



**REPUBLIC OF MACEDONIA
STATE ELECTION COMMISSION
SKOPJE**



The State Election Commission, for the purpose of organization and administration of a referendum at state level, and the call based on Decision No. 08–4666/1 dated 30.07.2018 of the President of the Assembly of Republic of Macedonia, published at the “Official Gazette of Republic of Macedonia“, Number 140 dated 30.07.2018, and given the lack of harmonization of the Law on Referendum and Other Forms of Direct Voting by the Citizens („Official Gazette of Republic of Macedonia" No. 81/05) (hereinafter: Law on Referendum) with the Electoral Code („Official Gazette of Republic of Macedonia “, No. 40/06, 136/08, 148/08, 155/08, 163/08, 44/11, 51/11, 54/11, 142/12, 31/13, 34/13, 14/14, 30/14, 196/15, 35/16, 97/16, 99/16, 136/16, 142/16, 67/17, 125/17, 35/18, 99/18 и 140/18) (hereinafter: Electoral Code), in accordance with Article 32 paragraph 1 line 1 and 3 of the Law on Referendum, in conjunction with Article 45 paragraph 1 of the same law and Article 192 of the Electoral Code, acting in accordance with Article 31 paragraph 1 and paragraph 2 items 2 and 44 of the Electoral Code, and with aim to enable uninterrupted preparation, organization and administration of the referendum at state level, to be held on 30 September 2018, and driven by the obligation for legality of the preparation and administration of the referendum at state level, at the session held on 01.08.2018 adopted the following

RULEBOOK ON PREPARATION, ORGANIZATION AND ADMINISTRATION OF REFERENDUM AT STATE LEVEL ON 30 SEPTEMBER 2018

INTRODUCTION

This Rulebook shall regulate the manner, procedure and deadlines for taking activities to organize and administer the referendum at state level, to be held on 30 September 2018 (hereinafter: Referendum).

Under conditions when the Law on Referendum is not harmonized with the Electoral Code, the aim is to ensure taking and implementing the necessary activities stipulated in the Electoral Code, within the deadline specified in Article 22 paragraph 2 of the Law on Referendum.

ADMINISTERING THE REFERENDUM

The President of the Assembly of Republic of Macedonia, based on the Decision to call a referendum, No. 08-4666/1 dated 30.07.2018, published in the Official Gazette of Republic of Macedonia Number 140 dated 30.07.2018, called the referendum at state level and thus specified the date when the deadlines start to run for undertaking the activities and the day when the referendum will be held.

The referendum is to be held on 30 September (Sunday) 2018.

The Decision to call a referendum is submitted to the State Election Commission (hereinafter: SEC).

DEADLINES

The referendum shall be administered in accordance with the provisions of the Law on Referendum and other Forms of Direct Voting by Citizens and the provisions of the Electoral Code for election of parliamentarians at the Assembly of Republic of Macedonia.

Based on the provision that 60 days should pass between the day when referendum was called, until the day of voting, all deadlines for taking referendum-related activities are shortened for five days, except for the

deadline specified for the public propaganda.

SEC shall determine the deadlines for implementation of referendum activities in the respective calendar.

ORGANS FOR ADMINISTRATION OF THE REFERENDUM AT STATE LEVEL

The Referendum at state level shall be administered by:

- State Election Commission – SEC, elected by Decision of the Assembly of Republic of Macedonia, No. 08-4540/1 dated 25.07.2018.
- Municipal Election Commissions - MEC, appointed by SEC decision, No. 08-1304/1, 08-1304/3, 08-1304/5, 08-2788/5, 08-2788/7, 08-2788/9, 08-2788/11, 08-2788/13, all from 2016 and 08-08-1608/1, 08-1603/3, 08-1608/5, 08-1608/9, 08-1608/11, 08-1608/13, 08-1608/15 and 08-1608/17 all from 2017.
 - SEC, immediately and by the deadline from Article 35 paragraph 1 of the Electoral Code at latest, shall ensure new presidents of MECs, members and their deputies at the presidential position, members and deputies whose mandate for various reasons has terminated at MEC. This shall be done by random choice, from among the state administration, municipal administration and the administration of the City of Skopje, who have residence on the territory of the respective municipality. SEC shall provide the data about the staff at the state administration, municipal administration and the administration of the City of Skopje from the Ministry of Administration and Information Society (hereinafter: MISA).
- Electoral Boards – EB, that will administer the voting at the polling stations in Republic of Macedonia and who have been appointed by Decision of the respective MEC (hereinafter: EB) in 2017 with four year mandate:
 - Voting at the polling stations in Republic of Macedonia shall be administered by EB comprised of president, two members and their deputies.
 - From the existing composition of EB, which still have valid mandate according to the Electoral Code, MEC shall exempt the members and their deputies proposed by political parties, according to Article 38 paragraphs 6 and 7 of the Electoral Code.
 - MEC, within 20 days at latest from the day specified to hold the referendum at state level, shall appoint new presidents, members and deputies at presidential position of EB, and members and deputies whose mandate terminated on various grounds.
 - This shall be undertaken by random selection, from among the state administration, municipal administration and the administration of the City of Skopje, who have residence on the territory of the respective municipality.
 - Immediately after having received the data from MISA, SEC shall provide data about the staff at the state administration, municipal administration and administration of the City of Skopje to the MECs.
- Electoral Boards, that will administer the voting in diplomatic-consular offices of Republic of Macedonia abroad, and appointed by SEC decision (hereinafter: EB in DCO).
 - For the referendum, the voting at the DCO of RM abroad shall be organized only in DCO that meet the requirements from Article 165 paragraph 3 of the Electoral Code. If more than 1000 voters apply at the respective DCO, SEC shall elect additional EBs for that DCO based on a decision.
 - EB at the DCO shall comprise of president, two members and their deputies:
 - The president and his/her deputy shall be elected from among the diplomats employed at the respective DCO, i.e consular offices.
 - The election of members and their deputies is done by random choice, from among the staff at the state administration, municipal administration, the administration of the City of Skopje and public service. SEC shall provide the data about the staff at the state administration, municipal administration and the administration of the City of Skopje and public service from the Ministry of Administration and Information Society (hereinafter: MISA).
 - If a respective DCO, i.e. consular office does not dispose of sufficient number of staff to be

elected as president and deputy president, the election of the president and deputy president shall be undertaken by random choice, from among the staff at the state, municipal administration, administration of the City of Skopje and the public administration.

