



Egypt's 2014 Presidential Election Law

Middle East and North Africa
International Foundation for Electoral Systems

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1. Introduction

Egypt has had a difficult transition since the resignation of President Hosni Mubarak on February 11, 2011, and the assumption of power by the Supreme Council of the Armed Forces (SCAF).¹ Following a constitutional referendum held on March 19, 2011, the SCAF issued a Constitutional Declaration on March 30, which set the framework for the transition. Elections for the lower house of parliament, the People's Assembly (PA), were held from the end of November 2011 to January 2012 and for Egypt's upper house, the Shura Council, in January and February 2012. They were followed by presidential elections in May and June of the same year, at which President Mohammed Morsi was elected.

In June 2012, the Supreme Constitutional Court (SCC) ruled that several provisions of the Law on the People's Assembly, under which the PA had been elected, violated the March 2011 Constitutional Declaration, and, accordingly, dissolved the PA. Thus began the tug-of-war between the judiciary and the Muslim Brotherhood, setting the stage for the subsequent events.

The March 2011 Constitutional Declaration established a process for drafting a new constitution by a Constituent Assembly (CA). After much controversy, the CA eventually submitted a draft constitution to President Morsi on December 1, 2012, that was approved in a referendum held two weeks later and promulgated on December 26, 2012.

By June 2013, the rule of President Morsi and his government had become increasingly unpopular, resulting in widespread protests. On July 3, 2013, General Abdul Fatah al-Sisi, the Commander-in-Chief of the Egyptian Armed Forces and the Minister of Defense, announced that President Morsi had been removed from office, and that the 2012 Constitution had been suspended. The head of the Supreme Constitutional Court, Adly Mansour, was appointed as the Interim President. He issued a Constitutional Declaration on July 8 to provide a road map for a return to civilian rule under a new constitution, which would be approved in another referendum. Mass protests by former President Morsi's supporters resulted in many deaths. Former President Morsi and some of his associates are now on trial, charged with espionage and other crimes.

The new constitution was drafted by a small committee of judges and constitutional law professors. It was reviewed and amended by a committee of 50 members drawn from various sectors of Egyptian society. In a referendum held on January 14 and 15, 2014, 98.1 percent of voters approved the final version of the draft constitution. Turnout was 38.6 percent of registered voters.

A draft presidential elections law was published at the end of January and the Interim President promulgated the final version of the law on March 8. The Presidential Election Commission (PEC) is currently preparing to hold the presidential elections, the first round of which will take place on May 26 and 27 this year. General al-Sisi resigned from the army on March 26 and announced that he will be a presidential candidate. At the time of writing, the following applicants had submitted candidacy papers to the PEC:

- Abdul Fatah al-Sisi, the former Commander-in-Chief of the Egyptian Armed Forces and Minister of Defense; and
- Hamdeen Sabahi, former candidate of the 2012 presidential elections.

¹Elections in Egypt: The electoral framework in Egypt's continuing transition: February 2011 – September 2013. (2013, October 11). *IFES Briefing Paper*. Retrieved from http://www.ifes.org/Content/Publications/White-Papers/2013/~//media/Files/Publications/White%20PaperReport/2013/Egypt%20Briefing%20Paper%20Sept%202013_Final.pdf

Applicants will be considered official candidates once the PEC has completed investigating and verifying the documents.

This Briefing Paper analyzes the new law on presidential elections.² Section 2 discusses the changes in the 2014 Constitution relating to presidential elections. Section 3 outlines the provisions of the final version of the presidential election law, highlights major changes from the 2012 law and the draft law and indicates a number of matters that should be addressed before the election. The timetable for the 2014 presidential elections announced by the PEC is in Section 4. Section 5 contains conclusions and recommendations. Annex 1 contains a table comparing the 2012 presidential election law with the 2014 draft and final versions of that law, showing the substantive differences among the three versions of the law.

2. Changes to the constitutional framework for presidential elections

The Constitution approved at the referendum held on January 14 and 15, 2014, included a number of changes from the 2012 Constitution. The changes relating to presidential elections include the following:

- The deadline for initiating the procedures for a presidential election has been increased from 90 days to 120 days before the end of the previous president's term (Article 140).
- The result of a presidential election must now be announced at least 30 days before the end of the previous president's term, rather than 10 days beforehand (Article 140).
- The parents and spouse of a presidential candidate must not have held any other nationality than Egyptian (Article 141).
- A presidential candidate must have performed military service "or been exempted therefrom by law" (Article 141).
- The law may set further requirements for presidential candidacy in addition to those stated in the Constitution (Article 141).
- The abolition of the Consultative Assembly (also known as the Shura Council) in the 2014 Constitution has led to some consequential amendments, for example:
 - 20 members from the House of Representatives³ may endorse a presidential candidate (Article 142).
 - If the House is dissolved, the presidential oath is taken before the General Assembly of the Supreme Constitutional Court (SCC) (Article 144), and that Assembly receives a president's resignation (Article 158) and acts to fill a vacancy in the presidency (Article 160).
- Article 142 increases the number of supporters needed to nominate a presidential candidate to a minimum of 25,000 in at least 15 governorates, compared to 20,000 from 10 governorates in the 2012 Constitution; however, the requirement to obtain at least 1,000 supporters from each of those governorates is the same in both Constitutions.⁴
- Article 161 provides that a majority of members of the House "may propose to withdraw confidence from the President of the Republic and hold early presidential elections," and a

² Unless otherwise stated, a reference in this Briefing Paper to an article in the law is to the final version of the presidential elections law issued on March 8, 2014.

³ Before the 2012 Constitution, the lower house of Parliament was called the "People's Assembly." In both the 2012 and 2014 Constitutions, the name was changed to the "House of Representatives" (HoR).

⁴ The Constitutional Declaration issued by the SCAF in March 2011 set the number of qualified supporters at 30,000 from 15 provinces, with at least 1,000 from each province. Other provisions in that Declaration relating to the president's term of office, the two-term limit and the qualifications to be a presidential candidate were included in both the 2012 and 2014 Constitutions.

referendum must then be held if the proposal is supported by two-thirds of the members of the House. If a majority of votes in the referendum approves the withdrawal of confidence from the president, the office becomes vacant and an election must be held within 60 days; on the other hand, if a majority of votes in the referendum rejects the withdrawal of confidence, the House is deemed dissolved and parliamentary elections must be held within 30 days.

Article 208 in both the 2012 and 2014 Constitutions establishes an independent National Elections Authority (NEA) to administer referenda and presidential, parliamentary and local council elections.⁵ Both constitutions, however, include Transitional Provisions requiring the High Election Commission (HEC) existing at the time the constitution comes into force to supervise the first parliamentary elections. Article 228 of the 2014 Constitution has a similar provision regarding the PEC.

Article 230 of the 2014 Constitution provides that the procedures for the first elections – whether presidential or parliamentary – should take place within 30-90 days after the Constitution came into effect.⁶ The term of the new president will begin on the date when the final election result is announced (Article 231); however, the Interim President will continue to exercise presidential powers until the newly elected president takes the oath of office (Article 232).

3. Changes to the presidential election law, 2012-2014

The table in Annex 1 compares the presidential election law of 2012 with the draft law circulated at the end of January 2014 and the final version issued in March 2014. As might be expected, there is a great deal of continuity between the 2012 and 2014 laws, although there are also some important changes that are discussed below. In general, the 2014 laws contain more prescriptive detail than the 2012 law, but the PEC still has wide powers to issue instructions and to make rules and regulations to implement the law. The PEC thus has considerable flexibility to fill in gaps in the law and to respond quickly to changing circumstances.

The rest of this section discusses the major components of the final version of the presidential elections law.

The Presidential Election Commission

Chapter 2, Articles 3-9 of the law deal with the composition and powers of the PEC. No changes have been made to the senior judicial membership of the PEC (Article 3). The requirements relating to PEC meetings have also been retained, with one addition to Article 4 allowing the PEC to decide to meet outside Cairo. This is generally understood as a way of allowing the PEC to convene elsewhere as required due to potential security concerns in Cairo.

Major changes have been made to Article 6 specifying the PEC's jurisdiction. The most significant is that the PEC alone is to supervise the preparation of the voters' lists for the presidential elections, based on the information held in the database for the National ID administered by the Civil Status Authority of the Ministry of Interior. The HEC will be responsible for doing so for the parliamentary elections held after the presidential elections.⁷ Article 228 of the 2014 Constitution requires the

⁵ The provision in Article 208 of the 2012 Constitution allowing the NEA to supervise elections to "syndicates and other representative organizations" is not included in the 2014 Constitution.

⁶ The 2014 Constitution was approved on January 18, which means the 30-90 day period is February 17 to April 18. The PEC called for the elections on March 30, 2014, specifying that the first round of voting will take place on May 26 and 27, 2014.

⁷ See the second paragraph of Article 3 (Bis-F), Law 73/1956. Regulating the Exercise of Political Rights (LEPR), as amended.

funds of both the HEC and PEC to be transferred to the NEA, once it is established, following the first presidential and parliamentary elections held under the new Constitution.

Following the addition of paragraph 8 to Article 1 of the law requiring that a presidential candidate not suffer from “any physical or mental defect that might affect his performance as president of the republic,” paragraph 5 of Article 6 requires the PEC to specify the body that will be responsible for medical examinations of candidates.⁸

Paragraph 8 of Article 6 extends the PEC’s power to ensure equal treatment of presidential candidates in state-owned audio-visual media to “newspapers and printed materials issued by press institutions.”

Other changes in Article 6 of the final presidential election law require the PEC to set rules and procedures for notifying presidential candidates of its decisions (paragraph 9), and to set the rules for the media and for domestic and foreign observers of the presidential elections (paragraph 11).⁹

The most controversial change between the draft and final versions of the presidential election law concern whether the PEC’s decisions may be challenged before a court. Article 7 of the draft law proposed that the Supreme Administrative Court would have the jurisdiction to decide those challenges, and this provision was supported by the State Council.¹⁰ However, the SCC advised Interim President Mansour that, because the PEC is a judicial body that is mentioned under the transitional provisions of the 2014 Constitution, it is not subject to Article 97 of the 2014 Constitution, which states, “It is prohibited to immunize any administrative act or decision from judicial review.” Hence, Article 7 of the final law retains the provision in the 2012 law,¹¹ and the PEC’s decisions will be “final, self-enforcing and incontestable by any means and before anybody whatsoever. Its decisions shall not be suspended or invalidated.”

Interim President Mansour has justified the decision to exclude the PEC’s decisions from judicial challenge based on the SCC’s opinion and due to the fact that “appeals can delay the electoral process and cast doubts on the new president’s legitimacy, thus affecting national security.”¹²

⁸ On March 17, 2014, the PEC issued a decree assigning the specialized medical councils of the Ministry of Health to conduct the medical examinations for applicants.

⁹ On March 29, 2014, the PEC issued several decrees regulating the work of domestic and international observation groups. In these decrees, the PEC defines observation as “all works of observation and witnessing, of all procedures relating to candidate registration, campaigning, polling, counting and announcing election results.”

¹⁰ Egypt’s election law revised by State Council and sent to president. (2014, March 3). *Ahram Online*. Retrieved from <http://english.ahram.org.eg/News/95812.aspx>

¹¹ The PEC was created in May 2005 under former President Mubarak when Article 76 of the 1971 Constitution was amended to provide for multi-candidate presidential elections. The amendments included the same senior judicial membership and immunity from judicial scrutiny as in the 2012 and 2014 presidential election laws. However, the membership of the PEC established in 2005 also included five public figures “recognized for their impartiality,” three of whom were selected by the People’s Assembly and two selected by the Shura Council. The SCAF’s Constitutional Declaration of March 30, 2011, did not retain these public figures in the PEC’s membership, and that omission continued in the 2012 and the 2014 draft and final presidential election laws.

¹² On the cards. (2014, March 19). *Ahram Weekly*. Retrieved from <http://weekly.ahram.org.eg/News/5742/17/On-the-cards.aspx>

Although the decision has been widely criticized,¹³ the Interim President has been reported as saying that it will not be reversed.¹⁴

International electoral standards include the right to an effective legal remedy guaranteed by Article 2.3.c of the International Covenant on Civil and Political Rights, which Egypt has ratified.¹⁵ Preventing judicial review of the PEC's decisions contravenes those standards and can also affect political and public confidence in the integrity of the electoral process and perceptions of the legitimacy of a newly elected president. The Carter Center's report on the 2012 presidential election stated the fundamental issue in blunt and unequivocal terms:

It is contrary to democratic obligations to allow any electoral management body to have the ultimate, unappealable, authority over the adjudication of electoral disputes, since that body will in most cases have an interest in the underlying dispute. It is essential that candidates and others who object to an electoral management body's decision have the opportunity to bring their claim or appeal to an independent tribunal for consideration.¹⁶

The immunity of the PEC will apply only to the 2014 election, since Article 228 of the 2014 Constitution provides that the PEC's jurisdiction will end once the 2014 presidential election has been completed, and its responsibilities will be transferred to the NEA established by Article 208 of the 2014 Constitution. The NEA will have ten members drawn from the judiciary, although they will not be as senior as the members of the PEC.¹⁷ In contrast to Article 7 of the final 2014 presidential elections law, however, Article 210 of the 2014 Constitution expressly provides that the NEA's decisions "pertaining to referenda, presidential and parliamentary elections, and the results thereof"

¹³ El-Din, G. E. (2014, March 8). New law rules out appeals in Egypt's presidential elections. *Ahram Online*. Retrieved from <http://english.ahram.org.eg/News/96162.aspx>, and Barsoum, M. (2014, March 19). Political parties call on Mansour to allow appeals in presidential elections. *Ahram Online*. Retrieved from <http://english.ahram.org.eg/News/97086.aspx>. Some have called for appeals to be retained but under more stringent timelines; in practice, the Egyptian judicial system considers time constraints in legislation as "regulatory" rather than "binding."

¹⁴ El-Din, G. E. (2014, March 22). Egypt's Mansour upholds rejecting appeals in presidential polls. *Ahram Online*. Retrieved from <http://english.ahram.org.eg/News/97274.aspx>.

¹⁵ Chambers R. (2007, December). *International standards for elections in the MENA region*. Unpublished paper, 7, 12; Presidential election in Egypt. Final report May–June 2012, 20. *The Carter Center*. Retrieved from http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/egypt-final-presidential-elections-2012.pdf; Goodwin-Gill, G.S. (2006). *Free and Fair Elections*, new expanded edition (Inter-Parliamentary Union), 70, 160-166. Egypt has ratified the International Covenant on Civil and Political Rights, the International Covenant on the Elimination of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women, and the Convention on the Rights of Persons With Disabilities. By Article 93 of the 2014 Constitution, the State is bound by these instruments, which have the force of law. Egypt is not currently a member of the Inter-Parliamentary Union (IPU) but will be able to re-join when a new parliament is elected. It will then be bound by the IPU's "Declaration on Criteria for Free and Fair Elections."

¹⁶ Presidential Election in Egypt. Final Report May–June 2012. *The Carter Center*, 20.

