

Law on Decentralisation 2015

Law N^o: 49 of 2015¹

Article 1 – This Law shall be called the “Law on Decentralisation of 2015” and shall enter into effect as of the date of its publication in the Official Gazette.²

Article 2 – The following words and expressions, wherever they appear in this Law, shall have the meanings ascribed to them hereunder, unless the context indicates otherwise:

Ministry: The Ministry of Interior.

Minister: The Minister of Interior.

Executive Council: The Executive Council of the governorate established in accordance with this Law.

Council: The Governorate Council established in accordance with this Law.

Administrator: The Governor (*Muhafedh*), County Executive (*Motasarif*) or District Administrator (*Mudir Al-Qada*), appointed in accordance with the provisions of the By-law of Administration Formations.

Commission: The Independent Election Commission (IEC).

Board of Commissioners: The Board of Commissioners of the Commission.

Department: The Civil Status and Passports Department, its directorates and offices in the governorates (CSPD).

Jordanian: A person holding Jordanian nationality in accordance with the provisions of the Jordanian Nationality Law.

Voter: A Jordanian who has the right to elect members of the Council in accordance with the provisions of this Law.

Actual voter: A voter who exercises his/her right to vote in accordance with the provisions of this Law.

Candidate: A voter whose application for candidature in a Council election has been accepted in accordance with the provisions of this Law.

District: A part of the governorate that has been assigned one or more seats in accordance with this Law and the by-laws issued thereunder.

Polling and Counting Centre: The location designated for conducting polling and counting processes.

Election committee: The committee formed in each electoral district in accordance with the provisions of this Law.

Card: The personal identification card issued by the Department.

Resident: A Jordanian whose usual place of residence is located within a certain electoral district.

Article 3

- A. The Governor shall, over and above the tasks and the powers granted to him by the legislation in force, undertake the following:
- (i) Lead the official institutions in the governorate and supervise the performance of their tasks.
 - (ii) Follow up on the execution of state public policies in the governorate; take whatever action is required to ensure these policies are heeded, so that state departments and institutions in the governorate are performing their duties and applying the laws, by-laws, instructions, notifications and official directives, in coordination with stakeholders, as needed.
 - (iii) Coordinate between the Governorate Council and municipalities of the governorate, the ministries, government departments and public institutions.
 - (iv) Supervise developmental and service plans and the preparation of the annual governorate budget.

¹ Translated by the Support to the Electoral Cycle in Jordan Project, which is funded by the European Union and UNDP. The original Arabic version can be found at <http://www.entikhabat.jo/sites/default/files/1451818790-pm-1.pdf>

² The Law on Decentralisation was published in the Official Gazette No. 5375 on 31 December 2015.

- (v) Take the necessary measures to ensure the execution of the Governorate Council's decisions and their referral to the competent bodies.
 - (vi) Provide the optimum services to citizens in coordination with the Governorate Council.
 - (vii) Work with the Governorate Council and the Executive Council to secure the appropriate environment to encourage investment in the governorate and provide socio-economic development requirements, and take the necessary measures to realize these in coordination with stakeholders.
 - (viii) Preserve state property, work on developing and utilizing it, and take the necessary the measures to guarantee this.
 - (ix) Take the necessary measures to protect health, public safety and the environment; form monitoring and inspection committees with the authority to temporarily close shops, enterprises and sites violating the law, and seize assets until these violations are referred to the competent court.
 - (x) Take the necessary measures in cases of emergency and coordinate the efforts of all the competent authorities.
 - (xi) Hold periodic meetings for the Governorate Council and committees that he/she presides over and take the necessary measures to execute their decisions and recommendations.
 - (xii) Perform any powers or duties assigned to him/her by the Council of Ministers, the Prime Minister or the competent ministers.
- B. Public security forces, gendarmerie, and civil defence forces shall be deployed in the governorate and their locations shall be designated and cancelled in agreement with the Governor.
- C. Should it become apparent to the Governor that the public security forces in the governorate are insufficient to maintain security, public order or public safety, he/she may request of the Minister support from the Jordanian Armed Forces / the Arab Army.

Article 4

- A. A council shall be formed in every governorate called the 'Executive Council' (*Al-Majles Al-Tanfithi*). This is chaired by the Governor and has the following as members:
- (i) The Deputy Governor and County Executives who are heading the counties, two Administrators who are heading districts within the governorate, and the Assistant Governor for Development Affairs.
 - (ii) The directors of the executive directorates and service departments of the governorate. In case there is more than one director of a directorate or department within a certain ministry, the competent minister or the first officer in charge of the sector shall name one of the directors of the directorates or departments, as the case may be, to become a member of the Executive Council.
 - (iii) The directors of the development zones and industrial cities in the governorate, if any.
 - (iv) A maximum of three executive directors of municipalities within the governorate, as named by the Minister of Municipal Affairs.
 - (v) One of the commissioners of the Aqaba Special Economic Zone Authority (ASEZA) to be nominated by its president with regard to Aqaba governorate, and one commissioner of the Petra Development and Tourism Region Authority to be nominated by its president with regard to Ma'an governorate.
- B. The Deputy Governor shall be the vice-chair of the Executive Council and shall chair the Executive Council in the absence of the chair.
- C. The Executive Council shall convene at least once a month upon the invitation of its chair, or his/her deputy in the absence of the chair, and the meeting is deemed legal upon the attendance of the majority of its members. It shall make its decisions, recommendations, and referrals by the majority of the votes of its members in attendance.

Article 5

- A. The Executive Council shall assume the following tasks and powers, as long as they do not contradict with the provisions of the applicable ASEZA Law and Petra Development and Tourism Region Authority Law and the powers of the boards of commissioners of either of them:

- (i) Drafting strategic and executive plans for the governorate, harmonising them with the strategic plans drafted by the Municipal Councils and other official entities, ensuring their compatibility with national strategies and plans, and referring them to the Governorate Council to take the appropriate decisions in their regard.
 - (ii) Drafting a document of the needs of the governorate in terms of developmental and service projects, including the needs of municipalities and other official entities, and referring it to the Governorate Council.
 - (iii) Drafting the governorate budget within certain ceilings specified by the Ministry of Finance/ General Budget Department and referring it to the Governorate Council.
 - (iv) Reviewing the general conditions in the governorate, discussing public service issues in the governorate, considering any suggestion proposed by any member and considering the reports from the Municipal Councils and taking the appropriate decisions in their regard.
 - (v) Establishing the principles that ensure good work progress by the administrative and executive bodies in the governorate.
 - (vi) Presenting necessary recommendations regarding investment in the governorate and referring them to the Governorate Council, unless they are inconsistent with any other legislation.
 - (vii) Preparing reports on work progress in the projects and services and submitting them to the Governorate Council every six months.
 - (viii) Taking the necessary procedures regarding the decisions and recommendations issued by the Governorate Council.
 - (ix) Coordinating with the competent public and official commissions and institutions on the plans and programmes they are carrying out.
 - (x) Studying the issues that are referred to it by the Governor or the Governorate Council.
 - (xi) Preparing the necessary emergency plans at the governorate level to address cases of emergency and disaster, such as flood, torrents, snow, fire or other disasters, and submitting them to the Governorate Council.
- B. The Executive Council may form one or more committees to carry out its tasks or powers provided that the exact tasks of the committee(s) are specified within the decision of its/their formation.
- C. For the purposes of executing the provisions of this Law, the directors of the government departments and public institutions in the governorate shall abide by the instructions issued by the Governor and shall be held accountable before him for their implementation.

Article 6

- A. Every governorate shall have a council composed of a number of members called the ‘Governorate Council’ (*Majles Al-Muhafadha*). This shall have a legal personality with financial and administrative independence.
- B. The number of elected members of the Governorate Council, the division of electoral districts and the seats allocated to the electoral districts in every governorate shall be determined in by-laws that shall be issued for that purpose.
- C. (i) Taking into account paragraphs B and D of this Article, an additional 10% of the number of seats allocated for the Governorate Council’s elected members shall be reserved for women, to be filled by the candidates with the highest number of votes who did not win a seat in the governorate. For this purpose, the number shall be rounded to the closest integer.
- (ii) All affairs relevant to allocating the percentage in item (i) of this paragraph shall be regulated in the by-law issued according to paragraph B of this Article.
- D. The Council of Ministers shall appoint as members of the Governorate Council, upon a recommendation by the Minister, no more than 15% of the number of elected Governorate Council members, provided that one third of this percentage is allocated to women.

Article 7 – The term of the Governorate Council shall be four years as of the day the names of the winners are published in the Official Gazette. Its term shall end as soon as this period is completed or in the event of its dissolution according to the provisions of this Law.

Article 8

- A. The Governorate Council shall undertake the following duties, as long as they do not contradict with the provisions of the applicable ASEZA Law and Petra Development and Tourism Region Authority Law, and the powers of the board of commissioners of either of them:
- (i) Approve strategic and executive plans related to the governorate, that are referred to it by the Executive Council, and ensure the implementation of these plans.
 - (ii) Approve the governorate's draft budget within the ceilings set by the Ministry of Finance/ General Budget Department, referred to it by the Executive Council, in order to incorporate it into the general budget in line with the procedures for drafting the state general budget.
 - (iii) Examine the mechanisms of implementing the annual budgets of all municipalities of the governorate.
 - (iv) Approve the governorate's document of needs relating to development and service projects, referred to it by the Executive Council, and identify which needs are priority.
 - (v) Approve the services and investment projects referred to it by the Executive Council after completing the necessary procedures in accordance with the applicable legislation.
 - (vi) Approve development projects of public benefit to the governorate, bearing in mind the development projects proposed by Municipal Councils and official departments and institutions within the governorate, and submit them to the Governor to take the necessary procedures in their regard.
 - (vii) Discuss reports on the implementation of projects, plans and programmes that are being carried out by the government departments in the governorate, without contradicting the work of the competent government monitoring agencies, and follow up and assess work progress in the development projects.
 - (viii) Propose the establishment of investment projects and carry out joint projects with other governorates, with the approval of the competent entities.
 - (ix) Submit recommendations and proposals to the competent entities in a way that guarantees improvement of the performance of government departments and public institutions within the governorate, in order to ensure provision of optimum services.
 - (x) Identify the areas within the boundaries of the governorate that are suffering from shortages in services and development or have emergency problems, propose appropriate solutions for these shortages or problems, and approve the governorate's emergency plan.
 - (xi) Discuss with any member of the Executive Council the topics within its jurisdiction.
 - (xii) Consider any issue submitted by the Governor.
- B. The Governorate Council may establish one or more committees from among its members to carry out its duties or powers provided that its members and the tasks assigned to the committee are specified in the decision of its formation.

Article 9

- A. The Governorate Council shall convene upon the invitation of its chair, or his/her deputy in the absence of the chair.
- B. There shall be financial allocations to the Governorate Council from the governorate annual budget that are sufficient to sustain its work. The chair of the Governorate Council shall authorize spending and the Governorate Council's accounts shall be subject to audit by the Audit Bureau.
- C. The Council of Ministers shall approve a bonus for the members of the Governorate Council based on a recommendation by the Minister. It shall be permissible to combine these bonuses with the pensions of the chair and members of the Governorate Council.
- D. A by-law shall be issued that specifies provisions and procedures pertaining to the meetings of the Governorate Council, their duration and venues, and also the means by which the Governorate Council takes its decisions, manages its affairs and forms its committees.

Article 10 – The Development Unit of the governorate shall be the Secretariat for both the Governorate Council and the Executive Council. The Governor shall name one of the officials of this unit as secretary for the both the Governorate Council and Executive Council. The secretary shall send out the invitations to the meetings of both the Councils and write minutes of their sessions, resolutions and recommendations in a special register for each Council. These are signed by the chair of the Governorate Council or the Executive

Council and the members in attendance as the case may be. These minutes shall be published on the Governorate Council's website.

Article 11

- A. (i) In the event of a dispute between the Governorate Council and the Executive Council on any issue related to the governorate, the dispute shall be referred to a joint committee of the two Councils headed by the chair of the Governorate Council and composed of an equal number of members from both Councils.
- (ii) The committee shall convene upon the invitation of its chair and with the attendance of the majority of its members. It shall take its decision by a majority vote of its attending members. In the event of a tie in the votes, the vote of the chair shall decide, and the decision shall become binding.
- B. In the event of a delay in the endorsement of the governorate's budget for any reason, disbursement shall take place according to the mechanisms adopted for disbursements from the state general budget.

Article 12

- A. (i) The Council of Ministers shall issue a resolution to conduct Governorate Council elections and the Commission shall set the date for the elections, which may coincide with the date of municipal elections. Both resolutions shall be published in the Official Gazette. The Commission may designate a date for polling in some electoral districts other than the date designated in accordance with the provisions of this paragraph, if this is deemed necessary for the integrity of the elections or for the public interest.
- (ii) The Council of Ministers may delay the Governorate Council elections if the municipal elections are postponed.
- B. The Commission shall proceed with the necessary arrangements for the Governorate Council elections six months before the date set for holding the elections, or during the six months prior to the end of the Governorate Council's term.
- C. If it is not possible to conduct the elections after the end of the Governorate Council's term, the existing Governorate Council shall continue until the elections are held.

Article 13

- A. Every Jordanian who has completed eighteen calendar years of age on the date set by the Board of Commissioners shall enjoy the right to elect members of the Governorate Council, if registered in one of the final voter lists.
- B. The right to vote shall be denied to the following:
 - (i) Any person who has been declared bankrupt and has not been legally rehabilitated;
 - (ii) Persons deemed insane or retarded;
 - (iii) Persons placed under guardianship by court order, who have not been cleared.
- C. At the beginning of January and July of every year or at any other date set by the Commission, once this Law comes into force, the courts shall provide the Department with all definitive judgements issued by them regarding guardianship by court decision and bankruptcy, including the full names and national numbers of persons against whom such rulings have been issued.
- D. The Department shall take the necessary procedures to delete the names of deceased persons from its records, to ensure that their names do not appear in the voter lists.

Article 14

- A. (i) The Department, in coordination with the Commission, shall prepare the preliminary voter lists, using computers and based on the national number. The lists are arranged by gender (male and female) for all persons who have the right to vote and have the Card, based on each voter's place of residence as documented in the Department's records.
- (ii) No voter may be registered in more than one voter list for a polling station.
- (iii) The voter list shall be organized for males and females in a way that ensures the listing of voters in every polling station.

- (iv) Executive instructions shall specify the data that must be included in the preliminary voter list.
- B. The Commission shall publish the preliminary voter lists provided by the Department on the Commission's website and by any other means the Commission deems appropriate, to allow voters to look at them. The Commission shall provide each head of election committee with the preliminary voter lists for his/her electoral district. Each head of election committee shall display them for seven days in the places specified in the executive instructions for voters to have a look at them, and shall announce the display locations in two local daily local newspapers.
- C. (i) Any person whose name does not appear in the voter list, or who finds an error in his/her personal data in the list, may submit a written request to the head of the election committee in his/her electoral district to add his/her name to the list, or correct the error in his/her data, or to change his/her polling centre.
- (ii) Any voter whose name is in the preliminary voter lists may lodge a written objection to the Commission concerning the registration of other persons in the preliminary voter lists within his/her electoral district, according to the procedures stipulated in the executive instructions. The voter shall attach the supporting documents that prove his/her objection.
- (iii) The request or objection stipulated in items (i) and (ii) of this paragraph shall be submitted within ten days as of the day following the date of display of the preliminary voter lists by heads of the election committees.
- D. The Commission shall decide on the requests and objections submitted to it in accordance with the provisions of paragraph F of this Article within ten days as of the day following the end of the display of the preliminary voter lists.
- E. The Commission, through the heads of the election committees, shall display the lists of outcomes of the objections submitted to it for all voters to have a look at them for three days in the places specified in the executive instructions.
- F. The decisions of the Commission taken in accordance with paragraph E of this Article may be appealed by the person or voter relevant to the request or the objection to the Court of First Instance under whose jurisdiction the electoral district is located, within three days as of the day following the date of the end of their display in the specified locations.
- G. The Courts of First Instance shall decide on the appeals submitted to them in accordance with paragraph F of this Article within seven days as of the day following their receipt by the court registry. Their decisions shall be final.
- H. The Court shall provide the Commission with copies of its decisions within three days as of the day following their date of issuance. The Commission shall send copies of such decisions to the Department so that the Department may take the necessary measures to correct the preliminary voter lists within seven days as of the day following the date on which such decisions were received, and in accordance with the executive instructions issued for this purpose.
- I. Following the completion of the procedures and dates stipulated in this Article and of any corrections required on the basis of decisions issued, the Department shall send the voter lists to the Commission.
- J. Once the Board of Commissioners adopts the voter lists sent to it to by the Department in accordance with paragraph I of this Article, such lists shall be deemed to be the final voter lists and the elections shall be conducted on the basis of those lists.
- K. The Commission shall publish the final voter lists on its website and through any other means specified in the executive instructions and shall provide every head of election committee with the final voter lists for his/her respective district.
- L. The Commission shall, in coordination with the Department, update the voter lists in accordance with instructions issued by the Board of Commissioners for this purpose.

Article 15 – The Commission shall manage all stages of the electoral process in accordance with the provisions of its Law [Law on the Independent Election Commission], including the following:

- A. Prepare a budget for the electoral process and submit it to the Council of Ministers for approval.
- B. Appoint the heads and members of the election committees.
- C. Form the necessary committees to conduct the electoral process.
- D. Approve timelines for the process of developing the voter lists and the candidate nomination process.

- E. Identify the institutions, locations and means through which and where voter lists and candidate names are published.
- F. Approve the specifications of the ballot boxes, ballot papers, official stamps of the polling and counting committee and forms for the electoral process.
- G. Approve the final voter lists.
- H. Coordinate with the Ministry to draft a security plan to guarantee the safety of the electoral process.
- I. Identify the polling and counting centres in the electoral district and the number of ballot boxes (polling stations)³ in each centre.
- J. Develop principles for accrediting candidate agents to be present at polling centres and the mechanism for how they may object to the procedures and decisions of the polling and counting committees; Issue the necessary authorisations for this in accordance with executive instructions the Commission issues for this purpose.
- K. Develop principles for accrediting representatives of relevant civil society organizations, journalists and any local and international observers to see and observe the electoral process; issue the necessary authorisations for this in accordance with the executive instructions the Commission issues for this purpose.
- L. Consider and decide on the candidate applications referred to it by the election committees.
- M. Form one or more committees to audit the preliminary election results.
- N. Approve, announce and publish the final election results in the Official Gazette.
- O. Consider any issue presented to it regarding the electoral process and take appropriate decisions and actions in their regard.

Article 16

- A. An election committee shall be formed for each electoral district by decision of the Board of Commissioners. The head and members of the committee shall be appointed in the decision relating to its formation.
- B. Prior to commencing their duties, the heads and members of the election committees shall take the following oath before the chairman or one of the commissioners designated by the chairman for this purpose:

"I swear by Almighty Allah to perform the tasks assigned to me with honesty, integrity and impartiality."
- C. The election committee shall undertake the following duties and have the following authorities:
 - (i) Receive the voter lists from the Commission and display them.
 - (ii) Open and equip an operations room to manage the electoral process in the district.
 - (iii) Receive candidate applications and refer them to the Commission.
 - (iv) Form polling and counting committees and any other support committees.
 - (v) Provide polling and counting committees with materials required for the electoral process.
 - (vi) Provide the Commission with all documentation relating to the electoral process, materials, records and forms, according to procedures outlined in the executive instructions issued for this purpose.
 - (vii) Perform any other duties assigned by the Commission.

Article 17

- A. Election for members of the Governorate Council shall be general, secret and direct.
- B. The voter shall have two votes if the electoral district has more than one seat.

Article 18 – Voters are prohibited from exercising their right to vote more than once.

Article 19

- A. A candidate standing for membership of a Governorate Council shall meet the following criteria:

³ The Arabic term ‘Sandouk’ refers to a ballot box as an item of equipment and a voting location. In the latter case, when used in this Law with this meaning, it is translated as ‘ballot box (polling station)’.

- (i) Is Jordanian for at least the last 10 years;
 - (ii) Is registered in the final voter list of his/her electoral district;
 - (iii) Has completed twenty-five calendar years of age on the day of polling;
 - (iv) Has not been sentenced for bankruptcy, where his/her legal status has not been rehabilitated;
 - (v) Has not been convicted of a felony, a dishonorable offence, a public morality offence, or abuse of credit, even if pardoned;
 - (vi) Does not belong to any non-Jordanian political organization or party.
- B. The conditions detailed in paragraph A of this Article shall be fulfilled by the appointed members of the Governorate Council.

Article 20 – The following persons are not permitted to run for membership of the Governorate Council, unless they have submitted their resignation fifteen days before the date set for candidate nomination:

- A. Members of Parliament;
- B. Ministers and employees of ministries, government departments, and official and public institutions and commissions;
- C. The Mayor of Amman, members of Greater Amman Municipal Council, and employees of Amman municipality;
- D. Chairs, members and employees of municipal and local councils;
- E. Employees of Arab, regional and international organisations.

Article 21

- A. Candidate nomination for membership of the Governorate Council shall open on the date set by the Commission, provided that such date precedes the date set for polling by at least thirty days, and shall last for three days during official working hours, including official holidays. Candidate applications submitted after the date of this period shall not be accepted.
- B. A candidate may stand for membership of the Governorate Council in one electoral district only.

Article 22 – Any person wishing to nominate him/herself for Governorate Council membership shall pay to the Ministry of Finance or any of its directorates the non-refundable amount of two hundred and fifty Jordanian dinars as revenue to the Treasury. This amount is non-refundable.

Article 23

- A. Any application for candidacy shall be submitted by the applicant in person to the head of the election committee using the form approved by the Board of Commissioners and attaching the supporting documents and all data required, in accordance with the provisions of this Law and the executive instructions issued thereunder. The applicant shall be given a receipt.
- B. The head of the election committee shall refer the candidate applications and the attached supporting documents and data to the Board of Commissioners on a daily basis by the means specified in the executive instructions. The Board of Commissioners shall issue its decision to accept or reject each application within seven days as of the day following the deadline for submitting candidate applications.
- C.
 - (i) Where the Board of Commissioners decides to reject the candidate application, it shall give its reasons for the rejection. The head of the election committee shall notify the applicant of the decision of rejection by the means specified in the executive instructions.
 - (ii) The applicant whose application for candidacy has been rejected may appeal the decision of rejection before the Court of First Instance under whose jurisdiction the electoral district is located within three days as of the day following the date of the notification of rejection. The applicant shall attach the documents supporting his/her appeal.
 - (iii) The competent Court shall decide on the appeal within three days as of the day following the date the court registry receives the appeal. Its decision on the appeal shall be final and may not be appealed to any other authority.
 - (iv) The Court shall provide the Commission with copies of its decisions within three days as of the day following their issuance.

Article 24

- A. The Commission shall keep a separate record for each electoral district of candidate applications accepted by the Board of Commissioners or accepted by a ruling of the Court of First Instance according to the date and time at which such applications were submitted. The Commission shall develop a list of the names of candidates on the basis of that record in accordance with the executive instructions issued for this purpose.
- B. The Commission shall publish the names of the candidates in the electoral district whose applications were accepted on its website and in the places specified in the executive instructions. The Board of Commissioners shall publish those names in two local daily newspapers.
- C.
 - (i) Every voter has the right to challenge the decision of the Board of Commissioners to accept the candidate application of any of the candidates in his/her electoral district before the Court of First Instance under whose jurisdiction the electoral district is located.
 - (ii) The challenge stipulated in item (i) of this paragraph shall be submitted within three days as of the day following the date on which the candidates' names are put on display as stipulated in paragraph B of this Article. The challenge should include documents that support the challenge.
 - (iii) The Court shall decide on the challenge within three days as of the day following the date of its receipt by the court registry. Its decision shall be final, and may not be challenged before any other authority.
- D. The Court shall provide the Commission with copies of its decisions within two days as of the day following their issuance. The Board of Commissioners shall take the necessary measures to display any amendments to the names of candidates introduced by decisions of the Court of First Instance in the same manner as the names of the candidates were displayed in accordance with paragraph B of this Article. These shall be the final names of the candidates for membership of the Governorate Councils and they shall be published on the Commission's website and by any other means deemed appropriate by the Board of Commissioners to inform the voters.

Article 25

- A. If the candidate registration phase comes to an end and it is found that the number of candidates in an electoral district is equal to the number of seats allocated to that district, the Board of Commissioners shall announce those candidates as winners by acclamation.
- B. If the number of candidates in an electoral district is less than the number of seats allocated to that district, the Council of Ministers shall, upon the recommendation of the Minister, fill the remaining seats of the Governorate Council from amongst those voters registered in the final voter lists who fulfill the conditions for candidacy as stipulated in this Law.

Article 26 – Any requisitions, objections and appeals submitted in accordance with the provisions of this Law and the by-laws issued thereunder, as well as any decisions on these made by the committees, institutions and courts shall be exempted from any fees and stamps. This includes fees for appeals related to pleadings of unconstitutionality and power of attorney's fees.

Article 27

- A. Electoral campaigning shall be free in accordance with the provisions of this Law and the by-laws issued thereunder. Campaigning shall be permitted as of the date on which candidate nominations open according to this Law, and shall cease at the end of the day preceding the day designated for polling.
- B. The provisions, principles and rules on electoral campaigning, including rules on campaign spending, shall be specified in executive instructions issued by the Commission for this purpose.

Article 28

- A. The Board of Commissioners shall issue a decision identifying the polling centres in the electoral district and the number of ballot boxes (polling stations) in each centre. The decision shall be published in at least two local daily newspapers and in any place or by any means deemed appropriate.

- B. Voting shall begin at seven o'clock in the morning of the day designated for the elections and shall end at seven o'clock in the evening of that day. The Board or its delegate may, if necessary, issue a decision to extend the time of polling in any electoral district for no more than two hours.
- C. The procedures for appointing heads and members of polling and counting committees, polling processes, the use of the indelible ink, electronic linkage for the polling centres, the voting of illiterate and disabled persons, the procedures of counting, completing polling and counting forms, the final tabulation, the announcement of results, packing and transfer of ballot papers and forms, and other provisions and procedures related to these processes shall be specified in executive instructions developed by the Commission for this purpose.
- D. Entry to the polling and counting centres is prohibited for unauthorized persons under the provisions of this Law. The chair of the polling and counting committee may ask the public security officials to remove the violator from centre immediately.

Article 29

- A. The ballot paper shall be considered invalid in any of the following cases:
 - (i) If it is not stamped with the stamp of the electoral district or is not signed by the chair of the polling and counting committee;
 - (ii) If it contains words or additions that indicate the name of the actual voter;
 - (iii) If the names written on it cannot be read because they are not clear;
 - (iv) If it contains more candidate names than the number of seats allocated to that electoral district.
- B. If the name of a single candidate is repeated on the ballot paper, it shall be counted once.
- C. If it appears, after counting the votes, that the number of ballot papers stamped and signed by the chair of the polling and counting committee is more or less than the number of the actual voters at that ballot box (polling station) by more than 2%, the chair of the polling and counting committee shall immediately notify the head of the election committee of this, who shall in turn advise the chairman of the Commission, for the Board of Commissioners to take the appropriate decision.

Article 30 – If the Commission finds any problem in the polling and counting processes in a polling centre that may affect the preliminary results of the elections in the electoral district, it may cancel the election results in the respective district and re-conduct the polling and/or counting processes at the time and in the manner it deems appropriate.

Article 31 – The head of the election committee shall undertake the following:

- A. Announce the preliminary results of the election. The winner in the election is the candidate who has received the highest number of votes in his/her electoral district. If there is a tie between two or more candidates and it is impossible to identify the winner(s), then the head of the elections committee shall draw lots between them on a day specified by the Commission.
- B. Submit three copies of the final results form for the electoral district to the Commission.

