**Establishment of Election Commission**

(1) There shall be an Election Commission for Bangladesh consisting of [1](http://bdlaws.minlaw.gov.bd/act-367/1)[the Chief Election Commissioner and not more than four Election Commissioners] and the appointment of the Chief Election Commissioner and other Election Commissioners (if any) shall, subject to the provisions of any law made in that behalf, be made by the President.

(2) When the Election Commission consists of more than one person, the Chief Election Commissioner shall act as the chairman thereof.

(3) Subject to the provisions of this Constitution the term of office of an Election Commissioner shall be five years from the date on which he enters upon his office, and –

(a) a person who has held office as Chief Election Commissioner shall not be eligible for appointment in the service of the Republic;

(b) any other Election Commissioner shall, on ceasing to hold office as such, be eligible for appointment as Chief Election Commissioner but shall not be otherwise eligible for appointment in the service of the Republic.

(4) The Election Commission shall be independent in the exercise of its functions and subject only to this Constitution and any other law.

(5) Subject to the provisions of any law made by Parliament, the conditions of service of Election Commissioners shall be such as the President may, by order, determine:

Provided that an Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the [2](http://bdlaws.minlaw.gov.bd/act-367/2)[Supreme Court].

(6) An Election Commissioner may resign his office by writing under his hand addressed to the President.

1 Substituted for the words and commas "a Chief Election Commissioner and such number of other Election Commissoners if any, as the President may from time to time direct," by the Constitution (Fifteenth amendment) Act, 2011 (Act XIV of 2011), section 35 (a).

2 Substituted for the words "Supreme Court" by the Constitution (Fifteenth Amendment) Act, 2011 (Act XIV of 2011), section 35 (b).