¹⁷ Article 3 of the final presidential elections law specifies the five members of the PEC as follows: the Head of the SCC as chair, the President of the Cairo Court of Appeal, the most Senior Vice President of the Supreme Constitutional Court, the most Senior Vice President of the Court of Cassation and the most Senior Vice President of the State Council. Article 209 of the 2014 Constitution specifies the ten members of the NEA as drawn from "among those ranked as Vice-presidents of the Court of Cassation, those ranked as Presidents of the Courts of Appeal, Vice-presidents of the State Council, the State Litigation Authority and the Administrative Prosecution." The NEA will be chaired by the most senior judge from the Court of Cassation. NEA members will be full time and will be appointed for one six-year term. Half the NEA's members will be replaced every three years.

can be challenged in the Supreme Administrative Court, which will be required to issue its decision within ten days after the challenge is filed.¹⁸

Eligibility and nomination of presidential candidates

Article 141 of the 2014 Constitution sets a number of criteria for eligibility to be a presidential candidate, but also allows further criteria to be specified by law. The SCAF's Constitutional Declaration of March 2011 stated the criteria as follows:

Article (26)

It is required for whoever is elected president of the republic to be Egyptian, born to two Egyptian parents who do not have another citizenship, enjoying his/her political and civil rights, not married to a non-Egyptian, and not under the age of 40 years.

Article 134 of the 2012 Constitution added the requirement that the president "must never have held the citizenship of another state."

The 2014 Constitution included all these provisions but added further criteria:

Article (141)

A presidential candidate must be an Egyptian born to Egyptian parents, and neither he nor his parents nor his spouse may have held any other nationality. He must enjoy civil and political rights, must have performed military service or have been exempted therefrom by law, and shall not be less than forty calendar years of age on the day of commencing candidacy registration. Other requirements for candidacy shall be set out by Law.

Pursuant to the last sentence of Article 141, Article 1 of the draft and final versions of the 2014 presidential elections law required a presidential candidate to have a university degree.¹⁹ The final version of the law added two more criteria:

- A candidate "Must not have been sentenced to a penalty in a felony or a crime of immoral behavior or breach trust, even if he has been rehabilitated" (paragraph 5).
- A candidate "Must not be suffering from any physical or mental disease that might affect his performance as president of the republic" (paragraph 8).

The entitlement to exercise political rights is set by Articles 1-3 of the Law on the Exercise of Political Rights (LEPR). In brief, every Egyptian aged 18 years and over is entitled to vote in a presidential election except for serving members of the armed forces and the police²⁰, convicts, discharged civil servants, persons subject to a court order, persons in custody due to mental illness and persons adjudged bankrupt for a period of five years after that judgment.²¹

¹⁸ Challenges to the NEA's decisions concerning local council elections will be filed with the Administrative Court, which will also have ten days to issue its decision (Article 210).

¹⁹ Chambers R. (2007, December). *International standards for elections in the MENA region*. Unpublished paper, 9. "Unreasonable or discriminatory" restrictions on the right to be a candidate at an election "such as education, residence or descent, or by reason of political affiliation" breach international standards.

²⁰ In May, 2013, The Supreme Constitutional Court ruled on the unconstitutionality of preventing members of the police forces and army from voting. However, the ruling has not yet been incorporated in the law.

²¹ It has been reported that the State Council has rejected as unconstitutional a Cabinet proposal to amend Article 3 of the LEPR to deny political rights to persons who are facing trial or who are in custody pending trial. Judicial body rejects law change that would disenfranchise Morsi. (2014, March 8). *Ahram Online*. Retrieved from <http://english.ahram.org.eg/News/96164.aspx>

According to international electoral standards, the grounds for depriving a person of the right to vote should be "objective and reasonable."²² It is debatable whether denying the right to vote to serving members of the military, police and security forces meets that test.²³

The 2012 Constitution reduced the number of elected members of the House of Representatives or the Shura Council needed to nominate a presidential candidate from 30 to 20. The 2014 Constitution abolished the Shura Council but retained the number of elected members of the House needed to nominate a presidential candidate at 20. The SCAF's March 2011 Constitutional Announcement also allowed a political party to nominate a presidential candidate if it had an elected member in either the House or the Shura Council, but this provision was omitted from both the 2012 and 2014 Constitutions.

All three constitutional documents since 2011 have allowed citizens with the right to vote to nominate a presidential candidate, but the number required was reduced from 30,000 in at least 15 governorates in the 2011 Constitutional Declaration to 20,000 from at least 10 governorates in the 2012 Constitution. The 2014 Constitution sets the number of eligible citizens at 25,000 from at least 15 governorates. All three provisions stipulate that there must be at least 1,000 citizen endorsements from each of the required governorates. Because the 2014 presidential election will be held before the House is elected, Article 2 provides that the nomination of candidates for that election will be by the endorsement of citizens.

Article 11 of the presidential elections law requires the PEC to specify the forms to be used by members of the House and by citizens to endorse the nomination of a presidential candidate. The final version of the law extends the range of places where citizens can provide their endorsements to include the notary offices, district courts or any other entity identified by the PEC.

The PEC sets the nomination period, which Article 12 of the final 2014 law says must not be less than 10 days from the opening of candidacy, an increase from the seven days provided in the 2012 presidential elections law. The final version of the 2014 law stipulates that the nomination period must not be more than 30 days from the opening of candidacy.

Article 12 also specifies the documents a candidate is required to submit with an application. These documents follow the criteria for candidacy, with the addition of the requirement for a receipt for the payment to the PEC of a sum that will be returned to the candidate after the election, less any expenses for removing campaign posters. Notably, the amount of this sum was increased substantially from L.E. 1,000 in the 2014 draft law to L.E. 20,000 in the final law (i.e. from about US\$143 to about US\$2,860 at current exchange rates). However, this increase is less likely to deter potential candidates than the need to get the support of at least 25,000 citizens in at least 15 governorates.

Article 13 requires the PEC to record candidacy applications in order of receipt. Within two days of the end of the nomination period, the PEC must publicly announce the submission of the applications; an applicant then has the two-day period to object to another applicant, with reasons

²² Chambers R. (2007, December). *International standards for elections in the MENA region*. Unpublished paper, 8. See also Goodwin-Gill, G.S. (2006). *Free and Fair Elections*, new expanded edition (Inter-Parliamentary Union), 128.

²³ "Egyptian decision-makers may ... wish to re-evaluate whether the benefits of political participation by Egypt's military and police in their country's democratic process outweigh the loss of rights entailed by barring their ability to vote." Presidential Election in Egypt. Final Report May–June 2012, 22. *The Carter Center*. The Carter Center recommended that all the restrictions on the right to vote should be reviewed "to ensure that voting rights are enjoyed by the widest possible pool of eligible voters," 68.

(Article 13). The PEC must examine applications for compliance with the Constitution and the law, and must decide on any objections within five days of the end of the objection period (Article 14).

If the PEC decides to reject an application, it must notify the applicant within 24 hours stating its reasons (Article 15). The applicant then has two days to appeal the PEC's decision, and the PEC has another two days to decide on the appeal. Under Article 7 (discussed above), the PEC's decision is final and cannot be further contested.

Once the PEC has decided on the final candidates, it must arrange their names in the order that their applications were received, and must publish that list in the Official Gazette and in two widely circulated daily newspapers at least 20 days before Election Day (Article 16). In the official timeline of procedures, the PEC states that names of final candidates are to be published in the Official Gazette and the Al Ahram and Alakhbar newspapers, which are both owned by the state.

Article 17 allows a candidate to withdraw by written notice to the PEC before the final list is announced. A candidate may also "relinquish" candidacy by written notice to the PEC no later than 15 days before Election Day, in which case the PEC has two days to publish that fact in the Official Gazette and in two widely circulating daily newspapers. That late deadline for a candidate to pull out of the race means that the PEC cannot finalize, print and distribute ballot papers until then, including to Egyptian embassies around the world at which out-of-country voting must begin before the first day of voting in Egypt itself (Article 29).²⁴

Article 18 of the 2012 law on presidential elections provided detailed procedures to be followed in case a candidate's place becomes vacant "for any reason except his relinquishment of candidature and due to compelling circumstances," during the candidacy period, or before Election Day, or before a runoff. No equivalent provision was included in the 2014 draft or final law, and the PEC will need to issue rules and procedures to cover these possibilities.

Election campaigns

Article 18 of the 2014 presidential election law specifies that the campaign period begins when the PEC announces the final list of candidates, and ends two days before Election Day. The draft law provided that the campaign period began 30 days before the election and ended two days before Election Day, whereas the campaign period under the 2012 presidential election law began three weeks before Election Day and also ended two days before Election Day. All three laws specified the same campaign period for a runoff election: from the day following the announcement of the result of the first round to noon on the day before the first day of voting in the runoff election.

Campaign methods are specified in Article 18 of the final law, with no changes from the 2012 law or the draft law. This article also authorizes the PEC to make decisions allowing other campaign activities.

Article 19 lists actions that are considered to be prohibited election campaign activities. Both the draft law and the final law include the proscribed activities listed in the 2012 law, and both add bans on the uses of government buildings and NGO premises and funds in campaigns. The final version of the law also forbids the use of "slogans that call for discrimination among citizens" and writing on the walls of governmental or private buildings for campaign purposes (Article 19, paragraphs 2 and

²⁴ It appears that the "election day" referred to in Article 17 is the first day on which polling is held inside Egypt, since the dates for the 2014 election issued by the PEC (see the table in Section 4 of this Briefing Paper) show the PEC announcing the final list of candidates on May 2, only 13 days before out-of-country voting begins on May 15. The PEC has set May 9 as the deadline for a candidate to withdraw, only six days before out-of-country voting is due to start.

8, respectively). Some vague terms are used to describe prohibited activities (for example, “religious slogans” and “slogans that call for discrimination among citizens” in paragraph 2 of Article 19), and the PEC should issue guidance on how such terms should be interpreted.

Article 20 requires state-owned audio-visual media and press to “maintain equality between candidates when used for electoral campaigning purposes” and gives the PEC the authority to “take whatever measures it deems necessary” to deal with violations of this provision. The 2014 draft and final laws also empower the PEC to issue a decree to stop a violation immediately.

Media broadcasting and publication of opinion polls on presidential elections are regulated by Article 21 of the final law, which specifies the information that must be included in the broadcast of opinion polls. This includes full information on the entity conducting the poll, funding entity, questions included, size and location of sample, methods used, method of data collection, dates and the margin of error. The start of the period in which polls may be broadcast or published is not defined, but they may not be broadcast or published later than five days before Election Day. Hence the blackout covers the last three days of the campaign period and continues until the election “ends.” The provision for the five-day poll blackout also applies to a runoff election. The five-day poll blackout period in the final law is an increase over the two-day blackout periods included in both the 2012 law and the 2014 draft law.

Campaign finance

Article 22 sets the maximum expenditure by a candidate for a presidential election campaign at L.E. 20 million for the first round, and L.E. 5 million for a runoff (about US\$2.86 million and US\$715,000 respectively, at current exchange rates). The limits proposed in the draft law were L.E. 10 million and L.E. 2 million respectively, the same as in the 2012 law.²⁵

Contributions to candidates are regulated by Articles 23 and 24. Only Egyptian natural persons may make a contribution, which may be in cash or in kind. Article 23 provides that a “contribution from any natural person shall not exceed two percent of the maximum expenditure allowed on the electoral campaigning,” i.e. L.E. 400,000 for the first round and L.E. 100,000 for a runoff. It appears that this limit applies to the cumulative amount of all donations made by a person, although the translation of this provision in the final 2014 law is somewhat unclear. Article 24 prohibits cash and in-kind contributions from non-natural Egyptian and foreign persons and from “any country, foreign body, international organization, any body in which a foreign person holds stocks or from any foreign natural person.”

Article 23 requires each candidate to open a campaign account at a bank approved by the PEC, into which all cash contributions must be deposited, including a candidate’s personal funds used for the campaign. Campaign expenditures may only be met from this account. Both the candidate and the bank must inform the PEC “on a regular basis, of all funds deposited in the account and their source.” The candidate must also inform the PEC about campaign expenditure “within the dates and according to the procedures” set by the PEC; however, the law does not include any penalty for failing to provide these reports to the PEC. The PEC must distribute to campaign donors, on a pro rata basis, any funds that remain in this account after the election.

²⁵ Prior to being revoked before the 2012 presidential elections, Article 25, Law 174, 2005, On Regulating Presidential Elections provided state funding for presidential candidates. It has been reported that all presidential candidates in 2012 violated the limit on campaign expenditure, with Shafiq spending over L.E. 300 million and Morsi spending L.E. 250 million on the first round; Aziz, S.F. (2013) Revolution without reform? A critique of Egypt’s election laws. *The George Washington International Law Review*, 45, 51, note 374.

Within 15 days after the election result is announced, each candidate must provide the PEC with “a statement that includes the total sums obtained as well as their source and nature and amount and aspects of expenditure on the electoral campaigning” (Article 25). That Article also allows a candidate to appoint another person to act on his or her behalf in complying with the campaign finance requirements of the law, provided that the PEC receives an official copy of the notarized power of attorney. The law does not include any sanction for failing to submit this post-election statement to the PEC.

Article 26 requires the Central Auditing Organization to audit candidates' electoral campaign accounts and to provide the PEC with an audit report within 15 days of the referral by the PEC, although this seems to be quite a short time in which to conduct a full audit.

On the face of it, the 2014 presidential elections law provides a loose regulatory environment for campaign finance that imposes compliance costs on the PEC and on candidates, but that law also should be supplemented by much more detailed PEC regulations if it is to be effective. In particular, the PEC will need to define more specifically the categories of campaign expenditure that count towards a candidate's limit. For example, it is clear that the costs of placing election advertising will have to be included, but it is not clear whether the production costs of that advertising should also be counted, or campaign travel costs, or the remuneration paid to campaign staff, or the costs of conducting private opinion polls, or the costs of hiring a venue for a campaign rally. The law assumes that control of a candidate's campaign expenditure will be centralized, and candidates will need to ensure that campaign teams in the governorates do not incur unauthorized campaign expenditure that will need to be included in the post-election return. That return should also include spending commitments made in the final days of the campaign, since the invoices for that expenditure might not have been received and paid before the return must be sent to the PEC. It is important that the PEC provides all candidates with such guidance to ensure that there is a common approach to recording and disclosing campaign expenditure as required by law.

The PEC also should issue guidance on compliance with the law's provisions on contributions to candidates. For example, it seems that the two percent limit is easily avoided through splitting a large contribution among several different persons. A company can arrange for a contribution to be made by a natural person. And a contribution from a foreign entity or a foreign person can easily be channeled through an Egyptian person. The PEC will also need to establish the basis on which to record the value of in-kind contributions.