Article 32

- A. A voter or candidate may submit a challenge regarding the results of the Governorate Council elections in his/her electoral district to the Court of Appeal under whose jurisdiction the electoral district is located within 15 days as of the day the elections results are published in the Official Gazette. He/she shall give reasons for the challenge.
- B. The Court of Appeal under whose jurisdiction the electoral district is located shall consider the challenges to the validity of the election results pertaining to that electoral district. It shall issue its ruling to accept or reject the challenge, and in that case it shall announce the name of the winner, within no more than thirty days of the date of submission of the challenge. Its decision shall be final and the Court shall inform the Board of Commissioners of its decision as soon as it is issued.
- C. The actions undertaken by the member before the Court of Appeal revokes his/her membership shall be deemed valid.
- D. If, after considering the challenge, it becomes apparent to the Court of Appeal that the procedures of the elections in a given electoral district are not in compliance with the provisions of the Law, it shall

issue its decision to cancel the elections in that electoral district and the Court shall inform the Commission of its decision.

Article 33

- A. The Governor shall summon the Governorate Council to convene for its first meeting within a period of no more than thirty days as of the date of the publication of the election results in the Official Gazette. The session shall be chaired by the oldest member and the Governorate Council shall elect a chair, vice-chair and chair's assistant from among its members by direct secret voting.
- B.
 - (i) The winners of the positions of chair, vice-chair and assistant of the Governorate Council shall be the persons who win the highest number of votes of those in attendance. If there is a tie between two or more candidates, a draw shall take place.
 - (ii) The term of the chair, vice-chair and assistant is two years.
- C. The vice-chair shall exercise the authorities of the chair, in the case of absence of the chair.

Article 34

- A. A member of the Governorate Council shall lose his/her membership in accordance with the law in either of the following cases:
 - (i) If he/she fails to meet any of the conditions for candidacy stipulated in this Law;
 - (ii) If he/she works as a lawyer, expert or consultant in a litigation case against the Governorate Council or if he/she has gained personal benefit in any of the development, investment or service projects that the Governorate Council is considering for approval.
- B. A member of the Governorate Council shall lose his/her membership by a decision taken by the Governorate Council if he/she is absent from three consecutive sessions without a justified reason accepted by the Council.
- C. A member may submit a written resignation to the Governorate Council and it shall be deemed applicable as of the date that it is accepted by the Council.

Article 35

- A. If a seat becomes vacant for any reason stipulated in this Article, within a period of no more than ten days after the position becomes vacant, the chair of the Governorate Council shall inform the Governor and the Commission of the name of the candidate who shall be awarded that seat in accordance with the provisions of this Law. This shall be published in the Official Gazette.
- B. In the event that the elected member's seat becomes vacant due to resignation, death or loss of membership, then the candidate who received the next highest number of votes in the electoral district shall be awarded that seat provided that he/she still fulfills the candidacy conditions; if not, the seat is awarded to the candidate who received the next highest number of votes. If there is no candidate available, the Minister shall appoint a member to fill the vacant seat from the voters of that electoral district who fulfil the candidacy conditions. Membership acquired in accordance with the provisions of this Article shall continue until the end of the Governorate Council's term.

Article 36

- A. The Governorate Council is deemed dissolved if more than half of its elected seats become vacant.
- B. The Council of Ministers may, upon the Minister's recommendation, dissolve the Governorate Council before the end of its term in any of the following cases:
 - (i) Grave violation of the law;
 - (ii) Fundamental disruption of tasks or duties the Governorate Council is mandated with;
 - (iii) Perpetration of any violation that seriously harms the interests of the governorate or the Kingdom.
- C. The Council of Ministers may, in any of the cases stated in paragraphs A and B of this Article, and based on a recommendation by the Minister, appoint an interim committee that shall continue to work until the end of the term of the dissolved Governorate Council.
- D. No less than one third of the members of the Governorate Council that was dissolved in accordance with the provisions of paragraph B of this Article may appeal the decision of dissolution to the

Administrative Court within fifteen days as of the date of the Council of Minister's decision to dissolve the Governorate Council.

Article 37

- A. Any person who commits any of the following acts shall be sentenced to imprisonment for not less than six months and not more than two years or to a fine of not less than one thousand dinar and not more than five thousand dinar, or to both these penalties:
- (i) Carrying a firearm, even if it is licensed, or any instrument that constitutes a danger to public safety and security at any polling centre on the day of the election;
 - (ii) Negatively affecting the freedom of the election or hindering the electoral process in any way;
 - (iii) Tampering with, stealing or destroying any ballot box, voter list or ballot paper, or preventing a ballot paper from being inserted into a ballot box, or committing any act with the intention of affecting the integrity, procedures or secrecy of the election;
 - (iv) Harming, delaying or obstructing the electoral process, or abusing any of its officials;
 - (v) Using force or coercion, threatening to inflict physical or moral harm, kidnapping, detention, or committing fraud, either directly or through others, in order to coerce a voter to participate in voting or refrain from participating in it;
 - (vi) Using any method of coercion or temptation to make someone commit a crime carrying a penalty under this Law.
- B. Any person who commits any of the following acts shall be sentenced to imprisonment for not less than three months and not more than one year or to a fine of not less than five hundred dinar and not more than three thousand dinar, or to both these penalties:
- (i) Refraining from leaving the polling centre if requested to leave by chair of the polling and counting committee;
 - (ii) Falsely alleging to be illiterate or unable to write;
 - (iii) Violating the provisions, principles and rules on electoral campaigning as stipulated in the executive instructions issued for this purpose;
 - (iv) Retaining, seizing, hiding or destroying the personal Card of another person, without the right to do so;
 - (v) Impersonating another person or using another person's name with the intention of voting;
 - (vi) Exercising one's right to vote more than once;
 - (vii) Publishing or broadcasting before or during the election false statements on the actions or ethics of a candidate with the aim of influencing the election results.

