

**Republic of the Union of Myanmar**

**Union Election Commission**

**Working Guideline for Ward and Village Tract Sub-commission**

Revised and Reprinted in line with Hluttaw election bylaws updated until 2014

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## **Working Guidelines For Ward and Village Tract Sub-commission**

### **Introduction**

1. The main responsibility of the Union Election Commission (UEC) is to hold free and fair elections. It shall have to be in line with the law and by-laws to hold free and fair elections.
2. To enable to hold such free and fair elections; relevant laws such as Union Election Commission Law and Hluttaw Election Laws for the policy implementation, as well as related by-laws for practical implementation have been promulgated.
3. Ward and Village Tract Sub-commissions, which conduct basic electoral activities for Hluttaw elections, shall have a better understanding of those laws and by-laws, so that their electoral works in Hluttaw elections concerned will be in line with laws, or so will be free and fair activities.
4. Nonetheless, these working guidelines for Ward and Village Tract Sub-commissions have been developed in order to carry out exactly, in case it would be difficult to fully understand when learning the laws and by-laws in practice.
5. Since the working guidelines were developed based on UEC Law and relevant Hluttaw Elections Laws, it is better to learn original laws, by-laws and directives concerned that were occasionally issued, so that electoral works shall be able to be successfully carried out in line with the laws.

### **Duties and Powers of Ward or Village Tract Sub-commissioners**

6. Duties and Powers are as follows:
  - (a) holding Hluttaw Elections;
  - (b) supervising Hluttaw Elections;
  - (c) registering, preparing and announcing voting rolls;
  - (d) supervising the activities of the political parties within one's ward and village Tract to be in line with the laws;
  - (e) using fund allocated;
  - (f) serving the duties assigned by the UEC;

### **Designation of Constituencies**

7. Pyithu Hluttaw, Amyotha Hluttaw, State or Region Hluttaw Constituencies, as well as the related State or Region Constituencies for ethnic people shall be designated by the Commission. Relevant Sub-commissions shall re-declare the lists of areas included in those designated constituencies at least 30 days ahead of the elections day.

### **Preparing Voting Rolls**

8. In preparing electoral registers for the constituencies of Pyithu Hluttaw, Amyotha Hluttaw, Region or State Hluttaw and Region or State Hluttaw for relevant ethnic people, Ward or Village Tract Sub-commission shall conduct as the followings to be in line with the laws:
- (a) Hluttaw voting rolls shall be prepared as the Form-1 designated in relevant Hluttaw Elections Laws, and as the Form-1/A for related ethnic people of Region Hluttaw or State Hluttaw constituencies.
  - (b) In preparing voting rolls in wards or village tracts, it shall be conducted in line with related Hluttaw Elections Laws and by-laws based on the populations above 18 years old, including disabled persons, which have been taken by relevant Administrative Officer of Township or Ward or Village Tract, or Township Department of Immigration and National Registration. Voters shall be encouraged to be present at the process of preparing electoral rolls. Ward or Village Tract Sub-commission shall exclude the ones who are not eligible to be included in the electoral rolls, in accordance with the laws. In the same way, the Sub-commissions shall have to add the ones, who are eligible, but still left to be included, in the electoral rolls in accordance with the laws.
  - (c) In preparing voting rolls, Ward or Village Tract Sub-commission shall include in the relevant voting roll every citizen, associate citizen, naturalized citizen and holder of temporary certificate, including disabled persons, who do not contravene the provisions of the relevant laws and are residents in a constituency and have completed the age of 18 years on the day of commencement of election.
  - (d) In examining someone if required, before inserting his or her name in the list of voters, whether he or she has completed the age of 18 years and whether he or she is entitled to vote in accordance with relevant Hluttaw Elections Laws and By-laws; citizen identification card, national registration card, associate citizen card, naturalized citizen card and temporary certificate shall be used and checked.
  - (e) In preparing related voting rolls, the Sub-commission shall ensure that the following ineligible persons are not included to vote at the election:
    - (1) member of religious order;
    - (2) convict;
    - (3) person adjudged to be of unsound mind as provided for in the relevant law;
    - (4) person who has not yet been discharged as an insolvent;
    - (5) person prohibited by the Election Law;
    - (6) foreigner or person who has assumed foreign citizenship.

**Preparing voting rolls for Defense Services personnel and members of their households who station in relevant Hluttaw constituency, and Defense Services personnel and members of their households who are not living in the armed force**

9. Defense Services personnel and members of their households who station in relevant constituency shall be included in related voting rolls. In doing so, the relevant Ward or Village Tract Sub-commission shall ask for help from military commander concerned.
10. Defense Services personnel and members of their households who are living outside of their related armed forces shall be included in the relevant voting rolls of the ward or village tract where they are currently living in.

**Rights of Advance voting for the persons out of constituency**

11. The following persons, who are out of relevant Hluttaw constituency at the time of holding relevant elections, have the rights to vote in advance for each of respective Hluttaw constituency:
  - (a) Defense Services personnel out of constituency;
  - (b) students out of constituency;
  - (c) trainees out of constituency;
  - (d) other voters out of constituency;
  - (e) detainees;
  - (f) inpatients;
  - (g) persons who are outside the country with the permission of the Union government

**Preparing voting rolls for Defense Services personnel and members of their households who are outside the constituency to vote in advance**

12. Township Sub-commission shall get the name lists of Defense Services personnel and members of their households, who are outside the constituency, from relevant military commander, to enable them to vote in advance. The Township Sub-commission shall then send the name lists to Ward or Village Tract Sub-commission. The Word or Village Tract Sub-commission shall then scrutinize the voting roll and write a separate record with Form 1-2 of Defense Services personnel and members of their households to vote in advance, and send two copies of it to Township Sub-commission, while keeping a copy posted on the board of its office. The Word or Village Tract Sub-commission shall insert the names in its voting roll in accordance with the law, if their names are not included in the recorded voting roll.