A major gap in the presidential election law is that the PEC is not required to make public the statements of donations and expenditure received from candidates, or the audit reports on those statements prepared by the Central Auditing Organization, or the periodic reports of donations and expenditure received from candidates and banks under Article 23. However, the PEC does have the power to release all those statements and reports, and it should do so to make the presidential electoral process more transparent.²⁶

²⁶ Chambers R. (2007, December). *International standards for elections in the MENA region*. Unpublished paper, 4. Chambers includes the principle “That elections are conducted in a transparent, open and accountable manner” among the *de facto* standards that can be derived from the requirement in Article 25 of the International Covenant on Civil and Political Rights that elections be “genuine.” Presidential Election in Egypt. Final Report May–June 2012, 67. *The Carter Center*. In its report on the 2012 presidential elections, The Carter Center recommended that Egypt's future constitution “explicitly provide for an independent electoral management body that is permanent, professional, impartial, accountable, and that acts with transparency, consistent with Egypt's international commitments.”

In 2012, the PEC lacked sufficient capacity to monitor and enforce the law relating to campaign finance.²⁷ They should develop that capacity for the 2014 elections and make it clear to candidates and their supporters that it will enforce these provisions of the law.

Election committees, voting and counting

The election committee structure in the final presidential election law is the same as in the 2012 law and the draft law. Article 27 of the final 2014 law requires the PEC to establish polling stations, headed by a member of a “judicial body or entity” who may preside over more than one polling station at the same location. Polling stations are supervised by general committees appointed by the PEC from the “members of judicial bodies and entities.”²⁸ The PEC also appoints a civil state employee as the secretary of each polling station and each general committee. The PEC determines the numbers and locations of each type of committee.

Article 30 of the final 2014 law allows a presidential candidate to appoint a representative for each polling station. Written notification of the appointment must be given “to the head of the competent court of first instance” at least two days before Election Day. Both the 2012 law and the 2014 draft law required the notice of the appointment to be given to the head of the election committee. Delivery of the notice to the court may be intended to avoid any issues that could arise in delivering a notice to the head of a polling station, although the courts of first instance will need to ensure the timely delivery of the notices to the relevant polling stations. Polling stations may begin the voting process in the absence of some or all of the candidates’ representatives. The law has no specific provisions concerning the appointment of candidates’ representatives to general committees, although they are entitled to be present when the general committee consolidates the vote counts from its polling stations.

Although both the 2012 law and the 2014 draft law provide that voting would be held on one day, or on two days if necessary, Article 27 of the final 2014 law provides that voting will be “conducted in one day or more.” Voting must take place even if there is only one candidate, in which case the candidate will be declared the winner if he or she “obtained five percent of the total number of voters registered in the voter database” (Article 36).²⁹ If the candidate does not obtain that number of votes, the PEC must re-open candidacy applications within 15 days and hold another election according to the law.

Article 31 of the LEPR was amended in December 2013 to provide that “The identification of the voter can only be verified through the National ID card or a passport that includes the ID number.” Article 31 of the final presidential election law provides that a person’s “electoral domicile” is the place of residence stated on his or her National ID card, with exceptions for the members and staff of election committees. There was no equivalent provision in the 2012 law on presidential elections.

Article 33 provides that a voter who is outside the governorate listed on his or her National ID card may vote at a polling station in the governorate where they are on Election Day. The provision in the draft law requiring the separate recording of the National ID numbers of all such voters has been omitted from the final law. The PEC now requires those wishing to vote in governorates other than the one in which they are registered to record their names in designated areas, including youth clubs

²⁷ Presidential Election in Egypt. Final Report May–June 2012, 41. *The Carter Center*.

²⁸ Article 210 of the 2014 Constitution provides that there must be judicial oversight of voting and counting in elections and referenda held in the ten years following the adoption of the Constitution. However, this appears to apply only to judicial participation in general committees and sub-committees.

²⁹ There were 53.4 million registered voters at the 2014 constitutional referendum. Table: Official results of Egypt's 2014 constitutional referendum (2014, January 19). *Ahram Online*. Retrieved from <http://english.ahram.org.eg/News/91957.aspx>

and mobile units ahead of election days and during the period April 26-May 10, 2014 (PEC decree 8/2014). This process differs from that used in the 2014 constitutional referendum, during which specially designated polling stations were set up for the voters.³⁰

The provisions for out-of-country voting in Article 29 of the final law are more detailed than those in the 2012 law and the draft law. A registered voter who is outside Egypt during the presidential election may vote if he or she has a National ID card or a passport that includes the National ID number.³¹ The PEC specifies the number and location of polling stations abroad, in consultation with the Ministry of Foreign Affairs. Diplomatic and consular personnel, who issue votes, count the votes and report the results directly to the PEC are required to staff these stations. Voting abroad must begin before the date set for voting in Egypt. The law does not provide for judicial supervision of out-of-country voting. Neither the law nor the PEC's decrees on observation issued on March 29, 2014, specifically addresses whether out-of-country voting may be witnessed by representatives of candidates, the media or observers.

Article 43 provides that any registered voter who fails to vote in the presidential elections "without an excuse" is to be fined not less than L.E. 500 (about US\$71 at current exchange rates). This is a substantial increase from the maximum penalty of L.E. 100 (about US\$14) in Article 43 of the 2012 presidential elections law and makes the fine for failing to vote in a presidential election the same as for failing to vote in a parliamentary election (LEPR, Article 40). It is understood, however, that the fine for not voting was not enforced at the 2012 presidential election,³² and it may never have been enforced for parliamentary elections.

Article 32 of the final law regulates the voting process at a presidential election. The head of the polling station hands a voter an open ballot paper that has the PEC stamp and the date on the back. However, the law does not require that the head sign or initial the ballot paper before handing it over, which removes one common protection against counterfeit ballot papers.³³ The PEC should include this best practice requirement in its rules and procedures concerning voting.

There are some differences among the 2012 law, the draft law and the final law as to the placement of the marked and folded ballot paper in the ballot box. The 2012 law states in Article 32 that the voter personally inserts the ballot paper into the ballot box, whereas the draft 2014 law required the voter to hand the ballot paper to the head of the polling station for insertion into the ballot box (which is the method specified in Article 29 of the LEPR). However, the final version of the law merely states that "After indicating his/her choice on the ballot paper, it shall be placed folded into the ballot box" without specifying who does so.

The only other change regarding the voting process is that the indelible ink into which voters must dip a finger must be "irremovable" for at least 48 hours (Article 32), rather than the 24 hours stated in the 2012 law.

³⁰ A total of 424,383 such votes were cast at this referendum. Table: Official results of Egypt's 2014 constitutional referendum. (2014, January 19). *Ahram Online*. The equivalent provision concerning absent voting in Law 174 of 2005 was revoked before the 2012 presidential elections. Retrieved from <http://english.ahram.org.eg/News/91957.aspx>

³¹ There were 681,346 expatriate voters at the 2014 constitutional referendum, of whom 107,041 voted. Table: Official results of Egypt's 2014 constitutional referendum. (2014, January 19). *Ahram Online*. Retrieved from <http://english.ahram.org.eg/News/91957.aspx>

³² Presidential Election in Egypt. Final Report May–June 2012, 22. *The Carter Center*.

³³ Issue and casting of ballots: Validating ballots. *Administration and Cost of Elections (ACE) Encyclopaedia*. Retrieved from <http://aceproject.org/ace-en/topics/vog/vog02/vog02b/vog02b03>

The presidential elections law does not specifically deal with voting by persons who are illiterate or who have disabilities, and the PEC will need to issue instructions to facilitate their voting in a way that ensures the secrecy of their vote. The specific provision in Article 29 of the LEPR is as follows:

Blind and other voters with a disability who cannot record their views on the election or referendum ballot papers without assistance may express their choice verbally in a manner such that only the committee members can hear. The secretary of the polling station committee shall record the voter's choice on his ballot-paper, and the head of the polling station committee shall sign it and record next to the voter's name on the voter list that the voter expressed his choice according to this procedure.

In a ruling issued on May 26, 2013, on the constitutionality of a draft new LEPR,³⁴ the SCC held that having voters express their choice verbally violates the vote secrecy requirements of Articles 113 and 128 of the 2012 Constitution for elections to the House of Representatives and the Shura Council, respectively. Because Article 143 of the 2014 Constitution requires that the president be elected by "direct secret ballot," the SCC is also likely to rule that the method in the existing LEPR is unconstitutional.³⁵ That method is also contrary to international standards.³⁶ The PEC should issue rules allowing a person who cannot mark a ballot paper to choose an assistant to do so, apart from a member of an election committee or a candidate's representative. The assistant should also be obliged to preserve the secrecy of the vote. The PEC should also consider providing tactile ballots in polling stations, which would allow visually impaired voters to mark the ballot paper for a presidential election without the need for assistance.

The 2014 draft and final laws contain a lot more detail about the counting process than the 2012 law, Article 34 of which merely states "Votes shall be counted according to the rules laid by the Presidential Elections Commission." Article 28 of the final law requires each polling station to count and document the votes cast at that polling station, in the presence of candidates' representatives and media and observers authorized by the PEC. The criteria for the validity of a vote are set by Article 33 of the LEPR (which does not include an over-riding "clear intention of the voter" test), and a question about whether a vote is valid or invalid must be decided by the general committee (Article 35).

When counting has been completed, the head of the polling station must announce the results, submit a written report to the general committee and provide a copy of that report to any candidate representative who asks for it. The law does not require the results to be displayed publicly at the polling station's premises or state whether media and observers may also request a copy of the report. To increase the transparency of the presidential electoral process, the PEC should issue rules requiring both to be done.

Each general committee aggregates and documents the voting results from its polling stations in the presence of authorized candidates' representatives, media and observers and announces the results (Article 37). The written report is sent to the PEC and is provided to any candidate representative

³⁴ Article 177 of the 2012 Constitution required the SCC to consider whether "bills that govern political rights as well as presidential, legislative, and local elections" complied with the Constitution before they are passed by the legislature. This provision was not retained in the 2014 Constitution.

³⁵ Article 53 of the 2014 Constitution also expressly says that there can be no discrimination among citizens based on disability (among other things). Article 33 of the 2012 Constitution also prohibited discrimination in general terms without specifying the bases.

³⁶ Chambers R. (2007, December). *International standards for elections in the MENA region*, 10; Goodwin-Gill, G.S. (2006). *Free and Fair Elections*, 101; Presidential Election in Egypt. Final Report May–June 2012, 55. *The Carter Center*.

who asks for it. Once again, the law does not require the results to be displayed publicly at the general committee's premises or state whether media and observers may also request a copy. The PEC's rules should require both to be done.

Once it has received the voting reports from all the general committees, the PEC must announce the overall election results within five days and publish them in the Official Gazette (Article 38). The law does not specifically allow candidate's representatives or the media to be present during the final aggregation, and the PEC should issue instructions to remedy that oversight. If no candidate has won an absolute majority of the valid votes, a runoff election must be held between the two candidates with the highest numbers of votes after an interval of at least seven days (Article 39). The candidate with the largest number of votes in the runoff is elected.

Election disputes and appeals

The final presidential elections law has no specific provisions regarding appeals to a court over decisions of a general committee or a polling station committee. Indeed, paragraph 14 of Article 6 of the final presidential election law empowers the PEC to make final decisions "on all objections, complaints and appeals related to [the] electoral process." As noted earlier, the PEC's decisions are not subject to further appeal or challenge. Article 35 allows a candidate (but no other person) to appeal a decision of a general committee to the PEC, which then has two days to make a decision. The PEC must issue rules and procedures governing this process.

It is implicit in the law that a decision of a polling station committee may be contested before the relevant general committee. However, the law is silent on who may lodge such a challenge and on the time within which the general committee must decide the matter. The PEC will also need to issue rules and procedures to govern those processes.

Enforcement of the election law

Chapter 6, Articles 41-57 of the final presidential elections law provide for breaches of the law and the associated penalties, in most cases following those in the 2012 law and the 2014 draft law. However, some offences have been added and some penalties have been changed:

- The minimum period of imprisonment for succeeding in influencing the conduct of the election by actions that terrify or intimidate has been increased from two years to three years (Article 48).
- Liability to imprisonment has been deleted from the penalty imposed on those who pay for election campaigning other than from a candidate's bank account, or who use the funds in the bank account for other purposes, or who spend more than the maximum sum allowed for election campaigning (Article 49). The minimum fine has been doubled to L.E. 10,000. The maximum fine has been increased from L.E. 20,000 to L.E. 500,000. The offences covered by this article have been extended to those who campaign outside the allowable period, or who broadcast or publish an opinion poll outside the allowable period.
- The penalties for destroying or damaging a building, facility or vehicle used in the election with the intention of obstructing the election process have been increased from up to one year of imprisonment and a fine of L.E. 1,000-3,000 to not less than three years of imprisonment and a fine of L.E. 5,000-30,000 (Article 50).
- The minimum period of imprisonment for using force or threats against a voter, or for offering or accepting a benefit to induce a voter to vote in a certain way or to abstain from voting, has been increased from six months to one year. However, the fine remains at L.E. 1,000-5,000, and the court will continue to be able to impose either penalty (Article 52).
- Article 54 extends the prohibition on actions intending to disrupt or suspend the enforcement of PEC decisions to the decisions of all election committees.

- Imprisonment has been removed as a penalty for using any of the prohibited forms of election campaigning stated in Article 19, but the fines have been doubled (Article 55).
- Imprisonment as the penalty for receiving a donation prohibited by Article 24 from a non-natural Egyptian or foreign person or entity has been replaced by a fine of L.E. 10,000-200,000 (Article 56).

Section 3(d) above noted that no penalties are provided in the law for failing to provide the PEC with details of contributions and campaign expenditure or with a post-election financial statement.

Article 59 of the final law gives the heads of election committees the same powers as “judiciary officers” in relation to “proving crimes that take place in the election premises.” The 2012 law and the 2014 draft law had similar provisions. The powers of the PEC listed in Article 6 of the final law do not refer to the enforcement of the law, and it is presumed that the police and prosecutors will carry out the detection, investigation and prosecution of electoral offences in the usual way. However, the PEC should develop protocols with law enforcement and prosecuting agencies to ensure the timely investigation and prosecution of offences against the election law, using its powers under Article 9 of the final law.

4. Timetable for the 2014 presidential elections

On March 30, the PEC announced the following dates for the 2014 presidential elections:³⁷

Event	Date/s
Application period for registration of candidates	March 31-April 20
Announcement of applicants and publication of their names and the number of their supporters in Al-Ahram and Al-Akhbar newspapers	April 21
Period for receiving objections against applicants	April 22-23
PEC revises list of applicants	April 24-26
PEC notifies rejected applicants	April 27
PEC receives appeals by rejected applicants	April 28-29
PEC rules on appeals	April 30-May 1
PEC announces final list of candidates	May 2
Candidates choose symbols	May 3-4
Deadline for candidates' withdrawal	May 9
Last day for campaigning	May 23
First round of out-of-country voting	May 15-18
Campaigning prohibited for first round election	May 24-25
First round of voting in Egypt	May 26, 27

³⁷ El-Din, G.E. (2014, March 30). Egypt's presidential elections to be held 26, 27 May. *Ahram Online*. Retrieved from <http://english.ahram.org.eg/News/97883.aspx>

Event	Date/s
Counting of votes in first round election completed, submission of polling station reports to heads of general committees, and decisions of general committees on the validity of votes	May 28
Deadline for candidates to lodge complaints with PEC	May 29
PEC issues decisions on appeals	May 30, 31
PEC announces official result of first round and notifies the winner if a candidate has won more than 50 percent of the valid votes	June 1-5
12-day campaign period starts for runoff election (if required)	June 6
Out-of-country voting for runoff election	June 6-9
Campaigning prohibited for runoff election	from noon on June 15
Voting in Egypt for runoff election	June 16, 17
Counting of votes in runoff election completed, submission of polling station reports to heads of general committees and decisions of general committees on the validity of votes (runoff)	June 18
Deadline for runoff candidates to lodge complaints with PEC	June 19
PEC issues decisions on complaints	June 20-21
PEC announces official final result and notifies the winner	June 22- 26

5. Conclusions and recommendations

The 2014 presidential elections will be an important step in returning Egypt to a more democratic path. This Briefing Paper shows that the law under which those elections will be conducted has some gaps and inconsistencies, and even some major shortcomings. The recommendations below focus on the issues that can be dealt with through the PEC's wide powers to make rules and determine procedures.

