

## **Iran: Executive bylaws for Islamic Consultative Assembly elections**

### **Summary:**

This bylaw is applied for the executive affairs of the parliamentary election. It defines the responsible bodies, committees, and special organizations responsible for the election. In addition, it demonstrates the function of each, how they interact and the process by which conflicts are resolved.

The bylaw determines location of election sites, rules for these sites, regulations for voting and the mechanisms for voting protection by related organizations. Finally, it explains votes are counted and recorded.

—

### First Chapter – General Principals

Article 1: Wherever in this bylaw the word Law is mentioned alone, it refers to the laws of the Islamic Consultative Assembly elections.

Article 2: In executing the article 3 of the law, Governors and Deputy Governors, from the beginning of the elections and after receiving the decrees of the Supervision Committees of the Council of the Guardian, will invite them and provide for their full supervision over all the process of the elections. All the signed proceedings of the Executive Committees shall be signed by the Supervision Committee as well and one copy shall be submitted to them.

Article 3: After receiving the names of the Provincial Supervision Committee from General Elections Headquarters of the Interior Ministry, Provincial General Elections Headquarters will declare their names to the Governors and Deputy Governors and will invite them for holding a session.

Provision 1: The Central Supervision Committee selected by the Council of the guardians shall send a copy of the decrees of it's supervisors and inspectors in provinces, towns, and districts to the General Elections Headquarters of the Interior Ministry.

Provision 2: In provinces which in reference to the provision under the article 6 (Supervision of the Council of the Guardians over the Islamic Consultative Assembly elections passed on July 31, 1986) the election is held only in one electoral constituency and there is no Provincial Supervision Committee, the Central Supervision Committee will take over all the responsibilities; the Governor or the Deputy Governor of such constituency in all the cases in which they are required to contact and communicate with the Provincial Supervision Committee will contact the Central Supervision Committee.

Article 4: Participation of the Supervision Committee of the Council of the Guardians in sessions of the Executive Committee is for supervising over the accurate conduct of the Islamic Consultative Assembly election laws and their absence in sessions or refusal to sign the proceedings will not stop the electoral process.

Article 5: If the members of the Supervision Committee in a Constituency or a subsidiary constituency are not able to attend the Executive Committee sessions, they will select a representative and the selected representative will deliver a copy of the proceedings to the provincial or Deputy Governor to be attached to the election records. Signature of the selected representative on the Executive Committee session proceedings represents the signature of all the members of the Supervision Committee.

Article 6: In accordance to the article 11 of the law and it's provision and also the provision under the article 4 of the Supervision of the Council of the Guardians over the Islamic Consultative Assembly elections law, the salary for the public servants working with Interior Ministry, Provincial Governments, Districts, and Executive Committees is calculated as follows:

- 1- Public servants who are commissioned to one the mentioned entities for up to 3 months for each election will receive their monthly salary based on the commission bylaw under the article 11 of the Public Employment law from the corresponding entity.
- 2- Provincial Governor or Deputy Governor and representative of the Supervision Committee may ask the respective entity for up to 100 hours overtime and also printed acknowledgment to be added to the servant's official records for public servants volunteering in elections and work with Executive Committees or Supervision Committees.
- 3- Respective entities shall be bound to provision and pay for public servants eligible under this article.

Article 7: In order to speedup the electoral communications, Provincial and Deputy Governors of the constituencies shall send their correspondence and letters via fastest communication methods available to them and send the confirmation via postal services immediately.

Article 8: Unless specified otherwise in this bylaw, all the duties of the Provincial Governors of Tehran and Isfahan as the Governors of the religious minorities' constituencies are the same as all the other Provincial and Deputy Governors of other constituencies.

## Second chapter – Organization of the Executive Committees

Article 9: Provincial and Deputy Governors of the constituencies shall confirm to the Central Election Committee immediately upon receiving the order to commence the elections.

Article 10: Provincial and Deputy Governors of the constituencies immediately after receiving the order to commence the elections, in reference to article 31 of the law, will order the formation of the sub-executive committees to the Governors of sub-districts of the constituencies.

Article 11: Provincial and Deputy Governors in accordance to the article 32 of the law and its provisions, immediately after receiving the order to commence the elections, will select and recommend 30 local trusted persons or residents who are residing for at least 5 years in the constituency to the corresponding Supervision Committee for the selection of the main and alternate trusted members of the Executive Committees and shall get a receipt.

Article 12: Supervision Committees have to declare to the Governors their written verdict on qualification of the trusted persons provided to them by Provincial or Deputy Governors in maximum 3 days in accordance to the article 32 of the law and its provisions.

Provision 1: in case of disqualification of the trusted persons, Provincial and Deputy Governors shall immediately candidate twice the disqualified members, new trusted persons to the Supervision Committee to fill in the gap.

Provision 2: The supervision Committee shall declare their written verdict on the qualification of the new trusted persons in maximum 24 hours after receiving the list.

Provision 3: If after the aforementioned steps which will not exceed 4 days, the number of qualified trusted persons reaches to at least 20 members, Provincial or Deputy Governor shall immediately invite them to choose the main and stand-in members of the Executive Committees.