**Preparing voting rolls for people, who are not Defense Services personnel, to vote in advance**

13. Relevant office head shall scrutinize and send the Form-15\_ in which students, trainees, detainees and inpatients who are outside related constituency have already filled\_ to respective Township Sub-commission for enabling them to vote in advance. The Township Sub-commission shall send the Form-15, on which the name lists of voters

outside the constituency are included, to respective Ward or Village Tract Sub-commission. The Ward or Village Tract Sub-commission shall scrutinize those Forms, and write a separate record with Form 1-1 of name lists who are outside constituency and who have rights to vote in advance, and send two copies of it to Township Sub-commission, while keeping a copy posted in its office. The Word or Village Tract Sub-commission shall insert the names in its voting roll in accordance with the law, if their names are not included in the recorded voting roll.

**Preparing voting rolls for people, who are outside the country with the permission of the Union Government, to vote in advance**

14. The UEC shall have sent Forms-15 to respective embassy, permanent representative office and consulate through the Ministry of Foreign Affairs before the election date is not declared, in order that the Forms will be delivered to the voters who are outside the country with the permission of the Union Government. Those voters who are outside the country shall request the Form-15 from relevant embassy, permanent representative office and consulate as soon as the elections date is declared, fill the Forms and send them back to respective offices within designated days. The heads of those embassy, permanent representative and consulate shall hand the received Form-15 over to the UEC through the Ministry of Foreign Affairs. The UEC shall scrutinize the addresses in the Form and send them to Ward and Village Tract Sub-commissions through Township Sub-commission in order to enable the voters concerned to vote in advance. Related Wards and Village Tract Sub-commission shall scrutinize those Forms and write a separate record with Form 1-3 of the voting rolls of the voters abroad, and then send two copies of the lists to Township Sub-commission, while keeping a copy posted in its office. The Word or Village Tract Sub-commission shall insert the names in its voting roll in accordance with the law, if their names are not included in the recorded voting roll.

**Preparing voting rolls for other voters who are outside constituency**

15. Other voter, who has been out of one's related constituencies for at least 180 days and does not want to go back for voting in one's own related constituency, shall apply with the Form 3-A to respective Ward or Village Tract Sub-commission not later than 30 days ahead of the elections day, for inclusion of one's name in the voting rolls and enabling one to vote for the Hluttaw candidate in the constituency where one is currently living, through being recommended by respective in-charge person if being employee, by respective business owner or in-charge person if being workers, or by self if other. Ward of Village Tract Sub-commission shall include the name of the applicant, if one is in line with the designated qualifications, in the voting rolls and submit to its Township Sub-

commission in order to delete one's name from the voting rolls of one's permanent Ward or Village Tract.

### **Inserting the names of the eligible voters**

16. In preparing voting rolls for each relevant Hluttaw constituency, Ward or Village Tract Sub-commission shall insert the names of eligible voters including disabled persons in Myanmar language. In doing so, the names may also be inserted in brackets if it is required to be exact.

### **Declaring the name lists of the eligible voters**

17. After the UEC has made an announcement of respective election date, Ward or Village Tract Sub-commission shall declare the voting rolls prepared with Form-1, including the voting rolls prepared with Form 1-A, for its ward or village tract at a date designated by the UEC, in advance of relevant Hluttaw elections are commenced. In announcing those voting rolls, respective Ward or Village Tract Sub-commission shall also make announcements at its office and each polling station concerned as well. The announcement Form 2 or Form 2-A of relevant Hluttaw voting rolls shall also be made.

### **Submission for inserting name in voting rolls**

18. Ward or Village Tract Sub-commission shall invite the voters to check if their names are included in related voting rolls, following the announcement Form 2 or 2-A has been made. The eligible voter whose name has not been included in voting rolls shall submit a request with Form 3 to related Ward or Village Tract Sub-commission within seven days after the announcement to insert his or her name in the voting rolls. The Word or Village Tract Sub-commission shall scrutinize the Form 3 and insert the name in related voting rolls if the voter is in line with the qualifications prescribed in the Hluttaw Election Law.
19. The person desirous to submit a request for inclusion of his or her name in relevant voting roll or another person authorized as a representative in writing by the person desirous to do so, may submit a request with a signature on it.

**Proviso:** The request forms beyond the deadline shall not be considered.

### **Submission of amendment for name or data that have been included in the voting rolls**

20. (a) Person desirous to amend the name or other data that have been included in related voting roll may submit an amendment with Form 4-D to respective Ward or Village Tract Sub-commission within seven days after the announcement of voting rolls.

(b) All the data, included in related Hluttaw voting rolls, of that person shall be included in the submitted amendment Form 4-D.

**Proviso:** The amendment forms beyond the deadline shall not be considered.

#### **Submission of objection to certain person whose name is included in voting rolls**

21. (a) Person desirous to object to certain person whose name is included in the voting rolls may submit an objection with Form 4, describing all data of objected person included in related Hluttaw voting rolls, to respective Ward or Village Tract Sub-commission within seven days after the announcement of voting rolls.