Recommendations

- The PEC should issue rules and procedures to cover a candidate's place becoming vacant other than by withdrawal or relinquishment.
- The PEC should issue guidance on permitted and prohibited campaign activities.
- The PEC should define the categories of campaign expenditure that count towards candidates' expenditure limits.
- The PEC should issue guidance on compliance with the law's provisions on contributions, including the bases for recording the value of in-kind contributions.
- The PEC should publish candidates' financial returns and auditors' reports.
- The PEC should ensure it has the capacity to monitor campaign finance and to enforce the campaign finance provisions of the presidential elections law, and they should make it clear to candidates and their supporters that they will do so.
- The PEC should instruct the heads of polling stations to sign the ballot paper immediately before issuing it to a voter.

- The PEC should issue rules allowing a person who cannot mark a ballot paper to choose an assistant to do so (excluding a member of an election committee or a candidate's representative). The assistant should be obliged to preserve the secrecy of the vote.
- The PEC should consider providing tactile ballots in polling stations to allow visually impaired voters to mark the ballot paper for a presidential election without the need for assistance.
- To increase the transparency of the presidential electoral process, the PEC should issue rules that:
 - (a) require election results to be publicly displayed for a defined period at the premises of polling stations and general committees;
 - (b) require polling stations and general committees to provide copies of election results on request to accredited members of the media and to accredited domestic and international observers;
 - (c) permit accredited representatives of candidates and the media and observers to witness out-of-country voting; and
 - (d) permit accredited candidates' representatives and the media to witness the final aggregation of the election results.
- The PEC should issue rules and procedures governing a candidate's appeal from a polling station to a general committee and from a general committee to the PEC.
- The PEC should develop protocols with law enforcement and prosecuting agencies to ensure the timely investigation and prosecution of offences against the election law.

Annex 1: Comparison of 2012 presidential election law with draft and final 2014 presidential election laws

Law on presidential elections, 2012	Draft law on presidential elections, 2014	Final law on presidential elections, 2014
Law No. 174 for the year 2005 On Regulating the Presidential Elections (Incorporating amendments made before the 2012 presidential election) ³⁸	Presidential Elections Draft Law for the year 2014 published in Al-Ahram Al- Massai³⁹	President of the Arab Republic of Egypt Decree law No. 22/2014 on regulating presidential elections⁴⁰
In the name of the People, The President of the Republic The People's Assembly has passed this law, the text of which is rendered hereunder, and we hereby promulgate it.	On the 30 th of January, 2014 President of the Republic Decree by the President of the Arab Republic of Egypt promulgating Law no. ... of 2014 regulating presidential elections. Reviewing the amended Constitution issued on the 18th of January, 2014 and Law No. 174/2005 regulating presidential elections and amendments thereof, The Law herein is drafted as follows:	Interim President of the Republic Having reviewed the amended Constitution issued on the 18th of January, 2014; And law No. 73/1956 on exercising of political rights; And law No. 174/2005 on regulating presidential elections; And after approval of the Cabinet; And based upon what has been believed by the State Council; Approved the following law
(Chapter 1) Conditions of Candidacy for the Presidency of the Republic		
Article (1): The president shall be elected through direct, public, secret ballot by voters registered in	Article (1) The president of the republic shall be elected through secret, direct and public ballot by voters enrolled on electorate rosters. Each voter shall	Article (1) The president shall be elected through direct, public, secret ballot by voters registered in voters' database. Each voter shall exercise in person such right.

³⁸ Unofficial translation of the law. (2012, January 19). *Democracy Reporting International*. Retrieved from (http://www.democracy-reporting.org/files/law_regulating_the_presidential_elections.pdf#search=Law%20No.%20174) with later amendments to Articles 30, 38 and 54 approved by the Supreme Constitutional Court in March and May 2012.

³⁹ Unofficial translation. Bold text in this column indicates differences from the 2012 law as amended. Text in italics indicates text in the draft law of 2014 that was omitted from the final version of the law. Minor translation differences are not shown. <http://massai.ahram.org.eg>

⁴⁰ "Law No. 22/2014 on Regulating the Presidential Elections". *Egyptian Official Gazette*. Issue 10 (ibis) 8 May, 2014, Accessible at: https://www.elections.eg/images/pdfs/laws/preselect-22_2014.pdf. Unofficial translation. Bold text indicates differences from the draft law of 2014. Minor translation differences are not shown.

Law on presidential elections, 2012	Draft law on presidential elections, 2014	Final law on presidential elections, 2014
<p>electoral rolls. Each voter shall exercise in person such right.</p> <p>Whoever is elected as president of the Republic shall be an Egyptian born to Egyptian parents, enjoying his political and civic rights, neither him nor his parents had held any other nationality, not married to a non-Egyptian and shall not be less than Forty calendar years.</p>	<p>exercise in person such right. He who shall be nominated for the presidency of the republic shall be an Egyptian citizen from Egyptian parents and shall not hold any other nationality from his parents or his spouse. Also, he shall have a university degree, enjoys his civil and political rights, has completed military service or was legally exempted from it. His age on the day the floor opens for candidacy shall not be less than 40 calendar years.</p>	<p>Whoever is running for president of the Republic must fulfill the following conditions:</p> <ol style="list-style-type: none"> 1. Must be an Egyptian born to Egyptian parents. 2. Neither him nor any of his parents or his spouse had held any other nationality 3. Must hold a University degree 4. Enjoying his political and civic rights, 5. Must not have been sentenced to a penalty in a felony or a crime of immoral behavior or breach trust, even if he has been rehabilitated. 6. Completed military service or legally exempted. 7. His age must not be less than forty Gregorian years on the day of initiating presidential candidacy registration 8. Must not be suffering from any physical or mental disease that might affect his performance as president of the republic.
<p>Article (2): In order for the nomination for presidency of the republic to be accepted, the applicant must be endorsed by, at least, 30 elected members of the People's Assembly and the Shura Council or the endorsement of, at least, 30,000 citizens who have the right to vote in, at least, 15 different governorates – at least 1000 citizens in each of the 15 governorates. In all cases, support may not be given to more than one candidate.</p> <p>Article (3): Every political party represented by, at least, one elected member of either the People's Assembly or the Shura Council in the most recent elections,</p>	<p>Article (2) For an applicant to be accepted as a candidate to presidency, he shall be supported by at least 20 members of the House of Representatives (HoR), or to obtain the support of not less than 25,000 citizens in at least 15 governorates who are entitled to vote. Supporters in each governorate shall not be less than 1000 supporters. In all cases, support may not be given to more than one candidate.</p>	<p>Article (2) In order to accept the nomination for presidency of the republic, applicant must be endorsed by, at least, 20 (twenty) elected members of the House of Representatives or the support of, at least, 25,000 (twenty five thousand) citizens who have the right to vote in, at least, 15 (fifteen) different governorates with, at least, a 1000 citizens each. In all cases, endorsement or support may not be given to more than one candidate. First presidential elections conducted after the enforcement of the provisions of this law and prior to parliamentary elections shall be pursuant to the system of citizens endorsement.</p>

Law on presidential elections, 2012	Draft law on presidential elections, 2014	Final law on presidential elections, 2014
<p>has the right to nominate one of its members for presidential elections.</p> <p>Article (4): Revoked</p>		
<p>(Chapter 2) Presidential Elections Commission (PEC)</p>		
<p>Article (5): The Presidential Elections Commission shall be formed as stated in Article 28 of the Constitutional Declaration of March 30, 2011 and shall be chaired by the Head of the Supreme Constitutional Court and the membership of:</p> <ul style="list-style-type: none"> - President of the Cairo Court of Appeal. - The most Senior Vice President of the Supreme Constitutional Court. - The most Senior Vice President of the Court of Cassation. - The most Senior Vice President of the State Council. <p>Should there arise any hindering circumstance to the chairman of the Commission, he would be replaced by the most senior Vice President of the Supreme Constitutional Court. In this case, the second most senior Vice President of the Supreme Constitutional Court joins the Commission, as long as the hindering circumstance remains in place. When it is not possible for any member of the Commission to join, the most senior judicial member of the same judicial body replaces him.</p>	<p>Article (3) The Presidential Elections Committee (PEC) shall be composed of the head of the Supreme Constitutional Court (SCC) as chairmanship with the following as members:</p> <ul style="list-style-type: none"> - Head of the Cairo Court of Appeal; - Most senior deputy head of the SCC; - Most senior deputy head of the Court of Cassation; - Most senior deputy head of the State Council. <p>Should there arise any hindering circumstance to the chairman of the Committee, he shall be replaced by the most senior deputy head of the SCC. In this case, the most senior deputy head of the SCC next to the Committee member belonging to the same court shall be admitted to the Committee membership for as long as the hindering circumstance persists. Should the hindering circumstances involve a member of the judiciary, he shall be replaced by the member of the judiciary next in seniority.</p>	<p>Article (3) The presidential elections conducted after enforcing this law shall be subject to the overall supervision of the PEC existing on the date of enforcing the constitution, chaired by the Head of the Supreme Constitutional Court (SCC) and the membership of:</p> <ul style="list-style-type: none"> - President of the Cairo Court of Appeal. - The most Senior Vice President of the Supreme Constitutional Court. - The most Senior Vice President of the Court of Cassation. - The most Senior Vice President of the State Council. <p>Should there be a hindering circumstance to the chairman of the Commission, he shall be substituted by the most senior Vice President of the Supreme Constitutional Court. In this case, the second most senior Vice President of the Supreme Constitutional Court shall join the Commission, as long as the hindering circumstance remains in place. When a hindering circumstance exists to any member of the Commission, the most senior judicial member of the same judicial body shall replace him.</p>

Law on presidential elections, 2012	Draft law on presidential elections, 2014	Final law on presidential elections, 2014
<p>Article (6): The Presidential Elections Commission shall be deemed a public juridical person, based in the city of Cairo and shall enjoy independence in exercising its competences. The Commission shall have a special budget within the state overall budget.</p>	<p>Article (4) The PEC shall be deemed a public juridical person, based in the City of Cairo and shall enjoy independence in exercising its competences. The Committee shall have a separate budget within the State budget.</p>	<p>Article (4) PEC shall be deemed a public juridical person, based in the city of Cairo and shall enjoy independence in exercising its competences. PEC shall have a separate budget within the state overall budget. When necessary, PEC may set any other venue to hold its meetings.</p>
<p>Article (7): The Commission shall convene at the invitation of its chairman. The meeting shall not be valid unless attended by its chairman and three of its members, at least. Decisions shall be taken by a majority of not less than three of its members, and these decisions shall be published in the Official Gazette. The Commission shall have a general secretariat to be established by a decision of its chairman. The Commission shall issue such regulations and decisions as may be necessary to regulate its work and method of exercising its competences.</p>	<p>Article (5) The Committee shall be called to order by its chairman. Meeting shall be constituted only with the presence of its chairman and at least three members. It shall issue its decisions by a majority of at least three members. The decisions shall be published in the Official Gazette. The Committee shall have a general secretariat to be established by a decision of the chairman. The Committee shall issue such regulations and decisions as may be necessary to regulate its work and method of exercising its competences.</p>	<p>Article (5) PEC shall meet at the invitation of its chairman. The meeting shall not be valid unless attended by at least four of its members with the chairman among them. Decisions shall be issued with a majority of not less than three of its members, and these decisions shall be published in the Official Gazette as stated in this law. PEC shall have a general secretariat to be established by a decision of its chairman. PEC shall issue regulations and decisions required to regulate the work of its secretariat and method of exercising its competencies.</p>
<p>Article (8): The Presidential Elections Commission shall exclusively have the following competences:</p> <ol style="list-style-type: none"> 1. Declare the initiation of presidential candidacy registration; 2. Set up necessary procedures applicable to presidential candidacy and supervise their implementation; 3. Receive and examine applications for presidential candidacy and verify that 	<p>Article (6) The PEC shall exclusively have the following competences:</p> <ol style="list-style-type: none"> 1. Declare the initiation of candidature to presidency; 2. Set out necessary procedures required for presidency nominations and supervise their implementation; 3. Receive and examine applications for candidature to presidency and verify that 	<p>Article (6) The Presidential Elections Commission shall have sole jurisdiction over the following:</p> <ol style="list-style-type: none"> 1. Supervise the preparation of voter database drawn from the information listed in National identification card, its contents, method of review, filtration, update, and registration therein and correction. 2. Announcing the initiation of presidential candidacy registration;

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<p>presidential candidates meet relevant requirements;</p> <ol style="list-style-type: none"> 4. Prepare and announce a final list of candidates; 5. Announce the date and procedures of relinquishing candidature; 6. Set the starting and end dates of the election campaign; 7. Verify the application of the rules governing election campaigning as herein stipulated as well as ensure equality between candidates in using state-owned audio-visual media for election campaign purposes and take such measures as it deems appropriate in cases of violation; 8. Generally supervise balloting and vote-counting process; 9. Decide on all matters referred thereto by the general committees; 10. Receive the consolidated election results and determine and announce the final results; 11. Decide on all complaints and challenges related to elections; and 12. Decide on all issues related to the jurisdiction of the Committee, conflict of jurisdiction, as well as others stipulated in this law. <p>The Commission's decisions shall be final, self-enforcing and incontestable by any means and before anybody whatsoever. Its decision shall not be construed or stayed un-reprieved.</p>	<p>presidential candidates meet relevant requirements;</p> <ol style="list-style-type: none"> 4. Prepare and announce final candidates' roster; 5. Announce the date and procedures of relinquishing candidature; 6. Set the starting and closing dates of the election campaign; 7. Verify the application of the rules governing election propaganda as herein stipulated as well as observe equality between candidates in using state-owned audio-visual media for the election campaign purposes and take such measures as it deems appropriate in cases of violation; 8. Calling on voters to elect the president of the republic; 9. Generally supervise balloting and vote-counting process; 10. Decide upon all matters referred thereto by the general committees formed to oversee the presidential elections; 11. Settling all complaints and challenges related to the electoral process; 12. Settling all issues related to Committee terms of reference including the conflict of jurisdiction; and 13. Receive the consolidated election results and determine and announce final results. <p>Article (7) <i>Relevant stakeholders may challenge PEC's decisions on the presidential elections and the</i></p>	<ol style="list-style-type: none"> 3. Set up necessary procedures applicable to presidential candidacy and supervise their implementation; 4. Receive and examine applications for presidential candidacy and verify that presidential candidates meet relevant requirements; 5. Set the body responsible for executing medical examination to the candidate; 6. Prepare and announce a final list of candidates; and announce the date and procedures of relinquishing candidature; 7. Set the starting and end dates of the electoral campaigning; 8. Set the rules governing electoral campaigning as herein stipulated and verify the application of such rules in a way that ensures equality between candidates in using state-owned audio-visual media, newspapers and printed materials issued by press institutions for electoral campaigning purposes and undertake measures it deems appropriate in cases of violation; 9. Set rules and procedures of notifying presidential elections candidates of its decisions; 10. Call on voters to vote in presidential election and fully supervise balloting and vote-counting procedures; 11. Set rules governing participation of media, and Egyptian and Foreign CSOs in witnessing the electoral process;

