

Republic of the Union of Myanmar
Union Election Commission

Working Guideline for Region or State Sub-commission

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Working Guidelines for Region or State Sub-commission

Introduction

1. The main responsibility of Union Election Commission is to hold free and fair elections. To be free and fair elections, it has to exercise in accordance with law and rules.
2. To be able to practice like that, Union Election Commission Law and related Hluttaw Election Laws for policy implementation and rules for work implementation are already enacted.
3. The works of Region or State Sub-commission concerning with the related Hluttaw elections, which have to coordinate, administer and implement the works for those Hluttaw elections, shall be in accordance with law, in other words, their works shall be free and fair only if the law rules are understood thoroughly.
4. However, in practice, it will be difficult to understand the law and rules thoroughly by reading them. Therefore, the Region or State Sub-commission Guideline is compiled.
5. This guideline is compiled based on the Union Election Commission Law and related Hluttaw Laws. Therefore, by studying this with the original Laws, Rules and Directives issued time to time, the election works will be able to execute successfully in accordance with law.

Duties and Powers

6. The duties and powers are as follows:
 - (a) holding the Hluttaw elections;
 - (b) supervising the Hluttaw elections;
 - (c) supervising the Sub-commissions
 - (d) compiling voter lists, correcting and announcing
 - (e) spending the funds systematically and ensuring to spend systematically
 - (f) supervising the political parties and letting to supervise them according to political parties registration law
 - (g) performing the duties assigned by the commission

Announcing constituencies

7. Township Sub-commissions must announce the lists of areas included in the constituencies of Pyithu Hluttaw, Amyotha Hluttaw or Region or State Hluttaw and the lists of areas included in the constituencies of Pyithu Hluttaw or Amyotha Hluttaw for concerned ethnicities as they are designated by the Commission at least 30 days ahead of concerned elections.
8. Township Sub-commission must announce the decision of the Commission if the condition of some areas in a constituency is not possible to hold an election.

Preparation of Voting Roll

9. When voting rolls are prepared,
 - (a) If it is found that a person is left out from the voting roll even though the person should be in the voting roll, the person must be add in the appendix voting roll.
 - (b) If it is found that a person is included in the voting roll even though the person should not be in the voting roll, the person must be deleted from the voting roll.
 - (c) If it is found that a group of people is left out from the voting roll, it can allow Nay Pyi Taw Sub-commission, concerned Self-Administered Division or Self-Administered Zone Sub-commission or District Sub-commission to add those names in the appendix voting roll not later than seven days before the election is held.

Issuing Election Announcements for the Ethnic Hluttaw Representatives

10. The announcement that people can nominate for Ethnic Hluttaw Representative of Region or State Hluttaw with Form (5-A). The concerned District and Township Sub-commissions must be asked to announce again with the photo copy of the announcement.

Nomination of Ethnic Hluttaw Candidate and Appointment of Election Agent

11. The nomination form for Ethnic Hluttaw Representative of Region or State Hluttaw submitted by Form (6) must be accepted and examine. It must be checked if the submission form has the two copies of biography which is required to do by Appendix (A) of the Commission. The submission form made after the due date must not be accepted.
12. The announcement for the submission of Ethnic Hluttaw Representative of Region or State Hluttaw must be made with Form (6-A).
13. The appoint forms for the Election Agent for Ethnic Hluttaw Candidate of Region or State Hluttaw made by Form (7) and Form (7-A) must be accepted and examine.
14. The cancellation of Election Agent for Ethnic Hluttaw Representative of Region or State Hluttaw made by Form (7-B) must be accepted and work on it.
15. After the Hluttaw Candidate is confirmed, the ID card for the candidate and its Election Agent must be issued.
16. The reports that the cancellation of nomination for Ethnic Hluttaw Representative of Region or State Hluttaw made by Form (9) must be accepted and work on it. The announcement of cancellation must be announced with Appendix (B) and it must be posted at the office where people can see. The photo copy must be sent to the Commission and concerned Sub-commissions.
17. Region or State Sub-commission –
 - (a) Must inform the Ethnic Hluttaw Representative who has been objected that the person can appeal to the Commission within seven days after the decision is made and it must open a case file and record that the person has been informed.

- (b) The person must be given an authentic photo copy of the decision free of charge so that the person can appeal if it wishes.
 - (c) After the authentic photo copy of the decision is given, the case file must be sent to the Commission quickly. The case file which is sent to the Commission must be made a photo copy and kept at the office.
18. After the Commission made the decision upon the appeal made according to the session 31 of the Rule concerning with the Ethnic Hluttaw Candidate, the photo copy of the decision must be kept at the concerned case file at the office.
19. Apart from the Ethnic Hluttaw Candidates, other Hluttaw Candidates can appeal to Region or State Sub-commission according to the session 31 of the Rule if the decision of concerned District Sub-commission is not satisfied. When the appeal form is received, the appropriate decision must be made with seven days after the appeal form is received by checking the particulars mentioned in the appeal. One copy each of the decision must be sent to concerned Nay Pyi Taw Sub-commission, Self-Administered Division or Self-Administered Zone Sub-commission, District Sub-commission and the person who appealed within three days.