(b) Nevertheless, person desirous to object another person shall have the right to do so if only the objected person is included in the same voting rolls of his or her ward or village tract.

**Proviso:** The objection forms beyond the deadline shall not be considered.

#### **Decision made by Sub-commissions**

22. Relevant Ward or Village Tract Sub-commission shall conduct the followings if required, before inserting one's name in voting rolls.

(a) Scrutinizing whether one is eligible to vote in accord with the provision in Section 6 of the related Hluttaw Election Law.

(b) Make one present one's Citizen Scrutiny Card, National Registration Card, Associate Citizen Card, Naturalized Citizen Card, or Temporary Certificate to be checked if one has completed the age of 18 years on the days of the commencement of the election.

23. Ward or Village Tract Sub-commission may decide to accept or refuse the request, the amendment or the objection of those mentioned above.

24. Ward of Village Tract Sub-commission shall reply to the person, who has submitted the request, amendment or objection, that the submission is accepted or refused within seven days of its submission.



25. The person who is not pleased with the decision made by the Ward or Village Tract Sub-commission may appeal to relevant Township Sub-commission within three days of receiving the confirmation letter. The decision of the Township Sub-commission concerned, with the exception of the provision of Section 53 prescribed in relevant Hluttaw Elections Law, shall be final and conclusive.
26. The decision of the Township Sub-commission shall be sent to related Ward or Village Tract Sub-commission. The respective Ward or Village Tract Sub-commission shall proceed in accord with the decision by the Township Sub-commission.
27. A person whose name is already included in the relevant Hluttaw voting roll shall not be debarred from voting during the pendency of the appeal at the Township Sub-commission. A vote cast under such a right shall be valid.
28. Ward or Village Tract Sub-commission shall comply with the directives issued by superior commissions, since the UEC and different levels of its Sub-commissions have the following powers.
  - (a) The UEC and respective Sub-commissions shall delete one's name, if one is not eligible to be included in the voting roll.
  - (b) If it is found that some eligible voters are left in group to be included in Hluttaw voting rolls, Nay Pyi Taw Sub-commission, or relevant Self-administered Division or Self-administered Zone Sub-commission, or District Sub-commission shall allow their names to be inserted in the voting rolls, not later than seven days ahead of the election commencement.
29. If the name of an eligible voter is included in the voting rolls of more than a constituency, relevant Township Sub-commission shall arrange for the voter to be able to vote in whichever constituency he or she wishes to. The Township Sub-commission shall then inform other respective Township Sub-commissions concerned that the name of the voter has been already inserted in its voting roll and the name in the voting rolls of other Township Sub-commissions to be deleted.
30. If the name of an eligible voter is included in the voting rolls of more than a ward or a village tract within a constituency, Township Sub-commission shall inform respective Ward or Village Tract Sub-commission and arrange for the voter to be able to vote in whichever ward or village tract he or she wishes. The Township Sub-commission shall

then instruct to delete the names of the voter from the voting rolls of other ward or village tract if inserted, in its township.

31. If an eligible voter desires to transfer his or her name from a voting list of a constituency to a voting list of another constituency when moving to one place to another, he or she shall submit a request with Form 4-A and the Form 10 or Form 90/1/NaNgaTha together that have been issued in accord with 1951 Residents Registration in the Union of Myanmar By-law 26(2) and By-law 27(1), to related Ward or Village Tract Sub-commission, to delete his or her name from the voting list of current constituency and transfer to the voting list of another constituency. If the submission is found correct, respective Sub-commission shall grant the request and give the requested person Form 4-B as a certificate that the name has been deleted from a voting list. Relevant Ward or Village Tract Sub-commission shall include the name in its voting roll, if that person submit a request Form 3 with Household Table and Form 4-B together, to insert his or her name in the voting roll of the constituency where he or she has moved in. That person is eligible to cast a vote in the constituency where he or she has moved in.
32. To be a correct and complete voting roll, Ward or Village Tract Sub-commission may add required data, delete the names of the dead and ineligible voters in accord with the law and make corrections of spelling errors, based either on the scrutiny of request, amendment or objection, or the findings by Sub-commission itself, following the voting rolls have been declared in accord with By-law 8. The completed voting roll shall then be submitted to respective Township Sub-commission. The Township Sub-commission shall scrutinize and amend the submitted voting roll in accord with the By-law 13(B), and then send back to the Ward or Village Tract Sub-commission for further process.
33. Every page of the voting roll re-sent by the Township Sub-commission as per the Section 32 above shall be confirmed by the chair and the secretary of the Ward or Village Tract Sub-commission with signatures on it. The Ward or Village Tract Sub-commission shall send the two copies of those confirmed voting roll to related Township Sub-commission. (Despite that confirmed voting roll is designated as Pyithu Hluttaw Voting Roll, Amyotha Hluttaw Voting Roll and Region or State Hluttaw Voting Roll, the voters in each ward or village tract shall be the same. Two copies of those three same voting rolls shall be sent.) The voting roll of Form 1-A designated for ethnic representatives shall also be done as above and a copy of it shall be sent to relevant Township Sub-commission.