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<p>The Commission may contribute to raising citizens' awareness of the importance of the presidential elections and to call for participation in these elections.</p> <p>The state agencies, within their competencies, are committed to assist the Commission in election preparations and all necessary related works.</p> <p>Article (9): In exercising its competencies, the Presidential Elections Commission is entitled to request such documents, papers, data and information as it deems necessary from parties concerned at such dates as it assigns. It may request the aforementioned from any official or public body and may commission any such official bodies as it deems appropriate or any such experts as it enlists to carry out any such investigation, research or study as may be necessary for it to decide on all matters submitted thereto.</p>	<p><i>results thereof within no more than a week from the date on which they were informed of such. The Supreme Administrative Court is the competent entity that shall decide on such challenges by virtue of a final ruling within 10 days from the date of the challenge submission.</i></p> <p>Article (8) PEC is entitled to contribute to raising the citizen's awareness on the importance of the presidential elections and calling for participation therein.</p> <p>The state bodies shall, within the competencies thereof, assist PEC in conducting the preparations, preparing for elections and the other relevant necessary processes.</p> <p>In exercising its competencies, PEC is entitled to request such documents, papers, data and information as it deems necessary from parties concerned at such dates as it assigns. It may request the aforementioned from any official or public body and may commission any such official bodies as it deems appropriate or any such experts as it enlists to carry out any such investigation, research or study as may be necessary for it to decide on all matters submitted thereto.</p>	<ol style="list-style-type: none"> 12. Set regulations necessary for regulating PEC work and method of exercising its competencies; 13. Decide on all matters referred thereto by the general election committees; 14. Decide through final decisions on all objections, complaints and appeals related to electoral process; and 15. Receive the consolidated election results and determine and announce the final result. <p>Article (7) PEC decisions shall be final, self-enforcing and incontestable by any means and before anybody whatsoever. Its decisions shall not be suspended or invalidated.</p> <p>Article (8) PEC may contribute to raising the citizen's awareness on the importance of presidential elections and calling for participation therein.</p> <p>Article (9) State bodies shall, within their jurisdiction thereof, assist PEC in conducting the preparations for elections and all other relevant necessary processes. In exercising its competencies, PEC is entitled to request documents, papers, data and information it deems necessary from those concerned at timings it determines. It may request the aforementioned from any official or public body and may as it deems appropriate commission anyone from the official bodies or seek any of the experts to carry out any investigation, research or study as may be necessary for it to decide on all matters submitted thereto</p>

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(Chapter 3) Candidacy to Presidency Procedures		
<p>Article (10): The dates for the start of presidential elections procedures, the election day and run-off shall be all determined by a decision by the Presidential Elections Commission, in compliance with the dates stipulated in the Constitution, while shall be published in the Official Gazette and two daily widely circulated newspaper.</p>	<p>Article (9) Dates for the start of presidential elections, the election day and run-off shall be decided by PEC, in compliance with the dates stipulated in the Constitution. It shall be published in the Official Gazette and two daily widely circulated newspaper.</p>	<p>Article (10) Dates for the start of presidential elections, the election day and run-off shall be decided by PEC, in compliance with the dates stipulated in the Constitution. Such decision shall be published in the Official Gazette and two daily widespread newspapers.</p>
<p>Article (11): The People's Assembly and the Shura Council members' endorsement of those who wish to run for presidency shall be on the form prepared by the Presidential Elections Commission. This form must include, in particular, identification data of the candidate, the Member of Parliament, his membership details of any of the Houses and a statement that he has not endorsed any other candidate. The MP shall sign the form and the signature shall be revised against the records of the general secretariat of the People's Assembly or the Shura Council as required. Citizens who have the right to vote may endorse those who wish to run for the presidency on the form prepared by the Presidential Elections Commission and must include, in particular, the identification information of the candidate, identification information of the citizen endorsing him, his Identification Card number, place of residence and a statement that this citizen has not endorsed another candidate. The citizen shall</p>	<p>Article (10) Support by members of the HoR for anyone willing to stand for the presidential elections shall be rendered on the format prepared by PEC. This format shall specifically include identification data of the applicant, supporting member and his elected membership in the HoR and an acknowledgement that he/she has not supported another applicant. The member shall sign the data included in the format, and this signature shall be authenticated by the general secretariat of the HoR as the case may be. Support by citizens, who have voting right, for a presidential candidate shall be rendered on the format prepared by the PEC. This format shall specifically include identification data of the applicant, supporting citizen such as ID number, place of domicile and an acknowledgement that he/she has not supported the same applicant or another applicant. The supporting citizen shall sign the data included in the format, and this signature</p>	<p>Article (11) Endorsement by members of the HoR for anyone willing to run for the presidential elections shall be rendered on the format prepared by PEC. This format must specifically include identification data of the applicant, endorsing member and his membership in the HoR and an acknowledgement that he/she has not endorsed another applicant. The member shall sign the data included in the format, and this signature shall be authenticated by the general secretariat of the HoR. Endorsement by citizens, who have the right to vote, for a presidential candidate shall be rendered on the format prepared by PEC. This format shall specifically include identification data of the applicant, supporting citizen, his ID number, place of residence and an acknowledgement that he/she has not supported the same applicant or another applicant. The supporting citizen shall abide by signing the data included in the format, and this signature shall be authenticated for free by a notary public office, the</p>

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<p>sign the form and the signature shall be revised, free of charge, at one of the Notary-Public offices in accordance with regulations designed by the Presidential Elections Commission.</p> <p>Article (12): The Presidential Elections Commission determines the required information for parties' presidential nomination. The information shall include, in particular, information of party, the number of seats obtained through election in the People's Assembly or the Shura Council in the most recent elections, information of the candidate and consent to nomination. The authenticity of the provided details shall be verified by the Presidential Elections Commission. The Commission may check the authenticity of the above-mentioned details.</p>	<p>shall be authenticated for free by a notary public office according to PEC regulations.</p>	<p>clerks of district/summery courts or any other body assigned by PEC, all according to PEC regulations.</p>
<p>Article (13): The candidature application shall be presented to the Chairman of the Commission, on the form prepared by the Commission, within the period designated thereby, provided it shall not be less than 7 days from the opening date of candidature. The application must include the documents specified by the Commission and in particular:</p> <ol style="list-style-type: none"> 1. Forms of endorsement from nominee supporters or party nomination. 2. The applicant's birth certificate or an official copy. 	<p>Article (11) The candidature application shall be presented to PEC Chairman, on the format prepared by the Committee, within the period designated thereby, provided it shall not be less than ten days from the opening date of candidature. The documents specified by the Committee shall be attached to the application; specifically the following:</p> <ol style="list-style-type: none"> 1. Formats showing support for the applicant; 2. Applicant's birth certificate or an official extract thereof; 3. A copy of the applicant's educational qualifications; 	<p>Article (12) The candidacy application shall be presented to PEC, on the format prepared by the Committee, within the period designated thereby, provided it shall not be less than ten days and not more than thirty days from the opening date of candidacy. The documents specified by the Commission must be attached to the application; specifically the following:</p> <ol style="list-style-type: none"> 1. Formats of endorsement or support for the applicant; 2. Applicant's birth certificate or an official extract thereof; 3. An official copy of the applicant's educational qualifications;

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<p>3. The applicant's declaration that he is Egyptian, his parents are Egyptians and that neither he nor his parents had held any other nationality.</p> <p>4. The applicant's declaration that he is not married to a non-Egyptian.</p> <p>5. Certificate that he has done his military conscription or was exempted according to the law.</p> <p>6. A financial disclosure statement in accordance with the provisions of Law No. 62 of 1975 on unlawful earning.</p> <p>7. Stating the premise at which the applicant shall be notified about details related to the work of the Commission.</p> <p>Papers submitted by candidate or parties concerning their nominees shall be deemed official papers as far as application of the Penal Code is concerned.</p>	<p>4. A declaration by the applicant that he is an Egyptian citizen from Egyptian parents and neither he/she nor any of their parents or spouse hold or have held the citizenship of another country;</p> <p>5. The applicant's criminal record;</p> <p>6. A certificate showing that the applicant has completed the military service or has been exempted therefrom according to the law;</p> <p>7. A financial disclosure pursuant to Law No. 62 of 1972 on illicit gain;</p> <p>8. A receipt proving the payment of L.E.1000 to PEC treasury as an insurance to be reimbursed after the announcement of the results with the expenses of the dissemination and removal of the electoral posters deducted therefrom as the case may be; and</p> <p>9. The selected address to which all the Committee's notifications will be sent to the candidate.</p> <p>The papers, declarations and documents submitted by the applicant shall be deemed official papers as far as application of the Penal Code is concerned.</p>	<p>4. A declaration by the applicant that he is an Egyptian citizen of Egyptian parents and that neither he nor any of his parents or spouse have held the citizenship of another country;</p> <p>5. The applicant's criminal record;</p> <p>6. A certificate showing that the applicant has completed the military service or has been exempted therefrom pursuant to the law;</p> <p>7. A financial disclosure pursuant to Law No. 62 of 1975 on illicit gain;</p> <p>8. The medical report issued by the body specified by PEC, including the result of the medical examination of the candidate;</p> <p>9. A declaration by the candidate that he has not been previously convicted in a felony or a crime of immoral behavior or breach of trust even if he has been rehabilitated;</p> <p>10. A receipt proving the payment of L.E. 20,000 to PEC treasury as an insurance to be reimbursed after the announcement of the results with the expenses of dissemination and removal of the electoral posters deducted therefrom as the case may be; and</p> <p>11. The domicile to which all PEC notifications will be sent to the candidate.</p> <p>All the papers, declarations and documents submitted by the applicant shall be deemed official papers as far as the application of the Penal Code is concerned.</p>
<p>Article (14): Candidature applications shall be entered in chronological order of receipt into a particular</p>	<p>Article (12) Candidature applications shall be entered in chronological order of receipt into a special</p>	<p>Article (13) Candidacy applications shall be entered in chronological order of receipt by date and time into a</p>

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<p>register, and receipts are given. The rules and procedures for submission and retention are outlined by the Presidential Elections Commission. The Presidential Elections Commission publishes in two daily widely circulated newspapers on the following day to the application submission deadline the names of candidates, and the numbers of their supporters or the parties nominating them. Applicants may object, to the Commission, the candidacy of other applicant and shall state his reasons of objection within two days of the Commission's announcement in accordance with its regulations.</p>	<p>register, and receipts shall be given to applicants. The rules and procedures for submission and retention are outlined by PEC. The Committee shall announce in two widely circulated daily newspapers, on the day following the application deadline, names of applicants, number of supporters, or parties nominating. Each applicant for candidature may report to PEC his objection against other applicant, indicating applicant's grounds for objection, within two days from date of announcement, in accordance with the procedures specified by PEC.</p>	<p>special register, and receipts shall be given to applicants. The rules and procedures for submission and retention defined by PEC shall be executed. PEC shall announce in two widespread daily newspapers, within the two days following the application deadline, the names of applicants and number of endorsers or supporters. Each applicant may object before the PEC against any other applicant, indicating grounds for objection, within the two days following the date of the announcement, in accordance with the procedures specified by PEC.</p>
<p>Article (15): The Presidential Elections Commission shall examine candidature applications, verify that they satisfy the conditions set out in the Constitution and the law and should decide on the objections submitted, according to the provisions of Article 14 of this law, within two days from the deadline mentioned in the preceding Article.</p>	<p>Article (13) PEC shall examine candidature applications and verify that the requirements set out by the Constitution and law are fully met. It should settle the objections submitted, as provided by the abovementioned article, within the five days following the deadline for objections.</p>	<p>Article (14) PEC shall examine candidacy applications and verify that the requirements set out by the Constitution and law are met. PEC shall decide on the objections submitted pursuant to the provisions of the previous article, within the five days following the deadline for submitting objections.</p>
<p>Article (16): The Presidential Elections Commission shall notify those whose applications have been rejected and reasons for rejection, according to the procedures set out thereby. Those excluded from candidature may appeal against such decision within 48 hours from the date of being so notified. After having heard the applicant's statement or having notified him to appear before it and his failing to do so, the Commission shall decide on such</p>	<p>Article (14) PEC shall notify the applicants whose applications are rejected with justifications for rejection, according to the procedures set out thereby. Those excluded from candidature may appeal against such decision within the two days following the date of notification. After having heard the applicant's statement or having notified him to appear before it and his failing to do so, PEC shall decide on such appeal within the</p>	<p>Article (15) PEC shall notify the applicants whose applications are rejected with its decision and reasoning, in no more than twenty four hours from the date of its issuance, according to the procedures set out thereby. Those excluded from candidacy may appeal against such decision within the two days following the date of notification. After having heard the complainant's statement or having notified him to appear before it</p>

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appeal within 24 hours following the expiry of the above-mentioned term.	two days following the elapse of the abovementioned term.	and his failure to do so, PEC shall decide on such appeal within the two days following the elapse of the previously stated term.
<p>Article (17): The Presidential Elections Commission shall prepare a final list of candidates and announce it by publishing in the Official Gazette and in two widely circulated newspapers, at least 25 days before the date set for elections.</p>	<p>Article (15) PEC shall prepare a final list of the names of candidates and announce it through publication in the Official Gazette and in two daily wide-spread newspapers, at least 25 days before the date set for elections.</p>	<p>Article (16) PEC shall prepare a final list with the names of candidates, arranged according to the priority of submitting the candidacy application, and announce it through publication in the Official Gazette and in two daily widespread newspapers, at least 20 days before the date set for elections.</p>
<p>Article (18): Should the place of one candidate become vacant, for any reason except his relinquishment of candidature and due to compelling circumstances, during the period between the start of candidature and before the announcement of the final list of candidates, the Presidential Elections Commission shall announce such vacancy in the Official Gazette and in two daily widely circulated newspapers. The Presidential Elections Commission shall also extend or reopen the candidature period, as the case may be, for maximum five days from the date of announcement. The party, which its candidate's place became vacant, may name another candidate within this period under the set procedures. Should a vacancy occur during the period from the announcement of the above-mentioned list and by the end of the balloting, such vacancy shall be announced and balloting shall be deferred for a period of no more than twenty-five days. The party, which its candidate's</p>		