Provision 4: if the qualified members do not reach to at least 20 and the Deputy Governor and Supervision Committee do not reach to an agreement, the Deputy Governor shall report to Provincial Governor and Provincial Supervision Committee on the 4<sup>th</sup> day by the latest, in order to fill in up to 30 trusted members and also send a copy of the report to the General Elections Headquarters of the Interior Ministry.

Provision 5: Provincial Supervision Committee in coordination with the Provincial Governor within 24 hours after receiving the report of the Deputy Governor shall choose from the qualified trusted person candidates sent by the Governor or the Supervision Committee the remaining necessary members and shall declare them to the Governor to be invited by the respective Deputy Governor.

Provision 6: if at the end of the 5<sup>th</sup> day, the Provincial Supervision Committee and Governor were unable to select the remaining necessary trusted person members, the Governor shall report immediately to the General Elections Headquarters of the Interior Ministry and the Supervision Committee shall report to the Central Supervision Committee.

Article 13: in towns and districts with Islamic Town or District Council, the Governor in accordance to the provision under the article 31 of the law shall report to the respective city council and invite the trusted person selected by the council as one of the 9 trusted person members to attend the sessions.

Article 14: Provincial and Deputy Governors in accordance to the articles 31 and 32 of the law and their provisions have to invite members of the Supervision Committee, head of the National Organization for the Civil Registration, and qualified trusted persons in order to choose the 9 main and 5 stand-in trusted person members of the Executive Committee.

Provision: Governors in charge of religious minority's constituencies, shall invite 30 trusted persons from the same religious minority group in order to choose the trusted person members of the Executive Committee.

Article 15: Provincial and Deputy Governors within 2 days after sending the invitations shall hold the session to choose the trusted person members of the Executive Committee with participation of the Supervision Committee of the Council of the Guardians, head of the National Organization for the Civil Registration and at least 20 of the invited trusted persons. The trusted persons shall choose 9 member among themselves as main (in towns and districts with Islamic City Council will choose 8) and 5 stand-in members of the Executive Council with secret ballot and relative majority of the votes.

Provision1: if choosing of the trusted person members is not completed in 4 days from the receiving of the order to commence the elections and it's pending on the decision of the Provincial Governor and Supervision Committee in 5<sup>th</sup> day, the session to choose the trusted person members of the Executive Committee shall be held in 1 day after sending the invitations instead of 2 days.

Provision 2: The trusted person member appointed by Islamic City Council of the town or district is bound to participate in all the sessions of the Executive Committee and like other members of the committee has the right to vote in all the decisions taken by the committee.

Article 16: Governors and Deputy Governors of the central constituencies shall immediately report to the General Elections Headquarters of the Interior Ministry the selection of the main and stand-in members of the Executive committee.

Article 17: Governors and Deputy Governors of the subsidiary constituencies shall immediately report to the Governor of the Central constituency the selection of the main and stand-in members of the subsidiary Executive Committee members.

Article 18: Sessions of the main and subsidiary executive committees are held in the respective government or the district government's office.

Article 19: in central districts of the towns, no executive committee is formed and all the electoral duties are carried out by central Executive Committee of that town in accordance with article 43 of the law.

Article 20: in constituencies with no Organization of Civil Registration office, the person responsible for the Personal Status Registration Department of that constituency will be a member of the Executive Committee in accordance to article 31 of the law.

Chapter 3 - Nomination of Candidates & Investigation about the Candidates Qualifications and publishing their names

Article 21: The candidates for the Islamic Consultative Assembly in accordance to the article 45 of the law and provisions 1 and 2 of the article 45 shall declare their nomination by registering at Provincial or District Government offices of their constituencies, or the Interior Ministry, and outside of the country at any Iranian Embassies, or Consulates, or Islamic Republic of Iran Political Representatives by providing their pictured Identification Cards, 10 new passport size photos, 3 copies of all the pages of their Identification Card , their certified of last degree and it's copy, proof of the completion of their draft or any official documents clarifying their draft services situation and filling the nomination forms in presence of Governor, or Deputy Governor, or person in charge of registration of the centre of the constituency, or the person in charge of the registration by the Interior Ministry, Embassy, Consulate, or Political representative and submitting all the required documents and getting a receipt.

Provision 1: Governors and Deputy Governors in accordance to the article 45 of the law are bound to immediately after receiving the information from the Interior Ministry, publish the start and finish date of the registration for the nominees and the conditions of qualifying and required documents to the constituency with available and suitable methods.

Provision 2: The interior Ministry is bound to immediately send the documents of the nominees who have registered at the ministry to the respective constituencies and declare their names by the end of the same day.

Provision 3: The Foreign Ministry shall take necessary measures to facilitate the fast implementation of the provision 1 of the article 45 of the law to report the details of the nomination forms to the General Elections Headquarters of the Interior Ministry by the end of each day.

Provision 4: Names and documents of the candidates registered outside of the country shall be immediately sent to the Governor or Deputy Governor of the respective constituency after being received by the Interior Ministry.

Article 22: Governors and Deputy Governors of the constituencies are bound to accept the nomination forms in the stated period and shall be careful not to accept any nomination form after the end of the 7<sup>th</sup> day.

