



**REPUBLIC OF ALBANIA  
CENTRAL ELECTION COMMISSION**

**REGULATION  
ON  
ORGANISATION AND FUNCTIONING  
OF  
CENTRAL ELECTION COMMISSION**

Based on the article 21, point 25 of the law no. 10019, dated 29.12.2008 “The Electoral Code of the Republic of Albania”, the Central Elections Commission, adopts this

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1  
Aim and Purpose of Regulation**

This act establishes the rules on the CEC organization and functioning, including:

- a) competencies of Chair and Deputy chair of CEC;
- b) the rights and obligations of the CEC member ;
- c) regulation of relations of CEC administration with the members of CEC;
- d) procedures for calling, announcing and organizing CEC meetings during election and non-election period
- e) decision - making procedures in CEC;
- f) rights and duties of the representatives of electoral subjects in CEC,
- g) decision - making procedures for administering the funds of CEC activity, as well as
- h) the rules on the establishment, administration and storing of the documentation in the CEC.

**Article 2**

**Law and principles where the activity of CEC is based**

1. The CEC duties derive from Constitution of Albania, Law no. 10019, date 29.12.2008, “The Electoral Code of the Republic of Albania”, amended and specific laws.
2. CEC activity is based on principles of legacy, collegiality, independence, professionalism, impartiality and transparency.



**CHAPTER II**  
**The functioning of the CEC**

**Part one**  
**Composition and competencies**

**Article 3**  
**Composition of the CEC**

1. CEC is a collegial body, composed of 7 members, elected according to the procedures provided in articles 14, 15 dhe 16 of the Electoral Code.
2. The Deputy chair of the CEC, is elected according to the procedures stipulated in article 16 of the Electoral Code, and article 32, point 3 of this Regulation.

**Article 4**  
**Competencies of the Chair and Deputy Chair of the CEC**

1. The CEC Chair has the following competencies:
  - a) chairs the CEC meetings and represents the CEC in relations with other institutions;
  - b) performs the duties of the administrative head of the institution. In carrying out the competencies according to this letter, the CEC Chair issues internal orders only on the basis of and for the implementation of CEC decisions.
2. The CEC Deputy Chair performs the duties of the Chair when the latter is absent.
3. The Chair exercises the competencies under letter “a” of point 1 of this article together with the Deputy Chair. All acts issued according to letter “b” of point 1 of this article are also to be signed by the Deputy Chair, otherwise they are invalid. The cases when the Chair or the Deputy Chair does not exercise their functions for objective reasons are exempt from this rule.

**Article 5**  
**The rights of the members of the CEC**

1. The rights of the members of CEC derive from article 17 of the Electoral Code and other Laws. A member of the CEC has these rights:
  - a. Asks for information and support from the CEC administration. The administration of CEC should place in their disposal photocopies of the documents submitted in the CEC;
  - b. to be ensured by the General Secretary on the conditions for the organisation of the meetings of the CEC;
  - c. Get to know the order of the day of the CEC meeting and the materials of the CEC and other relevant materials
    - not later then 48 hours of the meeting and in 1 month period before the election.
    - no later then 24 hours for the organisation of the meeting for the period one month before the Eday until Eday
    - as the case may be no later then 2 hours for the Election day until the final result is announced for each Election Zone.



**Article 6**  
**Duties of the members of the CEC**

1. Chairman, Deputy chairman and Member of the CEC, along with the obligations provided in Article 17 of the Electoral Code, should:
  - a. inform the CEC when he/she participates in activities with the capacity of CEC member;
  - b. inform the CEC in the cases when he exercises activities pursuant to the article 21, point 3 of the Electoral Code
  - c. adopt stands in compliance with the decisions, instructions or other acts of the CEC, when he represents the institution in relation to third parties, the public and the media;
  - d. follow and respect the all accepted norms of ethics in his communication and conduct.

**Part two**  
**The CEC Administration**

**Article 7**

1. In order to function and perform duties that derive from the Constitution and the Electoral Code, the CEC has its permanent administration, composed of employees of civil and non-civil servants.
2. The CEC administration consists of the personnel, which is recruited pursuant to the to the law nr. 152/2013, date 30.5.2013 “Status of the Civil Employee” amended or the Labor Code.
3. The organogram, the staff members and salary scale are established with the CEC decision.
4. Occasionally the CEC can recruit additional personnel with a part-time (temporary) contract.

**Article 8**

1. Functioning, duties and rights of the CEC Administration are determined in the Inner Regulation for the Organization and Functioning of the CEC Administration.

**Part three**  
**Representatives of political parties**

**Article 9**  
**Registration in the CEC of the representatives of the political parties**

1. Representatives of the political parties and their substitutes, the rights and duties, are determined pursuant to the Electoral Code.
2. The data on representatives of political parties are kept in a special register, which is administered by the Protocol. A copy of this register is sent to the CEC members and all departments.
3. Representatives of political parties are given the proper ID, according to the model approved by the General Secretary of the CEC.



## Article 10

### REPESANTATIVE ACT

1. Representatives of political parties in the CEC, and their substitutes must submit to CEC the authorization signed by the party chairman.

## Article 11

### Rights and duties

1. Representatives of political parties participating in the CEC meeting have the right to put forth opinions, to present requests and proposals in accordance with the rules stipulated in the Electoral Code and in this Regulation. They may not delegate their right of representation or other rights to other people.
2. If representatives of political parties and their substitutes participate together in the CEC meeting the right to speak according to article 22, point 4 of the Electoral Code belongs to one of them.
3. In any case, the issue which is discussed according to article 22, point 4 of the Electoral Code, must be relevant to the elections and the activity of CEC.
4. The CEC secretary sends an announcement on the day, time and the order of the meeting to the representatives of political parties
  - no later than 48 hours ahead the meeting for the period one month before the Eday
  - no later then 24 hours ahead of the meeting for the period one month before the Eday until Eday
  - as the case may be no later then 2 hours before the meeting is held for the Eday until the final result is announced for each Election Zone.
5. In any case representatives of political parties are given to their disposal materials on the agenda of the meeting. Representatives of other parties have the right to receive them from the Secretary General or the Protocol.
6. Representatives of political parties have the right to receive copies of acts of CEC to the Protocol's Office.
7. Secretary General of the CEC sets a schedule according to which, the representatives of political parties can receive documents to Protocol's Office or Archive.

## CHAPTER III MEETINGS OF THE CEC

### Part One

#### Meetings of the CEC during non –election, pre-election period and on election day

## Article 12

### Calling, announcement and organisation of the meeting

1. Meetings of CEC are called, announced and organised according to the provisions of Article 22 of the Electoral Code of the Republic of Albania



2. The announcement of the meeting is drafted in three copies and contains the date, time, order of the day, as well as respective signatures. This act is sent to the Protocol Office to be registered.
3. If the meeting has not been called by the Chair of the CEC according to article 22, point 1 of the Electoral Code, he/she is informed in advance through a copy of meeting announcement.
4. The announcement of the meeting, immediately after registration to the Protocol, is sent to the Secretary General of the CEC, who is responsible for notifying the Deputy chair, members and representatives of political parties.
5. A copy of the meeting announcement is put in the assigned place at the entrance of the CEC and is published in the CEC official web page.

Meetings of CEC are organised:

- no later than 48 hours before the meeting for the period one month before the Eday
- no later than 24 hours ahead of the meeting for the period one month before the Eday until Eday
- as the case may be no later than 2 hours before the meeting is held for the Eday until the final result is announced for each Election Zone.

### **Article 13**

#### **Calling and announcement of CEC meeting, from the setting of the election date to the declaration of final result.**

1. During the period from the setting of the election date until the declaration of the final election result, CEC shall meet regularly every day. During this period, the CEC meetings shall end with the setting of the agenda for the following meeting.
2. In special cases, 1 month before the election date until the announcement of the final results of the election, meetings can be organised twice a day.

Procedures for calling, notification and preparation of the meeting during the setting of the election day until the announcement of the final election results is in accordance to the procedures in Article 12 of this Regulation

### **Part two**

#### **The materials of CEC meeting**

### **Article 14**

#### **The content of materials for the CEC meeting**

1. For each issue to be discussed in the CEC meeting the material shall contain:
  - a. explanatory report
  - b. supporting material,
  - c. As a rule, the draft act,
  - d. as the case may be, links or attached material :
  - e. proposals for changes or additional materials from electoral subjects, if there are any, according to article 15 of this Regulation
2. The explanatory report includes the reasons why it is requested the discussion of the respective issue in the order of the day, the purpose and depending on the case, the financial expenses for the implementation of this act. The supporting material includes acts, reports, information etc. that support the explanatory report



## Article 15

### **The proposals for amendments and additions to the draft acts / meeting materials are delivered to the CEC**

1. Representatives of political parties attending the CEC meeting have the right to put forth proposals in writing for changes or additions to the draft acts which will be examined in the next meeting of the CEC, as a rule no later than 12 hours after receiving the meeting materials, but in any case not later than two hours of receiving them.
2. Proposal for changes and additions specified in paragraph 1 of this article shall be officially deposited in the protocol office in CEC.
3. Proposal may be accompanied by an explanatory note to facilitate understanding or to clarify the scope of the proposal, except the cases in which it is self-explanatory

## Article 16

### **Preparation of materials for meetings called by at least two members of the CEC**

1. When a meeting is called by two members of the CEC, meeting materials are prepared by the caller of the meeting, in cooperation with the CEC administration.
2. Meeting materials and the act of calling compiled under the provision of the article 12, point 6 of this regulation, immediately after registration in the protocol office, should be sent to the general secretary, for further formal adjustments. After that general secretary informs the other members and the representatives of the political party.

## Article 17

### **Preparation of meeting materials of the CEC**

1. The CEC Secretary is responsible for the preparation of meeting materials, in case of issues / acts, which are part of work programme of CEC or which derive from the implementation of CEC decisions and instructions. In this case, the Secretary consults the CEC chair in advance.
2. The materials of the meeting prepared pursuant to point 1 of this article, follow this procedure:
  - The Chair assigns the respective department which in cooperation with the Secretary General shall prepare the report and the draft-acts in those cases where respective department is not part of work plan of CEC.
  - The respective department forwards the material for feedback to the other departments of the CEC;
  - they present written materials for feedback
  - Legal department helps juridically any department responsible for project-act.
  - in any case the report of the draft act must be signed by all its drafters;
  - The Secretary-General shall, when necessary, make appropriate adjustments, or supplement the file with other supporting materials.

The Secretary General shall submit to the Chairman, the file with documents prepared pursuant to point 2 of this Article.

In the absence of the Secretary-General, the relevant material is submitted to the Chairman and presented at the meeting of the CEC by the department that has prepared it.

In all cases the Secretary General is responsible for distributing copies of meeting materials to CEC members.



## **Article 18**

### **The file of meeting materials**

For each issue of the agenda a special file is prepared, which in addition to the materials provided in point 1 of Article 14 of this Regulation, contains an overview of data on the issue.

The File with the original materials of the meeting is held by the department that has prepared the draft act. If the materials are prepared by members of the CEC, the respective file is kept by the Secretary-General

## **Article 19**

### **Preservation and electronic management of meeting materials**

1. The Secretary-General jointly with appropriate structures for maintaining and managing leads the process of meeting materials in electronic format, in the final version before the relevant meeting reviewed the CEC.
2. In each case jointly with the notice of meeting, on the website of CEC, are published even the meetings materials.
3. Meeting materials are stored in an electronic database, for not less than 12 months.

## **Part three**

### **The meetings of CEC**

## **Article 20**

### **Organisation of the meeting**

1. Members of the CEC are present to, the date and time the meeting is called, in the meeting venue of the CEC.
2. At the beginning of the meeting, the chair, declares the agenda and the members attending the meeting.
3. At the period of 1 month before the election date until the announcement of the final results in the absence of a quorum for the meeting, it is postponed for no more than 12 hours.
4. Out of the period specified in point 3 of this Article, if the quorum for the meeting is not reached the meeting is postponed to no later than three days.
5. Meetings of the CEC are always public and CEC spokesperson takes responsibility for notifying Media

## **Article 21**

### **General rules for participants in the meeting**

1. Prior to the meeting, the Secretary General of CEC assigns the seats for participants in the meeting.
2. During the meeting it is prohibited to interrupt the speakers, except in the cases where it is provided in this regulation.
3. It is also forbidden to take the floor without permission, the use of mobiles and smoking.