Law on presidential elections, 2012	Draft law on presidential elections, 2014	Final law on presidential elections, 2014
<p>place became vacant, may put forward another candidate within no more than 7 days of the place vacancy announcement. The same rule applies if the place vacancy occurred during the period between the beginning of the run-off procedures and before the balloting ends. In all cases the Presidential Elections Commission shall give it decision on the new candidates within three days from candidacy application submission. The Commission decides on other candidacy procedures and regulations relevant to this case.</p>		
<p>Article (19): An applicant for candidacy may withdraw his application by a notice in writing to the Presidential Elections Commission before announcing candidates' names. A candidate may relinquish his candidature by a notice in writing to the Commission within fifteen days before the set date for balloting. Such relinquishment shall be published in two widely circulated newspapers within two days from date of submission.</p>	<p>Article (16) An applicant for candidature may withdraw application request by a written notice to PEC before announcing candidates' names. A candidate may renounce candidature by notifying PEC in writing within at least fifteen days before elections date. Such relinquishment shall be published in two daily wide-spread newspapers within two days from the date of submission.</p>	<p>Article (17) An applicant for candidacy may withdraw his candidacy through a written request presented to PEC before announcing the final list of the candidates' names. A candidate may renounce candidacy by notifying PEC in writing within at least fifteen days before the election day. PEC shall publish such relinquishment in the Official Gazette and in two daily widespread newspapers within two days from the date of submission.</p>
<p>(Chapter 4) Electoral Campaigning Regulations</p>		
<p>Article (20): The election campaign shall run from the beginning of the three weeks prior to the date set for balloting, up to two days before this date. In case of run-off, it shall start as of the day following announcing the poll results up to 12 noon of the day preceding the date set for balloting in the run-off. Election campaign</p>	<p>Article (17) The election campaign shall start as of the thirty days preceding the day of elections, until two days before this date. In case of run-off, it shall start on the day following the announcement of elections' results up to 12 noon of the day preceding the date set for run-off. Campaigning by any means outside the set dates is prohibited.</p>	<p>Article (18) The election campaign shall start as of the date of announcing the final list of the candidates, until two days before the date of election. In case of run-offs, it shall start on the day following the announcement of the election results up to 12 noon of the day preceding the date set for run-offs. Campaigning by any means outside the set dates is prohibited.</p>

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<p>through any media whatsoever shall be banned in any other dates.</p> <p>Election campaign shall include activities by the candidate and his supporters, targeting the persuasion of voters in his favour through limited and public meetings, dialogues, by publishing and distributing election propaganda materials, signs and posters as well as by using audio-visual, printed and electronic media, and thorough such activities as are allowed by the law or the Presidential Elections Commission decisions.</p>	<p>Campaigning may include activities by the candidate and his supporters, targeting persuading voters to elect him by means of private or public meetings, interviews, dissemination and distribution of electoral campaigning materials, posting posters and banners, using audiovisual, printed and electronic media as well as other activities permissible by the law or PEC decisions.</p>	<p>Campaigning shall include the activities by the candidate and his supporters, targeting persuading voters to elect him, by means of private and public meetings, interviews, dissemination and distribution of electoral campaigning materials, displaying posters and banners, using audio-visual, printed and electronic media as well as other activities permissible by the law or PEC decisions.</p>
<p>Article (21): In the election propaganda, compliance shall be observed with the provisions of the Constitution, the law, the Presidential Elections Commission decisions as well as the following rules:</p> <ol style="list-style-type: none"> 1. Refraining from exposing the sanctity of the private life of any candidate; 2. Commitment to maintain national unity and abstention from using religious slogans; 3. Refraining from using or threatening to use violence; 4. Prohibition of offering gifts, donations, assistance in cash or in kind or any other benefits or promising to offer them, directly or indirectly; 5. Prohibition of using State-owned, public-sector or public-business-sector buildings, facilities and means of transportation in the election campaign in any form; 6. Prohibition of using public utilities, place of worship, schools, universities and others public 	<p>Article (18) Electoral campaigning shall observe the provisions of the constitution, law, PEC resolutions as well as the following rules:</p> <ol style="list-style-type: none"> 1. Refraining from exposing the sanctity of the private life of any candidate; 2. Commitment to maintain national unity and abstention from using religious slogans; 3. Refraining from using or threatening to use violence; 4. Prohibiting gifts, donations, financial assistance in cash or in kind or other benefits or promises to offer such, directly or indirectly; 5. Prohibiting using state-owned, public-sector or public-business-sector owned buildings, facilities and transportation in campaigning by any means; 6. Prohibiting the usage of governmental bodies, public utilities, places of worship, schools, universities, other public or private 	<p>Article (19) Electoral campaigning must abide by the provisions of the Constitution, law, and PEC decisions. The following, in particular, shall be banned:</p> <ol style="list-style-type: none"> 1. Exposing the sanctity of the private life of any candidate; 2. Threatening national unity, or using religious slogans or slogans that call for discrimination among citizens; 3. Using or threatening to use violence; 4. Offering gifts, donations, financial assistance in cash or in kind or other benefits or promises to offer such, directly or indirectly; 5. Using state, or public-sector or public-business-sector companies owned buildings, facilities and transportation in campaigning by any means; 6. Usage of governmental bodies, public utilities, places of worship, schools, universities, other public or private educational institutions and the headquarters of organizations and CSOs for electoral campaigning purposes;

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<p>or private educational institutions for the election propaganda purposes;</p> <p>7. Prohibition of spending public money, public-business-companies money and public-business-sector in propaganda purposes.</p>	<p>educational institutions and the headquarters of NGOs for election campaigning purposes;</p> <p>7. Prohibiting the usage of public funds and the funds of the public sector and public business sector companies and NGOs for election campaigning purposes.</p>	<p>7. Spending public funds and funds of the public sector and public business sector companies and organizations and CSOs for electoral campaigning purposes.</p> <p>8. Writing on walls of governmental or private buildings for electoral campaigning purposes by any means.</p>
<p>Article (22): State-owned audio-visual media shall maintain equality between candidates when used for election propaganda purposes. The Presidential Elections Commission shall have the competence to take such measures as it deems necessary in case of violating the provisions of this article.</p>	<p>Article (19) State-owned audio-visual media shall maintain equality between candidates when used for election propaganda purposes. PEC shall have the competence to take whatever measures it deems necessary in case of violating aforementioned provisions and shall have the competence to issue a decree to stop such violation immediately.</p>	<p>Article (20) State-owned audio-visual media and press institutions shall maintain equality between candidates when used for electoral campaigning purposes. PEC shall have the jurisdiction to take whatever measures it deems necessary in case of violating provision of this article and shall, in particular, have the competence to issue a decision to stop such violation immediately, without prejudice to the disciplinary responsibility for violator.</p>
<p>Article (23): Opinion polls on presidential elections, broadcast or published by media, shall contain full information on the entities conducting financing and the opinion polls, the questions contained therein, sample size and place, questionnaire technique, data collection method, date of conducting and potential error ratio for results. It is prohibited to publish or broadcast any of these surveys during the two days preceding the scheduled day for voting and until it is finished.</p>	<p>Article (20) Opinion polls on presidential elections, broadcast or published by media shall contain full information on the party conducting and financing the poll and the questions contained therein, sample size and place, questionnaire technique, data collection method, date of conducting and potential error ratio. It is prohibited to broadcast or publish such opinion polls until two days prior to the date of elections and until it ends.</p>	<p>Article (21) Opinion polls on presidential elections, broadcast or published by media must include full information on the body that conducted the poll as well as the body that financed it, and the questions contained therein, sample size and place, questionnaire technique, data collection method, date of conducting and potential error ratio. It is prohibited to broadcast or publish any of these polls within the five days prior to the date of elections and until it ends.</p>

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<p>Article (24): Maximum expenditure by each candidate on the election campaign shall be EGP 10 million, and EGP 2 million in case of run-off.</p>	<p>Article (21) Maximum expenditure by each candidate on the election campaign shall be LE 10 million, and LE 2 million for run-off.</p>	<p>Article (22) Maximum expenditure by each candidate on the electoral campaigning shall be LE 20 million, and LE 5 million for run-off.</p>
<p>Article (25): Revoked [concerned state funding of presidential candidates]</p>		
<p>Article (26): Each candidate may receive contribution in cash or in-kind from Egyptian natural persons or from the party nominating him, provided that contributions from any natural person shall not exceed 2 % of the maximum expenditure allowed on the election campaign. Every candidate shall open a local currency bank account in one of the banks specified by the Presidential Elections Commission, in order to receive donations and to put money of his own. The candidate must notify the Commission about the deposited money in the account, its source and what was it spent on following certain procedures and dates regulated by the Commission. It is unlawful to spend on the campaign from outside this account. The Presidential Elections Commission shall allocate the remaining balance on that account to contributions on a pro-rate basis, in accordance with such procedures as may be specified by the Commission. Parties must notify the Presidential Elections Commission about the donations they receive, if they exceed EGP 1000 during the three months</p>	<p>Article (22) Each candidate may receive contribution in cash or in-kind from Egyptian natural persons or from party nominating him, provided that such contribution shall not exceed 2 % of the maximum expenditure allowed on the election campaign. The candidate shall open an account in local currency at one of the banks designated by PEC, to deposit all cash donations as well as personal funds. Candidate shall inform PEC of all funds deposited in the account, in terms of source and aspects of expenditure, in such dates and through such procedures as set by PEC. No expenditures on the election campaign shall be made beyond this account. PEC shall allocate the remaining balance on that account to contributors on a pro-rate basis, in accordance with such procedures as may be specified by the PEC.</p>	<p>Article (23) Each candidate may receive contribution in cash or in-kind from Egyptian natural persons, provided that contribution from any natural person shall not exceed 2% of the maximum expenditure allowed on the electoral campaigning. The candidate shall abide by opening an account in local currency at one of the banks designated by PEC, to deposit all cash donations as well as personal funds. Both the candidate and the bank shall inform PEC, on a regular basis, of all funds deposited in the account and its source, and the candidate shall inform PEC of aspects of expenditure, within the dates and according to procedures set by PEC. No expenditures on the electoral campaigning shall be made beyond this account. PEC shall allocate the remaining balance in that account to its contributors on a pro-rate basis, and in accordance with procedures it determines.</p>

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prior to the date set for balloting, which notice shall be given within the five days following receipt of the donation.		
<p>Article (27): It is prohibited to receive any contribution or support in cash or in kind for the election campaign from any Egyptian or foreign juridical person, or from any foreign state, agency or international organization or any corporation where any foreign person holds an equity stake or from any foreign person.</p>	<p>Article (23) It is prohibited to receive any contribution or support in cash or in kind for the election campaign from any foreign person, or from any foreign state, agency or international organization or any corporation where a foreign person holds stocks or from any foreign natural person.</p>	<p>Article (24) It is prohibited to receive any contributions or support in cash or in kind for the electoral campaigning from any juridical person, Egyptian or foreign, or from any country, foreign body, international organization, any body in which a foreign person holds stocks or from any foreign natural person.</p>
<p>Article (28): The candidate shall submit to the Presidential Elections Commission, within 15 days from announcing the election result, a statement showing total revenue obtained thereby, as well as their source and nature and amount and aspects of expenditure on the election campaign. Each candidate may authorize someone else to undertake on his own behalf such acts and procedures as may he required for the enforcement of the provisions of this, including all financial matter, per a notarized power of attorney authenticated by a Notary-Public office, furnishing an official copy of the power of attorney to the Commission.</p>	<p>Article (24) The candidate shall submit to PEC a statement showing total sums obtained as well as their source and nature and amount and aspects of expenditure on the election campaign within 15 days from date of announcing election result. A candidate may authorize someone else to undertake on his own behalf such acts and procedures as may he required for the enforcement of the provisions of this, including all financial matter, per a notarized power of attorney authenticated by a Notary-Public office, furnishing an official copy of the power of attorney to the PEC.</p>	<p>Article (25) The candidate shall submit to PEC a statement that includes the total sums obtained as well as their source and nature and amount and aspects of expenditure on the electoral campaigning within 15 days from date of announcing election result. Each candidate may authorize someone else to undertake on his behalf such acts and procedures required for the enforcement of the provisions of this law, including all financial matters, per a notarized power of attorney authenticated by a Notary-Public office, furnishing an official copy of the power of attorney to the PEC.</p>
<p>Article (29): The Central Audit Agency shall audit the election campaign accounts of candidates, provided it shall submit a report on the findings of its audit to the Presidential Elections Commission within 15</p>	<p>Article (25) The Central Auditing Organization shall audit candidates' election campaign accounts, provided it shall submit a report on the audit findings to</p>	<p>Article (26) The Central Auditing Organization shall undertake auditing candidates' electoral campaigning accounts, provided that it shall submit a report on the audit</p>

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days from the date of referring these accounts thereto.	PEC within 15 days from date of referring such accounts by PEC thereto.	findings to PEC within 15 days from date of referring such accounts by PEC thereto.
<p>(Chapter 5) Voting and Sorting Procedures</p>		
<p>Article (30): Balloting shall be conducted on one day under the general supervision of the Presidential Elections Commission and, if necessary, it may be on two consecutive days. The Presidential Elections Commission shall form polling committees that oversee balloting and counting headed by a member of the judiciary. A member of a judicial body may head more than one polling committee conditioned upon having no separators which prevents him from having an actual supervision on all polling committees. Supervision of polling committees is conducted by general committees of judges and members of the judiciary in accordance with the rules and the regulations of the Presidential Elections Commission. The Commission shall appoint a secretary and an alternate for each general and polling committee from civil servants. The Commission shall determine the number of the general and polling committees, their locations and work processes in coordination with the respective authorities. The Commission may, if necessary, appoint alternate members of the judicial bodies to the chairmen of the polling committees and the chairmen and members of the general</p>	<p>Article (26) Voting shall be conducted in one day; under PEC supervision. It may be conducted on two days in case of necessity. PEC shall set up sub polling stations to supervise the balloting process and vote counting presided by a member of a judicial body or entity. A member may preside more than one sub-polling station provided they are all in one location without separation to enable true supervision by its president. Sub polling stations are supervised by general stations formed by PEC of judges and various members of judicial bodies and entities pursuant to the rules and regulations specified by the committee. PEC shall appoint one principle secretary or more and enough number of stand-by secretaries of civil state employees for each general and sub-polling station. PEC shall specify the number of sub- and general polling stations and their locations and work system in coordination with concerned parties. When necessary the committee may appoint members of judicial bodies or entities as reserve for heads of sub polling stations and heads and members of general polling stations. It may appoint principle and reserve members of such</p>	<p>Article (27) Voting shall be conducted in one day or more; under PEC full supervision. PEC shall set up subcommittees/polling stations to supervise the balloting process and sorting/counting presided by a member of judicial body or entity. Such member may preside more than one subcommittee/polling station provided he includes them all in one location without separation to enable proper supervision by its president. Subcommittees/polling stations are supervised by general committees that are formed out of members of judicial bodies and entities by PEC, all of which is according to the rules and regulations specified by the Commission. PEC shall appoint one primary secretary or more and enough number of stand-by secretaries from civil state employees for each sub and general committees. PEC shall undertake determining the number of sub and general committees and their locations and work system, all of which is in coordination with concerned bodies. When necessary, the PEC may appoint members of judicial bodies and entities as reserves for the heads of subcommittees/polling stations and the heads and members of general committees. It may appoint primary and reserve members of such bodies and</p>