Article 23: Governors and Deputy Governors of the constituencies are bound to send at the end of each day the names and details of the nominees of that day and also at the end of the official nomination period send all the names to the Interior Ministry; and everyday immediately after the registration send 2 copies of the nomination forms and 2 copies of the all the pages of the Identification Card and 3 photos of each nominee to the Provincial Electoral Committee. The Interior Ministry is also bound to send a copy of the details of the nominees to the Central Supervision Committee every day

Provision 1: Governors of Tehran and Isfahan will send the names and details of the nominees of each of the religious minorities to the General Elections Headquarters of the Interior Ministry separately.

Provision 2: Governors and Deputy Governors of the constituencies which did not receive any nomination during a day shall report the proceedings at the end of the same day to the General Elections Headquarters of the Interior Ministry.

Provision 3: in order to avoid any delays in receiving of the documents of the nominees by the General Elections Headquarters of the Interior Ministry, Provincial Electoral Committee is bound to send all the documents of the nominees of the province to the General Elections Headquarters of the Interior Ministry by a special courier of the Provincial Government every day; otherwise the documents should be delivered to the General Elections Headquarters of the Interior Ministry in maximum 1 day after the registration deadline is over.

Article 24: The Interior Ministry shall inquire about the qualification of the nominees as mentioned in the law based on the forms created in accordance to the law from entities mentioned in the article 48 of the law respective of their responsibilities.

Article 25: Valid reasons and documents in regards to the illegality of the parties, organizations and groups subject of the provision 3 of the article 30 of the Islamic Consultative Assembly elections law shall be sent to Executive and Supervision entities by the competent legal entities in accordance to law of necessity of detailed investigation into the complaints of disqualified nominees in elections passed on 1999 by the Expediency Council.

Article 26: Activist and supporters of the parties subject to the provision3 of the article 30 and persons effectively responsible in stabilizing the former regime, subject to the provision 1 of the article 30 of the law, and others subject to the provision 10 of the article 30 of the law in accordance to the measure passed by the Expediency Council on November 13, 1999 regarding

the necessity of detailed investigation into the complaints of disqualified nominees in elections or declaration by the competent entities.

Article 27: Governors and Deputy Governors of the central constituencies are bound to invite the Supervision Committee members of the constituency in order to investigate the qualification of the nominees and based on the outcome of investigations carried out locally as well as the results of the investigations communicated by the Interior Ministry, to choose and declare the qualified nominees within 10 days to the Supervision Committees.

Provision 1: In order to prevent any delays in investigating the qualification of the nominees and finish the job by the deadline, Executive Committees are bound to arrange for investigation of the qualifications from the first day of the registration.

Provision 2: If the Executive Committees found some of the nominees disqualified based on the results of the investigations carried out locally and the results of the investigations communicated by the Interior Ministry and in accordance to the conditions of articles 28, 29, and 30 of the law, and disqualify them as a result, the committee is bound to record the incidents in the session records along with respective documents and reference to the legal articles and their provisions.

Provision 3: Disqualification of the candidates in regard to faith and practical engagement in Islam and sacred system of the Islamic Republic of Iran shall be well founded based on reliable documents sent to the jurisdiction and supervision entities by competent authorities.

Provision 4: Committees investigating the qualification of the nominees in accordance to clause 3 of the article 28 of the Islamic Consultative Assembly election law will take the necessary measures in accordance to law to obtain the proof of the allegiance to the Constitution of the Islamic Republic of Iran and to the advanced principle of the absolute Velayat-e Faghih (Guardianship of a competent jurist over the people) in expression, declaration or any other reliable way demonstrated by the candidate.

Article 28: Governors and Deputy Governors of central constituencies are bound to report the proceedings and results of the sessions investigating the qualifications of the candidates to the Provincial Supervision Committee and General Elections Headquarters of the Interior Ministry and also submit a copy of the proceedings and records of the session including all the documents to the Provincial Supervision Committee and a copy to the General Elections Headquarters of the Interior Ministry by fastest means.

Provision 1: Governors and Deputy Governors can report the proceedings and records of the session via fax and deliver the original documents to the Provincial Electoral Committee to be sent to the Interior Ministry in order to speeding up the process.

Provision 2: Provincial Electoral Committee is bound to take measures in order to send the records of the sessions to the General Elections Headquarters of the Interior Ministry within 1 day upon the completion of the investigations of the qualification of candidates by a special courier.

Article 29: The Governors and Deputy Governors of central constituencies shall notify disqualified candidates of the reasons of disqualification specifying relevant and legal articles to them in a written and confidential manner.

Provision 1: Upon the request by the candidate, in accordance to the act passed by the Expediency Council on 13 November, 1999, reasons and documents for disqualification of the candidate should be declared to him/her.

Provision 2: Governors and Deputy Governors shall arrange for the results of the disqualifications of the candidates to be delivered to address provided by the candidate or their representatives in time and with no delays.

Article 30: Candidates who have been disqualified by the Executive Committee, based on the provision under the article 51 shall submit their documented complaint to the Provisional Supervision Committee not later than 4 days after rejection notice being served to them. Based on the act passed on 13 November, 1999 by Expediency council for detailed investigation of the candidates' complaints, they can present their answers and clarifications personally in front of the Provincial Supervision Committee or Central Supervision Committee if they choose to.

Article 31: Provincial Supervision Committees in accordance to the article 52 of the law shall investigate and examine the submitted complaints of the disqualified candidates within 7 days.

Provision 1: If the Provincial Supervision Committees suggests the disqualification of some of candidates already approved by the Executive Committees, they shall do so by mentioning the articles and documents the disqualification is based on and also in accordance to the law for detailed investigation of the candidate's complaints and by recording in the proceedings.

Provision 2: Provisional Supervision Committees can start the investigation of candidates' qualifications immediately after receiving the records from the respective constituencies in order to speed up the qualification process.



Provision 3: The Provincial Supervision Committee shall immediately report the results of investigation into the disqualified candidates and also their opinion on candidates approved by the Executive committees to the Central Supervision Committee by fastest means.

Article 32: The Provincial Supervision Committee immediately after reporting to the Central Supervision Committee shall arrange for follow up with the Central Supervision Committee and after having received the opinion and advice of the Central Supervision Committee shall communicate the matter to the relevant Governors or Deputy Governors in accordance to the provision 1 of article 52 of the law.

Provision: The Provincial Supervision Committee shall arrange and act in a way to investigate the complaints of the disqualified candidates within the 7 days deadline to do so.

Article 33: The Governors and Deputy Governors shall be bound to notify the disqualified candidates of their disqualification along with the legal articles and documents concerning the disqualification to the candidates within 24 hours of receiving them. Approved candidates should be notified of their approval also. A copy of the proceedings shall be sent to the General Elections Headquarters of the Interior Ministry as well.

Article 34: All the disqualified candidates by the Executive Committees who are also disqualified by the Central Supervision Committee or candidates who are qualified by the Executive Committee but disqualified by the Central Supervision Committee in accordance to the provisions 2 and 3 of the article 52 of the law can declare their complaints to the Council of the Guardians directly or through the Provincial Supervision Committee within 24 hours after receiving their disqualification.

Provision: Candidates qualified by the Executive Committees but disqualified by the Central Supervision Committee based on legal circumstances and reliable documents and with accordance to the law for detailed investigation of the disqualified candidates' complaints can present their answers and clarification in front of the Council of the Guardians in addition to submitting their written complaints.

Article 35: General Elections Headquarters of the Interior Ministry is bound to report all the qualifications and disqualifications after receiving the Council of the Guardians opinion on all the candidates to their respective constituencies within 1 day of receiving it from the Council.

Provision 1: If the Council of the Guardians disqualifies candidates already qualified by the Executive Committees and General Elections Headquarters of the Interior Ministry, disqualification shall be accompanied with legal articles cited for disqualification and in accordance to the law for detailed investigation of the disqualified candidates. The

disqualification is delivered to the General Elections Headquarters of the Interior Ministry to notify the candidates through their Central constituency.

Provision 2: Candidates subject to the Provision 1 of this article can ask the Council of the Guardians to reinvestigate their qualification with their answers and clarifications within 3 days of the rejection notification.

Provision 3: The Council of the Guardians within 7 days of receiving each reinvestigation request will reinvestigate the qualification of the candidate and will report the results to the General Elections Headquarters of the Interior Ministry.

Article 36: Governors and Deputy Governors of the central constituencies are bound to publish the names of the qualified candidates in all areas of their constituencies within 1 day of receiving the names of the qualified candidates by the Central Supervision Committee or the Council of the Guardians and the Council of the Guardians results on reinvestigating the disqualified candidates and also notify all the disqualified candidates of the Council's opinion.

Provision 1: in accordance to the provision 2 of article 20 of the law in order to prevent any injustice to any of the candidates, if in the opinion of the Executive or Supervision Committees of a constituency an unknown candidate has a similar family name or similar first and family name to a well known candidate in the same constituency the Executive and Supervision Committees have to in coordination with each other and by notifying the candidate and the Governor of the respective constituency set him a defining characteristic to be used in the published names of the candidates to the public.

Provision 2: If the candidate other than the first and last names in his/her Identification Card has a given name which he/she has indicated in the registration form by the approval of the Executive Committee the Governor or Deputy Governor are bound to include the given name in the published list of the candidates to the public. The criteria based on which the votes are assigned to the candidates is their family or given names published in the candidates list and in any case of the similarity in names provision 2 of article 20 will be exercised.

Article 37: Governors of Tehran and Isfahan are bound to send the names of qualified candidates of each of the religious minorities in accordance to the provision under the article 36 of the law to each of the constituencies to be published and notify the disqualified candidates within 1 day. In order to prevent any delays in publishing the names in the subsidiary constituencies the Governors shall send the names of the candidates using the fastest telecommunication means to the Governors of the subsidiary constituencies in order for them to publish the names for each of the respective religious minority constituencies.

Article 38: Governors and Deputy Governors of the central constituencies are bound to submit a copy of the published names of the candidates to the respective Supervision Committee and 2 copies to the General Elections Headquarters of the Interior Ministry and another copy to the Provincial Supervision Committee immediately after publishing the names of the candidates.

#### Chapter 4 – Propaganda

Article 39: any propagation activity by the candidates from the time of registering to the official starting time of the propagation is prohibited.

Article 40: Propagation activities of the candidates, who shall stand for the assembly elections, shall commence 8 days before such time when voting shall begin and shall be authorized to continue not later than 24 hours before voting shall commence.

Article 41: If a candidate wants to use supporting comments of any well known figures and officials in their propagation they shall use the remarks without using the official title of the relevant figure or official and also shall produce and submit an evidence or proof in writing bearing the signature and clearly denoting the consent of such dignitaries for the same purpose to the Executive Committees.

Article 42: After declaring their approval of a candidate by groups or parties a candidate can use their approval in his legal propagation.

Article 43: Using any sign indicating a propagation centre is authorized in propagation centres.

Article 44: Photographs for tracts, biographies, and pamphlets are not subjected to any particular limitations and it could be black and white or in color provided they consider the following conditions.

Tract is any lawful photograph or document printed in a size less than 15 by 20 centimetres on paper or cardboard, biography and pamphlet are any lawful photograph or document in form of a book or booklet printed in a size less than 15 by 20 centimetres.

Article 45: removed.

Article 46: Using any propagation tool in the form of a placard by any group, party and institutes are only allowed if they are only encouraging people to take part in the elections and do not include any particular candidate or candidates name.

Particle 47: Candidates can use lawful propagation material in joint propagation by other candidates.

Article 48: Use of the loudspeakers is only allowed in the propagation centres and the candidates speeches and is prohibited outside of such places.

Article 49: All the propagation materials in the registration and polling stations shall be destroyed by the persons in charge of such locations and places before voting shall commence and they have to make sure there is no propagation material in those paces during the polling.

Article 50: The propagation centres shall exclusively be established in the centres of district, towns and townships. In large cities, it shall be authorized to establish a propagation centre in every municipality district. The address and names and particulars of persons in charge of such centres shall be declared to the Governor or district Governor before establishing them.

Article 51: Candidates shall explain to their advocates not to destroy other candidate's propagation materials and also not to propagate against them.

Article 52: Municipalities can use their facilities to designate public places for the propagation materials of the candidates to be attached and distributed.

Article 53: Governors and Deputy Governors shall action to destroy in coordination with municipality and police the propagation materials attached in prohibited places.

Chapter 5 – designating registration and polling stations and persons in charge of such stations

Article 54: immediately after selecting the main and stand-in trusted person members of the Executive Committees, subsidiary committees in accordance to the article 36 of the law are bound to haold sessions in order to designate the number and the location of registration and polling stations and send the resolution to the governor of the central constituency through the subsidiary Governors.

Article 55: Executive Committees of the central constituencies shall review and approve the resolutions sent by the subsidiary constituencies and select the registration and polling stations in central constituencies as well.

Provision 1: Set up of registration and polling stations is prohibited in historical buildings.

Provision 2: Except the exception mentioned in provision 2 of article 40 of the law, the number and location of registration and polling stations in second round of the elections is the same as first round and any changes is prohibited.

Provision 3: Exceptionally in the 6<sup>th</sup> elections of the Islamic Consultative Assembly in constituencies of Tehran, Ray, Shemiranat, and Islam-shahr the number of registration and polling stations for the second round of the elections could be reduced to one third of the numbers of the first round of the elections considering the distribution of the constituencies with the approval of the Executive and Supervision Committees.

Article 56: Governors of the central constituencies immediately after receiving the respective central Executive Committee resolution on the location of registration and polling stations shall proceed to publish the election notification in accordance to the legal deadline of the article 38 of the law and be distributed in all the constituency exactly 9 days before the commence of the elections.

Provision: Governors of Tehran and Isfahan as the Governors of the religious minority constituencies can assign the Governors of the subsidiary constituencies to publish the election notifications in their respective constituencies.

Article 57: Governors and Deputy Governors will use help and facilities of the municipality, police and local resources to attach election notifications in public places.

Article 58: Governors and Deputy Governors of the central constituencies in accordance to the article 39 of the law shall submit 3 copies of the published election notifications to the General Elections Headquarters of the Interior Ministry and 1 copy to the Provincial Electoral Committee. General Elections Headquarters of the Interior Ministry will send 1 copy of the notifications to the Central Supervision Committee.

Article 59: Central and subsidiary Executive Committees in accordance to the article 40 of the law shall hold sessions to appoint persons in charge of the registration and polling stations. In densely populated stations with the discretion of the executive committee they may appoint 7 persons instead of 5.

Provision 1: in accordance to the provision 4 under the article 32 of the law persons who have committed offences in previous elections shall not be appointed to the polling stations.

Provision 2: In accordance to article 33 of the law, the persons appointed to the registration and polling stations shall not have any consanguinity or affinity to the candidates of the respective constituency.

Article 60: Governors and Deputy Governors in accordance to the resolution of the executive committee in appointing members of the registration and polling stations shall proceed to issue their decrees and invite them to collect the ballot boxes, registration and voting forms and documents and other requirements.

Article 61: Governors and Deputy Governors after inviting the persons in charge of the registration and polling stations to an explanatory session regarding the registration and voting process shall take necessary actions to render the polling station ready for voting one day before the election shall commence and members shall chose president, vice president and secretaries among themselves.

Article 62: Governors and Deputy Governors shall plan for providing voting papers, election seals, and other necessary materials to stations in hard to reach and arduous areas 1 day before the election shall commence. The mentioned materials shall be delivered to other stations in towns and cities on the same day and a few hours in advance before the election shall commence.

Article 63: Governors and Deputy Governors of the central constituencies in accordance to the article 41 of the law shall issue decrees for the representative of the Governor and the Deputy Governor.

Provision 1: Governor or Deputy Governor of the central constituency may assign the authority to choose a representative to the subsidiary constituency governor or deputy governor.

Provision 2: Governors and Deputy Governors shall give their representatives required instructions at least 5 days before the election shall commence.

Provision 3: Governors and Deputy Governors shall try to select the representative among their own staff or other governmental officers.

Article 64: Governors and Deputy Governors shall in coordination with the local police choose enough officers and issue them decrees and send them to the registration and polling station accompanying the persons in charge of the stations and Governors representative.

Provision: If it deems necessary and with the approval of the relevant provincial safety and security council the police could use army personals in protecting the polling stations as well.

## Chapter 6 – Registration, polling, and reading the votes

Article 65: schedule of the registration, polling, and counting the votes:

Persons in charge of the registration and polling stations shall be present in the stations at least 1 hour before the proceedings begin and add their names and signatures on the proceedings of the polling station vote count and then open the ballot box in presence of the representatives of the Supervision Committee, representative of Governor or Deputy Governor, the inspector of the Interior Ministry (if the representative of Governor or Deputy Governor and the inspector of the Interior Ministry are present) to make sure the box is empty, then wrap and seal it with seals of the polling station and Supervision Committee.

If the ballot box is designed without any wraps, only the designated places on the box are being sealed after closing the box and when the voting is finished it will be sealed with Supervision Committee seal as well. Polling and reading the votes are done in 6 stages as follows:

- 1- Voters coming in
- 2- Checking the voters documents
- 3- Registering voters
- 4- Polling
- 5- Reading the ballots and counting votes
- 6- Finalizing the proceedings and reports of the polling stations

Stage 1- Voters coming in:

- 1- Persons responsible for the polling stations shall try to arrange for the location to have at least one entrance and one exit for the voters.
- 2- All the voters, even in places like prisons, army barracks, and hospitals shall attend the polling station carrying their original Identification Card and enter the station by queue to vote.

Stage 2- Checking the voters' documents:

Checking process is carried out in 2 stages:

- a- Representative of the Governor or the representative of Deputy Governor, or the president of the polling station or any of the secretaries of the polling station will note the following in checking the voters' Identification Cards:
  - 1- The Identification card shall not already be stamped with the current election stamp.
  - 2- The Identification Card belongs to the same voter and he/she has already turned 15 years of age on the day of the election.
- b- Representative of the Governor or the representative of Deputy Governor or the president of the polling station or any of the secretaries of the polling station will check the first finger of voters' right hand not to be already inked in other polling stations. If the voter's Identification Card is already stamped with the current election's stamp or his/her right hand first finger is inked by the order of the Governor's representative, they are barred from voting in that station.

Stage 3- registering the voter:

- 1- After the checking stage and making sure the Identification Card belongs to the voter and he/she is eligible to vote, one of the secretaries will fill the tariff based on the information in

the Identification Card, takes the voters finger print on the tariff, dates and stamps the tariff with the election's stamp.

- 2- Person in charge of the registration will stamp the voter's Identification Card in the designated area and will return the Identification card to the voter.
- 3- Interior Ministry can prepare separate forms to gather statistical information from voters such as age, sex, and so on. Representative of the Governor or representative of the Deputy Governor or one of persons in charge in the station shall fill out such forms when registering the voters. These forms will be submitted to the Provincial or District government at the end of the election. These forms and their statistical data do not have any effect on the reading and results of the votes.

Stage 4- polling:

- 1- After registering the voters, the ballot shall be stamped with the election stamp (by the person in charge of the registration) and the supervision committee stamp (by a supervision committee member), shall be separated from the tariff and shall be given to the voter. The voter shall write the names of the candidates and their details in the ballot and if the names are already printed shall check the box next to the candidates he/she wants to vote for and after casting his/her vote in the ballot box shall leave the station from the exit door. Evidently, the tariff and the supervision part after being stamped shall be kept under the supervision of the persons in charge of the station in coordination with the supervisors of the Council of the Guardians.
- 2- Representative of the Governor or representative of the Deputy Governor and persons in charge of the polling station shall take measures to make the voting secret and completely free and without any influence of any other person. No person working in the station shall write the name(s) or check the box next to any candidates on the ballots for the voters. If the voter needs any assistance in writing or selecting the name(s) of the candidate(s) he/she shall use the assistance of persons he/she trusts other than of the polling station staff. The polling station staff shall check to make sure no violations happens.
- 3- Representative of the Supervision Committee in case of seeing any violations shall inform the staff of the polling station and representative of the Governor and violators shall be charged by the police officers in the polling station and be submitted to the judicial entities along with the official report.
- 4- Representative of the Governor or Deputy Governor or the president of the polling station shall take attention not to let any armed person enter the station. This shall be done by the police officers on the entrance of the station.
- 5- In accordance to the provision under the article 55 of the law except for the persons in charge of the polling station, supervisors of the Council of the Guardians, Interior Ministry investigators, and representative of the candidates, presence of any other person except to vote and leave the station is prohibited and is considered a violation in the polling stations.



