal Decree calling the National Council Elections and setting the process in motion	8th of February 2023
2	ECB Notification on the National Council elections schedule	16 th of February 2023
3	Eligible postal voters to initiate registration for Postal Ballot	17 th of February 2023
4	Commencement of <i>Dhamngoi Zomdu</i> process in the Gewogs/Dzongkhag Thromdes to select nominees	25 th of February 2023
5	Release of Draft Electoral Roll for claims and objections	11 th of March 2023
6	Last date for filing nomination	13 th of March 2023
7	Scrutiny of nominations of candidates	14 th of March 2023
8	Application for Election Campaign Fund by candidates	
9	Commencement of the Election Campaign	
10	Last date for registration of Postal Ballot	15 th of March 2023
11	Release of the Election Campaign Fund	16 th of March 2023
12	Last date for withdrawal of candidature	
13	Last date for receipt of application for changes related to details from registered postal voters by Returning Officer	
14	Returning Officer to initiate sending Postal Ballot to registered postal voters	
15	Freezing of the Electoral Roll	21 st of March 2023
16	End of Election Campaign	9 a.m. 18 th of April 2023
17	Last day for receiving Postal Ballots	19 th of April 2023
18	National Council Poll Day and Counting of Results	20th of April 2023
19	Declaration of Results & Submission of the Results to His Majesty the Druk Gyalpo	21 st of April 2023
20	Start of Election Petition Period	
21	Issuance of the Certificate of Election	27 th of April 2023
22	End of Election Petition Period	5 th of May 2023



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(C) Selection of Nominees to file Candidature to Contest the National Council Elections

4. The voter who, attends in person and, secures the highest number of votes at the selection *Dhamngoi Zomdu*, called and conducted as per the *Guidelines for Dhamngoi Zomdu of the Gewog/Dzongkhag Thomde for National Council Elections, 2023* and is declared the nominee of a *Gewog/Dzongkhag Thomde*, shall file nomination as candidate to contest the National Council elections in that Dzongkhag.
5. The aspiring candidates are specifically being notified that:
 - (i) They must be present at the *Dhamngoi Zomdu* at 9 a.m. sharp as per the schedule circulated in respective Dzongkhags by the Dzongkhag Election Authority along with his/her photo measuring 2.3cm x 2.3cm for use on the EVM; and
 - (ii) The *Dhamngoi Zomdu* conducting team shall check the documents mentioned under Section (D) 7 of this notification prior to the commencement of the *Dhamngoi Zomdu*. The aspiring candidates failing to produce any of the documents shall not be permitted to stand as nominee in the selection procedure.

(D) Filing of Nomination Papers

6. The nomination papers shall be submitted by a nominee selected to contest the National Council elections on or before 13th of March 2023.
7. The nomination papers must be complete, signed and countersigned as required and include the following prescribed forms:
 - 7.1. Nomination Form;
 - 7.2. Notice of Nomination;
 - 7.3. Asset Declaration;
 - 7.4. Tax Clearance Certificate;
 - 7.5. Audit Clearance Certificate;



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- 7.6. Security Clearance Certificate;
 - 7.7. Integrity Assessment Certificate;
 - 7.8. Non-Performing Loan (NPL) Status Report;
 - 7.9. Documents certifying minimum of 10 years work experience;
 - 7.10. CID copy of the candidate;
 - 7.11. Marriage Certificate & CID copy of spouse, if married;
 - 7.12. Letter of Attestation issued by Election Commission of Bhutan on endorsement of qualification;
 - 7.13. Relieving order issued by Head of the Ministry/ Department/Agency (if relevant);
 - 7.14. A declaration from a candidate declaring that he/she is not a member of a political party, or has resigned membership at least a year ago in the manner specified in Section 206 (d) of the Election Act of the Kingdom of Bhutan 2008; and
 - 7.15. Affidavit including non-criminal conviction record-cum-clearance from the respective court of law that he/she has not been accused of felony in a pending case, taken cognizance by a court of law.

(E) Scrutiny of Nominations

8. The respective Returning Officers shall undertake the scrutiny of the nomination papers filed by the candidates with intimation to the Election Commission.
9. The candidates contesting the National Council elections should get their Asset Declaration attested by the Department of Election and Civic Education before filing nominations to the concerned Returning Officer.