- SEC, within the deadline specified in Article 39 of the Electoral Code, and within 20 days at latest from the day specified to hold the referendum at state level, shall elect the EBs at the DCO.
- Electoral Board to administer the voting at SEC for the members of EBs at DCO.
 - At the referendum, the members of EB at DCO vote three days before the day of the referendum.
 - EB at SEC comprises of president, two members and their deputies:
 - The president of EB at SEC and his/her deputy are elected from among the staff with university degree at the state administration, municipal administration and the administration of the City of Skopje. The two members and their deputies are elected from among the staff with at least completed secondary education from the state, public, municipal administration and the administration of the City of Skopje.
 - The election of president, members and their deputies of the EB at SEC shall be done by SEC, by random choice from among the staff at the state, public, municipal administration and the administration of the City of Skopje. SEC shall provide the data about the staff at the state administration, municipal administration and the administration of the City of Skopje and public administration from the Ministry of Administration and Information Society.
 - SEC, within the deadline specified in Article 39 of the Electoral Code, and within 20 days at latest before the day specified to hold the referendum at state level, shall elect the EB at SEC.

COMPETENCIES OF THE BODIES TO ADMINISTER THE REFERENDUM AT STATE LEVEL AND THE MANNER OF WORK OF THE STATE ELECTION COMMISSION - SEC:

With regard to the preparation, organization and administration of the referendum, SEC shall perform the works specified in Article 32 paragraph 1 of the Law on Referendum and the works stated in Article 31 of the Electoral Code.

MUNICIPAL ELECTION COMMISSION - MEC:

With regard to the preparation, organization and administration of the referendum at state level, MEC shall perform the works specified in Article 33 of the Law on Referendum and works specified in Article 37 paragraphs 1 and 2 of the Electoral Code.

ELECTORAL BOARD:

With regard to the preparation, organization and administration of the referendum at state level, EB, EB at DCO and EB at SEC shall perform the tasks specified in Article 35 of the Law on Referendum and tasks specified in Article 40 of the Electoral Code.

MANNER OF WORK OF THE ELECTORAL MANAGEMENT BODIES

The work of the electoral management bodies is public, whereby authorized representatives of the proposer and accredited observers are entitled to attend the work of the electoral management bodies.

Electoral management bodies shall be able to work and decide only if the session is attended by the majority of the members, and decisions shall be adopted by majority votes from the total number of members, unless otherwise specified by law.

In case of absence of a member of MEC or member of the EB, their deputies shall take part in the work of the sessions.

Electoral management bodies shall reach decisions with majority votes from the total number of members. During decision-making, the members of the electoral management bodies shall vote "for" or "against". No "abstention" shall be allowed and in such case, the vote shall be considered as "against".

A decision of the electoral management body shall be considered adopted if voted by the majority of the total number of members of the electoral management body.

With regard to the administration of the referendum, in the municipalities where at least 20% of the citizens speak an official language other than Macedonian, in addition to the Macedonian language and the Cyrillic alphabet, the language and alphabet of at least 20% of the citizens in that municipality shall be also in official use in the work of MEC and EB.

SUPPORT FOR THE WORK OF ELECTORAL MANAGEMENT BODIES

The Assembly, the Ministry of Justice, the Ministry of Internal Affairs, the State Statistical Office and the Government's Office for General and Common Affairs and their regional offices as well as the municipalities and the City of Skopje, shall be obligated to provide the technical, space and other working conditions to the management bodies that administer the referendum. Funds from the Budget of Republic of Macedonia shall be provided to the management bodies to perform the respective work.

MANDATORY EDUCATION OF THE ELECTORAL MANAGEMENT BODIES

SEC shall adopt a program and set standards for mandatory education of all electoral management bodies and shall coordinate the respective implementation.

SEC shall provide mandatory education to the members of MECs and shall issue certificates in a manner and according to deadlines specified in the program.

SEC shall provide mandatory education to the members of EBs at DCO and shall issue certificates for completed training in a manner and according to deadlines specified in the program.

MEC shall organize and implement the education of the EB according to the plan and program of SEC and shall issue certificates for completed training. SEC shall coordinate and supervise the education of EBs.

VOTING RIGHT, VOTERS LIST, PUBLIC CALL AND APPLICATION FOR VOTING

VOTING RIGHT

Every citizen of Republic of Macedonia who turned 18 years old, has working capacity, has registered permanent residence on the territory of Republic of Macedonia and is registered in the Voters List shall be entitled to vote at the referendum at state level.

Citizens of Republic of Macedonia who on the day of voting are temporarily staying or working abroad, and have been registered in the Voters List based on the records of competent authorities and the application to vote, shall vote at the diplomatic-consular representative offices of Republic of Macedonia abroad, i.e. consular offices, in accordance with the provisions of the Electoral Code.

VOTERS LIST

The Voters List is a public document where all citizens with voting right are registered. The Voters List is maintained by SEC which has the sole competence for updating it. The Voters List is maintained for the whole territory of Republic of Macedonia.