#### **Appointment of Polling Station Agent and Assistant Agent**

34. If Ward or Village Tract Sub-commission agree with the Polling Station Agent and Assistant Agent included in the appointment letter, which is sent by the Hluttaw

candidate with a Form 8 in accord with By-law 23, the Ward or Village Tract Sub-commission shall stamp on the photos of them and send back to the Hluttaw candidate.

35. Hluttaw candidate shall submit a Form 8-A to respective Ward or Village Tract Sub-commission, if the Polling Station Agent or Assistant Agent resigns or dies or is revoked by the Hluttaw candidate. The Hluttaw candidate may then replace with Form 8 Polling Station Agent or Assistant Agent with another person in agreement with the Ward or Village Tract Sub-commission, in accord with relevant Hluttaw Election By-law 23.

### **Preparing for casting vote**

36. When the Township Sub-commission receive the two copies of three confirmed Forms 1 of voting rolls which were sent by Ward or Village Tract Sub-commissions; it shall
- (a) scrutinize and organize the voting rolls in each constituency.
  - (b) make the chair and secretary of the Ward or Village Tract Sub-commission sign on every pages of those voting rolls, make two copies of them.
  - (c) send three copies of them to respective Ward or Village Tract Sub-commission and keep a copy for its office after signing.
37. Of the three copies of voting rolls received from the Township Sub-commission, Ward or Village Tract Sub-commission shall;
- (a) use a copy to declare at the related Hluttaw election date at respective polling station.
  - (b) use a copy to give relevant Polling Station Officer at the related Hluttaw election date.
  - (c) keep a copy in its Ward or Village Tract Sub-commission.
38. If there is a related ethnic Hluttaw representative or more than one to be elected for Region Hluttaw or State Hluttaw, Township Sub-commission shall
- (a) scrutinize and make three copies again, when receiving each copy of ethnic voting roll Form 1-A, which are sent by Ward or Village Tract Sub-commissions.
  - (b) make the chair and secretary of Ward or Village Tract Sub-commission sign on every page of voting rolls.
  - (c) keep each copy of voting rolls as receipts.
  - (d) send three copies of voting rolls to respective Ward or Village Tract Sub-commission.
39. Of three copies of voting rolls received from Township Sub-commission, Ward or Village Tract Sub-commission shall
- (a) declare each copy at respective polling station on related election day.
  - (b) give each copy to respective Polling Station Officer on related election day.
  - (c) keep each copy at Ward or Village Tract Sub-commission.

40. A polling station shall be built if there are voters ranging from 300 to 3000 in a Ward or Village Tract. In building the polling station, accessibility for the disabled, if any to cast votes in the polling station shall be taken into account and be done as required in order that the disabled can easily cast votes. The distance from one polling station to another shall be defined for the sake of accessibility and security. Premises of the polling station shall be defined and declared.
41. At least one polling station shall be set up in every Ward or Village Tract. Township Sub-commissions shall allow setting up polling stations, if required, in the villages that are difficult to be accessible.
42. Ward or Village Tract Sub-commissions shall arrange to set up polling stations which are given permissions in each ward or village tract by the Township Sub-commission. Polling stations shall be set up at schools or at other suitable buildings in priority. Polling station shall be built for voters ranging from 300 to 3000 as an attached form. Ballot box shall be examined to ensure if it is only for a ballot paper to enter, and repaired at once if it is too narrow or too wide.
43. On the Election Day, loud speaker or any device that has amplifier, which irritates the voters or disturbs the Polling Station Officer and Members, shall be prohibited in the polling station or within 500 yards from polling station.
44. With regards to Election Offences, any eligible voter in related constituency or any Hluttaw candidate or any Election agent or any member of a polling station of Sub-commission responsible for constituency shall complain with evidence in accord with the law, before or during or within 15 days after the election.
45. In order that the voters can easily cast secrete votes, polling stations shall be arranged as followings before the elections date.
  - (a) For Pyithu Hluttaw, Amyotha Hluttaw and Region or State Hluttaw; respective ballot box shall be arranged in a same room of a polling station. (Extra ballot boxes for respective Hluttaw shall be arranged to be used if necessary.)
  - (b) Examining voting rolls and giving out the ballots shall be done in respective Hluttaw. (If there are too many voters, it can be done for respective Hluttaw in groups for the sake of time.)
  - (c) Confidential booth in the polling station shall be arranged with it facing the wall and the door allowing only a person to enter it, so that the voters can cast secret votes. Confidential booths shall be set up adequately depending on the numbers of voters.

Proviso: The door of the polling station and confidential booth shall be arranged to ensure for the wheel chair to enter, if there are the disabled voters.)

- (d) When voters have made their secret selections on the ballots in the confidential booth, they shall cast folded ballots into boxes designated as respective Hluttaws.
- (e) Besides ballot booths for three Hluttaws, particular ballot booths shall be set up for ethnic people in each group, if there is ethnic candidate to be elected in certain polling stations. In those ballot booths for ethnic candidates; voting roll examiner and ballots deliverer shall be assigned in groups, using particular voting roll Form 1-A.

Proviso: Polling stations shall be set up as described in attached sample.