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(F) Electoral Roll

10. The qualifying date shall, in relation to the preparation of the electoral roll for the election, be the 1st of January 2023. Therefore, all those who are not younger than eighteen years of age as on 1st of January 2023 shall be deemed to meet the minimum age requirement to be a registered voter.
11. Those born on or before 13th of March 1998 and on or after 13th March 1958 shall be deemed to meet the legal age requirements for candidates.
12. The draft electoral roll shall be issued on 11th of March 2023 for public inspection and invite the public to file claims and objections by 21st of March 2023.
13. Similarly, those voters whose *Mitsi* has been registered in a *Demkhong* on or before 31st of December 2021 shall be deemed to meet the durational requirement to be a voter or candidate from that *Demkhong*.
14. The draft electoral roll shall be used for the purposes of polling at the *Dhamngoi Zomdu* to select the *Gewog/Thromde's* nominee to contest the National Council elections in the concerned Dzongkhag.
15. No changes shall be made to the electoral roll after 21st of March 2023 i.e., thirty days before the date of poll.
16. The final electoral roll shall be published and provided to the Returning Officers by 22nd of March 2023.

(G) Election Campaign

17. The campaign period for the National Council elections shall commence from 14th of March, 2023 and must end at 9a.m. 18th of April, 2023. i.e., 48 hours before the commencement of poll on the poll day.



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18. A candidate shall conduct his/her campaign only as per the election campaign schedule approved by the concerned Returning Officer and copy endorsed to the concerned National Observer.

Common Forum for Public Address by All Candidates

19. The Returning Officer, in consultation with the respective Election Coordinator and Security Coordinator shall arrange a common forum in each *Gewog/Dzongkhag Thromde* to provide the contesting candidates equal opportunity to address the electorate while reducing the necessity to call for public meetings in the *Gewog or Dzongkhag Thromde* by each candidate separately and thereby avoiding inconvenience to voters of attending multiple sessions.
20. The common forum shall be organised as per the *Guidelines for the Conduct of the Common Forum for Election Campaign, 2018*.

Public Debate

21. Public debates for the National Council elections shall be conducted in the twenty Dzongkhags in collaboration with the BBS Television as per the *Guidelines for Conduct of Public Debates during Parliamentary Elections, 2023*.

Any other public meetings

22. A door-to-door campaign or smaller meetings at Chiwog or village level shall be conducted as per the schedule approved by the Returning Officer.

Abnormal Financial Transaction

23. All banks or financial institutions shall report to the Election Commission any abnormal transaction of money, including in the account of a candidate contesting the elections.

Conduct of Representatives or Supporters

24. A candidate shall bear responsibility for the conduct of his/her representatives or supporters.



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No Freebies

25. A candidate contesting the National Council elections and all concerned shall neither serve meals or refreshments, nor pay the general public or voters for attendance of election campaigns and distribute any freebies.

Religious Events

26. Religious events will be prohibited, in particular those involving the candidates and/or their representatives and supporters.
27. Religious personalities shall neither vote in the elections nor participate, directly or indirectly in the elections.

Religious Organisations & Civil Society Organisations

28. Religious organisations and civil society organisations shall not participate, directly or indirectly, or give grounds to reasonably construe support, opposition or dislike of any candidate contesting the elections.

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29. An Elected Local Government functionary shall not participate, directly or indirectly in the National Council elections except to cast his/her ballot on the poll day.

No Travels or Official Tours by a Minister or Member of Parliament

30. No travels, public gatherings or official tours shall be undertaken by a Minister or Member of Parliament to any *Demkhong* during election period except for a purpose that cannot wait under the laws but with prior approval of the Election Commission.
31. No candidate shall use the title, designation, rank, *kabney/rachu*, *pata/gyentag*, or any other sign, insignia or symbol of an office held earlier, on person, car or any



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personal effects as may be used during the campaign period by the candidate, representatives or supporters.

32. The Office of the Returning Officer and venue of the election events shall be, as far as possible, at locations that do not require the wearing of the *kabney/rachu* and *pata/gyentag*.

48 Hours No Campaign Period

33. Election campaign must stop 48 hours before the hour fixed for commencement of Poll.

Election Campaign Finance

34. Public campaign fund shall be provided by the State as per Section 58 of the Public Election Act of the Kingdom of Bhutan, 2008.
35. A candidate shall be allowed to spend only the amount provided by the State for his/her election campaign.

