

Republic of the Union of Myanmar

Union Election Commission

Working Guidelines for Township Sub-commission

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Township Sub-commission Guideline

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 Township Sub-commissions 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 Township 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. Township Sub-commission and ward or village tract sub-commission must prepare the voting rolls of the eligible voters for each constituencies to elect Hluttaw representatives.
10. The ward or village tract sub-commission must include the people living in a constituency who are citizen, who are allowed to be citizen and who hold temporary certificate (including the disabled people) and who does not contravene the provisions of this Law in the voting roll.
11. Ward or village tract sub-commission must include the members of Tatmadaw, the diplomats and family members who are outside of Myanmar, the members of the embassies and family members, scholars and family members, members of representatives and family members, and those who are living in abroad with the permission of the Union government and their family members in the respected voting rolls as defined.
12. If people, who are away from their constituencies of the permanent address no less than 180 days, do not wish to go back to the constituency of permanent address must enlist according to session 10 of respective Hluttaw Election Law to be able to vote for the representatives.
13. The township sub-commission can make corrections of copying or enlisting errors in the voting rolls they found in addition to the reports done by the session 13 (A) of respective Hluttaw Election Rule. And the corrected voting rolls done like that must be send to ward or village tract sub-commissions to be able to do as necessary.
14. If the name of an eligible voter is included in the voting rolls of more than one constituency, the Township Sub-commission of the constituency in which the person wants to vote for must work for the person so that s/he can vote. After that the Township Sub-commission must inform the other Township Sub-commissions in which the name of the person is included in the voting rolls that the person's name is included in the voting roll of the Township Sub-commission and to delete the name of the person from the voting roll of the Township Sub-commissions.
15. If the name of an eligible voter is included in the voting rolls of more than one ward or village tract sub-commission in a constituency, the Township Sub-commission must direct to the ward or village tract sub-commission in which the person wants to vote for. After that the Township Sub-commission must direct other ward or village tract sub-commissions to delete the name of the person from the voting rolls.
16. When Township Sub-commission receives a pair of three Form (1) voting rolls, which have been approved, from the ward or village tract sub-commissions they must be complied according to the constituency. After that, two photo copy of voting rolls must be prepared. The chairman and secretary of ward or village tract sub-commission must be asked to sign in every page of the voting rolls. After signing the voting rolls, the Township Sub-commission keeps one of three voting rolls and the other three voting rolls must be given to the ward or village tract sub-commission.
17. When the Township Sub-commission receives one set of Form (1-A) voting roll of ethnic constituency which has been approved from the ward or village tract sub-commission, three sets of photo copies must be made. The chairman and secretary of ward or village sub-

commission must be asked to sign at every page of the voting roll. After signing, one set of the voting roll is kept and the three sets must be send back to the ward or village tract sub-commission.

18. The Township Sub-commission must compile two sets of voting rolls which are sent by the ward or village tract sub-commission after approved according to constituency. When the representative of respective Hluttaw applies to copy the voting roll, the representative must be allowed to make one photo copy. If a person applies to copy the voting roll with valid reason, the person must be allowed to make photo copy with the fee of Kyat25 per page.
19. When the voting roll is prepared;
 - (A) If a name is found to be in the voting roll which should not be in the voting roll, it must be deleted.
 - (B) If it is found that a group of eligible voters are left out of the voting roll, ward or village tract sub-commissions must be asked to include those names in the voting roll with the approval of District Sub-commission not later than seven days ahead of the Election Day.
 - (C) When Township Sub-commission receives the request form, objection form, and correction form concerning with the voting roll, it must open a case file and examine the necessary facts and makes decision quickly. The decision of Township Sub-commission is final except from the provisions of session 53 of Election Law.