Personal data of citizens are registered in the Voters List in the languages and alphabets in which data are kept in source records, according to the law.

All citizens who turned 18, have residence on the territory of Republic of Macedonia and have valid identification card or passport are registered in the Voters List.

All citizens of Republic of Macedonia who temporarily stay or work abroad, with residence on the territory of Republic of Macedonia and valid passport shall be also registered in the Voters List. Those citizens are registered based on their last residence in Republic of Macedonia before departure abroad.

Citizens who have been deprived of their working capacity based on a valid court decision shall not be registered in the Voters List.

Citizens are registered in the Voters List based on the municipality where their residence is located.

Extracts of the Voters List are prepared for each polling station. The content of the Voters List, i.e. the extracts on the day of voting may not be changed until the referendum is completed.

Printed extracts of the Voters List and special extracts of the Voters List are kept in alphabetical order

based on the citizen's surname and include the following columns, i.e. data: ordinal number, name, surname, gender, date of birth, personal photo (in the format as in the ID or passport) and residence address (populated place, street, house number, entrance and flat), signature or thumbprint for the voter.

Citizens who temporarily stay or work abroad and submitted application to vote at the DCO or consular offices, shall not be registered in the extracts of the Voters List for the voters in Republic of Macedonia. Citizens who temporarily stay or work abroad during the elections, and who did not submit application to vote at the DCO or consular offices, shall be registered in the special extracts of the Voters List for voting in Republic of Macedonia.

Special extracts of the Voters List shall be prepared to administer the voting at the DCO, at correctional-penitentiary institutions and at SEC, as follows:

- For voting by the citizens who temporarily stay or work abroad, based on application to vote,
- For voting by citizens who during elections are in custody or serve imprisonment sentence;
- For voting of the members of the electoral boards for voting at the DCO i.e. consular offices.

Special extracts of the Voters List from Article 46 of the Electoral Code shall be prepared in 2 copies, i.e.:

- for the citizens who during the referendum are temporarily employed or residing abroad, the first extract is systematized according to the polling station and the electoral district and in the remark column the state in which the citizen has a temporary employment or residence abroad and the location of the DCO, i.e. consular offices is stipulated, and the second extract is systematized according to the country in which the citizens are temporarily employed or residing abroad, the location of the DCO, i.e. consular offices and in the remark column it is stipulated the number of the polling station and the electoral district,
- for citizens who are in custody or are serving imprisonment sentence during the referendum, one copy is systematized according to polling station or municipality, whereby the remark column contains the municipality in which the correctional-penitentiary institution is located; the second copy is systematized according to the correctional-penitentiary institution and the municipality in which it is located: the remark column contains the number of the polling station, and the municipality to which that polling station belongs.
- for the members of the Electoral Boards at the DCO, one copy shall be systematized according to the polling station, municipality and electoral district and the word SEC shall be entered in the remarks section, whereas the second copy shall be systematized according to the SEC; and the polling station, municipality and electoral district shall be entered in the remark column

PUBLIC INSPECTION

For the referendum at state level, SEC shall display the Voters List for public inspection in all its regional offices and local offices, as well as on the SEC website. SEC through MFA shall submit the special extracts of the Voters List for the citizens who are temporarily employed or stay abroad to the DCO based on the competent authorities' records, to be displayed for public inspection.

Public inspection starts on the tenth day counted from the day of calling the referendum.

The public inspection shall last for 15 days.

The Voters List shall be displayed for public inspection with status of data about:

- citizens who are 18 years of age or older on the day of referendum (day of voting),
- deceased persons, 30 days before the day of calling of the referendum, and
- other information from the Voters List, on the day of calling of the referendum.

Every citizen may file a request for entering, adding or deleting data in the extracts of the Voters List displayed for public inspection if: s/he or another citizen is not registered in the Voters List, if a person without voting right is registered, a person has no domicile on the territory of the municipality, a person is deceased and if the personal name and address of the other person are incorrectly registered. A request for entering, adding or deleting data in the extracts of the Voters List displayed for public inspection is submitted in written to the regional office of SEC or the local office at the territory of residence. Required evidence is submitted along with

the request.

A request for entering, adding or deleting data in the extracts of the Voters List displayed for public inspection shall be submitted via e-mail to SEC by the citizens of Republic of Macedonia who temporarily stay and work abroad.

SEC, shall close the Voters List with all included changes arising from the public inspection and printed in the form of extracts, within 15 days at latest, after the completion of the public inspection. SEC shall sign the closed Voters List, i.e. extracts of the Voters List to be used for voting, within 10 days at latest before the day of the referendum.

PUBLIC CALL AND APPLICATION TO VOTE

SEC, immediately or two days at latest from the call for referendum, shall inform the citizens through the media about the place, manner and the duration of the inspection, and the possibility for entering, adding or deleting data in the Voters List.

SEC, immediately or two days at latest from the call for referendum shall submit a notification to the MFA about the public call to call a referendum. MFA shall post the public call on its website immediately or within 24 hours at latest following the receipt. MFA immediately, and within three days at latest from receipt of the SEC notification, shall be obligated to deliver it to the DCO, i.e. consular offices to publish it on their websites. DCO shall publish the public call on its website within deadline not longer than 3 days from receipt.

From the day when the public inspection starts until it ends, citizens of Republic of Macedonia who temporarily work or stay abroad, may submit an application, personally signed or sent via e-mail, in order to apply for the voting at the referendum. DCO, immediately and within 2 days from the end of the public inspection, shall submit the application via e-mail to MFA, whereas MFA immediately or within 24 hours at latest from the day of receipt shall submit them to SEC.