- 46. On related Hluttaw elections day, voters shall come and cast votes for the preferred candidates. Normally, it is designated to set up a polling station for the voters ranging from 300 to 3000, and there is a total of 10 responsible members\_ Polling Station Officer, Assistant Officer, Three Voting Roll Examiners, Three Ballot Deliverers and a Polling Station Security Staff and an Ink-pad helper. If the voters exceed 300, members of polling station shall extend as the number of Voting Roll Examiners and Ballot Deliverers may increase. If there is an ethnic Hluttaw candidate or more than one to run for election, the number of Voting Roll Examiners, Ballot Deliverers and Security Staff at the polling station shall be increased.
- 47. Township Sub-commission shall prioritize government school teachers to be appointed as Polling Station Officers, if they are not close relatives of Hluttaw candidates and not close to or members of political parties. If they are not available, other government employees may be appointed as Polling Station Officers. Besides government employees as much as possible, members of the Polling Station shall be formed with voter, who is admired by the people and whose name is included in the voting roll of the polling station, or local people in the constituency, the number of which is designated by the UEC.
- 48. Assistant Officer of the polling station shall take the responsibility, if the Polling Station Officer cannot serve the duty on the day of election due to health or other unavoidable reason. Even the Assistant Officer fails to do; the next responsible member shall take the duty, as defined in the responsible members in priority described in the formation of the polling station members. At the same time, the replacement for required post in the polling station shall be informed to the respective Township Sub-commission.

## **Nomination and Declaration of related Hluttaw Candidates**

49. The name lists of relevant Hluttaw candidates, who have already been approved by related Region Sub-commission or State Sub-commission or Nay Pyi Taw Sub-commission or Self-administered Division Sub-commission or Self-administered Zone Sub-commission, shall be alphabetically organized with Form 10 and Form 10-A, and declared in respective constituencies. Each copy of those declared Form 10 and Form 10-A shall be delivered to Ward or Village Tract Sub-commissions and posted at public places.

### **Releasing ballot papers**

50. Ward or Village Tract Sub-commission shall count the ballot papers, receive from Township Sub-commission, and give them out to Polling Station Officers before opening the polling station. In doing so\_
- (a) Ballot papers are to be given out as book. As there are 50 ballot papers in each book, if there are 300 voters in a polling station, six books each of that includes 50 ballot papers shall be given out. Without giving exact ballot papers by tearing off, the whole book shall be given out. (Extra book of 50 ballot papers is to be given out if there is a remainder when dividing the number of voters by 50.)
  - (b) The list of given books shall be recorded with annex Form B and keep the receipts with each signatures of respective Polling Station Officers.
  - (c) The list numbers of books shall also be clearly written on the cover of ballot papers books.

### **Inability for voting under certain circumstances**

51. (a) The Polling Station Officer shall immediately inform Township Sub-commission through related Ward or Village Tract Sub-commission, if the voters cannot cast votes on designated day and at designated place due to natural disaster or situation of regional security.
- (b) If it is to stop voting during the casting votes, the Polling Station Officer shall close the ballot box with his seal. The Polling Station Officer shall also allow other members to seal the ballot box. The ballot box shall be carried to Township Sub-commission, by a member of the respective Ward or Village Tract Sub-commission responsible to each polling station, and Polling Station agent or other available assistant agent. On arriving at the Township Sub-commission, the Polling Station Officer shall open the ballot box and count the votes in the presence of the Township Sub-commission, Hluttaw candidates or their agents and Polling Station agents or assistant agents. The number of counted votes

shall be recorded in Form 16 and Hluttaw candidates or their election agents and polling station agents or assistant agents shall sign on it for confirmation.

(c) When it is unable to cast votes as in paragraph (a) or when it is to stop voting as in paragraph (b), the respective Township Sub-commission shall report to the UEC, mentioning the reason of being unable to cast votes, of stopping voting and suggesting on which day the elections should be held, the voting should be continued or should be started again. Each copy of the report shall be sent to different level of respective Sub-commissions.

52. If the voting process stops during casting votes as mentioned in paragraph 51 (b) above, the Township Sub-commission\_

- (a) shall record the numbers of votes for respective Hluttaw candidates in the Form 16, and suspend declaration of it.
- (b) shall declare the votes recorded in the Form 16 in accord with the By-law 45 (B), if the UEC has decided the election where voting was stopped at certain polling station is not required to be continued in accord with the By-law 45 (D).
- (c) shall declare the combined votes of continued election that is held for voters who has not casted their votes yet and the votes recorded in the Form 16 in accord with the By-law 45 (B), if the UEC has decided the election is required to be continued in accord with the By-law 45 (D).

53. (a) The Polling Station Officer shall designate that the voting of a certain ballot box is rescinded, if the ballot box at an election was taken away illegally or the votes in the box were damaged or lost by accident or on purpose. Similarly, if all the ballot boxes from certain polling station were taken away or damaged or lost, the voting at that polling station shall be rescinded.

(b) If the voting process at a certain polling station has been rescinded in terms of the paragraph (a) above, respective Township Sub-commission shall designate and declare on which day at which place the next voting shall be held, without declaring the combined votes collected from other polling stations of respective Hluttaw candidates.

(c) At the new re-held election in terms of the paragraph (b), the votes from that polling station along with the votes collected from other polling station shall be declared altogether.

(d) Only the votes collected from other polling station, excluding the votes from that polling station, shall be declared, if the UEC has decided in accord with the Election Law Section 50 (C) that there shall be no re-election at the rescinded polling station.

### **Appointment of security**

54. Ward or Village Tract Sub-commission shall cooperate with the members of Myanmar Police Force or local people in order that the voters can easily and peacefully cast votes under the law and order at the polling station on the election day.

### **Supervising the polling station on the election day**

55. On respective election day, Ward of Village Tract Sub-commission shall supervise the polling station as follows.

(a) The polling station shall be conducted in order that the voters including the disabled persons can cast votes easily, freely and secretly.