Works to do after Examining the Hluttaw Candidate Nomination Form

20. The list of examined Ethnic Hluttaw Candidate for Region or State Hluttaw must be compiled with Form (10-A) in alphabetical order and post it at the office where people can see. One copy each must be sent to the Commission and concerned sub-commissions.
21. If there is only one nominee for a constituency of an ethnicity, it must be announced as the Ethnic Hluttaw Representative without holding an election.
22. If there is more than one nominee for a constituency of an ethnicity, the election must be held. The nominee who receives the highest number of the valid vote must be announced as the Hluttaw Representative.
23. After the Hluttaw Candidate list is announced and if a nominee lost the right to be elected or dies before the election is held, that nominee must be deleted and it must be announced.
24. The person who has been reported by each Township Sub-committee that the person received the highest number of valid votes must be announced as the Hluttaw Representative.
25. If there is only one person is left as there is the deletion from the Hluttaw Candidate List, the person who is left must be announced as the Hluttaw Representative.

Works to do concerning with the election deposit money

26. When a person who has submitted Ethnic Hluttaw Candidate nomination form got rejected the nomination form, when the candidate dies before election starts or when the election in a constituency where the candidate nominated has been postponed, Kyat300,000 of the election deposit money submitted together with the nomination form

must be redeemed with Form (6-B) to the candidate, the election agent of the candidate or the delegate of the candidate.

27. Concerning with the election deposit money to participate in the election by the contesting Hluttaw candidates, it must be done as follows:

- (a) The election deposit money of the candidates who have been announced as elected for the Hluttaw representative must be redeemed with Form (6-C) to the representatives or their election agents.
- (b) The election deposit money of the candidates who have not been elected as the Hluttaw representative but who have received more than one eighth of valid votes must be redeemed with Form (6-D) to their election agent after the list of those who have been elected as the Hluttaw representative is announced.
- (c) The election deposit money of the candidates who have neither been elected nor who have not received up to one eighth of the valid votes must be kept as the state budget.
- (d) According to the paragraph 26 and 27 (a) and (b), the election deposit money shall goes into the State revenue if it is not withdrawn within six months starting from the announcement.

Casting vote

28. If it is to stop voting while casting vote, the texts written in the Form 16-A shall be suspended to declare for the Hluttaw candidates of ethnic people.

29. The votes that have been written in the Form 16-A shall be declared if the UEC decides that the election, which was suspended at a certain polling station, is not required to be re-held.

30. If the UEC decides that the election, which was suspended at a certain polling station, is to be re-held; the texts written in the Form 16-A is not to be declared, but it shall be declared with the counted votes altogether received from the next election held for the voters who have not been casted at that polling station.

31. If the election is to be re-held after the Polling Station Officer has stopped the voting process and cancelled the election at the polling station, due to the ballot box being illegally taken away or the ballot papers being damaged or lost by accident or on purpose; the votes received from resumed election shall be declared only after being combined with the votes from other polling station. If the UEC decides that no new election is needed for that polling station, only the votes combined from other polling stations, except that polling station, shall be declared.

Declaring Elections Result

32. If the number of votes for candidates who have the highest trusted votes in a constituency, according to the statistics presented with Form 19 and Form 19-A from respective Township

Sub-commissions, it shall be reported to the UEC as soon as possible, with a remark whether new election should be held again or not.

33. Candidates who have the highest trusted votes, sent with Form 19 from Township Sub-commission, shall be declared elected Hluttaw representatives. Each copy of that declaration shall be sent to the UEC as soon as possible.

34. Candidates of ethnic people who have the highest trusted votes, according to the statistics compiled with the Form 19-B based on the Form 19-A sent from Township Sub-commissions, shall be declared elected Hluttaw representatives. Each copy of that declaration shall be sent to the UEC as soon as possible.

Election Expenses

35. With regards to the election expenses Form 20, which have been submitted within 30 days of the declaration of the names of the elected representatives, by Region or State Hluttaw candidates of ethnic people who run in constituencies as prescribed in Election Law Section 4(D), Region or State Sub-commission shall keep accounts of 1.) election expenses and 2.) whether election expenses are submitted as designated time and provisions. Within two days after having received two copies of election expenses accounts and oath, the Region or State Sub-commission shall post a copy of election expenses Form 20 at its office to enable the public to see. If there is a certain voter, if any, who desires to copy the election expenses account, the voter shall be allowed to apply to have a copy if he or she pays K1000 per page whatever the page is full or not.

36. Within seven days of the ending day of the election expenses are designated to submit, the report including the followings shall be submitted to the UEC.