PROTECTION OF VOTER'S RIGHT

SEC, following the submitted request to enter, add or delete data from the extracts of the Voters List displayed for public inspection, shall decide with an act within 3 days from the receipt of the request, based on the Methodology for full access, changing and deleting data in the Voters List. An appeal may be filed to the Supreme Court against the decision of SEC within 24 hours from the receipt of the decision. The Supreme Court shall be obligated to decide within 24 hours from the receipt of the appeal.

SEC, based on the requests and applications of citizens who temporarily stay or work abroad, to apply for voting at the referendum, shall be obligated to decide with an act within 48 hours from the day of receipt of the request and if the request is deemed grounded, in accordance with the Methodology for full access, changing and deleting data in the Voters List will proceed with registration, adding or deleting data in the Voters List along with an act, and it shall be delivered to the respective citizen via e-mail. On the contrary, it shall adopt an act to reject the request and shall deliver it via e-mail to the citizen. Against the decision to reject a request, within 24 hours from the receipt a citizen can file an appeal to the Supreme Court of Republic of Macedonia via e-mail. The Supreme Court shall decide within 24 hours from the receipt of the appeal and the decision shall be immediately delivered to the citizen via e-mail. A final and valid decision of the Supreme Court of Republic of Macedonia, with regard to the appeal for registration, change or deletion shall be constituent part of the signed Voters List by SEC.

Every citizen whose personal voting right has been violated, may file a complaint to SEC, within 24 hours. SEC shall be obligated within 4 hours from the receipt of the complaint to reach decision. Against the decision of SEC, an appeal may be filed to the Supreme Court of Republic of Macedonia within 24 hours from the receipt of the decision.

Submission of complaint or appeal by mail shall not be allowed.

AUTHORISED PROPOSER AND PUBLIC PROPAGANDA

AUTHORISED PROPOSER

The proposal to call a referendum at state level along with a rationale shall be submitted by the authorized proposer to the President of the Assembly of Republic of Macedonia.

When the proposal to call a referendum at state level is submitted by a group of parliamentarians, the authorized proposer of the referendum shall be the Assembly of Republic of Macedonia.

The authorized proposer shall submit to the President of the Assembly of Republic of Macedonia a proposal to call a referendum at state level, which must include:

- name of the body proposing the call for referendum;
- territory or region where the call for referendum is proposed;
- name of the regulation, i.e. question or questions for which citizens shall decide at the referendum;
- rationale about the regulation, i.e. question or questions for which a call for referendum is proposed;
- referendum question or questions, that is, one or more proposals of regulations for which citizens shall decide;
- day when the referendum will be held and
- type of referendum.

PUBLIC PROPAGANDA

The authorized proposer may run a public propaganda at own expense with regard to the referendum.

Public propaganda shall be considered a public gathering or other public events organized by the authorized proposer, public display of posters, video presentations at public places, media and online representation and distribution of printed materials.

Public propaganda about the referendum shall start from the day of the call for referendum at state level.

Public propaganda about the referendum must end 48 hours at latest before the day of voting.

Broadcasters, printed media and electronic media (Internet portals) shall be obligated within 5 days from the call for referendum to establish the pricelists for paid propaganda about the referendum, and to publish in public at least twice the pricelists about their programs, i.e. in their publications/programs. Pricelists may not be changed during the referendum.

Printed media and electronic media (Internet portals) shall be obligated to submit the pricelists to SEC, State Audit Office and State Commission for Prevention of Corruption within 5 days from the call for referendum, and the broadcasters should submit them to the Agency for Audio and Audio Visual Media services, SEC, State Audit Office and State Commission for Prevention of Corruption within 5 days from the call for elections.

FINANCIAL REPORTS

The authorized proposer shall be obligated immediately and within 30 days at latest from the end day of the public propaganda to submit overall financial report on the public campaign with specification of revenues and expenditures and to publish it on its website. The financial report is submitted to SEC, State Audit Office, State Commission for Prevention of Corruption and the Assembly of Republic of Macedonia to be posted on their websites.

Broadcasters, printed media and electronic media (Internet portals) in Republic of Macedonia shall be obligated within 15 days at latest from the end of the public propaganda to submit report on used advertising space for the public propaganda and the funds paid and receivables on that ground. The report is submitted to SEC, State Audit Office, and State Commission for Prevention of Corruption which shall be obligated to post it on their websites.

POLLING STATIONS

The referendum at state level shall be administered at the polling stations specified in Article 175 paragraph 1 and Article 113-a paragraph (2) of the Electoral Code.

For every polling station, the place (room in a building) will be determined where the voting shall take place (polling station). As a rule, the polling station shall be located no more than 3 km away from the furthest address in urban inhabited places and no more than 5 km in the rural settlements. The rule shall not apply for the polling stations in the DCO, i.e. consular offices.

The number of voters in a polling station shall be determined in a manner that shall enable uninterrupted voting during the time specified for voting.

The number of voters voting at a polling place cannot be higher than 1,000 voters.

A polling station may not be established:

- for a populated place in Republic of Macedonia with less than 10 voters and
- in a DCO, i.e. consular offices where less than 10 voters are registered to vote.

The change of the description of the polling station shall be done when changing the names of the streets or house numbers and if the number of voters or the distance from the polling station increase. The State Election Commission adopts a decision determining the change of the description of the polling station.

The changes in the description of the polling stations may be conducted no later than 30 days prior to Election Day or the day of holding a Referendum.

Special polling stations are determined at the DCO of RM for out-of-country voting. SEC determines in which DCOs the voting will be administered following the established validity of decisions pertaining to the submitted applications to vote. The voting is administered at the respective DCO if there are more than 10 voters verified. SEC shall determine additional EB at DCOs if in a certain DCO there are verified more than 1000 voters.