Declaring the Announcements about the Election by Township Sub-commission Again

20. The announcement made by Nay Pyi Taw Sub-commission, Self Administered Division or Self-Administered Zone Sub-commission and District Sub-commission according to the session 16 of respective Hluttaw Election Rule to submit the name by those who want to be elected must be announced again with Form (5) describing the date of the announcement.
21. The announcement made by Region or State Sub-commission with Form (5-A) to submit the names who want to be elected from the respective ethnic people according to the session 16 of respective Hluttaw Election must be announced again descrbing the date of the announcement.
22. The photo copy of announcements of checked candidates for Hluttaw Representatives listed alphabetically with Form (10) and Form (10-A) made by Region or State Sub-commission and District Sub-commission must be posted again the visible place by the people at the office.

Voting

23. (A) Township Sub-commission must issue ballot papers to ward or village tract sub-commission with two Form (11-A) before the election is held. The chairmen and secretaries of the Township Sub-commission and Ward or Village Tract Sub-commissions are asked to sign on those forms and one set of the form is kept at the office and the other form must be given to the respective ward or village tract sub-commission.

(B) In order to be able to vote easily by the eligible voters (including the disabled people) in the ward or village tract, in order to be able to vote by all the voters during the voting time and for secret ballot, Township Sub-commission can designate the number of voters in a polling booth and the number of pooling booth as required. When pooling booths are built, it must ensure the required measures are taken if there are disabled people to vote so that they can easily vote.

(C) Township Sub-committee normally shall install a ballot box each for each Hluttaw and for each ethnic representative for Region or State Hluttaw in a polling booth. However, installing more than one ballot box and forming a polling booth team with more members can be done in order to be able to check the voting roll easily.

(D) In order to supervise the polling booth, Township Sub-commission can appoint polling booth officer, polling booth assistant officer and members of polling booth team with the people who do not have blood relationship with the representative candidate and the civil service personnel who are free from party politics. Apart from the civil service personnel, the eligible voter who is enlisted in the voting roll and who is respected by the people or by the local people in the constituency can be appointed for the member of polling booth team within the number of people allowed by the Commission. If there are absentees, they can be substituted by those people mentioned above.

24. When the voters cannot cast the votes in the designated time and place of voting or when the voting has to be stopped, Township Sub-commission must report to the Commission the reason of not being able to cast the vote, the reason to stop the voting, the suitable date to resume the voting and to resume the voting or to hold the election again. A photo copy of the report must be sent to Self-Administered Sub-commission, Self-Administered Zone Sub-commission or to District Sub-commission and Region or State Sub-commission.
25. According to session (47-A) of Election Rule, when the voting is canceled in a poll booth, the votes received from other polling booths by the candidates shall be collected without announcing the result and the respective Township Sub-commission must announce the time, date and place to hold the voting for that cancelled polling booth. The photo copy of the announcement must be sent to other levels of sub-commissions and to the Commission.

Casting Vote with Advance Ballot Paper by those who are Away from the Constituency

26. Concerning with casting vote by the people who are away from the constituency within the country,

- (a) as soon as the date or dates to hold the election are announced, the concerned department heads must ask the Form (15) from Township Sub-commission where the department locates for the students, trainees, detainees, and in-patients at the hospitals who are eligible to vote in accordance with the session (54-B, C, E and F) in order that they can exercise their right to vote and distribute the forms to the people in the department who are eligible to vote. When the department head concerned distribute