4. Participants in CEC meetings must respect the rules of ethics and communication.

## **Article 22**

### **Sanctions for violations of the rules on the CEC meetings**

1. The chair of the meeting is responsible for maintaining order and to ensure compliance with this regulation
2. The chair of the meeting opens, suspends, finishes and leads discussions at the CEC meetings.
3. In cases where the rules on the conduct of the meeting are violated, the chair decides to suspend the meeting for 10 to 30 minutes.
4. If the political parties representatives, violate rules for meetings, the chair of the meeting will draw attention to anyone who causes such a thing.
5. In the case of any other persons present at CEC meetings break the rules, chair of the meeting may decide to leave the meetings venue of CEC
6. If holding the meeting is impossible, the CEC by voting and no debate decides to postpone it

## **Article 23**

### **Discussing the issues out of the meeting agenda**

1. At the beginning of the meeting, after introducing the agenda and verifying the quorum of members of the CEC, under Article 22, point 5. the chair of the meeting , after carrying out these actions, asks the participants according to Article 22, point 4 of the Election Code to discuss on issues that are not included on the agenda by recording the speakers.
2. After the registration of speakers is closed, the chair of the meeting gives the floor according to the order of registration.
3. registered speakers have the right to speak only once and for no longer than five minutes.
- 4 after completing of the discussions recorded, none of the participants can ask and take the floor about issues that are not included on the agenda.

## **Article 24**

### **The order of issues to be discussed at the meeting**

1. The order of reviewing the issue at the CEC meeting is determined on the agenda.
2. CEC by consensus may decide to change the order of the issues on the agenda.

## **Article 25**

### **The participants who have the right to discuss at the CEC meetings.**

Only CEC members have the right to discuss and give opinions, at CEC meetings,as well as political parties representatives in the CEC or their substitute and with the permission of the chair of the meeting or other person responsible for the administration of election,





## **Article 26**

### **Review of CEC meetings**

1. The examination of the case begins with the report of the Secretary-General and / or department that has prepared the case, while in the case when the draft act has been prepared by at least two members of the CEC, the report is submitted by them. The report is presented as a summary.
2. Participants who want to ask questions, express prior request to ask questions.
3. The chair of meeting gives participants the right to ask questions.
4. It is forbidden to interrupt the speaker while answering as well as to give comments.
5. With the approval of the chair of the meeting participants can make a question in response to the received answer.

## **Article 27**

### **Voting in principle and opening of the discussions**

1. After the procedure provided in Article 26, the chair of meeting proposes to approve in principle the project act if the act that would be approved is a normative act and opens thorough discussion of the issue.
2. Chair of the meeting invites the participants, starting from political party representatives, to discuss regarding the issue.

## **Article 28**

### **The time available for discussion**

The time available to discuss the issue, for the representatives of political parties and any other interested participant in the meeting, is 8 minutes, which is reflected in the meeting venue monitors.

On the same issues, participants have the right to take the floor only once, as a rule, no more than 3 minutes, but still no more than the time of the first discussion.

After the closing of the discussions, the CEC members take the floor and after the final discussion of the CEC chair, the meeting is closed.

## **Article 29**

### **Closing of the discussions**

1. Closing of the discussions is done by chair of the meeting, with the consent of the CEC members
2. The right to propose the end of the discussions belongs to any member of the CEC
3. After the close of discussions, the chair of the meeting invites participants to present their proposals
4. Before the voting each member of the CEC has the right to discuss on it, for no more than 5 min

## **Article 30**



## **Registration of meetings of CEC**

1. All the meetings of CEC are electronically audio visual recorded and a record is kept as a summary (shorthand).The record shall present the date and time of the meeting, issues addressed, participants, discussions, proposals and the decisions taken as well as the way and result of the voting.
2. Minutes of the meeting are submitted immediately to the Office of Documentation Administration of CEC.
3. Records of the meetings are stored in the Archive, according to the procedures specified in the regulation and other acts
4. During the electoral period, if it is impossible to distribute to CEC members the hard copy of the minutes of the meeting, they make use of the electronic registration before the signing of the act, if this is requested by them.