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<p>committees. The Commission may also appoint members and alternates from the judiciary in other governorates to supervise the elections and to chair polling stations.</p> <p>Each polling station will sort and count votes and announce results in the presence of candidate agents, CSO representatives, and media. The Head of the polling station will deliver the results to the Head of the General Committee through an official report signed by him (the head of the polling station), and will also deliver a copy to each candidate agent or representative.</p>	<p>bodies and entities in each governorate to assist general polling stations in supervising elections and to preside polling stations and to replace head or members of general polling stations when necessary.</p>	<p>entities in each governorate to assist general committees in supervising elections in the governorate and to preside polling stations or to replace the head or members of general committees when necessary.</p>
<p>Article (34): Votes shall be counted according to the rules laid by the Presidential Elections Commission.</p>	<p>Article (27) After end of polling process, each sub-polling station shall perform sorting and counting number of voters registered in the commission, number of attendees, number of valid and invalid votes, and number of votes obtained by each candidate. Such numbers shall be documented in one report or more for all commissions headed and supervised by the member of the judicial body or entity. Such member shall announce such numbers in the presence of agents or representatives of candidates and submit results of sorting to the head of the commission as per one signed formal list for all commissions headed by him. A copy of such list shall be provided to any candidates' agents or representatives. Media representatives and CVO representatives authorized by PEC to follow up elections and sorting process and results announcement, are</p>	<p>Article (28) After the voting process ends, each subcommittee/polling station shall perform sorting and counting process of those registered in the committee, number of attendees, number of valid and invalid votes, and number of votes obtained by each candidate. These numbers shall be documented in one record or more for all the committees headed and supervised by the member of judicial body or entity, who shall announce such numbers in the presence of whoever is present from candidates' agents or representatives and submit sorting results to the head of the general committee as per one formal list signed by him and the committees secretaries for all the committees he heads. A copy of such list shall be provided to whoever asks for it from candidates' agents or representatives. Media and CSO representatives, authorized by PEC to witness the elections and sorting process and results announcement as previously mentioned, are allowed</p>

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<p>Article (30) bis: The Presidential Elections Commission shall organize the conditions and regulations for the balloting of Egyptians living abroad in the presidential elections. It is possible that voting starts before the indicated voting date inside Egypt and voting may take place via mail. Also, polling committees overseeing the voting and counting processes may be headed by members of the diplomatic and consular missions. The Presidential Elections Commission shall issue a decision constituting the formation of those polling committees.</p>	<p>allowed to attend provided that they will not hinder work of the commission.</p> <p>Article (28) PEC shall set out rules and procedures for Egyptians overseas to vote in presidential elections. Voting may start earlier than the date set in Egypt. Stations supervising the balloting process and votes counting may be presided by members of the diplomatic or consular corps; said stations shall be formed upon decision by PEC upon nomination by Ministry of Foreign Affairs.</p>	<p>to attend provided that they do not hinder work of the committee.</p> <p>Article (29) Every Egyptian who is abroad on the day of presidential elections has the right to vote, provided that his/her name is registered in voters database and that he/she holds a National ID card or a valid passport that includes the national ID number. Upon nomination by Ministry of Foreign Affairs, PEC shall issue a decision specifying the number and locations of polling stations abroad. Such stations shall be composed of a sufficient number of members of diplomatic and consular corps and a primary secretary or more for each station from the Ministry of Foreign Affairs personnel. Voting process abroad shall start before the date set in Egypt in accordance with rules and procedures and periods set out in an issued decision by PEC After the end of the voting process, the polling station shall perform sorting and counting process of the number of those who voted, number of valid and invalid votes, and number of valid votes each candidate obtained, which all shall be documented in a record signed by the head and secretary of the committee. Ballot papers, voter's list, the record and what might be submitted from appeals shall be sent to PEC in accordance with procedures and time set thereby.</p>
<p>Article (31): Each candidate may appoint, to each election committee, formed by the Presidential Elections</p>	<p>Article (29) Each candidate may appoint, in each balloting station formed by PEC, a representative from</p>	<p>Article (30) Each candidate may appoint, in each polling station formed by PEC, a representative from among the</p>

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<p>Commission, a representative from among the voters, and shall notify in writing the head of the concerned election committee on the day prior to Election Day.</p> <p>The committee shall start functioning on the day set for starting the balloting process should all or none of the candidates' representatives fail to be present.</p>	<p>among the voters and notify such to Head of the concerned election committee in writing on the day prior to the Election Day.</p> <p>The committee shall start functioning at the time set for starting the balloting process should some or all of the candidates' representatives made no show.</p>	<p>voters and shall notify such in writing to the head of the competent court of first instance before the two days prior to date specified for Election Day.</p> <p>The committee shall start undertaking its work at the time set for starting the voting process even if all or some of the candidates' representatives were not present.</p>
	<p>Article (32)</p> <p>The electoral domicile shall be the place of residence stated in the national identification card.</p> <p>The electoral domicile of heads, secretaries, and employees of the sub-polling stations supervising elections shall be the polling station itself. As for the heads, members, secretaries, and employees of the remaining election committees, their electoral domicile shall be in any polling station within their jurisdiction. The name and national identification card number of whoever casts their vote shall be recorded in a separate register in each sub-polling station according to the provision of the previous paragraph.</p>	<p>Article (31)</p> <p>The electoral domicile shall be the place of residence stated in the national identification card.</p> <p>The electoral domicile of the heads, secretaries, and staff of the subcommittees/polling stations supervising elections shall be that same polling station. As for the heads, members, secretaries, and staff of the remaining election committees, their electoral domicile shall be any polling station within their jurisdiction.</p> <p>The name and national identification card number of whoever casts their vote in accordance with the provision of the previous paragraph shall be recorded in a separate register/list in each subcommittee/polling station.</p>
<p>Article (32):</p> <p>Voting in elections shall be made by marking on the ballot paper designed for this purpose.</p> <p>The election committee head shall hand out each voter an open ballot paper, bearing on the back Presidential Elections Commission seal and the election date. The voter shall go to one of the assigned places for balloting within the same election room. After indicating his choice on the</p>	<p>Article (30)</p> <p>Voting in elections shall be made by marking (voter's choice) on the ballot paper. The election committee head has to hand out each voter an open ballot paper, bearing on the back PEC seal and the election date. The voter shall to take to one of the assigned places for balloting within the same election room. After indicating his choice on the ballot paper, the voter shall hand it back</p>	<p>Article (32)</p> <p>Casting the vote in elections shall be through marking (voter's choice) on the ballot paper. The head of the station has to hand each voter an open ballot paper, bearing on its back the PEC stamp and the election date. The voter shall go to one of the assigned places for voting within the same election room. After indicating his/her choice on the ballot paper, it shall be placed folded into the ballot box.</p>

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<p>ballot paper, the voter shall fold the ballot paper and insert it into the ballot box. At the same time, he shall put his signature or his thumb fingerprint opposite his name on the voters' roster. Then, the voter dips his finger in an ink removable only at least 24 hours after balloting.</p>	<p>folded to the head of the committee for insertion into the ballot box. At the same time, he shall put his signature or fingerprint opposite his name on the voters' roster. Then, the voter dips his finger in an ink removable only at least 48 hours after balloting.</p>	<p>He/she shall sign opposite to his name on the voters' roster through writing or fingerprint. Then, the voter dips his/her finger in ink that is irremovable before at least 48 hours.</p>
<p>Article (33): Revoked [concerned absent voting]</p>	<p>Article (31) Voters live outside the governorates listed on their national ID number are allowed to vote before the competent polling station in the governorate where they live in accordance with regulations determined by PEC. <i>Commission secretary shall record data from the national ID number in a separate list into two copies signed by head, members and secretary of the commission.</i></p>	<p>Article (33) A voter present outside the governorates listed on their national identification card may cast his/her vote before the competent polling station in the governorate where he/she is present in accordance with the regulations determined by PEC.</p>
<p>Article (35): Subject to the provisions of the preceding articles, the Presidential Elections Commission shall lay down all rules and procedures governing the stages of the election and sorting process, along with the work system at election committees formed thereby.</p>	<p>Article (33) Subject to the provisions of the preceding articles, PEC shall lay down all rules and procedures governing the stages of the elections and counting process, along with methods by which voters will cast their votes and the work system at election committees formed thereby.</p>	<p>Article (34) Notwithstanding the preceding provisions, the PEC shall undertake laying down all rules and procedures governing the stages of the electoral process, sorting/counting and the work system at the committees it forms.</p>
<p>Article (36): The general committees shall probe all matters related to the balloting process and shall decide on the validity or in-validity of balloting by voters. Candidates may contest decisions made by the general election committee with the Presidential Elections Commission exclusively. The contest shall be submitted latest during the day following the issuance of the contested decision. The</p>	<p>Article (34) The general committees shall probe all matters related to the balloting process and shall decide on the validity or invalidity of <i>balloting</i> by voters. Candidates may challenge decisions made by the general election committees before PEC only. The challenge shall be submitted latest during the day following the issuance of the challenged decision. PEC shall decide on the challenge during the next</p>	<p>Article (35) The general committees shall review all matters related to the voting process and shall decide on the validity or invalidity of any voter's vote. Candidates may appeal the decisions made by the general committees before the PEC, only. The appeal must be submitted latest during the day following the issuance of the appealed decision. PEC shall decide on the appeal within the next two days, after</p>

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<p>Presidential Elections Commission shall decide on the contest the next day, after hearing the contestee's statement or after notifying him to appear before it and his failure to do so. The Commission shall set out rules and procedures to be followed in considering and deciding on such contests.</p>	<p>two days, after hearing the contestee's statement or after notifying them to appear before it and their failure to do so. PEC shall set out rules and procedures to be followed in considering and deciding on such challenges.</p>	<p>hearing the appellant's statement or after he/she fails to appear before it after notifying him/her. PEC shall set out the rules and procedures to be followed in reviewing and deciding on appeals.</p>
<p>Article (37): Balloting in presidential elections shall take place even if there is only one applicant or if only one candidate remains after the withdrawal of others. In this case, the candidate shall be declared a winner if he receives the absolute majority of the valid votes. Should the candidate fail to obtain such majority, the Presidential Elections Commission shall declare open candidature for other elections, within latest fifteen days from announcing the result. In this case election shall be conducted according to the provisions hereof.</p>	<p>Article (35) Balloting for electing the president shall be effected even if one single candidate has applied or even if he was the only candidate remaining due to assignment of the rest of candidates. In this case, the candidate who has obtained the absolute majority of valid votes shall be declared winner. Should the candidate fail to obtain such majority, PEC shall declare open candidature for other elections, within no more than fifteen days from the announcement of results. In this case, election shall be conducted according to the provisions hereof.</p>	<p>Article (36) Voting for electing the president of the republic shall be realized even if one single candidate has applied or even if he was the only candidate remaining due to the renunciation of the remaining candidates. In this case, this candidate shall be announced winner if he obtained 5% (five percent) of the total number of voters registered in the voter database. Should the candidate fail to obtain such percent, PEC shall announce opening candidacy for another elections, within no more than fifteen days from the date of announcing results. In this case, elections shall be conducted according to the provisions of this law.</p>
<p>Article (38): The General Committee shall collect the results reports produced by the polling stations for all votes. The Committee will record in a report of three copies signed by the Head the total that each candidate has received in all stations. Upon completion of its work, the Committee will announce the results in a manner showing the valid votes gained by each candidate. All mentioned procedures shall be in the presence of candidate agents, CSO representatives, and</p>	<p>Article (36) The general election committee shall consolidate all the counting registers developed by the sub-polling stations to count the electors' votes and document the total number of votes obtained by each candidate at each committee into a triplicate report to be signed by the head of the committee. Upon the completion of the tasks thereof, PEC shall announce the results and state the number of valid votes cast for each candidate. All the</p>	<p>Article (37) The general committee shall consolidate all the sorting/counting registers prepared by the subcommittees/polling stations to consolidate the voters' votes and document the total number of votes obtained by each candidate from all committees into a triplicate record signed by the head and secretary of the committee. Upon the completion of its tasks, committee shall announce the number of valid votes obtained by each candidate, provided that all the above</p>

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<p>media. The Committee will then send the results report mentioned in para 1 to the Presidential Elections Commission. The Head of the General Committee will provide each of the candidates or their agents or representatives a copy of the results, signed and stamped by the Head of the Committee. The PEC will determine the procedures for maintaining copies and election papers.</p>	<p>above mentioned procedures shall be taken in the presence of candidates or representatives thereof, media, and representatives of civil society organizations authorized by PEC. The report stated in the first paragraph shall then be sent to PEC. In addition, head of the general election committee shall provide the candidates or their agents or representatives with a copy of the result bearing the seal of the general committee and the signature of the head thereof. Additionally, PEC shall set out the rules for retaining such copies and election papers. <i>Such provisions shall apply to the acting head of the general committee in Egyptian embassies and consulates outside the Arab Republic of Egypt.</i></p>	<p>mentioned procedures shall be commenced in the presence of whoever is present from the candidates or their agents and CSOs and media representatives authorized by PEC. The committee shall then send the record referred to in the first paragraph to the PEC. The head of the general committee shall provide a copy of the aforesaid number bearing the stamp of the general committee and the signature of the head and secretary of the committee to whoever asks for it from the candidates or their agents or representatives. PEC shall set out the rules for storing such copies and election papers.</p>
<p>Article (39): The Presidential Elections Commission shall announce the overall election result within the three days following the receipt by Commission of the general Committee's reports. The result shall be published in the official Gazette.</p>	<p>Article (37) PEC shall exclusively announce the final elections result within the five days following the receipt of all the general committees' reports. The result shall be published in the official Gazette.</p>	<p>Article (38) PEC shall, exclusively, announce the overall elections result within the five days following the receipt of all the records of the general committees. The result shall be published in the Official Gazette.</p>
<p>Article (40): The elected president of the republic shall be announced when a candidate has obtained an absolute majority of the valid votes. Should none of the candidates obtain such majority, a run-off shall be held after at least 7 days, involving the candidates who got the largest number of votes, and should a candidate obtain a number of valid votes equal to the second both would take part in the run-off. In this case, the one who has</p>	<p>Article (38) The elected president of the republic shall be announced when a candidate has obtained an absolute majority of valid votes. Should none of the candidates obtain such majority, a run-off shall be held after at least 7 days, involving the candidates who got the largest number of votes. Should a candidate obtain a number of valid votes equal to the second, both would take part in the run-off. In this case, the one who has</p>	<p>Article (39) The elected president of the republic shall be announced when a candidate has obtained an absolute majority of valid votes. Should none of the candidates obtain such majority, a run-off between the two candidates who got the largest number of votes shall be undertaken after at least 7 days. Should the candidate with the second number of votes share an equal number of valid votes with another, both shall take part in the run-off. In this case, the one</p>