(b) Polling Station Officer and members shall conduct in line with designated duty and power.

(c) Ballot box shall be checked if it is not too narrow or wide. It shall only be fit for entering a ballot paper.

(d) It shall be checked that there are adequate stamps with mark (✓) to be used in voting.

(e) Opening and closing of the polling station shall be done as mentioned in the paragraph 65 and 66.

(f) It shall be checked if the ballot papers are given only to the voters who come in persons to the respective polling station.

(g) It shall be checked if there are fraud persons who cast votes instead of actual voters.

(h) On the election day, anyone who annoys the voters or disturbs the duty of the Polling Station Officer and members in the polling station, or uses amplifier or any similar device or shouts loudly within the 500 yards of the polling station shall be taken actions in accord with the relevant Hluttaw Election Law, if found guilty.

### **Allowing advance voting for people who cannot come to the polling station**

56. Ward or Village Tract Sub-commission may allow a person to cast advance voting\_ who has a plan to travel out of his or her constituency on relevant Hluttaw election day and come to the Ward or Village Tract Sub-commission to request advance voting\_ with advance voting ballot paper within the period designated by the UEC. The person shall be asked the reason if he or she is to travel out of the constituency.



57. If there is a person\_ suffering from leprosy, serious disease, being an elderly, having a family member who is giving a birth\_ who cannot come in person to the polling station on the election day despite being in the constituency, related Ward or Village Tract Sub-commission shall send its two members to the certain voters to explain that the person has right to vote or not to vote in accordance with the electoral rights. If the voter desires to vote, he or she shall be arranged to cast advance vote with advance voting ballot. If the voter himself or herself has difficulty in writing in the advance voting ballot, the father or mother or spouse or son or daughter or brother or sister who is included in the voting roll shall insert as the voting desires in the presence of him or her. If there is nobody to help the voter, a member of the Ward of Village Tract Sub-commission shall insert as the voter instructs in the presence of him or her. If the vote is a disabled person, the Ward or Village Tract Sub-commission shall allow in accord with provision in the by-law the father or mother or spouse or son or daughter or brother or sister or himself with the help of someone to vote.

58. With regards to detainees' voting, respective Ward or Village Tract Sub-commission shall contact the head of police detention center or prison department, and send its two members there to arrange and supervise detainees to be able to vote before the election day. The head of police detention center or prison department shall hand over the envelopes of votes casted by the detainees to the two members of the related Ward or Village Tract Sub-commission.

59. With regards to inpatients' voting, respective Ward or Village Tract Sub-commission shall contact the in-charge of relevant hospital, and send its two members there to arrange and supervise inpatients to be able to vote before the election day. The in-charge of the hospital shall hand over the envelopes of votes casted by the inpatients to the two members of the related Ward or Village Tract Sub-commission.

60. The head of the police detention center or prison department, or hospital in-charge shall firstly explain to the voters about their rights to vote or not to vote as they desire. The head or in-charge shall then arrange for them to cast votes with advance voting ballots if they desire to vote.

61. (a) In issuing advance voting ballot papers for the voters included in the paragraph 56, 57, 58, 59 and 60 above, the Ward or Village Tract Sub-commission shall stamp of the Sub-commission on the back of the ballot papers, as well as a name and signature of the responsible person who issues.

(b) Respective Hluttaw candidate, Election Agent, Polling Station Agent and Assistant Agent shall be allowed to observe the advance voting.

62. Ward or Village Tract Sub-commission shall keep the advance votes in a tightly sealed ballot box.

63. Relevant Ward or Village Tract Sub-commission shall record the name lists of the advance voters along with their related voting rolls. The ballot box in which envelopes including advance votes and receipts shall be sent to respective Polling Station Officers on the day of election before opening the polling station, with four copies of Form 13 on which the chair or the secretary of the Ward or Village Tract Sub-commission has signed. The Polling Station Officer shall sign on each copy of Form 13, keeping a copy in his or her hand and posting a copy on the polling station. On returning the rest two copies to the Ward or Village Tract Sub-commission, the Sub-commission shall keep a copy as a receipt and post another copy on its office.

### **Entering Polling Station**

64. Ward or Village Tract Sub-commission shall direct and supervise the Polling Station Officers in order that no one except the following persons shall be allowed to enter the polling station on Hluttaw Election Days concerned.

- (a) Members of the polling station
- (b) Voters
- (c) Police Officer in the line of duty, or security staff assigned by the Ward or Village Tract Sub-commission
- (d) Persons who are permitted to enter in accord with relevant Hluttaw By-law 42
- (e) UEC members and members of related Sub-commissions
- (f) Hluttaw candidates in relevant constituency, their Election Agents, Polling Station Agent and Assistant Agent

**Proviso:** If both polling station agent and assistant agent enter the polling station and if it may affect secret voting, only either of them shall be arranged to enter in turn.

- (g) Electoral observers who are allowed to enter by the UEC.

### **Voting by voters who come to the polling station when closing**

65. Polling Station shall be opened from 6 am to 4 pm for voting on the election day. Nevertheless, Polling Station shall be closed if all eligible voters have casted votes before 4 pm.

66. Polling Station Officer shall normally close the polling station when the time is up as designated. Nevertheless, the Officer shall check whether there are still voters in the premise of the polling station, but yet to cast their votes. If there is voter yet to cast votes, the Officer shall allow them to vote although the time is up or beyond the closing time.

### **Counting the votes**

67. Ward or Village Tract Sub-commission has responsibility to supervise in accord with the law, when the Polling Station Officer serves his or her duty of counting the votes, with regards to the paragraph 68 to 76.

68. On the day of relevant Hluttaw election, the Polling Station Officer shall conduct the followings as soon as the voting is finished.

- (a) In the presence of polling station members, the public and polling station agents; the Polling Station Officer shall count the votes and compile three copies of them with Form 16-1. With the signatures of the his or her, members of polling station and polling station agents on each copies of the Form, one copy shall then be sent to the Township Sub-commission, and one copy to the Ward or Village Sub-commission, while the last one to keep in the hands of the Polling Station Officer.
- (b) The Polling Station Officer himself or his authorized member of the polling station shall continue to count the votes casted and the advance votes received in terms of the By-law 51 (g) in the presence of the members of the polling station, witnesses, the public and polling station agents, even in the polling station. In counting, the advance votes which he has received in terms of the By-law 51 (g) shall firstly be counted. Before opening the ballot box, the Officer shall show the polling station agents and observers that the box has been sealed. Election Observers shall also be allowed to observe in the counting process. After counting the votes, the Officer shall then compile the lists as the UEC has instructed.

69. With regard to counting the votes, the Polling Station Officer shall conduct as follows.

- (a) The Officer shall record the name list of at least 10 witnesses who are present at the vote counting process, on the back of the Form 16, in accord with related Hluttaw Election By-law 65.
- (b) The Officer shall check if the issued ballot papers and the votes in the ballot box are the same in number. If the numbers are different, it shall be presented to relevant Sub-commission. Nevertheless, the counting shall be continued.

70. In counting the votes, each vote shall be counted by showing them to members of the polling station, witnesses and polling station agents. The following votes and advance vote shall be designated as invalid.

**(a) Vote**

- (1) Vote which does not have a mark that the UEC has approved
- (2) Vote which does not have the signature of the Polling Station Officer
- (3) Vote on which more than one candidate are voted for

- (4) Vote on which no vote is given
- (5) Vote on which unsure or unclear vote is given
- (6) Vote that was decided as fraud by the Polling Station Officer
- (7) Vote that has a mark of who the voter is
- (8) Torn vote
- (9) Votes that the UEC has declared to be invalid

**(b) Advance Vote**

- (1) Advance Vote which does not have a mark that the UEC has approved
- (2) Advance Vote which does not have a stamp of Sub-commission
- (3) Advance Vote which does not have the name and signature of the responsible person who issued it
- (4) Advance Vote on which more than one candidate are voted for
- (5) Advance Vote on which no vote is given
- (6) Advance Vote on which unsure or unclear vote is given
- (7) Advance Vote that was decided as fraud by the Polling Station Officer
- (8) Advance Vote that has a mark of who the voter is
- (9) Torn Advance Vote
- (10) Advance Votes that the UEC has declared to be invalid

71. Respective five copies of votes casted in the ballot box and advance votes received in accord with the By-law 51(g) shall be compiled, separating each Hluttaw candidate by their names, for counting the votes of each Hluttaw candidate with the Form 16 and Form 16-A. All Forms shall be approved with the signatures of the Polling Station Officer, Polling Station Members, Polling Station Agents and at least four witnesses, and then one copy shall be sent to the Township Sub-commission, two copies to Ward or Village Tract Sub-commission. One copy shall be kept in the hand of the Polling Station Officer, while the last one shall be posted at the polling station. Ward or Village Tract Sub-commission shall post respective Form 16 and Form 16-A, which are sent from each polling station, in its office for the public to see. And one copy shall be kept in the office as receipt.

72. In counting the votes; Hluttaw candidate, his or her Election Agent, Polling Station Agent or Assistant Agent shall be allowed to see the votes and advance votes that are cancelled by the Polling Station Officer. The Polling Station Officer shall record and sign the reason of cancellation in accord with the Form 17 which is included in designated respective Hluttaw Election By-law, and the Form 17-A which is included in Region or State Hluttaw Election By-law for ethnic people.

73. After having counted all the votes from the ballot box and the advance votes received in accord with the By-law 51(g), the Polling Station Officer shall put the votes and advance votes

for respective Hluttaw candidates into separate bags, and close with seal. Polling Station Agent or Assistant Agent at the polling station shall also be allowed to seal. The name of the Hluttaw candidate, the name of the constituency, the name of the Ward or Village Tract and the number of the polling station shall be distinctly written on each bag. All the cancelled votes shall be put into a bag and close with seal. Polling Station Agent or Assistant Agent shall also be allowed to stamp on that bag. The name of the constituency, the name of the Ward or Village Tract, and the number of the polling station shall be distinctly written on that bag. All the bags mentioned above shall then be made as a big bag.

74. At the closing time of the polling station, the Polling Station Officer shall make the followings as each bag and stamp on them. The name of the item in the bag, the name of the Ward or Village Tract and the number of the polling station shall be written on the bag. The Polling Station Agent or Assistant Agents of the Hluttaw candidates shall be allowed to put their stamps on the bag and those bags shall be made as a big one.