### **The fourth chapter**

#### **Decision-making**

##### **Article 31**

#### **The voting of proposals reviewed at the meeting of the CEC**

1. In reviewing the project act, the CEC decides through special voting for the content of any article or part of it, if appropriate
2. In any case, the draft will be voted only after being voted the proposals of the representatives of political parties and those of CEC members according to the order of their proposals.
3. Chair of the meeting, at the end of voting, announces the voting results

##### **Article 32**

#### **The voting**

1. The voting in CEC is open. Open voting is done by raising of hands or by declaration.
2. Voting is secret only in cases provided by law
3. Secret vote is made according to the following procedure:
  - a) CEC approves the ballot paper prepared by the Secretary-General;
  - b) CEC members vote according to alphabetic order
  - c) Marking on the ballot paper is done only in secret voting booth
  - d) The ballot paper is folded and casted in the ballot box, in order to not allow the identification of ballot.

##### **Article 33**

#### **The form of the act**

- 1.The act approved by the CEC is in the written form and contains:



- The emblem of the Republic of Albania
- Name of the institution
- Title of the act
- Object of the act
- Legal basis
- The reasoning part, as per the case
- Prescriptive part
- The name of the members who participated in voting.
- CEC logo
- The number,date and time of approval

2.The act is signed by the members who voted.

3.Every act can be accompanied randomly by parallel opinions and /or opinion of minority

#### **Article 34**

##### **The signing of the act**

1. The Department that has prepared the draft, makes the justification and passes it to the members of the CEC
2. CEC members sign the act and, if they do not agree with the justification/reasoning part they may present a parallel opinion.

#### **Article 35**

1.The act is drafted in 3 copies. Two copies are signed , according to point 2 of Article 34 of this Regulation and 1 copy after completing the above procedure is signed only by the Secretary General.

2.The signatures of the members of the CEC also presented in the approved attachment/s.

### **The fifth chapter**

#### **Review of electoral appeals**

#### **Article 36**

1. The procedures for presenting, reporting and reviewing of the appeal is done pursuant to article 124 to 144 of the Electoral Code
2. For every complaint recorded, CEC selects by lot one member as relator. The relator makes verification of formal elements under Article 126 and Article 130 of the Electoral Code and presents verification at the meeting of the CEC no later than 24 hours from the registration of the request for appeal.
3. The decisions taken by CEC for the complains review are justified by the Relator.



**Chapter IV**  
**FINANCING AND THE BUDGET OF CEC**

**Article 37**

1. The CEC administers the funds allocated from the state budget and other legal sources. The structure of expenditures is approved by the decision of the CEC.
2. The budget is approved by the decision of the CEC within the timeframe specified by the Ministry of Finance .

**Article 38**

1. Issues related to the financing of electoral subjects are approved by the CEC decision.

**Article 39**

CEC can benefit from different international donations based on the legislation in force, without harming its independence and authority.

**Article 41**

**Registration of acts and documents in the CEC**

1.The registration of acts and documents is performed in the following registers:

- a) Register of correspondence
- b) Register of decisions of CEC
- ç) Register of instructions of CEC
- c) Register of complaints
- dh) Register of observers
- d) Register of orders of the Chair
- ë) Register of procurement orders

2.The registers are administered by the Office of Protocol.

**Article 42**

Rules of the Internal Regulation of CEC, approved by Decision No. 26, dated 03.03.2005 "On approval of the Internal Regulation on organization and functioning of the Central Election Commission" is abrogated.

**CHAPTER VI**  
**FINAL PROVISIONS**

**Article 43**

This Regulation shall enter into force after publication in the Official Journal