- (a) Names of Hluttaw candidates who ran in the election and names of election agents
- (b) Names of Hluttaw candidates who submits the election expenses account, and names of Hluttaw candidates who does not submit the election expenses account
- (c) The date of the submission, and whether the submission was made in designated time and provisions or not, if the election expenses account has been submitted
- (d) The suggestion that the Hluttaw candidates and their election agents who failed to submit election expenses should be declared unqualified

37. After having reported according to relevant Hluttaw Election By-law 80, the notice including the followings shall be posted in the office to enable the public to see.

- (a) Names of Hluttaw candidates who ran in the election and names of election agents
- (b) Names of Hluttaw candidates who submits the election expenses account, and names of Hluttaw candidates who does not submit the election expenses account

- (c) The date of the submission, and whether the submission was made in designated time and provisions or not, if the election expenses account has been submitted
- (d) The suggestion that the Hluttaw candidates and their election agents who failed to submit election expenses should be declared unqualified

38. As the UEC has issued the directives according to the relevant Hluttaw Election By-law 85, each document in respective constituency shall be compiled and reported to the UEC.

Supervising political parties and making them supervise

39. Region or State Sub-commission shall supervise, make supervise and guide the political parties so that they conduct in line with the law.

40. In auditing the accounts of a political party if it is required to audit and assigned by the UEC to do so, the Region or State Sub-commission may ask the governmental departments for help.

41. In accordance with the duty assigned by the UEC, Region or State Sub-commission shall supervise political parties conducting in line with the existing law, by-laws, procedures, announcements, orders and directives.

Miscellaneous

42. Persons, including different levels of sub-commissions, who serve electoral duties and responsibilities shall abide and conduct the followings.

- (a) Compiling electoral statistics and documents exactly and keeping them
- (b) Supervising secret voting
- (c) Keeping the information and data, except the ones permitted by the UEC to be released, not to be leaked out
- (d) Conducting the election in an exact and right way without bias

43. Electoral documents, expenses accounts of Hluttaw candidate and other documents including the votes shall immediately be handed over to the head of Region or State Administrative Department for ethnic people constituencies.

44. Reports shared by respective Nay Pyi Taw Sub-commission, Self-Administered Division or Self-Administered Area Sub-commission, District Sub-commission and Township Sub-commission shall be documented. If it is to be carried out, it shall be done in time.

45. Region or State Sub-commission shall approve if respective Township Sub-commission and Sub-commissions are making a request to delete the name of a certain candidate from the

nomination of Hluttaw candidates, if the candidate has lost the right to be elected or passed away after the nominations of Hluttaw candidates have been declared.

46. According to the electoral by-laws; if the date designated to be the last day of a working day is a public holiday, things to be done on that day may move to the next day as the last day of the working day, following the holiday.

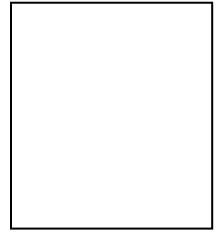
Conclusion

47. Region or State Sub-commissions are the organizations that play a major role in implementation of relevant Hluttaw elections. Therefore, Self-Administered Division Sub-commission or Self-Administered Area Sub-commission, District Sub-commission, Township Sub-commission, Ward or Village Tract Sub-commissions require having better understanding by reading and learning of related Hluttaw Election Law, By-laws and Directives which the UEC has occasionally issued, and supervise conducting in line with the law.

48. Region or State Sub-commissions shall successfully carry out the related electoral works in line with the law, after having learnt these working guidelines thoroughly.

The Union Election Commission

**Hluttaw Candidate
Brief Biography**



1. Name
2. Other name (if any)
3. Ethnicity/ Religion
4. Citizen Identification Card No.
5. Date of Birth/ Age
6. Place of Birth
7. Education
8. Current Work
9. Father's Name/ NRC No. / Work
-
10. Mother's Name/ NRC No. / Work
-
11. Spouse's Name/ NRC No./ Work
-
12. Son and/or Daughter's Name/ NRC No. / Work
-
13. Permanent Address
14. Represented Party/ Private
15. Constituency Elected

16. Brief Bio (Till Today)

- (a) To describe the schools attended
-
-
- (b) To describe former careers
-
- (c) To describe former political and social activities
-
- (d) To described any criminal cases or being detained (describe in detail if any)
-
-
- (e) To describe honorable titles (if any)
-
-
- (f) Others
-
-

Appendix B

Region or State Hluttaw Election
Announcement of annulling the submission for the nomination of Hluttaw candidate of
..... ethnic people

1. The submission for the nomination as Hluttaw candidate from U/Daw
(NRC No.) to Sub-commission on
..... (date) for Region or State Hluttaw
..... ethnic people constituency has been registered with the registration number
..... of this office.

2. The annulment of submission with his/her will on (.....date) from U/Daw in the paragraph above who submitted the nomination as Hluttaw candidate has been registered with the registration number of this office.

3. Therefore, it is announced that U/Daw has annulled the submission of his/her nomination as Hluttaw candidate.

Secretary
..... Region or State Sub-commission

Date: