Pursuant to Article 62 paragraph 1 point 15) of the Law on National Councils of National Minorities (‘Official Gazette of the RS’, No. 72/09, 20/14 - Constitutional Court Decision, 55/14 and 47/18),

The Republic Electoral Commission, at its sitting held on   
5 September 2022, adopted the

**INSTRUCTIONS**

**FOR CONDUCTING DIRECT ELECTIONS FOR MEMBERS OF NATIONAL COUNCILS OF NATIONAL MINORITIES**

**I. INTRODUCTORY PROVISION**

Article 1

These instructions shall regulate in detail the procedure of conducting direct elections for members of national councils of national minorities (hereinafter referred to as: elections).

**II.** **ELECTORAL MANAGEMENT AUTHORITIES AND BODIES**

Article 2

Electoral management bodies shall be the Republic Electoral Commission and polling boards.

**Republic Electoral Commission**

**Article 3**

(1) The Republic Electoral Commission shall (hereinafter: Commission) carry out tasks laid down by the Law on National Councils of National Minorities and by these Instructions.

(2) The Commission may authorize its member or deputy member (hereinafter: coordinator) to carry out on its behalf, in the administrative district and the City of Belgrade, certain activities related to the organization, preparation and carrying out of elections, i.e. voting.

**Commission’s Working Bodies**

**Article 4**

(1) The Commission shall establish working bodies (hereinafter: working bodies) for provision of technical support in organising the elections.

(2) A working body shall be organised for the territory of one or more local self-government units, and for the territory of one or more municipalities of the City of Belgrade.

(3) The working bodies shall not be electoral management bodies and they shall carry out only the tasks provided for in these Instructions.

(4) Working bodies shall:

1) ensure polling boards’ layout;

2) take over the election material from the coordinator and deliver it to polling boards prior to voting;

3) take over the election material from polling boards upon completion of the voting and deliver it to coordinators;

4) provide support to polling boards during the conduct of voting, on the election day;

5) carry out other activities in accordance with these Instructions and special acts of the Commission.

**Composition of Working Bodies**

**Article 5**

(1) A working body shall consist of members nominated by the Head od Municipal/City Administration or the Head of municipal/city administrative body in charge of election affairs and by the Head of an administrative body of a municipality of the City of Belgrade (hereinafter: Head of the Administration), from the rank of highly educated persons employed in the public sector (public authority, authorities of territorial autonomy and local self-governments, institutions, public enterprises). When nominating candidates for working body members, persons registered in special national minority electoral rolls, with higher legal education and experience in carrying out elections, should have the edge over the others.

(2) If a working body needs to be established for the territory of one local self-government unit with up to ten polling stations, the working body shall have three members.

(3) If a working body needs to be established for the territory of one local self-government unit with ten to 20 polling stations, the working body shall have five members.

(4) If a working body needs to be established for the territory of one local self-government unit with over 20 polling stations, the working body shall have seven members.

(5) If a working body needs to be established for the territory of more than one local self-government unit, or for more than one municipality of the City of Belgrade, the working body shall have as many members as the number of local self-government units or city municipalities included in this territory, and they shall be nominated by the heads of administrations of each of the local self-government unit or city municipality included in this territory.

(6) The head of the administration shall be a member of the working body.

(7) If a working body needs to be established for the territory of more than one local self-government unit, or for more than one municipality of the City of Belgrade, the working body shall include in its composition heads of administrations of those local self-government units or city municipalities.

(8) If a head of an administration is not able to discharge the duties of a working body member, his/her deputy shall become a member of the working body in question. If the deputy head of an administration is not able to discharge the duties of a working body member, the head of the administration shall nominate an employee of the municipal/city administration who meets the terms referred to in paragraph 1 of this Article.

(9) The head of an administration shall ensure working conditions are in place for the working body and shall coordinate its activities.

(10) The activities of the working body established for the territory of more than one local self-government unit, or for more than one municipality of the City of Belgrade, shall be coordinated by the head of the administration of the local self-government unit or city municipality that has the largest number of voters registered in special electoral rolls for national minorities.

**Article 6**

The Commission shall adopt a special act establishing the the number of working bodies, their composition, and areas of work, not later than 30 days before the election day.

**Article 7**

(1) Heads of administrations shall submit to the Commission the nominations of working body members within five days from the adoption of the decision referred to in Article 6 of these Instructions.

(2) The nomination of a member shall include the following: name and surname, Unique Master Citizen Number (hereinafter: UMCN), occupation, place and address of residence, mobile phone number and e-mail address of the nominated person.

(3) The coordinator shall be empowered to propose the replacement to the nomination of a working body member submitted by the head of the administration, but he/she needs to substantiate such a proposal.

(4) If the head of the administration does not nominate a working body member timely, the Commission shall appoint a person appropriate for discharging this duty.

(5) The Commission shall establish the working bodies not later than 20 days before the election day.

**Composition of Polling Boards**

**Article 8**

(1) A poling board shall be composed of a chairperson, four members and their substitutes, nominated by the head of the administration.

(2) A polling board chairperson and deputy chairperson shall be nominated from among public sector employees (public authorities, territorial autonomy and local self-government bodies, institutions, public enterprises).

(3) When nominating a polling board’s chairperson, deputy chairperson, members and their substitutes, persons registered in special national minority electoral rolls should have the edge over the others.

(4) When nominating a polling board chairperson, a person with higher education and experience in conducting elections should have the edge over the others.

(5) When nominating members to polling boards, heads of administrations should ensure gender balance and inclusion of persons with disabilities in the conduct of the election process.

**Article 9**

(1) The Commission shall appoint polling boards’ chairpersons, deputy chairpersons, members, and their substitutes.

(2) The Commission shall decide establishing polling boards and appointing their chairpersons, deputy chairpersons, members and their substitutes not later than ten days prior to the election day.

**Article 10**

(1) Heads of administrations shall submit nominations of candidates to polling boards not later than 15 days before the election day.

(2) The nominations shall contain the following data on the nominated candidates: name and surname, UMCN, place and address of residence, mobile phone number and e-mail address.

(3) The coordinator shall be empowered to propose the replacement to the nomination of a polling board candidate member submitted by the head of the administration, but he/she needs to substantiate such a proposal.

(4) If the head of the administration does not timely nominate a poling board member, the Commission shall appoint a person appropriate for discharging a duty at the polling board.

**Legal limitations**

**Article 11**

(1) One person may be nominated to one electoral management body only.

(2) A National Council member or candidate member may not be nominated or appointed to a polling board.

(3) When nominating persons to a polling board or when proposing their replacement, a head of administration shall take into consideration the legal limitations relating to a polling board membership.

**Replacement of persons in polling boards**

**Article 12**

(1) Replacement of a person appointed to a polling board, nominated by the competent head of administration, shall be made not later than three days prior to the election day.

(2) Exceptionally, a polling board chairperson or deputy chairperson may be replaced prior to the opening of the polling station for voting, at the latest, provided that they die, become ill or lose their electoral right.

(3) Replacements of persons appointed to polling boards shall be done by the Commission in the period before handing out the election material to working bodies, and after handing out the election material, the replacements shall be done by the coordinator.

**III.** **SUBMISSION OF ELECTORAL LISTS**

**Who may submit an electoral list**

**Article 13**

Electoral list of candidates for national council members (hereinafter: electoral list) may be submitted by the following: a group of voters registered in the special electoral roll for national minorities, associations whose objectives are achieved in the field of protection of rights of a national minority whose national council members need to be elected and a registered political party of a national minority whose national council members need to be elected (hereinafter: electoral list nominator).

**A group of voters as an electoral list nominator**

**Article 14**

(1) A group of voters shall consist of not less than three persons registered in the special electoral roll for the national minority whose national council members are to be elected.

(2) A group of voters shall be formed by a written agreement certified by the authority responsible for signature certification in accordance with the law regulating signature certification.

(3) The agreement on the formation of a group of voters shall contain:

1) the objectives for forming a group of voters, i.e. the statement that a group of voters is being formed in order to participate in the announced direct elections for members of the national council of the national minority;

2) information about the persons who forming the group (name and surname, UMCN and place and address of residence, specified according to the information from the ID card);

3) a person appointed from among the group of voters to represent the group of voters;

4) the name of the group of voters, which must contain the designation "Group of voters" at the beginning;

5) name of the electoral list to be submitted (including the name of the electoral list leader, if appointed);

6) date of conclusion of the agreement.

(4) The agreement on the formation of a group of voters must be concluded and certified after the entry into force of the decision on calling the elections, and before starting collecting signatures of voters to support the electoral list.

(5) The agreement on the formation of a group of voters shall be drawn up in the Serbian language, in the Cyrillic script, and it can also be drawn up in the language and script of the national minority, so that each article of the agreement would first contain a text in the Serbian language and Cyrillic script, and below that text stated in the language and script of the national minority.

The electoral list on behalf of a group of voters shall be submitted by a person appointed to represent a group of voters, or a person authorized by him/her for that purpose, on the form prescribed by the Commission.

**An association as a nominator of an electoral list**

**Article 15**

The electoral list shall be submitted on behalf of an association by the association’s representative registered in the Register of Associations or by a person authorized by him/her, on a form prescribed by the Commission.

**A national minority political party as a nominator of an electoral list**

**Article 16**

The electoral list shall be submitted on behalf of a national minority political party by the party’s representative registered in the Register of Political Parties or by a person authorized by him/her, on a form prescribed by the Commission.

**Assignment of the person authorized to submit the electoral list**

**Article 17**

A person authorised to submit an electoral list shall be authorised to carry out all other electoral activities on behalf of the nominator of the electoral list, unless otherwise determined by the electoral list nominator who has informed the Commission thereon in writing.

**Deadline for submitting electoral lists**

**Article 18**

The Electoral list shall be submitted not later than 15 days prior to the election day.

**Time and manner of submitting electoral lists**

**Article 19**

The electoral lists shall be submitted directly to the Commission in the building of the National Assembly in Belgrade, 14 Kralja Milana st.

(2) The electoral lists may be submitted every working day, between 9:00 a.m. and 5:00 p.m., except for the last day for submitting the electoral lists, when they may be submitted until midnight. The submission of the electoral lists should be announced the previous day by 5:00 p.m., by e-mail to the address rik@parlament.rs.

(3) Exceptionally, the electoral lists may also be submitted on weekends, in which case the submission shall be announced on Friday by 5:00 p.m., with the time of submission to be determined by the President of the Commission. When determining the time of submission of the electoral lists, the order of announcing the submission of the electoral lists shall be respected.

**Contents of the election lists**

**Article 20**

(1) The election lists shall be submitted on the form prescribed by the Commission, in written and electronic form (CD, DVD or USB).

(2) The contents of the electoral lists in written form and the electoral lists in electronic form must be identical.

(3) The election list contains:

1) the name of the nominator of the electoral list;

2) the name of the electoral list, which may also contain the name and surname of a person (leader of the electoral list);

3) data on all candidates for members of the national council (ordinal number on the electoral list, first and last name, UMCN, occupation, place and address of residence of the candidate);

4) name, surname, UMCN, place and address of residence, telephone number, e-mail address and signature of the person submitting the electoral list.

(4) The number of candidates on an electoral list may not be lower than one third of the number of members envisaged to be appointed to the National Council, nor may it be higher than this number.

(1) A candidate may only be a person registered in the special electoral roll for the national minority whose national council members are to be elected.

(6) The name and surname of a candidate shall be specified in an electoral list in accordance with the Serbian alphabet and Cyrillic script, and may also be specified in accordance with the alphabet and script of a national minority, where the order shall be determined by the electoral list nominator.

(7) The electoral list shall include, among the group of three candidates in the order on the list (first three places on the list, second three places and so on until the end of list), at least one candidate belonging to the less-represented sex on the list.

(8) The electoral list that does not meet the requirements related to its content referred to in this Article shall be deemed deficient to be proclaimed.

**Name of the electoral list nominator**

**Article 21**

(1) If the electoral list is submitted by a group of voters, they shall state its name from the agreement on the formation of the group of voters as the name of the nominator in the electoral list and in all other election documents. The name of the group of voters must contain the designation "Group of voters" at the beginning and cannot contain the words "party" or "association" in any case, nor the name of a registered political party or registered association.

(2) If the electoral list is submitted by an association, it shall state its name as the nominator of the electoral list in the electoral list according to the name from the association's registration act.

(3) If the electoral list is submitted by a political party of a national minority, it shall state its name as the nominator of the electoral list in the electoral list according to the name from the act on the registration of the political party.

**Name of the electoral list**

**Article 22**

(1) An electoral list shall have a name determined by the electoral list nominator.

(2) If an electoral list is nominated by a group of voters, the name of the electoral list shall contain the name laid down by the agreement on the establishment of the group of voters. The name of an electoral list of a group of voters may not contain words “association” and “party” in any of their cases, or a name of a registered association or a registered political party.

(3) If an electoral list is nominated by an association, the name of the electoral list may contain the name of the association in question, and it shall be the same as the name of the association specified in its registration act.

(4) If an electoral list is nominated by a political party of a national minority, the name of the electoral list must contain the name of the political party specified in its registration act.

(5) The name of an electoral list nominated by a group of voters, or an association may not refer to the name of a church and a religious community.

(6) The name of an electoral list may also include the name and surname of one person (electoral list leader), accompanied with his/her written consent given on a form specified by the Commission.

(7) As an exception to paragraph 6 of this article, by signing the electoral list, the authorization to submit the electoral list or the agreement on the formation of a group of voters, the person shall be deemed to have consented to the use of his/her name in the name of the electoral list.

(8) The name of the electoral list may, in addition to the name of the electoral list leader, contain his/her nickname or generally known pseudonym.

(9) The electoral list leader may, but does not have to, be a candidate for a national council member on that electoral list.

(10) The same person may not be the leader of two electoral lists, nor may he/she be the leader of one electoral list, and a candidate for a national council member on another electoral list.

(11) The name of the electoral list shall not contain the names of historical figures or fictional characters.

(5) The name of an electoral list shall be specified in the Serbian language and Cyrillic script and may also be specified in the language and script of a national minority.

**Documentation accompanying the electoral list**

**Article 23**

(1) The following documentation shall be enclosed to the electoral list:

1) a statement by each candidate that he/she accepts the candidacy for a member of the national council, on the form prescribed by the Commission and which contains his name, surname, UMCN, occupation, place and address of residence, certified by a notary public or in the municipal or city administration, and in the municipalities, i.e. cities where notaries have not been appointed and at the basic court, judicial unit or reception office of the basic court;

2) the consent of the holder of the electoral list to be the holder of the electoral list, on the form prescribed by the Commission, which contains his/her name, surname, UMCN, place and address of residence, if the name of the electoral list contains the name and surname of that natural person and if he/she did not sign the electoral list , authorization to submit an electoral list or an agreement on the formation of a group of voters;

3) the authorization of the person authorized by the nominator to submit the electoral list, on the form prescribed by the Commission, which contains the name, surname, UMCN, place and address of residence of the authorized person, if the electoral list is not submitted by a representative of a group of voters, an association or a national political party minorities;

4) declarations of voters that they support the electoral list, on the form prescribed by the Commission and containing the name, surname, UMCN, place and address of residence for each voter, certified before the deadline for submitting the electoral list at the public notary or in the municipal or city administration, and in municipalities, i.e. cities where public notaries have not been appointed and at the basic court, judicial unit or reception office of the basic court;

5) a list of voters who support the electoral list, made in written and electronic form (CD, DVD or USB), so that the list in both forms is identical, and signed by the person submitting the electoral list, on the form prescribed by the Commission, which contains the voter's surname and first name, UMCN and information about the notary who authenticated the signature on the statement;

6) certified agreement on the formation of a group of voters, if the electoral list is nominated by a group of voters;

7) a certified copy of the statute of the association submitted to the Serbian Business Registers Agency if the electoral list is nominated by the association.

(2) Voters' statements supporting the electoral list and the list of such voters need to be in alphabetical (Alphabet) order of the names of municipalities/cities on whose territories the statements have been certified, and within a municipality/city they need to be in the alphabetical (Alphabet) order of the names of authorized certifiers.

(3) Forms for submission of the electoral list shall be prescribed by the Commission in a separate act and published within five days of the decision to announce the elections.

**Collecting signatures of voters supporting the electoral list**

**Article 24**

(1) An electoral list must be supported by the signatures of at least 1% of voters and not less than 50 voters registered in the special electoral roll of the national minority whose national council members need to be elected.

(2) In order to determine the minimum number of voters' signatures required to support the electoral list, the decision of the ministry responsible for maintaining a special electoral roll on the temporary closure of the special electoral roll is authoritative. The Commission publishes information on the minimum number of voter declarations necessary for submission of the electoral list of candidates for members of all national councils of national minorities who are elected in direct elections on its web presentation.

A voter may support by his/her signature the electoral list of only one submitter.

(4) A certified statement of a voter supporting the electoral list shall be valid even when such errors have been made at completing the statement form that allow determining with certainty which electoral list is supported, provided that the statement has been certified by the competent authority.

(5) It is forbidden to collect the supporting signatures of voters at their workplaces or to put a voter under any form of pressure asking him/her to support the electoral list by his/her signature.

(6) Not later than seven days prior to the election day, the Commission shall publish on its website, for each proclaimed electoral list, the number of verified voters’ statements who supported the electoral list with their signature per each local self-government unit, accompanied by the data on the number of statements in each local self-government unit verified by each of the authorised certifiers individually (notary public, municipal or city administration or basic court, court unit or basic court’s registry office).

**Deficiencies of an electoral list**

**Article 25**

(1) If the Commission establishes that an electoral list has not been submitted in time, it shall decide rejecting the electoral list.

(2) If the Commission establishes that an electoral list contains deficiencies hindering the proclamation of an electoral list, the Commission shall, within 24 hours upon receipt of the electoral list, adopt a conclusion instructing the electoral list nominator to eliminate the deficiencies within 48 hours following the delivery of the conclusion. The conclusion delivered to the electoral list nominator shall prescribe the manner of elimination of such deficiencies.

(3) If the Commission establishes that an electoral list contains deficiencies, and/or if it establishes that the deficiencies have not been eliminated, or that they have not been eliminated within a specified time limit, the Commission shall make a decision within the next 48 hours refusing the proclamation of such an electoral list.

**Proclamation of the electoral list**

**Article 26**

(1) The Commission shall proclaim an electoral list of the nominator immediately upon receipt of the electoral list and the related documents and not later than 24 hours from the receipt of the electoral list.

(2) The Commission shall, without delay, deliver to the nominator the decision on the proclamation of the electoral list referred to in paragraph 1 of this Article.

(3) The nominator of a proclaimed electoral list may withdraw the electoral list not later than prior to the date of establishment of the collective electoral list.

**Suspension of a national council's election procedure**

**Article 27**

1) If no electoral list is registered for the elections for members of a certain national council, if no registered electoral list is declared or if the number of candidates on the proclaimed electoral lists is less than the number of members of the national council to be elected, the Commission shall issue a decision on suspension of the procedure for electing members of that national council.

(2) When the decision on the suspension of the procedure for electing members of the national council becomes legally binding, the Commission shall notify the ministry responsible for human and minority rights.

**IV.** **COLLECTIVE ELECTORAL LIST**

**Article 28**

(1) Collective electoral list for the election of each national council separately contains all the electoral lists, with the personal names of all candidates and data on the year of birth, occupation and residence.

(2) The order of electoral lists on the collective electoral list is determined according to the order of their proclamation.

(3) The Commission determines the collective electoral lists of candidates for members of each national council separately and publishes them in the “Official Gazette of the Republic of Serbia”, no later than ten days before the day of the election.

(4) The Commission shall not determine collective electoral list if the number of candidates on the declared electoral lists is less than the number of members of the national council to be elected.

**V. POLLING STATIONS**

**Competence to designate polling stations**

**Article 29**

(1) The Commission determines and announces in the “Official Gazette of the Republic of Serbia” the polling stations where voting will take place in the elections, no later than 20 days before the day of the election.

(2) The Commission determines the polling stations in cooperation with the municipal/city administration bodies, that is, the administration bodies of the city municipalities of the city of Belgrade (hereinafter: municipal/city administrations).

**Manner of designating polling stations**

**Article 30**

(1) A polling station shall be designated for voting of not less than 100 and not more than 2,500 voters.

(2) In exceptional cases, a polling station may be designated for the voting of less than 100 voters, if, due to spatial distance or unfavourable geographical location, it would be significantly more difficult for voters to vote at another polling station.

(3) A polling station may include the territory of one or more local self-government units, a part of a settlement, one settlement or several settlements.

(4) For each polling station, the following shall be determined: number of the polling station, name of the polling station, address of the polling station and the area from which voters vote at that polling station (municipality, city, urban municipality, street, house number, village, hamlet, settlement and etc.).

**Facilities where polling stations are located**

**Article 31**

(1) Polling stations shall, as a rule, be premises in public ownership, and only exceptionally premises in private ownership.

(2) The proposal of the municipal/city administration to place the polling station in a privately owned facility must be substantiated.

(3) The polling place cannot be in a religious building, in a building owned by a political party or used by a political party, as well as in a building owned by a candidate for a member of the national council, or a member of his family.

(4) All facilities containing rooms designated as polling stations, regardless of whether they are in public or private ownership, while voting is in progress, shall be considered facilities in public use, in the sense of the law regulating movement with the help of a guide dog.

**Voting premises area**

**Article 32**

(1) The premises designated for a polling station with less than 1,000 voters should have an area of ​​at least 30 square meters.

(2) The premises designated for a polling station with 1,000 or more voters should have an area of least 50 square meters.

**ACCESSIBILITY OF POLLING STATIONS**

**Article 33**

(1) When determining the polling station, care is taken to ensure that the polling station is accessible (both in physical and communication manner).

(2) Accessibility means that the access to the facility with one or more polling stations as well as the pedestrian crossing are without obstacles, that there is a parking space for people with disabilities, that the entrance to the facility is levelled with the sidewalk or that there is an adequate way to overcome obstacles, that doors on the facility enable unobstructed entrance, that movement in the facility is enabled in one level or that there is a possibility of unobstructed vertical communication, as well as that forms of information and communication with voters are provided.

(3) For polling stations, wherever possible, the premises where the polling station is located shall be designated on the ground floor / parterre of the building.

**Arrangement of polling stations**

**Article 34**

(1) The working body shall, in cooperation with the municipal/city administration, promptly ensure that the voting premise is arranged in the manner prescribed by the law, the rules on the work of polling boards and these Instructions and is open for voting.

(2) The voting room must be arranged in a way that enables the secrecy of voting, in accordance with the rules on the work of polling boards.

(3) The polling station must be arranged in such a way as to enable access and unimpeded movement of voters who are disabled persons.

(4) At the polling station and within 50 meters of the polling station, it is forbidden to display the symbols of the nominators of electoral lists and other electoral propaganda material.

(5) The polling board shall provide the persons who supervise, i.e. follow the work of the polling board (representatives of the nominators of declared electoral lists and observers) a suitable place from which they can monitor the course of voting and the establishing of voting results.

**VI.** **SPECIAL ELECTORAL ROLLS**

**Registration and changes in the electoral roll**

**Article 35**

(1) The municipal/city administration, which is responsible for updating the part of the special electoral roll of a certain national minority, registers voters who are not registered in the special electoral roll, as well as changes the data in the special electoral roll, until its conclusion, i.e. no later than 15 days before on the day of the election.

(2) From the conclusion of the special electoral rolls of national minorities (hereinafter: the electoral rolls), until 72 hours before the day of the election, the registration of voters who are not registered in the electoral roll and changes in the electoral roll are carried out by the ministry responsible for maintaining the electoral roll.

**Conclusion of the electoral roll and announcement of the total number of voters**

**Article 36**

(1) The Ministry responsible for maintaining the electoral roll concludes the electoral roll by decision 15 days before the day of the election, and in the decision determines the total number of voters for each national minority, as well as the number of voters per polling station, in total for each polling station and classified by national minorities.

(2) The ministry responsible for maintaining the electoral roll publishes the decision on the conclusion of the electoral roll in the “Official Gazette of the Republic of Serbia” within 24 hours of its adoption and submits it to the Commission.

**Submission of excerpts from the electoral roll**

**Article 37**

The Ministry responsible for maintaining the electoral roll compiles certified extracts from the electoral roll for each polling station and each national minority and submits them to the Commission within 48 hours from the conclusion of the electoral roll.

**Delivery of decisions on subsequent changes in the electoral roll**

**Article 38**

The Ministry responsible for maintaining the electoral roll submits to the Commission all the decisions on which the changes in the electoral roll are based, which it made after the conclusion of the electoral roll and 72 hours before the day of the election.

**Data entry from the decision on subsequent changes in the electoral roll**

**Article 39**

(1) The Commission, based on the decision of the ministry responsible for maintaining the electoral roll, on which the changes in the electoral roll are based, makes changes to extracts from the electoral roll, considering only those decisions that were received at least 48 hours before the day of the election.

(2) Entry of changes in the extract from the electoral roll shall be entered according to the data from the decision on which the changes in the electoral roll are based, starting with ordinal number 1, at the end of the extract from the electoral roll, on a separate page, under the title: “Subsequent changes”.

**Determination and publishing of the final number of voters**

**Article 40**

The Commission, immediately after introducing the changes referred to in Article 38 of these Instructions, determines and publishes in the “Official Gazette of the Republic of Serbia” the final number of voters for each national minority, as well as the number of voters per polling station, total number for each polling station and classified by national minorities.

**VII.** **NOTIFICATION ON THE DAY AND TIME OF THE ELECTIONS**

**Article 41**

(1) Notification to voters about the day and time of the election, with the number and address of the polling station where the voter votes and the number under which he/she is entered in the excerpt from the electoral roll, shall be carried out by the municipal/city administration.

(2) The notification referred to in paragraph 1 of this article shall be delivered no later than five days before the day of the election.

**VIII.** **STANDARDS FOR ELECTION MATERIAL**

**Printing of election material**

**Article 42**

(1) Ballot papers and other election material for the conduct of elections shall be printed in the printing house of the “Official Gazette” public enterprise.

(2) Ballot papers for elections shall be printed on watermarked paper.

(3) The Commission shall issue a decision determining the colour of the ballot paper and the colour of the control list for validation check of the ballot box and shall publish it in the “Official Gazette of the Republic of Serbia”.

(4) The ballot paper and the control list for validation check of the ballot box may not be the same colour.

**Ballot papers**

**Article 43**

(1) The number of ballot papers printed must be equal to the number of voters entered in the electoral roll for each national minority whose national council is being elected.

2) The Commission issues a decision to determine the number of ballot papers to be printed, as well as the number of spare ballot papers.

(3) The number of spare ballot papers for each national council that is being elected cannot be higher than 0.5% of the total number of voters of each national minority, nor lower than 10, provided that this number can be higher, in accordance with the final number of voters determined by the Commission.

(4) The Commission shall determine by a decision the form and layout of the ballot papers, and the integral part of the decision containing samples of the ballot papers.

**Use of language and script**

**Article 44**

(1) The text of the forms for submitting the electoral list, the text of the collective electoral list, the text of the ballot, the text of the form of the result protocols and the text of the certificate on the election of a member of the national council of the national minority shall be printed in the Serbian language and in the Cyrillic script.

(2) If the language and script of the national minority whose national council is being elected are in official use in at least one local self-government unit, the texts of the materials referred to in paragraph 1 of this article shall be printed bilingually, i.e. in the language and script of the national minority as well, the text in the language and script of the national minority being printed below the text in the Serbian language and Cyrillic, in the same form and of the same font size.

**Preparation for printing ballot papers**

**Article 45**

(1) After making a decision on the form and layout of the ballot papers, the Commission shall prepare a sample ballot paper that is verified by the Chairperson of the Commission with his/her signature and the seal of the Commission.

(2) Based on a verified sample of the ballot paper, the printing house shall make preparations for the printing of ballot papers.

(3) The first copies of ballot papers shall be destroyed on the spot until a ballot paper that meets the required graphic standards is printed.

The first printed ballot that meets the required graphic standards shall be compared with the verified ballot paper sample by the Chairperson of the Commission or a person authorised by him/her.

(5) Having determined that the printed copy of the ballot paper is consistent with the verified sample, the Chairperson of the Commission or a person authorised by him/her to do so shall approve with his/her signature the printing of the ballot papers in the determined number of copies.

(6) Immediately upon completion of printing, in the presence of at least three authorised members, i.e. deputy members of the Commission appointed at the proposal of different authorised proposers, all technical surplus of ballot papers, as well as all the material that was used to prepare the printing of ballot papers, shall be destroyed, about which the record shall be made.

**Supervision of printing**

**Article 46**

(1) Printing of ballot papers shall be supervised by the Commission.

(2) The Commission shall enable the transparency of printing the ballot papers.

(3) Representatives of the nominators of electoral lists and accredited representatives of domestic and foreign observers shall have the right to attend the printing, counting and packing of ballot papers and the delivery of ballot papers to the Commission, working bodies, or polling boards.

(4) The Commission shall promptly inform the nominators of electoral lists and domestic and foreign observers that their representatives have the right to attend the printing, counting, packing and delivery of ballot papers, as well as where and when these activities take place.

(5) The authorised person of the nominator of the electoral list shall submit to the Commission in written form a notification about the persons who will be present at the printing, counting, and packing of the ballot papers, with the name and surname, ID card number and mobile phone number being stated for each person.

(6) Representatives of the nominators of electoral lists who attend the submission of ballots to the Commission and the handover of ballot papers to working bodies, i.e. polling boards, shall have authorisation to attend the said activities, which contains the name and surname of the representative, ID card number and mobile phone number.

(7) The public enterprise “Official Gazette” shall keep records of the presence of representatives of the nominators of electoral lists and domestic and foreign observers at the printing, counting and packing of ballot papers.

**Ballot box and screens for ensuring the secrecy of voting**

**Article 47**

For voting in the election, a ballot box and screens shall be used to ensure the secrecy of the voting, all made according to the Instructions on uniform standards for election material (“Official Gazette of the RS”, No. 19/22).

**Electoral ink spray for marking voters’ finger**

**Article 48**

Marking of the voters’ finger, as a sign that the voter voted, is done by spraying a special insoluble UV ink, visible under a special light of a UV lamp.

**IX.** **DELIVERING OF ELECTION MATERIAL TO POLLING BOARDS BEFORE VOTING**

**Election material provided by the Commission**

**Article 49**

(1) The Commission shall provide the following election materials for each polling board:

1) The collective electoral list for members of each national council being elected at the polling station;

2) The excerpt from the electoral roll for voting at the polling station for each national council being elected at the polling station;

3) The required number of ballot papers, which corresponds to the number of voters registered in the excerpt from item 2) of this paragraph;

4) The control list for the validation check of the ballot box;

5) The form of the result protocols of the polling board conducting voting and establishing the results of voting in the elections for members of each national council being elected at the polling station (hereinafter: the result protocol of the polling board), in six copies;

6) The form of the control form for the logical and computational control of the result protocols of the polling board at the polling station;

7) The form of the records on the observers of the polling board’s work;

8) National flag of the Republic of Serbia;

9) Forms of certificate of suffrage for casting a vote outside the polling station;

10) The decision on establishing the polling board;

11) Identification cards for members of the polling boards;

12) The form of Records on the presence of members and deputy members of the polling board at the polling station, in two copies;

13) The list of representatives of the nominators of electoral lists for monitoring the work of polling boards;

14) The lists of representatives of domestic and foreign observers accredited to monitor the work of polling boards;

15) The marking of the polling station, information posters for voters, manuals, guides, etc;

16) The ballot box, the ballot box mark and two stickers for sealing the ballot box;

17) The screens for ensuring the secrecy of the voting;

18) Two sprays for marking voters’ fingers;

19) Two UV lamps;

20) The bag for storing election material, security locks for sealing the bag before and after voting and the sticker for marking the bag.

21) The envelopes for packing ballot papers and stickers for sealing envelopes.

(2) If the material referred to in paragraph 1, sub-item 9) of this article, which the Commission submits to the working body, is not sufficient, the working body shall multiply it in the required number of copies.

(3) Material from paragraph 1, items 13) and 14) of this article, the working body multiplies in the required number of copies.

**Election material provided by the municipal/city administrations**

**Article 50**

(1) Municipal/city administrations shall provide the following material for each polling board in a timely manner:

1) Batteries for UV lamps;

2) Writing utensils (pencils, markers, etc.);

3) Envelopes for keeping papers and certificates on the right to vote outside the polling station, after voting;

4) other material (scissors, duct tape, guarantor, ruler, writing paper, etc.).

(2) Municipal/city administrations shall be obliged to provide space for safe storage of election material in a timely manner.

**Delivery of election material via working body**

**Article 51**

(1) The coordinator receives the printed election material from the Public Enterprise “Official Gazette” and hands it over to the working body no later than four days before the day of the election.

(2) The election material referred to in Article 49 of these Instructions shall be submitted by the coordinator to the working body at the headquarters of the administrative district, and for the city of Belgrade at the printing house of the Public Enterprise “Official Gazette”.

(3) Record on delivery and receipt referred to in paragraph 2 of this Article shall be made in three copies, on the form prescribed by the Commission.

(4) The working body submits the received material, together with the material from Article 50 of these Instructions, provided by the municipal/city administration, to the polling boards at the municipal/city headquarters, no later than 48 hours before the day of the election. Record on delivery and receipt of election material shall be made in three copies, on the form prescribed by the Commission.

(5) After the delivery of the election material to the polling boards, the election material shall be placed, in the presence of the polling board, into the storage sack for the election material, which shall be closed with the security seals, the serial number of which shall be entered in the Record on delivery and receipt from Paragraph 4 of this Article.

(6) Before sealing, the sack with the election material must be marked with a label containing the name of the city/municipality and the ordinal number of the polling station.

(7) The sack with the election material may not be opened before the polling board gathers at the polling station on election day.

**Special rules for packing and delivery and receipt of ballot papers**

**Article 52**

(1) In case more than 100 voters of one national minority vote at a certain polling station, during the handover of electoral materials, the ballot papers for the election of members of the national council of that national minority should be handed over to the polling board so that first 100 ballot papers are packed in separate envelopes and finally the remaining ballot papers of less than 100 in a separate envelope (for example, if 436 voters are registered at the polling station, the local electoral commission puts 100 ballot papers in four envelopes and then the remaining 36 ballot papers in the fifth envelope).

(2) In the case referred to in paragraph 1 of this article, all envelopes with ballot papers should be closed and sealed with a sticker containing the name of national minority and on which the number of ballot papers in that envelope is entered and thus placed in the sack for keeping election material.

(3) The working body shall emphasize to the polling boards that:

1) when preparing for the start of voting at the polling station, only envelopes with less than 100 ballots are opened for voting by voters of the national minority with more than 100 voters;

2) the envelope with 100 ballot papers may not be opened until all ballot papers from the first open envelope have been used for voting;

3) the next envelope with 100 ballot papers is opened only after all 100 ballot papers from the previously opened envelope with 100 ballot papers have been used;

4) all envelopes that did not need to be opened during the voting must remain sealed and thus be delivered to the working body after the voting.

(4) Envelopes for packing ballot papers and stickers for sealing envelopes shall be provided by the Commission and delivered to working bodies together with the material referred to in Article 49 of these Instructions.

**X. DELIVERY OF ELECTION MATERIAL TO THE COMISSION AFTER VOTING**

**Delivery of election material via working body**

**Article 53**

(1) Upon establishing the voting results at the polling station, the polling board shall, without delay, deliver to the working body in the building of the municipality/city, the following election material:

1) First copy of the Records on the work of the polling boards concerning the conduct of the voting and establishment of the voting results at the elections for the members of each national council being elected at the polling station;

2) The form of the records on the observers of the polling board’s work;

3) Excerpt from the electoral roll for voting at the polling station in the elections for members of each national council;

4) Envelope in which the control list for the validation of the ballot box is sealed with a sticker;

5) Envelope containing unused ballot papers for voting in the elections for members of each national council being elected at the polling station, sealed with a special sticker;

6) Envelope containing invalid ballot papers for voting in the elections for members of each national council being elected at the polling station, sealed with a special sticker;

7) Envelope containing valid ballot papers for voting in the elections for members of each national council that was elected at the polling station, sealed with a special sticker;

8) Eenvelope containing signed certificates of electoral right to vote outside the polling station for voting in elections for members of each national council, sealed with a sticker;

9) The security sealing lock used for sealing the election material storage bag on the delivery of the election material before the voting by the working body to the polling board.

10) One copy of records on the presence of members of the polling board at the polling station;

(2) The election material shall be delivered by the chairperson of the polling board or his/her deputy, and all members of the polling board may attend the delivery and receipt.

(3) Record on delivery and receipt referred to in paragraph 2 of this Article shall be made in four copies, on the form prescribed by the Commission.

(4) On the delivery and receipt referred to in Paragraph 1 of this Article, the polling board shall deliver to the municipal/city administration the remaining material (ballot box, sprays for marking voters’ fingers, screens for voting, UV lamps, polling board members identification badges, stationary, etc.) and the second copy of Record on attendance of the polling board members at the polling station.

**Handling the material delivered to the local electoral commission and the municipal / city administration**

**Article 54**

(1) After polling board hands over the election material to the working body and the municipal city administration, the material from Article 53, paragraph 1, items 4) to 7) and 9) shall be placed in a bag for keeping of election material, which shall be sealed with a security lock in the presence of the members of working body and the members of the polling board who delivered the material, and whose serial number shall be entered in the delivery and receipt record from Article 53 paragraph 3 of these Instructions.

(2) Before sealing, the sack with the election material must be marked with a sticker containing the name of the city/municipality and the ordinal number of the polling station. The sealed bag may be opened only on the basis of a decision of the Commission, except in the case referred to in Article 55, paragraph 5 of these Instructions.

(3) Result protocols, Record on observers of the polling board work, excerpt from the Electoral Roll and the envelope with certificates of suffrage for voting out of the polling station shall not be placed in the sack with other election material but shall be packed separately from other election material by the working body and thus separated delivered to the Coordinator.

**Article 55**

(1) After receiving election materials from all polling boards, the working body immediately hands over the materials to the coordinator at the seat of the administrative district.

(2) The working bodies for the city of Belgrade hand over the election materials collected from all polling boards to the coordinator in the building of the National Assembly in Belgrade, 14 Kralja Milana St.

(3) Along with the electoral material received from the polling board, the working body also hands over to the coordinator one copy of the record of delivery and receipt of the election material after voting between the polling board and the working body, as well as one copy of the records of the presence of the polling board members at the polling station.

(4) On the deliverz and receipt from para. 1. and 2. of this article, the records are drawn up in three copies, on the form prescribed by the Commission.

(5) The coordinator is authorized to check the contents of the sealed sack with election materials that he/she received from the working body, in the presence of the working body.

(6) Once the handover of material referred to in Paragraph 5 of this Article has been completed, the coordinator, in the presence of the working body members, shall seal with a new security sealing the election material, and its serial number shall be entered into the Record on delivery and receipt referred to in Paragraph 4 of this Article. The sealed bag may be opened again only on the basis of a decision of the Commission.

**XI.** **ESTABLISHING ELECTIONS’ RESULTS**

**Checking result protocols**

**Article 56**

(1) When handing over the election material after the end of the voting, representatives of the polling board and the working body shall check the result protocols, identify any errors in completing the protocols, and produce a report.

(2) If during the check of the result protocols the election material is inspected, the factual situation established by such inspection of the election material is entered in the report on checking the result protocols.

**Handling minor errors**

**Article 57**

(1) If there are obvious errors in filling in the result protocols (minor errors), the Commission shall issue a decision on correcting the result protocols based on the report on checking the result protocols.

(2) The following shall be deemed minor errors:

1) If the number of voters registered in the excerpt from the electoral roll is not recorded or is erroneously recorded in the result protocols;

2) If the number of voters who turned out is not recorded in the result protocols, and the other results are logically and computationally correct;

3) If the number of voters who turned out recorded in the result protocols is greater than the number of voters registered in the excerpt from the electoral roll, and the other results are logically and computationally correct;

4) If the total number of ballot papers in the ballot box is not recorded in the result protocols, and the other results are logically and computationally correct;

5) If the number of valid ballot papers is not recorded in the result protocols, and the sum of the number of invalid ballot papers and the number of votes won individually by each electoral list is equal to the number of ballot papers in the ballot box.

**Handling serious errors**

**Article 58**

(1) If there are gross logical-computational errors (serious errors) in the result protocols, representatives of the polling board and the working body shall also inspect the election material when checking the result protocols.

(2) Based on the report on checking the result protocols, the Commission shall issue a decision to correct the result protocols, a decision establishing that voting results cannot be determined at a certain polling station, or a decision annulling voting ex officio.

(3) Serious errors shall be, in particular, the following:

1) If the number of ballot papers in the ballot box recorded in the result protocols is greater than the number of voters who turned out;

2) If in the result protocols the sum of the number of votes won individually by each electoral list is not equal to the number of valid ballot papers, and the sum of the number of invalid ballot papers and the number of valid ballot papers is equal to the number of ballot papers in the ballot box;

3) If the sum of the number of invalid ballot papers and the number of votes won individually by each electoral list recorded in the result protocols is greater than the number of voters registered in the excerpt from the electoral roll;

4) If the number of valid ballot papers recorded in the result protocols is not equal to the sum of the number of votes won individually by each electoral list, and the sum of the number of invalid ballot papers and the number of votes won individually by each electoral list is equal to the number of ballot papers in the ballot box;

5) If the number of invalid ballot papers is not recorded in the result protocols, and the sum of the number of votes won individually by each electoral list is equal to or lower than the number of ballot papers in the ballot box;

6) If the number of invalid ballot papers recorded in the result protocols is not equal to the difference between the number of ballot papers in the ballot box and the number of valid ballot papers, and the sum of the number of votes won individually by each electoral list is equal to or less than the number of ballot papers in the ballot box.

**Impossibility to establish voting results at the polling station**

**Article 59**

The Commission shall ex officio issue a decision establishing that the voting results cannot be established at a certain polling station if:

1) Voting at that polling station was not held, or if after it suspending it was not resumed;

2) It has not received the result protocols;

3) The submitted result protocols were not signed by at least three members of the polling board;

4) There are gross logical-computational errors in filling in the result protocols that could not be rectified even after inspecting the entire election material from the polling station.

***Ex officio* annulment of voting at the polling station**

**Article 60**

The electoral commission shall ex officio issue a decision annulling the voting at a polling station if it establishes that:

1) The number of ballot papers in the ballot box is greater than the number of voters who turned out;

2) The polling board allowed a person who is not registered in the excerpt from the electoral roll to vote;

3) There is no control list in the ballot box, or that the control list was not completed or that it was not signed by the first voter and at least one member of the polling board;

4) The sum of the number of unused ballot papers and the number of ballot papers in the ballot box is greater than the number of ballot papers received by the polling board.

**Repeating voting**

**Article 61**

(1) Voting at a polling station shall be repeated if it is established that the voting results cannot be determined at that polling station or if the voting at that polling station has been annulled.

(2) The decision on conducting a repeat voting at a polling station shall be made by the Commission within three days following the day when the decision establishing that the voting results cannot be determined at that polling station, or a decision annulling voting at that polling station was published on the website.

(3) If a legal remedy has been filed against the decision establishing that the voting results cannot be determined at the polling station, or the decision annulling voting at the polling station, the deadline for issuing a decision on conducting a repeat voting at that polling station shall start running from the day when the decision on the legal remedy is delivered to the Commission.

(4) The repeat voting shall be conducted within ten days following the day of passing the decision on conducting the repeat voting.

(5) The Commission shall appoint a new polling board to conduct the repeat voting.

**Election results**

**Article 62**

(1) The Commission shall publish a report with overall election results for each national council in the “Official Gazette of the Republic of Serbia” within 96 hours after the completion of voting.

(2) If a legal remedy has been filed due to irregularities during the conduct of voting at the polling station, or if a legal remedy has been filed against the decision establishing that the voting results cannot be established at the polling station, or the decision annulling voting at the polling station, the deadline for determining and publishing the report with the overall results of the election shall start from the day when the decisions on all submitted legal remedies were delivered to the Commission.

(3) If repeated voting is conducted at certain polling stations, the deadline for determining and publishing the report with the overall results of the election shall start from the closing of the polling station where the voting was repeated last, or from the day when decisions on all filed legal remedies in connection with the repeat voting have been submitted to the Commission.

(4) At its session, the Republic Electoral Commission shall determine the preliminary election results for all polling stations that have been processed within 24 hours following the closing of the polling stations.

(5) The commission publishes the election results for each national council by polling station on its web presentation.

**Publishing of result protocols of polling boards**

**Article 63**

(1) The Commission shall publish all result protocols on its web presentation.

(2) If error in completing the result protocols have been corrected, the decision on correcting the result protocol shall be published as well.

(3) If the Commission has issued a decision stating that the voting results cannot be determined at a particular polling station or a decision annuling the voting at a polling station, that decision is also published on the web presentation along with the result protocol of the polling board.

**Statistical data processing**

**Article 64**

(1) Statistical data processing during the elections is performed by the republican organization responsible for statistics, based on the result protocols of the polling boards.

(2) Statistical data processing is performed during the handover of election materials after voting between the polling board and the working body and at the headquarters of the Commission.

(3) The republican organization responsible for statistics shall appoint a person who, after the end of the voting, will attend the handover of election materials between the polling boards and the working bodies, carry out logical and mathematical control of the data in the result protocols, participate in the control of the result protocols and enter the voting results from the result protocols, which do not contain formal deficiencies, into the database of election results.

(4) The nominator of the proclaimed electoral list may report to the Commission a person who has the right to attend the statistical processing of data in the Commission and during the handover of election materials after voting between the polling board and the working body.

(5) As soon as they are statistically processed, the data on the results of voting at the polling stations shall be published on the web presentation of the Comission, starting with the data from the polling station first processed, and ending with the publishing of the general election results.

**XII.** **SUPERVISION AND MONITORING OF THE WORK OF THE ELECTORAL MANAGEMENT AUTHORITIES AND BODIES**

**Representatives of the nominators of proclaimed electoral lists**

**Article 65**

(1) The work of electoral management authorities and bodies may be supervised by the representatives of the nominators of the proclaimed electoral lists.

(2) Only one representative of the nominator of the proclaimed electoral list may attend the session of the Commission, meeting of the working group or meeting of the working body.

(3) The representative of the nominator of the electoral list may supervise the work of all polling boards in the territory of the municipality/city/municipality of the city of Belgrade for which he/she is registered, with the provison that two representatives of the same nominator of the electoral list may not be present at the same polling station at the same time.

(4) To supervise the work of the election authorities and bodies, the nominator of the electoral list may authorize an adult citizen of the Republic of Serbia who is not a candidate for a member of the national council or a member of the authorities and bodies engaged in the conduct of elections.

(5) Representatives of the nominators of the proclaimed electoral list may supervise the work of only those polling boards that conduct elections for members of the national council in which the nominator of the proclaimed electoral list participates.

(6) The nominator of the proclaimed electoral list shall inform the Commission about its representatives authorized to supervise the work of the Commission, on the form prescribed by the Commission, no later than five days before the day of the election.

(7) The nominator of the proclaimed electoral list informs the Commission about its representatives authorized to supervise the work of working bodies and polling boards in the municipalities/cities/municipalities of the city of Belgrade no later than ten days before the day of the election, using the form prescribed by the Commission.

(8) The Commission issues appropriate accreditations to the representatives of the electoral list nominators authorized to supervise the work of the election conduct body, in which the necessary data specified in the notification to the Commission about the representatives of the electoral list nominators shall be entered.

(9) The Commission delivers timely received notifications from paragraph 7 of this article to the polling boards, through working bodies.

(10) The Commission, by a separate act, prescribes the form of the list of authorized persons for monitoring the work of electoral management authorities and bodies.

(11) The costs of monitoring the work of the election conduct body shall be borne by the nominators of the proclaimed electoral lists whose representatives supervise the work of the election conduct body.

**Domestic and foreign observers**

**Article 66**

(1) The provisions of the law governing the election of members of the national assembly on the observation of the work of electoral management authorities and bodies shall be applied accordingly to the registration of domestic and foreign observers of the work of electoral management authorities and bodies.

(2) The Commission, by a special act, prescribes the forms for submitting applications for monitoring the work of electoral management authorities and bodies.

**The position of the representatives of the nominators of electoral lists and observers**

**Article 67**

The provisions of the law regulating the election of members of national assembly on the observation of the work of the electoral management authorities and bodies shall be applied accordingly to the position of representatives of the nominators of electoral lists and observers.

**XIII.** **PROTECTION OF THE ELECTORAL RIGHT**

**Article 68**

The provisions on the protection of the electoral right of the law governing the election of members of the national assembly are applied accordingly to the protection of the right to vote, with the request for annulment of voting at the polling station being submitted to the Commission.

**XIV.** **FINAL PROVISIONS**

**Article 69**

Forms for the conduct of election activities are prescribed by the Commission within five days from the date of the decision on the announcement of elections.

**Article 70**

On the date of entry into force of these Instructions, the Instructions for conducting direct elections for members of national councils of national minorities (“Official Gazette of the RS”, number 57/18 - revised text) ceases to be valid.

**Article 71**

(1) These Instructions shall be published in the “Official Gazette of the Republic of Serbia” and on the web presentation of the Commission.

These Instructions shall enter into force on the day following the day of its publication in the “Official Gazette of the Republic of Serbia”.

02 Number 013-1894/22

Belgrade, 5 September 2022

**REPUBLIC ELECTORAL COMMISSION**

CHAIRPERSON

Mr Vladimir Dimitrijevic