- Form (15) to the people in the department who are eligible to vote, the date to send the filled form back to them must also be announced at once.
- (b) People in the country who are away from the constituency and who are eligible to vote must fill the received Form (15) and they must return the filled form to the department head. The concerned department head must check the forms and must return them to the Township Sub-commission quickly.
 - (c) Township Sub-commission must send the received Form (15)s to concerned Ward or Village-tract Sub-commission.
 - (d) To get the list of names of Defense Services Personnel and their family members who live together and who are away from the constituency from the military unit in the township, Township Sub-commission must request the list from the unit officer. When the list is received, it must be sent to the concerned Ward or Village-tract Sub-commission.
27. For the eligible voters, who fall under the session (54-D) of the Rule, who are away from the constituency, to be able to cast the vote for the candidate of the constituency where they are now living in, the following must be done.
- (a) Enlisting in the voting roll must be conducted as mentioned in session (10) of the Rule.
 - (b) They must be allowed to cast the vote with advance ballot paper or cast the vote at the polling booths in person.
28. Form (15) of the advance ballot papers of the voters, who are away from the respective constituencies and outside the country with the permission of the union government, sent from the Commission, must be sent to the respective Ward or Village-tract Sub-commission.
29. (a) Township Sub-commission must ask Ward or Village-tract Sub-commission to compile the list of voters who are away from the constituencies and who will cast the vote with advance ballot paper as follow:
- (1) to accept Form (15) of the people who are away from the constituency and who are inside the country who are under the above session (26-C) with Form (1-1),
 - (2) to accept the list of Defense Services Personnel and the family living together, which is requested from the military unit officer, who are under the above session (26-D) with Form (1-2),
 - (3) to accept Form (15) of the people who are away from the constituency and who are outside of the country with the permission of the government and who are under the above session (28) with Form 1-3 each separately.
- (c) One copy each of the voting roll compiled by Form (1-1), (1-2) and (1-3) must be posted at Ward or Village-tract Sub-commission and two copy each of the forms must be sent to Township Sub-commission by the Ward or Village-tract Sub-committee.
30. When the advance ballot papers are sent according to the respective lists after the candidates are announced, it must be done as follow:

- (a) For the people in the country who are out of the constituency, the advance ballot papers must be sent to relevant department heads or the military unit officer.
 - (b) For the people out of the country with the permission of the government and who are eligible to vote, the advance ballot papers must be sent to the Commission.
 - (c) When the advance ballot papers are sent according to the above sub-session (a), the commission stamp must be stamped on the receipt of advance ballot paper and on the back side of the advance ballot paper. Moreover, the person who issues the advance ballot paper must state its name and sign on the back of the advance ballot paper. When the advance ballot papers are sent, the envelopes which have the names of candidates for the constituency, the respective constituency, the name of Ward or Village-tract and the polling booth number must be sent in the same number of advance ballot papers together.
31. (a) When the concerned department head, military unit officer, rector, headmaster, head of police custody, head of correctional department, or in-charge of hospital gets back the envelopes in which the eligible voters who are away from the constituency have casted the vote with advance ballot paper, they must check the constituency, ward or village-tract and the number of polling booth on the envelope is checked and send the envelopes back to respective Township Sub-commission.
- (b) When the concerned head of Embassy or head of permanent representative office or head of consulate gets back the envelopes in which the eligible voters who are outside the country with the permission of the government have casted the vote with advance ballot paper, they must send the envelopes to the Ministry of Foreign Affairs and Ministry of Foreign Affairs must send them back to the Commission.
- (c) The Commission must check the envelopes sent to them according to the session (b) by the constituency, ward or village-tract and the number of polling booth and send them to the respective Township Sub-commission.

Counting of Vote and Declaration of Winner

32. (a) The advance ballot papers which the people casted the vote received until 4 pm on the election day shall be counted in front of the members of Township Sub-commission, Hluttaw representative candidates or their election agents, the witnesses and the people. The votes received by the candidates in accordance with session (4-A) of Election Law will be enlisted in Form (18) and the votes received by the ethnic Hluttaw candidates in accordance with session (4-D) of Election Law will be enlisted in Form (18-A) separately. Concerning with the cancelled votes, the reason of cancellation shall be recorded with Form (17-B) and Form (17-C) and they must be signed by the Chairman or the Secretary of Township Sub-commission. Hluttaw representative candidates or their election agents, witnesses and respective election sub-commission must sign the Form (18) and (18-A) that they are correct. If the Hluttaw representative candidates or their

election agents cannot come, they must send their representatives. If it fails to sign, it is the responsibility of the person to do so.