- (a) Leftover ballot papers, receipts and Form 16-1
- (b) Voting list used in the polling station
- (c) Advance ballot papers and receipts
- (d) Cancelled vote Forms 17 and Forms 17-A

75. Bags mentioned in the paragraph 73 and 74 shall be put into a big bag and the Polling Station Officer shall put a stamp with seal on it. Polling Station Agents and Assistant Agents shall also be allowed to put a stamp if they desire. The big bag shall then be sent along with the Form 16 and 16-A to the Township Sub-commission quickly. The number of the polling station of the sender and the name of the ward or village tract of the sender shall be described on the big bag.

76. The Polling Station Officer, along with the members of relevant Ward or Village Tract Sub-commission shall immediately send the big bag mentioned in the paragraph 75 to the Township Sub-commission. If it cannot be sent due to natural disaster or security situation, the bag shall be kept at the related Ward or Village Tract Sub-commission. The Ward or Village Tract Sub-commission, along with the Polling Station Officer, shall send the bag with Form 16 and Form 16-A to the Township Sub-commission as early as it favors.

#### **Code of ethics that the members of Ward or Village Tract Sub-commission shall abide**

77. Codes of ethics that the members of Ward or Village Tract Sub-commission shall abide are as follows.

- (a) To abide related Hluttaw Election Law, By-laws and Directives exactly
- (b) To supervise for holding free and fair elections
- (c) To serve the duty impartially

- (d) To conduct in line with the duty and dignity

### **Protocols**

78. The secretary, under the guidance of the chairperson, shall issue an invitation for the meeting of the Ward or Village Tract Sub-commission.

79. The following conducts shall be followed at the meeting or conference.

- (a) The chair shall serve as a master of ceremony. If the chairperson cannot attend, a member shall be a master of ceremony.
- (b) The meeting shall be assumed as accomplished if only more than half of all members of the Sub-commission attend.
- (c) The decision shall be made if only more than half of all members of the Sub-commission agree.
- (d) The secretary has the right to cast a vote at the meeting.

80. The secretary of the Ward or Village Tract Sub-commission shall document the meeting minutes.

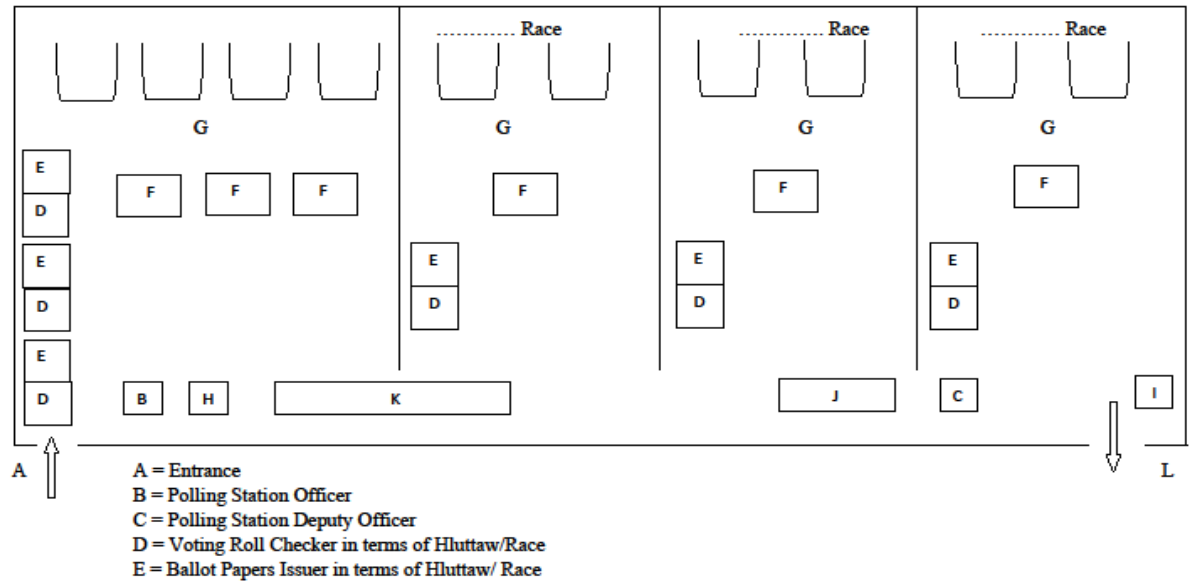
### **Conclusion**

81. Ward or Village Tract Sub-commissions are the organizations that play a very fundamental role in implementation of relevant Hluttaw Elections. Therefore, Ward or Village Tract Sub-commissions require having better understanding of related Hluttaw Election Law, By-laws and Directives which the UEC has occasionally issued, by reading and learning them.

82. Ward or Village Tract Sub-commissions shall carry out the related electoral works in line with the law, after having learnt these working guidelines thoroughly.

**The Union Election Commission**

Model of Polling Station for Candidates of Pyithu Hluttaw, Amyotha Hluttaw, Region/State Hluttaw, including Ethnic People Candidates



Appendix B

Form to be used when Ward or Village Tract Sub-commission issues the books of ballot papers to Polling Station

No.	Respective Hluttaw	No. of Books of Ballot Papers		Recipient Signature
		In Figure	In Letter	
1	Pyithu Hluttaw			
2	Amyotha Hluttaw			
3	Region or State Hluttaw			
4	Hluttaw candidate for relevant ethnic people			

Signature: .....  
 ..... Ward/Village Tract Sub-commission  
 ..... Township

Signature of Polling Station: .....  
 Polling Station No: .....  
 ..... Ward/ Village Tract  
 ..... Township