SEC, within 30 days from the day specified for the referendum, at latest, shall publish the descriptions of polling stations specified by the Electoral Code.

MEC within 5 days from the day specified to hold the referendum, at latest, shall display the descriptions of polling stations on a visible place, which have been determined for voting, and shall also designate the specific polling stations where voters from certain region shall vote. Announcement about description of polling stations can be also done through the local media.

AUTHORISED REPRESENTATIVE OF THE PROPOSER

The authorized proposer has the right to appoint a representative and his/her deputy who will monitor the work of the electoral management bodies (SEC, MEC and EB) from the call for referendum until the tabulation and publication of results.

The authorized proposer shall provide the representative with an authorization and shall also accordingly notify the electoral management bodies at least two days before the day of the referendum.

The representative and his/her deputy shall be obligated to wear a badge, issued by the respective MEC, along with the number of polling station in which they are authorized to observe the voting.

A representative and his/her deputy before the electoral management bodies cannot be a person who has been appointed a member of electoral management body.

An authorized representative, at the session of the electoral management bodies, may warn about irregularities in their work, and if such warning is not accepted, he/she may request to be registered on the record.

The president of the EB shall be obligated to enable that the comments made by the present authorized representative, are registered on the record and this can serve as ground in the procedure for protection of the voting right. If such comments are not registered on the record, they have the right to submit them to the MEC within 5 hours from drafting the record and such comments may serve as ground for complaint.

An authorized representative is entitled to request and make full inspection into the overall documentation of the electoral management body at the session of the electoral management body.

OBSERVING THE REFERENDUM

The referendum and the procedure for its administration may be observed by:

- domestic associations and foreign organisations registered according to the Law, at least one year before the Referendum Day and which have incorporated the principle of protection of human rights in their statutes;
- interstate organisations; and
- representatives of foreign countries.

The State Election Commission shall determine the procedure for observing the referendum. Domestic associations, foreign organisations, interstate organizations and representatives of foreign countries (organizations and persons from Article 161 of the Electoral Code) shall submit an application for observation to SEC from the day of the call for election until five days before the referendum, at latest.

SEC shall issue the authorization to the observers within 3 days from the application, at latest.

VOTING MATERIAL

The voting material to administer the referendum shall consist of:

- ballot boxes and panels;
- templates for protocols and a notebook for the work of the Electoral Boards;
- ballot booklet, according to the extracts of the Voters List;
- signed extract from the Voters List;
- devices for marking and inspection of persons who have voted (spray and UV lamp);
- graffiti pad
- seals with number of polling station;
- patterns with Braille alphabet;
- other necessary material for the voting.

The following shall be displayed at the polling station:

- Act to call a referendum,
- Name of the regulation which will be decided on the referendum, i.e. question or questions for which citizens shall decide at the referendum and
- Voting instruction.

The act to call a referendum, the name of the regulation which will be decided on the referendum, i.e. question or questions for which citizens shall decide at the referendum and the Voting instruction shall be displayed on a visible place at the polling station in accordance with the instruction issued by the State Election Commission and MEC. The Voting instruction shall be displayed also on a visible place on the voting paravan.

Materials which the authorized proposer prepared and used for the needs of the public propaganda may not be displayed at the polling station.

The name of the regulation which will be decided on the referendum, i.e. question or questions for which citizens shall decide at the referendum and the Voting instruction shall be printed in the Macedonian language and its Cyrillic alphabet and in the languages and alphabets of the other communities mentioned in the Preamble of the Constitution of the Republic of Macedonia.

Templates and overall voting material, for the municipalities where at least 20% of the citizens speak an official language other than Macedonian, shall be printed in Macedonian language and the Cyrillic alphabet, as

well as in the official language and alphabet used by at least 20% of the citizens in the respective municipality. Templates and overall voting material for voting at the DCO where at least 20% of registered voters in the Voters List speak an official language other than Macedonia, shall be printed in Macedonian language and the Cyrillic alphabet, as well as in the official language and alphabet used by at least 20% of the registered voters in the Voters List for the DCO.

HANDOVER OF THE VOTING MATERIAL

The State Election Commission shall handover the voting material to the Municipal Election Commissions no later than 72 hours prior to Referendum Day.

The State Elections Commission shall handover the voting material to the authorised person from the Ministry of Foreign Affairs, no later than 5 days prior to Referendum Day. The Ministry of Foreign Affairs shall handover the voting material to the DCO, immediately and no later than 24 hours upon receipt.

For the handover of the voting material, protocol shall be filled out which includes the total number of ballots with the related serial numbers and the required number of decisions for call for referendum, name of the regulation which will be decided at the referendum, i.e. the question or questions that will be decided at the referendum as well as the Voting instructions that is displayed at the voting facilities.

MEC shall be obligated one day before the Referendum Day to handover the voting material to the EB on the territory of Republic of Macedonia. For the handover of the voting material from SEC to EB, a protocol shall be filled out, in which the total number of ballots with the related serial numbers and other voting material is stated.

The protocol shall be signed by an authorized person from SEC who is to handover the material, the president and the members of MEC who are to receive i.e. handover the material, the authorized person from MFA who is to receive i.e. handover the material and the president and members of the EB who are to receive i.e. handover the material.

Authorized observers have the right to be present during the handover of the material.

BALLOT

The ballot shall be printed in the Macedonian language and its Cyrillic alphabet. In municipalities and the City of Skopje and for voting at the DCO, where another official language and alphabet are in use besides the Macedonian language and its Cyrillic alphabet, the ballot shall be printed in Macedonian language and its Cyrillic alphabet and the official language and alphabet used in the respective municipality, the City of Skopje and the respective DCO.