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obtained the largest number of valid votes shall be announced winner.	obtained the largest number of valid votes shall be announced winner.	who has obtained the largest number of valid votes shall be announced winner.
Article (41): The Presidential Elections Commission shall inform the winner of the presidential election.	Article (39) PEC shall inform the winner of the presidential elections.	Article (40) PEC shall inform the winner of the presidential elections.
(Chapter 6) Penalties		
Article (42): Without prejudice to any more aggravated penalty under any other law, the following acts shall be subject to the penalties presented therefore under the following articles.	Article (40) Without prejudice to any more aggravated penalty under any other law, the following acts shall be subject to the penalties presented therefore under the following articles.	Article (41) Without prejudice to any aggravated penalty under any other law, the crimes stated under the following articles shall be subject to the penalties presented thereof.
Article (42) bis: Shall be punished by imprisonment for not less than six months and a fine of not less than EGP 5.000 and not exceeding EGP 10.000, or any of these two penalties, any person convicted of supporting more than one candidate for presidential presidency as referred to in Article 11 of this law.	Article (41) A person who falsely declares on the form mentioned in article (10) that he has not supported the candidate nominated for presidency, or any other candidate, shall be penalized with imprisonment for a period of no less than 6 months and a fine of no less than L.E. 5000 and no more than L.E. 10,000 or either one of them.	Article (42) A person who falsely declares on the form mentioned under article (11) hereof that he has not endorsed or supported the same applicant or any other applicant before, shall be penalized with detention for a period of no less than 6 months and a fine of no less than L.E. 5000 and no more than L.E. 10,000 or either of the penalties.
Article (43): Any person, whose name is listed on the election rosters, who fails without excuse to cast his vote in presidential election, shall be penalized with a fine not more than EGP 100.	Article (42) A person whose name is listed on the election rosters, and fails without excuse to cast their vote in the presidential election, shall be penalized with a fine not exceeding L.E. 500.	Article (43) A person whose name is registered in the voters database and fails, without an excuse, to cast their vote in the presidential election, shall be penalized with a fine not exceeding L.E. 500.
Article (44): Any person who uses force or violence against the head or any member of presidential election committee, with the intention of preventing him from performing his assigned duty or forcing him	Article (43) Anyone who uses force or violence against the head or any member of any polling station, with the intention of preventing them from performing their assigned duty or forcing them to	Article (44) Anyone who uses force or violence against the head or any member of polling stations, with the intention of preventing them from performing their assigned duty or forcing them to do so in a special way, even

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to do so in a special way, even though he has failed to realize his intention, shall be penalized with no more than 5-year imprisonment. Should the offender realize his intention, imprisonment would be the penalty, and it shall be aggravated imprisonment should the offender inflict beating on cuts leading to a lasting deformity, and it shall be life imprisonment should the beating on the cuts led to death.	do so in a special way, even though they have failed to realize such intention, shall be penalized with no more than five-year imprisonment. Should the offender realize their intention, imprisonment would be the penalty, and it shall be aggravated imprisonment should the offender inflict beating or cuts leading to a lasting deformity, and it shall be life imprisonment should the beating or the cuts led to death.	though they have failed to realize such intention, shall be penalized with detention for a period of no more than five years. Should the offender realize his intention, the penalty shall be imprisonment, and it shall be rigorous imprisonment should the offender inflict beating or cuts leading to a lasting deformity, and it shall be life imprisonment should the beating or the cuts led to death.
Article (44) bis: If any civil servant refuses to perform his duties without appropriate reasons and this lead to the obstruction or the crippling of voting or counting, he shall be punishable by imprisonment for a term not exceeding five years.	Article (44) Any public servant who refrains from doing their assigned duty with no excuse and resulted in hindering or disrupting the voting or counting shall be penalized with no more than five-year imprisonment.	Article (45) Any public employee who refrains from performing his assigned duty with no excuse and resulted in hindering or disrupting the voting or counting shall be penalized with imprisonment for a period of no more than five years.
Article (45): Any person who threatens the head or any members of a presidential election committee, with the intention of preventing him from performing his assigned duty shall be penalized with imprisonment for a period not exceeding two years.	Article (45) Any person who threatens the head or any member of any polling station, with the intention of preventing them from performing their assigned duty, shall be penalized with imprisonment for a period not exceeding two years. Should such threat result in the performance of the assigned duty in a different way, imprisonment shall be the penalty inflicted on the offender.	Article (46) Any person who threatens the head or a member of polling stations, with the intention of preventing them from performing their assigned duty, shall be penalized with detention for a period not exceeding two years. Should such threat result in the performance of the assigned duty in a different way, the penalty shall be imprisonment.
Article (46): Any person who insults, by gesticulation or in words, the head or any member of a presidential election committee during or due to the performance of his duty shall be penalized with imprisonment for a period not exceeding two	Article (46) A person who insults, by gesticulation or in words, the head or any member of any polling station during or due to the performance of their duty shall be penalized with imprisonment for a period not exceeding two years and a fine of no less than L.E. 2000 and no more than L.E. 5000.	Article (47) A person who insults, by gesture or in words, the head or a member of polling stations during or due to the performance of their duty shall be penalized with detention for a period not exceeding two years and a fine of no less than L.E. 2000 and no more than L.E. 5000 or either of the penalties.

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years or with a fine of no less than EGP 2000 and no more than EGP 5000.		
<p>Article (47): Any person who uses any means of terrifying or intimidating, with the intention of influencing the proper functioning procedures of presidential election without realizing his intention, shall be penalized with no less than two-year imprisonment. Should he realize his intention, the penalty shall be imprisonment for no less than two years and no more than 5 years.</p>	<p>Article (47) A person who uses any means of terrifying or intimidating, with the intention of influencing the proper procedures of the presidential election without realizing such intention, shall be penalized with no less than two-year imprisonment. Should they realize such intention, the penalty shall be imprisonment for no less than two years and no more than five years.</p>	<p>Article (48) A person who uses any means of terrifying or intimidating, with the intention of influencing the welfare of the presidential election proceedings without realizing such intention, shall be penalized with detention for a period not less than two years. Should they realize such intention, the penalty shall be detention for a period of no less than three years and no more than five years.</p>
<p>Article (48): A penalty of imprisonment for a period of no less than one year together with a fine of no less than EGP 5.000 and no more than EGP 20.000, or either shall be imposed on the following:</p> <ol style="list-style-type: none"> 1. Any person who spends on election propaganda amounts other than those deposited on his bank account referred to in Article (26) hereof or spends the funds deposited on this account on other purposes than election propaganda. 2. Any person whose expenditure exceeds the maximum amount allowed for election propaganda. 	<p>Article (48) A penalty of imprisonment for a period of no less than one year together with a fine of no less than L.E. 5,000 and no more than L.E. 20,000, or either one of them shall be imposed on the following:</p> <ol style="list-style-type: none"> 1. Any person who spends on the electoral campaigning funds other than those deposited in the bank account referred to in Article (22) hereof or spends the funds deposited therein for purposes other than those of the electoral campaigning. 2. Any person whose expenditures exceed the maximum amount allowed for the electoral campaigning. 	<p>Article (49) A penalty of a fine of no less than L.E. 10,000 and no more than L.E. 500,000 shall be imposed on the following:</p> <ol style="list-style-type: none"> 1. Any person who spends funds other than those deposited in the bank account referred to in Article (23) hereof on the electoral campaigning or spends the funds deposited therein for purposes other than those of the electoral campaigning; 2. Any person whose expenditures exceed the maximum amount allowed for electoral campaigning; 3. Any person who violates the ban stipulated under Articles (18) and (21) hereof.
<p>Article (49): Any person who intentionally destroys or damages any in the buildings, facilities or means of transport used or assigned for use in the presidential election with the intention of obstructing its progress shall be penalized with imprisonment for a period of no less than one</p>	<p>Article (49) A person who intentionally destroys or damages a part of any building, facility, or means of transport used or assigned for use in the presidential elections with the intention of obstructing the electoral process shall be penalized with imprisonment for a period of no</p>	<p>Article (50) A person who intentionally destroys or damages a part of any building, facility, or means of transport used or assigned for use in the presidential elections with the intention of obstructing the electoral process shall be penalized with imprisonment for a period of no less than three years and a fine of no</p>

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year and with a fine of no less than EGP 1000 and no more than EGP 3000. Additionally, he shall be sentenced to pay the cost of the destruction or damage he caused.	less than one year and a fine of no less than L.E. 1000 and no more than L.E. 3000 or either one of them. Additionally, they shall be sentenced to pay the cost of the destruction or damage they caused.	less than L.E. 5000 and no more than L.E. 30,000 . Additionally, he shall be sentenced to pay the cost of the destruction or damage they caused.
<p>Article (50): Any person who steals, conceals or damages any presidential election-related documents with the intention of changing facts of such election or with the intention of causing election to be repeated or disrupted shall be penalized with imprisonment for a period of no less than 2 years.</p>	<p>Article (50) A penalty of imprisonment for a period of no less than 2 years shall be the penalty inflicted on whoever abducts, conceals, or damages any paper related to the presidential election with the intention of changing the result thereof or with the intention of causing election to be repeated or disrupted.</p>	<p>Article (51) A penalty of detention for a period of no less than two years shall be enforced against whoever abducts, conceals, or damages any paper related to the presidential election with the intention of altering the truth in the election or with the intention of causing re-election or disrupting it.</p>
<p>Article (51): A penalty of imprisonment for a period of no less than 6 month and a fine of no less than EGP 1.000 and no more than EGP 5.000 - or one of both penalties - shall be imposed on the following:</p> <ol style="list-style-type: none"> 1. Any person who uses or threatens to use force in order to prevent someone from casting his vote in presidential elections or to force him to do so in a certain way; 2. Any person, who gives, offers or pledges to give someone a benefit, for himself or for someone else, in order to force him to abstain from casting his vote in presidential elections or to do so in a certain way; and any person who accepts or demands a benefit of that kind, for himself or for others. 	<p>Article (51) A penalty of imprisonment for a period of no less than 6 month together with a fine of no less than L.E.1000 and no more than L.E. 5,000, or either, shall be imposed on the following:</p> <ol style="list-style-type: none"> 1. Any person who uses force or threat to prevent someone from casting his vote in presidential elections or to force him to do so in a certain way; 2. Any person who gives, offers or pledges to give someone a benefit, for himself or for someone else, in order to force him to cast his vote in the presidential election in a certain way or abstain from casting his vote; and any person who have accepted or demanded a benefit of that kind, for himself or for others. 	<p>Article (52) A penalty of detention for a period of no less than one year and a fine of no less than L.E. 1000 and no more than L.E. 5,000, or either, shall be imposed on the following:</p> <ol style="list-style-type: none"> 1. Any person who uses force or threat to prevent someone from casting his vote in presidential elections or to force him to do so in a certain way; 2. Any person who gives, offers or pledges to give someone a benefit, for himself or for someone else, in order to force him to cast his vote in the presidential election in a certain way or abstain from casting his vote; and any person who have accepted or demanded a benefit of such kind, for himself or for someone else.
<p>Article (52): A penalty of no less than one month imprisonment and a fine of no less than EGP 500</p>	<p>Article (52) A penalty of no less than one month imprisonment and a fine of no less than L.E. 500</p>	<p>Article (53) A penalty of detention for no less than one month and a fine of no less than L.E. 500 and no more than</p>

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and no more than EGP 1000, or either shall be imposed on any person who casts his vote in presidential election, knowing that he does not have the right to vote.	and no more than L.E. 1000 or either shall be imposed on any person who casts his vote in the presidential elections, knowing that he is not eligible to do so.	L.E. 1000 or either shall be imposed on any person who casts his vote in the presidential elections, knowing that he is not eligible to do so.
<p>Article (53): A penalty of imprisonment together with a fine of no less than EGP 2000 and no more than EGP 50,000 or either shall be imposed on any person who commits an act with the intention or disrupting or suspending the enforcement of the Presidential Elections Commission decisions in application of this Law.</p>	<p>Article (53) A penalty of imprisonment together with a fine of no less than L.E. 2,000 and no more than L.E. 50,000 or either shall be imposed on any person who commits an act with the intention of disrupting or suspending the enforcement of the PEC decisions in application of the present law.</p>	<p>Article (54) A penalty of detention and a fine of no less than L.E. 2,000 and no more than L.E. 50,000 or either of the penalties shall be imposed on any person who commits an act with the intention of disrupting or suspending the enforcement of any of the decisions issued by election committees in application of the provisions of this law.</p>
<p>Article (54): A penalty of no less than 20,000 pounds and no more than 200,000 pounds shall be imposed on any person who violates the provisions regulating electoral campaigns stated under article 21 of this law.</p>	<p>Article (54) A penalty of a fine of no less than L.E. 20,000 and no more than L.E. 200,000 shall be imposed on any person who violates the provisions governing the electoral campaigning as stipulated in Article (18) hereof.</p>	<p>Article (55) A penalty of a fine of no less than L.E. 20,000 and no more than L.E. 200,000 shall be imposed on any person who violates the provisions governing the electoral campaigning stipulated under Article (19) hereof.</p>
<p>Article (55): A penalty of imprisonment for a period of no less than two and not more than five years or either shall be imposed on any person who violates the provisions of Article 27 hereof. Additionally, the funds received shall be confiscated.</p>	<p>Article (55) A penalty of imprisonment for a period of no less than two years and no more than five years shall be imposed on any person who violates the provisions in Article (23) hereof. Additionally, the funds received shall be confiscated.</p>	<p>Article (56) A penalty of a fine of no less than L.E. 10,000 and no more than L.E. 200,000 shall be imposed on any person who violates the provisions under Article (24) hereof. Additionally, the funds received shall be confiscated.</p>
<p>Article (56): Attempts to commit felonies stipulated herein shall be subjected to penalties prescribed to consummate offense.</p>	<p>Article (56) Attempts to commit felonies stipulated in the abovementioned articles shall be subjected to the penalties prescribed to consummate offense.</p>	<p>Article (57) The attempt to commit the crimes stipulated in the preceding articles shall be subjected to the penalty prescribed to fully executed crime.</p>

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(Chapter 7) Concluding Provisions		
	Article (58) Law No. 174 of 2005 on the regulation of the presidential elections and all the texts that contradicts the provisions of the present decision shall be annulled by a law.	Article (58) Law No. 174 of 2005 on the regulation of presidential elections as well as any provision contradictory to the provisions of the present law shall be repealed.
Article (57): The head of the election committee shall have the power authorized to commissioned judiciary officers as regards such offenses that take place in the poll room.	Article (57) Each head of the heads of the election committee shall have the power authorized to the commissioned judiciary officers as regards such offenses that take place within the committee.	Article (59) Each of the heads of the electoral committees for presidential elections shall have the power authorized to judiciary officers with regards to proving crimes that take place in the election premises.
Article (58): This law shall be published in the Official Gazette, and shall go into effect starting from the day following its publishing. This law shall be stamped by the state's seal and enforced as one of its laws.	Article (59) The present decision shall be published in the Official Gazette, and shall go into effect as of the day following its publication.	Article (60) This decreed law shall be published in the Official Gazette, and enters into force on the next date of its publishing thereof.
		Issued by the Presidency on 7th Jumaada Awal, 1435 AH (Correspondent to 8th March 2014 AD) Adly Mansour