Election Campaign Returns

36. A candidate must submit weekly accounts of the campaign expenses to the National or Micro Observer for his/her scrutiny and file election returns within thirty days of declaration of the election result as per the prescribed procedures, regardless of being elected or not, failing which a person may be disqualified as a member holding elective office or candidate in future elections.

(H) Postal Ballots

37. The schedule for the postal ballot process shall be as given in the election schedule and detailed in the *Strategy for Conduct of the Fourth Parliamentary Elections: National Council Elections, 2023*.
38. A person who applied for postal ballot cannot vote in person as his/her name will be included in the postal voters' list and struck off from the voters' list sent to the polling station by the Returning Officer.



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(I) Voter Photo Identity Card (VPIC)/Citizenship Identity Card (CID)

39. The VPIC or CID shall be the valid documents for identification of voters for the purposes relating to elections.

(J) Polling Hours

40. The polling hours on the Poll Day shall be from **9a.m.** to **5p.m.** However, those voters already in the queue at 5p.m. shall be allowed to vote with the last voter present at that time in the queue being given token No.1.

(K) Electronic Voting Machines

41. The Electronic Voting Machine (EVM) shall be used for polling in all polling stations.

(L) Indelible Ink

42. Indelible ink shall be used during the elections and care must be taken in applying the indelible ink as a line running from top of the nail to the bottom of the first joint of the **Right Index Finger**.

(M) Polling Stations

43. The polls for the *Parliamentary Elections, 2023: National Council* shall be conducted at the **811** polling stations. The details are indicated in the electoral roll for the *Parliamentary Elections, 2023: National Council*.

44. After the close of polls, the polling stations shall become the counting centres where the EVM results shall be counted immediately, as per the set procedure, and relayed to the Returning Officers.

(N) Election Result Counting, Consolidation and Declaration

45. The postal ballots shall be counted by the concerned Returning Officers who shall consolidate it with the EVM results received from the polling stations and relay to the ECB Headquarters as per the set procedures.



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46. Candidates or their representatives can witness and observe all stages of the polling and counting procedures but shall not make public statements on estimates and guesses before the results of the elections are officially declared.
47. A permitted media agency or journalist may witness and observe the counting procedures but shall ensure that they comply with the procedural requirements of the Returning Officer and not obstruct or interfere with the process or make public statements or online posts on estimated poll results before the official announcement and declaration of the results.

(O) Election Officials

Chief Election Coordinators

48. The *Dzongdags* shall be appointed as the Chief Election Coordinators; *Dzongrabs/Dungpas* as the Deputy Chief Election Coordinators; Executive Secretary and the *Gewog Administrative Officers* as the Election Coordinators in the respective *Dzongkhag*, *Dzongkhag Thromde* and *Gewog* for the purposes of the conduct of the National Council elections, 2023.
49. The Election Coordinators shall be responsible for carrying out the roles, responsibilities and duties as provided in the electoral laws and in accordance with the appointment orders issued by the Election Commission on 16th of February 2023.

National Observers and Micro-Observers

50. The Election Commission shall appoint twenty National Observers and seven Micro-Observers vested with the authority, roles and responsibilities as per the provisions in the electoral laws, rules, regulations and in particular the relevant provisions contained in the Guidelines for National and International Observers and the Appointment Order.

Returning Officers

51. The Election Commission shall appoint twenty Returning Officers for the National Council elections.



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52. Each Returning Officer is vested with full authority, roles and responsibilities as per the provisions in the electoral laws, rules, regulations and Handbook for Returning Officers.

Presiding Officers

53. The appointment of Presiding Officers for the elections shall be as per the appointment orders issued by the concerned Returning Officer on 19th of April 2023 i.e. one day before the day of Poll, unless otherwise authorised.
54. Presiding Officers are vested with the authority, roles and responsibilities as per the provisions in the electoral laws, rules, regulations and Handbook for Presiding Officers.

Polling Officers

55. The appointment of Polling Officers for the elections shall be as per the appointment orders issued by the concerned Returning Officer on 19th of April 2023 i.e. one day before the day of Poll, unless otherwise authorised.
56. Polling Officers are vested with the authority, roles and responsibilities as per the provisions in the electoral laws, rules, regulations and Handbook for Polling Officers.