The ballot for voting at the referendum at state level shall include:

- Title of the ballot, municipality and number of polling station for the voting in R.Macedonia,
- Title of the ballot, seat of the DCOs i.e. consular offices for out-of-country voting,
- Question for the referendum and
- Voting instructions

The wording of the question on the ballot must be precise and unambiguous, so that a citizen can answer "FOR" or "AGAINST" at the referendum.

The part of the ballot that remains on the ballot stub shall contain the serial number of the ballot, the municipality i.e. seat of the DCO or consular offices and the number of the polling station.

The title of the ballot includes the flag of Republic of Macedonia.

ADMINISTERING THE REFERENDUM

DURATION OF VOTING

Voting shall begin at 7:00 hours and shall last uninterruptedly until 19:00 hours. The polling station shall be closed at 19:00 hours, and the voters who happen to be in the building where the voting takes place will be allowed to cast their vote. The polling station may be closed before the end of the period specified for voting, in case when all the voters registered on the extract of the Voters List have already cast their votes. The EB shall not start with the counting of the votes before 19:00 hours.

VOTING

The voting takes place in person at the polling stations in the Republic of Macedonia and in the DCO, i.e. consular offices. Voting on behalf of other person shall not be permitted, except in cases stipulated in article 111 of the Electoral Code.

VERIFYING THE IDENTITY OF THE VOTER

The voters vote one at a time. When the voter approaches to vote, the electoral board checks whether the voter is at the adequate polling station and, with an ultraviolet lamp checks whether there is an inerasable mark on the nail and the thumb on the right hand. EB shall verify the identity of the voter through the data in the submitted personal identification card or passport and compare the voter's physiognomy with the photo on the identification card or the photo in the extract of the Voters List. Having verified the voter's identity, the Electoral Board circles the ordinal number of the voter in the excerpt of the Voters List and the voter puts his/her signature there. If the voter is illiterate, then the voter shall affix his/her fingerprint of the right thumb. If the voter does not have a right thumb, then the voter shall affix the fingerprint of the left thumb. If he/she does not have a left thumb as well, then no fingerprint shall be affixed.

After the identification, the voter receives a ballot, and the thumb on the right hand, i.e. the thumb on the left hand, if the voter has no thumb on the right hand, shall be marked with spray, while paying attention that the spray touches upon the nail of the thumb. If the voter has no thumb on both hands, the marking shall not be done.

MANNER OF VOTING

Voting shall be performed with one ballot. The ballot shall be removed in numerical sequence from the stub of the booklet, a stamp shall be put on the front side of the ballot and it shall be given to the voter. The voter shall be instructed of the manner of voting and shall be allowed to vote.

The EB instructs the voter to go behind the paravan where the vote shall be cast.

The voter shall cast their vote by circling either the word „FOR" or „AGAINST" and shall put the folded ballot into the ballot box.

VOTING OF INCAPACITATED OR ILL PERSON

The voter who is unable to vote at the polling station (incapacitated or ill person) but wants to vote, shall notify the Municipal Election Commission thereof no later than seven days prior to the day of voting. The notification may also be submitted through a proxy.

Incapacitated or ill person shall be a person not able to meet basic life needs (not able to move around the house even with walking aids, to maintain personal hygiene, to dress, to take food, or to do any other activity to meet the basic life needs), i.e. the person is immovable, completely blind, suffers from dystrophy or related muscular or nervous-muscular impairments, cerebral palsy or paraplegia. The notification that the person wants to vote is submitted to MEC. A medical evidence/certificate or act for use of care from another person shall be submitted along with the notification. A voter, who is incapacitated or ill person, may also vote in the home of a related person at address different from the residence address written in the personal identification document, under the condition that the address is located on the territory of the same municipality.

In that case, the notification submitted to MEC should also include the address where the voter is located. Voting shall be administered by the EB where the person is registered in the extract of the Voters List for the respective polling station. MEC shall check the Voters List for all regularly registered incapacitated or ill persons. Having completed the verification, MEC shall prepare a list of all regularly registered incapacitated and ill persons on the Voters List. Before the voting of incapacitated and ill persons, EB shall remove the number of ballots from the stub as is the number of registered incapacitated and ill persons at the respective polling station, and may not carry the stub at the place of voting. During the voting by incapacitated and ill persons, the EB shall carry the ballot box that was provided by MEC for this voting and shall use the same box on the day of voting.

EB shall also carry the extract of the Voters List where the incapacitated and ill person shall place the personal signature.

The lid of the ballot box for the voting of incapacitated and ill persons must be sealed with safety plastic bands on both sides before the start of the voting. The incapacitated and ill person shall fold the ballot once the voting is completed, put it in a special envelope which is closed and then put in the ballot box. Once the voting is completed, the envelopes with ballots remain in the ballot box and the opening on the ballot box lid is sealed with a numbered safety plastic band.

The extract of the Voters List is placed in a transparent plastic bag along with the stub of ballots and the bag is sealed with a numbered safety band. MEC shall notify the representatives of the proposer of referendum about the day and time when incapacitated and ill persons shall vote.

If unused ballots remain after the voting of incapacitated and ill person is completed, those may not be used on the day of voting, and their lower right hand corner shall be torn off and shall be kept in a special envelope. During the counting, the unused ballots are entered into the records along with other unused ballots from the voting.

On the day of referendum, before the voting starts, the ballot box shall be opened, envelopes are taken and opened one at a time, and the ballots are placed in the emptied ballot box without seeing for whom the vote was cast. Finally, the ballot box is sealed with numbered safety plastic bands on both sides of the lid.

