

ELECTION COMMISSION OF BHUTAN



**Guidelines for Extending Postal Ballot Facility to the Bhutanese Citizens Residing,
Studying or Working Outside Bhutan, 2018**

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1. Background

The ECB, given the small size of Bhutanese electorate, finding it appropriate that all those eligible and interested to participate in the electoral process be facilitated to take part in the democratic exercise, adopts this *Guidelines for Extending Postal Ballot Facility to the Bhutanese Citizens Residing, Studying or Working Outside Bhutan, 2018* to enable the eligible voters to be registered as Postal Voters and cast their votes through Post.

2. Legal Provision

- 2.1 The Section 331 of the Election Act of the Kingdom of Bhutan, 2008 provides that Civil Servants, Students and Trainees, Members of the Armed Forces, Diplomats and persons working in the Embassies of the Kingdom of Bhutan, Persons residing outside Bhutan for the performance of a special government duty, Spouses or dependents of the aforementioned and any other group of people identified by the Election Commission of Bhutan in consultation with the Government may cast their votes through post.
- 2.2 The processing of Postal Ballot under these Guidelines shall be strictly governed by the *Postal Ballot Rules and Regulations, 2018* unless specified otherwise under these Guidelines.

3. Institutional Arrangements

- 3.1. The extending Postal Ballot facility to Bhutanese residing, studying or working Outside Bhutan shall be implemented through the Assistant Returning Officer (ARO) designated by the ECB, in the Permanent Mission of the Kingdom of Bhutan (PMB)/Authorized Representatives, who shall be responsible to liaise with the Authorized PB Administration for the postal voter registration and with the Returning Officers (ROs) for the subsequent Postal Ballot process, under the overall supervision of the ECB.
- 3.2. The Ministry of Foreign Affairs (MoFA)/entities shall designate a focal person in Thimphu who shall be responsible to collaborate with the ECB for all matters relating to Postal Ballots for the Bhutanese voters outside Bhutan.

4. Postal Voter Registration

- 4.1. The Election Commission shall besides public notification, specifically intimate the office of the PMB/Authorized Representative, at a suitable date, to advise all eligible Bhutanese voters to submit Registration Form-Postal Ballot Registration Form No. 2 (if voting from outside Bhutan) or Postal Ballot Registration Form No. 1 (if availing Facilitation booth

facility), for registration as Postal Voters which can be downloaded from the ECB website www.ecb.bt or hardcopy from the PMB/Authorized Representative.

- 4.2. The eligible Postal Voters shall send a scanned copy of the filled Voter Registration Form as an attachment by email to the Authorized PB Administration.
- 4.3. The Authorized PB Administration shall register him/her as the Postal Voters after cross-checking in the Electoral Roll.
- 4.4. The ECB shall publish the draft Postal Voter List on the ECB website so that Postal Voters can individually check their status using their VPIC/CID number.
- 4.5. The Draft Postal Voters' List shall also be made available to respective entities for claims and objections and it shall be the responsibility of the respective entities to ensure correctness of the list pertaining to it.
- 4.6. ECB shall upon receipt of claims and objections finalize and make the final Postal Voters' Lists available on the ECB website that can be checked individually using the VPIC/CID number.

5. Application for Postal Ballot

- 5.1. All the email addresses of the Returning Officers shall be made available at the Election Commission's website www.ecb.bt
- 5.2. An eligible Postal Voter registered as per Section 4.1 shall make an Application for Postal Ballot in the prescribed **Postal Ballot Form No. 3**, only if he/she wishes to vote in person at the designated Polling Station and therefore to be excluded from the Postal Voters' List or to intimate the change in Postal Address. This must be done before the last date of Application as in the notified Election Schedule.
- 5.3. The registered Postal Voters who wish to avail the Postal Ballot Facility and have no change in Postal Address as provided earlier in the Registration Form need not apply separately for the Postal Ballot.
- 5.4. The Postal Voters who are registered to vote in a Facilitation Booth need not apply but shall turn up to cast their vote at the designated Facilitation Booth with their VPIC on the notified dates.

6. Issuance of Postal Ballot

- 6.1. The Returning Officer shall proceed with the issuance of the Postal Ballot as per the Postal Voters' list for that *Demkhong* giving due consideration to any applications received for exclusion or change in Postal Address as per **Postal Ballot Form No. 3**.
- 6.2. The ECB shall send the Postal Ballot materials in advance except for the Postal Ballot papers which the Returning Officers send by email after scrutiny and last date of withdrawal of nominations.

- 6.3. A concerned RO shall, after acceptance of nomination, send the Postal Ballot to the ARO, by email along-with the address of the Postal Voters to whom it should be delivered.
- 6.4. The Authorized PB Administration, based on the authorization by the respective Returning Officers shall print the required number of Postal Ballots and dispatch the Postal Ballot Package to the Assistant Returning Officers outside Bhutan, or the registered Postal Voters at the earliest time possible and at a pre arranged place or by post to the mailing address found in the list sent by the Returning Officer.
- 6.5. The Assistant Returning Officer shall release the Postal Ballot Packages immediately upon the receipt of the Postal Ballot email from the concerned Returning Officer.

7. Marked Postal Ballot

- 7.1. A Voter shall, immediately upon receipt of the Postal Ballot Package, cast his/her vote by marking the Ballot as per the enclosed Postal Voters Instructions and send to the Assistant Returning Officer.
- 7.2. The Assistant Returning Officers in the Embassies/PMBs/Consulate Offices shall send the Postal Ballots through the next diplomatic pouch to the Focal Person in the Ministry of Foreign Affairs who shall immediately deliver to the ECB.
- 7.3. The Other AROs shall send the Postal Ballots through the prepaid Bhutan Post FeDEX Account taking care to immediately collect and dispatch the Postal Ballots in bulk to the ECB at the earliest.
- 7.4. The ECB shall immediately forward, the Postal Ballots received from outside Bhutan to the respective ROs at the earliest.
- 7.5. The RO shall receive, handle and count the marked Postal Ballots as per procedure applicable to all Postal Ballots.

8. Time Period

- 8.1. The process of application (only exclusion or change in Postal Address) to the RO, issuance and distribution of the Ballot Paper to Voters and return of the Marked Ballot Paper by voter to the ARO to ECB and onward to the RO has to be completed within a maximum time period of about three weeks. Therefore, all concerned should ensure that their assigned responsibilities are completed immediately at the earliest possible time.

9. Disputes

- 9.1. Any dispute related to Postal Ballots under these Guidelines shall be to follow the same process as any other election dispute, election petition or appeal.

10. Penalty

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

11. Power of the Commission to Issue Instructions and Directions

11.1. The Commission may issue instructions and directions:

- 11.1.1. For the clarification of any of the provisions of these Guidelines;
- 11.1.2. For the removal of any difficulty which may arise in relation to the implementation of any such provisions; and
- 11.1.3. In relation to any matter with respect to preparation of Postal Ballot, for which these Guidelines make insufficient provision, and clarification is necessary in the opinion of the Commission.

12. Interpretation and Amendment

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

12.2. The Election Commission shall have the power to amend the existing Guidelines by way of addition, variation or repeal, provided that no such amendment shall be made in contravention to the provisions of the Election Act.

Done under the seal of the Election Commission of the Kingdom of Bhutan on this 5th of February 2018 corresponding to the 20th Day of the 12th Month of the Fire Female Bird-Year in the Bhutanese Calendar.