(b) For each Hluttaw representative candidates who are in accordance with Election Law session (4-A), total number of votes, that of Form (16) sent from polling booths and that of Form (18) advance ballot paper which is received, shall be compiled with Form (19) in front of people according to the list of representatives announced. One copy of the list must be sent to respective Region or State Sub-commission, Self Administered Division or Self-Administered Zone Sub-commission or District Sub-commission. One copy must be kept in archive and one must be posted at the office.

(c) For each Ethnic Hluttaw representative candidates who are in accordance with Election Law session (4-D), total number of votes, that of Form (16-A) sent from polling booths and that of Form (18-A) advance ballot paper which is received, shall be compiled with Form (19-A) in front of people according to the list of representatives announced. Hluttaw representative candidates or their election agents, witnesses and respective sub-commission must sign the Form (19-A) that it is correct. If the Hluttaw representative candidates or their election agents cannot come, they must send representatives to sign. If they fail to sign, it must be the responsibility of the person who fails. One copy of the list must be sent to concerned Region or State Sub-commission. One must be kept in archive and one must be posted at the office.

(d) When the representatives received the highest number of valid votes equally, it must report quickly to Region or State Sub-commission whether a new election for them should be held or not. Photo copy must be sent to concerned Self-Administered Division or Self-Administered Zone Sub-commission or District Sub-commission.

33. Township Sub-commission must decide if an advance ballot paper is valid vote or not when it is counted at the Township Sub-commission.
34. Concerning with advance ballot papers, concerned Township Sub-commission must –
 - (a) accept up to 4 pm on election day.
 - (b) must write receive number, time and date received on the envelopes and fill Form (18-1) and put into ballot boxes which are sealed when the advance ballot paper envelopes are sent according to session (62) of the Rule.
 - (c) open the sealed ballot boxes which contain advance ballot papers and count them immediately when the polling booths are close.
 - (d) must not count the advance ballot papers which arrived after 4 pm when the polling booth is closed.
 - (e) must allow concerned representative candidate, election agent, polling booth agent, assistant agent and election observers to look concerning with sub-session (b) and (c) if they want to look.
35. Township Sub-commission must send the election record of the township to Township Administrator.

Supervising Political Parties and Letting to Supervise them

36. It must supervise political parties to act in accordance with law and let to supervise them and guide them.
37. It must get the assistance of governments when the accounts of a political party are checked by assigning to check as required by the Commission.
38. Parties must be supervised in order that they act in accordance with standing order, rules, procedures, notification, order and directives according to the assignment of duty by the Commission.

General

39. People who perform the duties concerning with the election including the levels of sub-commissions must obey the following points.
 - (a) Compiling statistics and records precisely concerning with election and keeping them,
 - (b) Supervising so that the people can exercise casting the vote secretly,
 - (c) Ensuring not to leak information except the statistical data which the Commission allowed to release,
 - (d) Acting correctly without campaigning or bias for any Hluttaw representative candidate,
40. After the Hluttaw representative candidate list is announced and if a person in the list lost its right to be elected as a representative of Hluttaw or if a person dies before the election is held, it must report to respective State or Region Sub-commission and District Sub-commission to delete the name from the list of Hluttaw representative candidates.
41. When the due date to do a task set according to Hluttaw Election Rules falls on public holiday, it has the right to work on the next day which opens the office as its due date.
42. Township Sub-commission is to report the distinctive situations, if there is any, to District Sub-commission and facilitate the needs, if there is any.
43. The usage of District Sub-commission in this guideline means Nay Pyi Taw Sub-commission, Self-Administered Division or Self-Administered Zone Sub-commission and District Sub-commissions.

Conclusion

44. Township Sub-commissions are the teams which have to operate from the basic role in Hluttaw Elections. Therefore they need to read concerned Hluttaw Election Laws, Rules and directives issued by the Commission time to time and understand them well. They need to supervise Ward or Village-tract Sub-commission to act in accordance with law.
45. Township Sub-commissions are to study laws, rules and directives thoroughly and to perform successfully the tasks in accordance with law for concerned Hluttaw Election.

Union Election Commission