VOTING OF PERSONS WHO ARE NOT ABLE TO VOTE BY THEMSELVES

A voter, who due to a physical disability or illiteracy is unable to vote in the manner defined by the Electoral Code, shall have the right to bring along a person to assist him/her with voting. If the voter does not bring along a person to assist him/her with voting, the Electoral Board shall appoint another person from among the voters. The person helping another person with voting shall not be from among the Electoral Board members, representatives of the authorized proposer or observers. The same person may provide voting assistance to no more than two voters. The Electoral Board shall instruct the person that his/her assistance should not influence the voter's choice. The voting shall be recorded in the protocol of the Electoral Board.

VOTING OF PERSONS WITH SPECIAL NEEDS

For a voter with special needs who cannot enter the polling station and cast a vote, EB shall be obligated to enable the person an adequate way to enter i.e. approach the polling station to exercise the voting right. If those persons do not bring along another person to help them at the entrance i.e. to approach the polling station, in that case, EB is obligated to designate a person from among other voters found at the moment at the polling station to help the citizen enter i.e. approach the polling station to exercise the voting right.

VOTING OF BLIND PEOPLE AND PEOPLE WITH IMPAIRED SIGHT

When a voter who is blind or with impaired sight approaches the polling station, the EB shall inform that there is possibility to vote by using the Braille alphabet pattern. The pattern is designed in a way so that a blind person or person with impaired sight is helped to vote independently and secretly.

Once the identity of a blind person i.e. person with impaired sight is verified, EB shall put the ballot into the pattern with Braille alphabet and hand it to the blind person or person with impaired sight and instruct

him/her how to exercise the voting right. Then the person is instructed to go behind the paravan. EB shall explain to the voter that once the voting is completed the ballot should be taken out of the pattern, to fold the ballot and to put it in the ballot box and to return the pattern to the EB. The same pattern shall be used for the voting of the next voter who is blind or has impaired sight.

A voter who is blind or with impaired sight and therefore cannot vote in the manner specified by the Electoral Code, has the right to bring along another person to assist with voting.

In case such voter does not accept to vote with a pattern, the EB shall act in the same manner as with a voter with physical disability.

VOTING OF PERSONS WHO ARE SERVING AN IMPRISONMENT SENTENCE OR ARE IN CUSTODY

Voters who on the day of voting are serving a prison sentence or are in custody, shall vote in the penitentiary institutions. Following receipt of the lists of voters who on the day of voting are serving a prison sentence or are in custody, the Municipal Election Commission is required to immediately submit the lists to the penitentiary institutions where the voters serve a prison sentence or are held in custody. For the voters who are serving imprisonment sentence or are held in custody, the elections shall be administered by the Electoral Board of the nearest polling station or a special Electoral Board, one day before Election Day. The representatives of the proposers shall be notified thereof with a view to their being present at the voting.

The Electoral Board shall produce separate protocols about the voting of these voters. The protocols and the election material shall be submitted to the respective Municipal Election Commissions after the completion of voting.

VOTING OF PERSONS IN HOME CUSTODY

The voters who on the day of voting are serving home custody and are willing to vote shall use an authorised person to inform the Municipal Election Commission, at the latest three days prior to the day of voting. Following receipt from SEC of the lists of voters who on the day of voting are held in home custody, the Municipal Election Commission shall prepare a list of all regularly registered persons who are in home custody.

The voting of the voters who have been imposed the measure of home custody shall be administered by the EB of the respective polling station where the voter is registered. The EB shall administer the voting of a person held in home custody with a special ballot box which is sealed and which is taken to the home where the voter is located, one day before the day specified for voting.

The president of MEC shall notify the representatives of the proposer about the day and the time of voting of the voters who are imposed the measure- home custody.

Person in home custody shall vote in such a manner that MEC shall prepare the voting material and deliver it in a timely manner to the responsible EB (envelope addressed to the person in home custody and empty ballot box). Before the person in home custody votes, EB shall remove the number of ballots from the stub as is the number of registered persons in home custody, and who applied to vote at the respective polling station. EB shall use the same ballot box delivered by MEC for the voting of the persons in home custody and for the day of voting. EB shall also carry the extract of the Voters List which is signed by the person in home custody.

The lid of the ballot box used for the voting of persons in home custody must be sealed with numbered safety plastic bands before the voting starts.

These persons shall be ensured the secrecy of their vote. Once the vote is cast, the person in home custody shall fold the ballot, put it in a separate envelope, glue the envelope and put it in a ballot box. After the voting is completed, envelopes with ballots remain in the ballot box, while the opening on the ballot box is sealed with a numbered i.e. safety band. The extract of the Voters List is put in a transparent plastic bag along with the stub of ballots, the bag is sealed with a numbered safety band.

If a person in home custody, even though applied to vote still refuses to vote, the unused ballots must not be used on the day of voting. Their lower right hand corner shall be torn off and kept in a special envelope. When results are summed up, unused ballots shall be recorded along with the other unused ballots on the day of voting.

On the day of voting, before the voting starts, the envelopes from the people in home custody are taken out of the ballot box and are opened one at a time, and the ballots are placed in the emptied ballot box without seeing for whom the vote was cast. Finally, the ballot box is sealed with numbered safety bands.

VOTING AT THE DCO

The voters who are temporarily employed or residing abroad on Day of voting shall vote at the DCO, i.e. consular offices of the Republic of Macedonia abroad, one day prior to the Day of voting in the Republic of Macedonia.

SEC shall determine which DCOs shall administer the voting once the submitted voting applications are deemed valid.

The voting shall be organized at the respective DCO if there are confirmed more than 10 voters.

The records, sealed envelopes and other voting material, after the voting is completed, shall be delivered by EB at DCO through MFA to SEC.

SEC shall sum up and establish the results from out-of-country voting.

VOTING AT SEC

The members of the Electoral Boards for voting at the DCO, shall vote at the State Election Commission three days prior to the day of the beginning of the referendum in the Republic of Macedonia.

The voting shall be administered by the Electoral Board for voting at the SEC.

For the purposes of the voting, a special ballot box shall be provided which following the end of the voting shall be kept sealed in the offices of the SEC and shall be opened after the end of the voting in the Republic of Macedonia.

For the purposes of voting of these voters, the Electoral Board shall take separate protocol.

The protocol and the voting material shall be submitted to the corresponding Municipal Election Commissions after the end of the voting in the Republic of Macedonia.

VALID BALLOT

A ballot shall be considered valid if it is in accordance with Article 18 of the Law on Referendum.

SECURING THE POLLING STATION

The police shall secure the polling station.

Upon closure of the polling station and during the counting of the votes, the police shall secure the building where the polling station and the Electoral Board are located and shall remove all unauthorised persons from the building.

Upon request by the Electoral Board, the police shall secure the Electoral Board until the protocol and the electoral material is handed over to the Municipal Election Commission.

ESTABLISHING THE RESULTS OF THE REFERENDUM

Once the voting is completed, EB starts the counting and summing up of results from the voting at the polling station.

EB shall prepare a protocol for determining the results of the voting at the referendum.

The protocols shall contain the following information on the voting results at the referendum:

- The number of polling station;
- The composition of the electoral board;
- The total number of citizens registered in the extract of the Voters List;
- Total number of citizens who cast their vote;
- Total number of unused ballots;

- Total number of valid ballots;
- Total number of invalid ballots;
- Total number of votes „FOR“;
- Total number of votes „AGAINST“ and
- Total number of votes for each proposal when the voting refers to several proposals.

The protocol also includes comments made by the members of the EB.

The protocol on the voting is signed by the president and members of EB. The protocol shall be valid if signed by majority of the members at the EB. The president of the EB should state the reasons why a member of EB would not sign the protocol. If the protocol is not signed by majority members of the EB, the protocol shall be prepared and signed by MEC based on the overall voting material.

Within 3 hours from the end of the voting, EB shall deliver the protocol and the voting material to MEC.

After having received the protocols and the overall voting material from the EB, MEC shall sum up the results from the voting at the polling stations on its territory.

MEC shall prepare a protocol on the administration of the referendum.

The protocol on the administration of the referendum shall include the following information:

- Numbers of polling stations on its territory;
- Composition of MEC;
- Total number of citizens registered in the extract of the Voters List for the polling stations;
- Total number of citizens who cast their vote;
- Total number of unused ballots;
- Total number of used ballots;
- Total number of invalid ballots;
- Total number of votes „FOR“;
- Total number of votes „AGAINST“ and
- Total number of votes for each proposal when the voting refers to several proposals.

The protocol also includes comments made by the members of the MEC.

The protocol on the voting at the referendum shall be signed by the president and members of MEC. The protocol shall be valid if signed by majority of the members at the MEC. The president of the MEC should state the reasons why a member of MEC would not sign the protocol. If the protocol is not signed by majority members of the MEC, the protocol shall be prepared and signed by SEC based on the overall voting material.

After having received the protocols and the overall voting material from the EB, MEC shall deliver it within 12 hours to SEC.

After having received the protocols and the overall voting material from the MEC, SEC shall establish and publish the results of the referendum at state level within 24 hours.

SEC shall prepare a report on the results from the voting at the referendum at state level.

The report on the results from the voting at the referendum at state level shall include information about:

- Total number of citizens registered in the Voters List;
- Total number of citizens who cast their vote;
- Total number of unused ballots;
- Total number of invalid ballots;
- Total number of valid ballots;
- Total number of votes “FOR“;
- Total number of votes “AGAINST“ and
- Results of the referendum.

SEC shall publish the result of the voting at the referendum at state level in the “Official Gazette of Republic of Macedonia“ within 15 days from the day when the referendum was held.

The report on the results of the voting at the referendum at state level shall be submitted by SEC to the Assembly of Republic of Macedonia.

VOTING RESULTS

The decision for the referendum at state level shall be considered adopted if voted by the majority of the total number of citizens who cast their vote, if more than half of the total number of citizens from the Voters List voted.

PROTECTION OF VOTING RIGHT DURING THE ADMINISTRATION OF REFERENDUM AT STATE LEVEL

Every citizen has the right to file a complaint to SEC for any irregularities during the procedure of voting, sum up and establishing the results from the voting, within 24 hours from the day when the referendum at state level was held.

SEC shall be obligated to decide about the complaint within 24 hours.

An appeal can be filed to the Supreme Court of Republic of Macedonia against the decision of SEC within 48 hours from the receipt of the decision.

The Supreme Court of Republic of Macedonia shall be obligated to decide upon the appeal within 48 hours.

Submission of complaint and appeal by mail shall not be allowed.

POSSIBLE REPETITION OF VOTING

SEC, ex officio, or based on a filed complaint, shall adopt an act to annul the voting at the polling station in cases specified in Article 151 paragraph (1) line 1, 2, 3, 4, 5 and 6 of the Electoral Code.

Based on an act, SEC shall repeat the voting at the polling stations where the voting was annulled only if the total number of registered voters at the respective polling station influence the total results of the referendum.

The annulled voting at the polling station shall be repeated after 14 days from the day of voting.

**Number 12 – 1401 / 1
01.08. 2018
SKOPJE**

**STATE ELECTION COMMISSION
PRESIDENT
Oliver Derkovski**