Article 38 – Any member of the committees appointed in accordance with the provisions of this Law and the by-laws issued thereunder to develop and revise the voter lists, conduct polling or counting processes, or tally the votes, or any other employee or contractor tasked with performing or supervising any of these processes in accordance with the provisions of this Law and the by-laws issued thereunder, who commits any of the following acts, shall be sentenced to imprisonment for not less than one year and not more than three years:

- A. Deliberately inserting into any voter list the name of any person who does not have the right to vote in accordance with the provisions of this Law, or deliberately deleting or refraining from inserting into those lists the name of any person who has the right to be registered as a voter in such lists in accordance with the provisions of this Law;
- B. Including false information in a candidate nomination application or the date of its submission, or in any form produced in accordance with the provisions of this Law and the by-laws issued thereunder, or in an objection submitted with regard to the voter lists, or in any other document produced in accordance with the provisions of this Law and the by-laws issued thereunder.
- C. Seizing, hiding or forging any document pertaining to the election without the right to do so;
- D. Delaying without any legal grounds the start of the polling process, stopping such process without justification before the time established for its end in accordance with the provisions of this Law and the by-laws issued thereunder, or slowing down any procedure in order to hinder or delay the process.
- E. Not opening the ballot box in the presence of the candidates or their representatives in attendance before the beginning of the polling process in order to make sure that the ballot box is empty;

- F. Reading a ballot paper in a way that contradicts or falsely reflects its contents;
- G. Refraining from implementing any provision of this Law and the by-laws issued thereunder that pertains to the processes and procedures related to the polling or counting of votes, or violating any provision of this Law with the intention of influencing the results of the elections determined in accordance with the provisions of this Law.

Article 39 – Any person who commits any of the following acts shall be sentenced to imprisonment with hard labour for not less than three years and not more than seven years:

- A. Giving, lending, offering or promising to give a voter, either directly or indirectly, an amount of money, benefits or other rewards for the purpose of making that voter vote in a certain way, abstain from voting or influence other persons to vote or refrain from voting;
- B. Accepting or requesting, either directly or indirectly, an amount of money, loan, benefit or other reward for oneself or for another person for the purpose of voting in a certain way, refraining from voting or influencing others to vote or refrain from voting.

Article 40 – Any person who seizes or attempts to seize a ballot box either before or after the counting of the votes therein shall be sentenced to imprisonment for not less than five years and not more than ten years or to a fine of not less than one thousand dinar and not more than five thousand dinar.

Article 41 – Any person who violates the provisions of this Law or any by-law issued thereunder for which no penalty has been specified shall be sentenced to imprisonment for not less than three months and not more than one year or to a fine of not less than one hundred dinar and not more than five hundred dinar, or to both these penalties.

Article 42

- A. The provisions of this Law shall not prevent the application of any stricter penalty stipulated in any other law in force.
- B. Any person who is an accomplice or accessory to, or who instigates anyone to commit a crime specified in this Law, shall be sentenced the same penalty stipulated for the perpetrator.

Article 43 – The statute of limitations for all election crimes specified in this Law shall expire five years after the date on which the final results of the election are announced.

Article 44 – For the purposes of implementing the provisions of this Law and the by-laws and instructions issued thereunder, the chair and members of the Board of Commissioners, the heads and members of the election committees, and the chairs and members of the polling and counting committees shall, under this Law, be deemed judicial police in accordance with the provisions of the applicable Law of Criminal Procedures, and shall thus hold the power to seize the perpetrator of any crime committed in violation of the provisions of this Law.

Article 45

- A. The Governorate Councils are elected for the first time on the date established by the Commission.
- B. The provisions pertaining to the duties and powers of the Governor, the formation of the Executive Council and its powers stipulated in this Law shall come into effect on the date the Governorate Councils start their terms in accordance with this Law.

Article 46 – The Council of Ministers shall issue by-laws as necessary to implement the provisions of this Law.

Article 47 - The Prime Minister and the ministers are charged with implementing the provisions of this Law.