President of the station or the representative of the governor in coordination with police officers shall prevent the presence of any other unauthorized persons in the polling station.

#### Stage 5- Reading the ballots and counting the votes:

##### A- Manual method:

- 1- Persons in charge of the polling station after the official polling period has ended and after making sure all the voters have casted their ballot in the box and there is no more voters in the station shall file in their reports the number of used and unused tariffs immediately after counting them.
- 2- Persons in charge of the polling station in presence of the representative of the supervision committee and representative of the Governor or the Deputy Governor and in presence of the Interior Ministry Investigator shall start reading the ballots and counting the votes and shall take measures to make sure at any time during reading the ballots and counting the votes at least 2 persons are present.

Provision 1: in the sequence of reading the ballots and counting the votes, first president or vice president of the polling station with coordination of the secretaries shall count the number of tariffs filled with the voters' details and check that number against the supervisory tariffs and record both numbers in the reports of the polling station. Then they shall remove the seals from the box and count the number of ballots inside the box without reading them and will take the following measures:

- a- If the number of ballots inside the box is more than of the numbers of the supervisory tariffs, the excessive ballots will be chosen by random from unread ballots and will be marked in red as "invalid" and the number will be recorded in proceeding reports.
- b- If after taking the measure in provision "a" the number of ballots in the box exceeds the number of tariffs with voters' details, the excessive ballots will be chosen by random from unread ballots and will be marked in red as "invalid" and the number will be recorded in proceeding reports.
- c- If the number of the ballots inside the box is equal to or lesser than of the tariffs or supervisory tariffs no particular measure shall be taken and only the number of ballots is recorded in the proceeding reports.

Provision 2: after the ballots are counted as mentioned above, reading the votes shall begin in accordance to the articles 18, 19, 20, and 21 of the law and their clauses and provisions, also the article 2 of additional articles to the law of supervision of the Council of the Guardians over the Islamic Consultative Assembly elections and addition of a provision to the article 20 of the Islamic Consultative Assembly elections passed on 3<sup>rd</sup> January 1999.

##### B- Using automatic counting machines:

- 1- If by agreements between the Interior Ministry and Central Supervision Committee the ballots shall be counted by automatic counting machines, Persons responsible for the polling station after the official polling period has ended and after making sure all the voters have casted their ballot in the box and there is no more voters in the station, in presence of supervisor of the Supervision Committee and representative of the Governor or Deputy Governor and the Interior Ministry Investigator shall begin the counting process as follows:
  - a- First president or vice president of the polling station with coordination of the secretaries shall count the number of tariffs filled with the voters' details and check that number against the supervisory tariffs and record both numbers in the reports of the polling station. Then they shall remove the seals from the box and count the number of ballots inside the box without reading them and shall take the following measures:
  - b- If the number of ballots inside the box is more than of the numbers of the supervisory tariffs, the excessive ballots shall be chosen by random from unread ballots and shall be marked in red as "invalid" and the number will be recorded in proceeding reports.
  - c- If after taking the measure in provision "a" the number of ballots in the box exceeds the number of tariffs with voters details, the excessive ballots shall be chosen by random from unread ballots and shall be marked in red as "invalid" and the number shall be recorded in proceeding reports.
  - d- If the number of the ballots inside the box is equal to or lesser than of the tariffs or supervisory tariffs no particular measure shall be taken and only the number of ballots is recorded in the proceeding reports.
- 2- If among the ballot papers inside the box there are ballots without the stamp of the elections or stamp of the supervision committee, these ballots shall be marked on the back of the ballot paper in red "invalid" and after being bundled their respective numbers shall be recorded in proceeding reports.
- 3- After the above procedures all the tariffs and ballots accompanied by a copy of proceeding report will be put back in the ballot box and the box will be wrapped and sealed.
- 4- Persons in charge of the polling station shall take measures so that the counting shall be done in presence of the representative of the Supervision Committee and representative of the Governor or Deputy Governor and Interior Ministry Investigator. Supervisory tariffs are submitted to the constituencies' Supervisor to be delivered to the Supervision Committee.
- 5- Persons in charge of the registration and polling stations are bound to, accompany the station supervisor and representative of the Governor or Deputy Governor and Interior Ministry Investigator and officers in charge of protecting the ballot boxes, take the box or boxes (with the tariffs and ballots inside) to the designated locations

- with automatic counting machines. If all the persons of the polling station cannot be present, presence of the station president and vice president is mandatory.
- 6- After arriving of the box and the polling station authorities to the location of automatic counting machines, the ballot box shall be opened and the valid ballots shall be handed over to the automatic counting machine operator.
  - 7- All the above measures shall be done in accordance to the article 18, 19, 20, 21, and 22 and the article 2 of the additional articles to the law of supervision of the Council of the Guardians over the Islamic Consultative Assembly elections passed on 3<sup>rd</sup> January 1999.