Counting Supervisors & Counting Assistants

57. The Presiding Officers shall serve as the Counting Supervisors and Polling Officer III as the Counting Assistant to count the results after the close of Poll.
58. Counting Supervisors and Counting Assistants are vested with the authority, roles and responsibilities as per the provisions in the electoral laws, rules, regulations and Handbook for Counting Supervisors and Counting Assistants.

Assignment of Duty Stations

59. The National Observers, Returning Officers, Presiding Officers and Polling Officers shall not be posted to the Dzongkhag where his/her *Gung* or *Mitsi* is registered.



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Authorisation to Record Election Related Events

60. Only officials appointed on election duty are authorised to photograph, video-graph and/or record any election-related event or activity.

(P) Law and Order & Deployment of Security Personnel

61. The *Dzongdags* of all twenty *Dzongkhags*, the Gewog Administrative Officers in the 205 *Gewogs* and Executive Secretaries of the four *Dzongkhag Thromdes* shall serve as the Focal Points for all administrative matters in the *Dzongkhags*, *Gewogs* and *Thromdes*, respectively for the election period.
62. The *Dzongdags*, Gewog Administrative Officers and Executive Secretaries shall be responsible in ensuring that their respective jurisdictions are conducive and congenial for the conduct of free and fair *Parliamentary Elections, 2023: National Council*.
63. The Royal Bhutan Police and the Royal Bhutan Army shall deploy security as per the *Election Security Rules and Regulations of the Kingdom of Bhutan*.
64. The Royal Bhutan Police and the Royal Bhutan Army shall ensure appropriate coverage and deploy adequate number of men and officers so that there is no possibility of any security threat and incidences affecting the electoral process in their respective jurisdictions.
65. The Election Security Officer of the concerned *Dzongkhag* shall work in close coordination and cooperation with the election officers as a team towards conducting the elections smoothly.

(Q) Election Dispute Settlement System

66. The quasi-judicial role of the Election Commission during the election period shall be fulfilled through the election dispute settlement system which includes three levels of decision-making and appeal:



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- 66.1. Dzongkhag Election Dispute Settlement Body;
 - 66.2. Central Election Dispute Settlement Body; and
 - 66.3. Full Election Commission.
67. Election Disputes may be filed with the Returning Officer, National Observer, Chief Election Coordinator or the Chief Election Commissioner but must contain all details as in **Election Dispute Settlement Form No. 1**.
 68. The adjudication of election disputes shall be guided generally by the principles and provisions of the laws of the land and in particular the electoral laws, Election Dispute Settlement Rules and Regulations and the Election Dispute Settlement Manual.
 69. All concerned are reminded that a complaint related to an election shall be dealt only by an Election Dispute Settlement Body or the Election Commission. In the case of media related complaints, the matter must be pursued with the Media Arbitrator.

(R) Election Petition

70. An appeal against a decision of the Election Commission may be lodged to the High Court of the Kingdom of Bhutan on or before the last date for filing of an election petition.

(S) International Observers & Media

71. The Policy and Planning Division of the Election Commission shall coordinate and liaise on all matters that concern the International Observers and International Media permitted to observe the elections as provided in the *Election Observation Guidelines of the Kingdom of Bhutan, 2018*, *Media Coverage of Elections Rules and Regulations, 2021* and the *ECB Social Media Rules and Regulation of the Kingdom of Bhutan, 2018*.
72. The Media Arbitrator appointed for the *Parliamentary Elections, 2023: National Council* shall be vested with the authority and be responsible for fulfilling the roles



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and responsibilities as provided in the electoral laws, rules, regulations and the appointment order.

73. Social Media Monitors shall be appointed in the Dzongkhags to assist the Media Arbitrator.

(T) Election Control Rooms

74. Control Rooms shall be established in the Office of the Returning Officers and at the Election Commission Headquarters to effectively supervise, direct, monitor and backstop the conduct of elections.
75. The Control Rooms shall be set up and function in the manner detailed in the *Manual for Control Rooms*.
76. All concerned officials shall be provided with a copy of the Election Diary which shall also contain the contact details of officials on election duty to facilitate effective communications during the elections.

(U) Election Code of Conduct

77. The Election Code of Conduct shall continue to be in force from 16th of February 2023 until the completion of the election period i.e. until the declaration of the results on 21st of April 2023.
78. All election officers, candidates and voters must comply with the Election Code of Conduct and the provisions of the electoral laws, rules, regulations and guidelines.
79. All electoral stakeholders may use the social media for election or campaign purposes but shall ensure to abide by the electoral laws, Election Code of Conduct and specifically adhere to the requirements under the *ECB Social Media Rules of the Kingdom of Bhutan, 2018*.

(V) Poll Day - A Public Holiday

80. The Poll Day, 20th of April 2023, shall be declared a National Holiday in the 20 Dzongkhags.



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81. All employers are required by law to grant required number of days as election leave for any voter wishing to go to vote in person at designated polling station.
82. No one shall carry any sort of audio/photo/video recording devices in and around a polling station or carry any sort of weapons or arms which can be used to cause bodily harm on Poll Day except those authorised to do so.
83. A permitted media agency or journalist shall be allowed into a polling station but not have access to the voting compartment while a voter is voting and shall be escorted out of the polling station thereafter.

(W) Demkhong with No or Only One Candidate

84. In a *Demkhong* where there is no candidate after the last date for filing of nomination of candidates notified herein, the election will be postponed till further notice by the Election Commission.
85. In a *Demkhong* where there is only one candidate after the last date of filing of nomination of candidates announced herein, an uncontested election, in accordance with Sections 575 and 576 of the Election Act of the Kingdom of Bhutan 2008, will be conducted in that *Demkhong*.

(X) Other Reference

86. Election Officials shall, besides the electoral laws, rules, regulations, guidelines, handbooks, orders and notifications, also refer to the “Strategy for *the Conduct of the Fourth Parliamentary Elections, 2023: National Council*” for additional information and guidance in the conduct of the elections.

Now, thereof, from the day of issuance of this notification, the Election Commission of Bhutan notifies the general public on all matters relating to the *Fourth Parliamentary Elections, 2023: National Council*.



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Issued on the 26th Day of the 12th Month of the Water Male Tiger Year, corresponding to 16th of February, 2023.

(Dasho Sonam Topgay)

Chief Election Commissioner of Bhutan

Copies to:

1. Hon'ble Prime Minister, Royal Government of Bhutan, Kingdom of Bhutan.
2. Hon'ble Chief Justice of Bhutan, Royal Court of Justice, Supreme Court of Bhutan, Thimphu.
3. Hon'ble Speaker, National Assembly, Parliament of Bhutan, Thimphu.
4. Hon'ble Chairperson, National Council, Parliament of Bhutan, Thimphu.
5. Hon'ble Opposition Leader, National Assembly, Parliament of Bhutan, Thimphu.
6. Hon'ble Dasho Zimpon, Office of the Gyalpoi Zimpon, His Majesty's Secretariat, Thimphu.
7. Hon'ble Secretary to His Majesty the King of Bhutan, His Majesty's Secretariat, Tashichhoedzong, Thimphu.
8. Hon'ble Secretary to His Majesty, Secretariat of Druk Gyal Zhipa, Thimphu.
9. Hon'ble Goongloen Gongma, Chief Operation Officer, RBA, Thimphu.
10. Hon'ble Chief Justice, Royal Court of Justice, High Court of Bhutan, Thimphu.
11. Hon'ble Chairperson, Royal Civil Service Commission, Thimphu.
12. Hon'ble Chairperson, Anti-Corruption Commission, Thimphu.
13. Hon'ble Auditor General, Royal Audit Authority, Thimphu.
14. Hon'ble Presidents, Five Registered Political Parties with specific requirement to stop political party activities in the Gewogs and Thromdes.
15. Hon'ble Cabinet Secretary, Royal Government of Bhutan, Tashichhoedzong, Thimphu.
16. All Hon'ble Secretaries to the Royal Government of Bhutan.
17. Hon'ble Chief of Police, Royal Bhutan Police, Thimphu.
18. The Election Security Focal Officer, RBP and RBA.
19. Dzongdag, Dzongkhag Administration, 20 Dzongkhags.
20. Drangpon, Royal Court of Justice, 20 Dzongkhags.
21. Executive Secretary, 4 Dzongkhag Thromdes.
22. Dzongkhag Electoral Officer, 20 Dzongkhags.
23. Gewog Administrative Officer, 205 Gewogs.

Post Box No.: 2008, Democracy House, Kawajangsa, Thimphu: Bhutan

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