#### Stage 6- Finalizing the proceeding reports of the polling station

##### A- Manual method:

After the reading the ballots and counting the votes is completed the proceeding reports of the polling station is finalized in 6 copies with votes of each of the candidates being recorded. The report is signed by the representative of the Governor or Deputy Governor and the persons in charge of the polling station and the representative of the Supervision Committee and the Interior Ministry Investigator and immediately a copy shall be included in the box along with the used tariffs and read ballots and the box shall be wrapped and sealed. Sealed box or boxes in company of the persons in charge of the polling station and the representative of the Governor or Deputy Governor and the police officers along with 2 copies of the proceeding report and unused tariff and ballot papers and all the remaining documents shall be submitted to the Executive Committee or their representative. If in the polling day any concern or complications shall arise, it shall be written in the proceeding reports and be signed by the all the persons in charge of the polling station and representative of the Governor or Deputy Governor and the Supervision Committee representative and Interior Ministry Investigator.

##### B- Using the automatic counting machines:

After the reading of the ballots and counting the votes is completed the proceeding report is finalized in 6 copies and is signed by the automatic counting machine operator and at least the president and vice president of the polling station, Supervisor of the Supervision Committee, representative of the Governor or the Deputy Governor and the Interior Ministry Investigator and immediately 1 copy of the proceeding report along with the used tariffs and read ballots will be included in the ballot box and then the box or boxes are wrapped and sealed and along with 2 copies of the proceeding reports and unused tariffs and ballot papers and any remaining documents shall be officially submitted to the Executive Committee or their representative. If in the polling day any concern or complications shall arise, it should be recorded in the proceeding report.

Article 66: Schedule of registration, polling, reading the ballots and counting the votes for the round 2 of the election:

The schedule of registration, polling, reading the ballots and counting the votes for the first round is repeated for the second round along with considering the following:

- 1- If the voter's Identification Card is stamped in the first round, it shall only be stamped in the same constituency he/she is voting in the second round.
- 2- If the voter has not voted in the first round, he/she can vote in any constituency in the second round of the elections.
- 3- The voter's Identification Card is not already stamped for second round of the election.
- 4- By considering the mentioned clauses the voter's Identification Card is stamped with the second round of the election stamp.

Article 67: Executive Committees of the constituencies except the central constituencies shall finalize the proceeding reports of the stations in presence of the Supervision Committee in 5 copies and will submit 2 copies of the reports along with ballot boxes and documents to the Deputy Governor or his representative to be sent to the central constituencies.

Article 68: all the Deputy Governors except the Deputy Governors in the central constituencies shall immediately after receiving all the proceeding reports from the Executive Committee and all the ballot boxes and other documents along with 2 copies of the proceeding reports and unused ballots send to the respective Governor to be submitted to the Central constituencies' Executive Committees.

Article 69: Governors of the subsidiary constituencies shall immediately after receiving all the documents, equipment, the ballot boxes, and the proceeding reports of the respective constituencies hold the session of the subsidiary Executive Committee and report the final results of the election in all the subsidiary constituencies.

Article 70: Governors of the subsidiary constituencies are bound to immediately send to the Governors of the central constituencies all the documents, equipments, the ballot boxes along with 1 copy of the subsidiary executive committee proceeding report and unused ballot papers to be submitted to the central Executive Committee.

Article 71: Governors and Deputy Governors of the central constituencies after receiving the reports of the counted votes in the subsidiary constituencies will submit all the documents, equipments and respective ballot boxes to the central constituencies Executive Committees. Central constituencies Executive Committees in presence of the Supervision Committee after checking the results will act to finalize the coordinated report on the results of the election in the constituencies.

Provision: Governors and Deputy Governors of the central constituencies are bound to keep all the tariffs and unused ballot papers from the subsidiary constituencies in a safe place.

Article 72: Governors and Deputy Governors on the central constituencies after receiving the reports of the election subject to the article 71 of this bylaw shall immediately report the results to the General Elections Headquarters of the Interior Ministry and the Council of the Guardians and then publish it in the entire constituency.

Article 73: the subsidiary Executive Committees of the religious minority's constituencies immediately after receiving the ballot boxes and the documents and proceeding reports in the presence of the Supervision Committee of the Council of the Guardians shall finalize the reports of all the votes in the respective constituencies in 5 copies and submit the documents, ballot boxes, equipments, reports, and unused tariffs and ballot papers to the Governor of the central constituency in order to publish the results.

Article 74: Governors and Deputy Governors of the subsidiary constituencies for religious minorities shall immediately after receiving the proceeding reports from the respective subsidiary Executive committee report the results to the respective Governors (Governors of Tehran and Isfahan) and send a copy of the reports of all the registration and polling stations in the constituencies via the fastest communication method to the Governor of the central constituency.

Provision: sending the ballot boxes of the religious minorities is not necessary to the central constituencies (Tehran and Isfahan) and they shall remain in subsidiary Governors' offices. Evidently, in case there is a necessity by the central Executive Committees of the religious minority's constituency to access the ballot boxes and other document of the religious minority's constituencies, the respective Governors and Deputy Governors shall send the requested by a special courier to the respective Committees.

Article 75: Governors of Tehran and Isfahan (the constituency of the religious minorities) immediately after receiving the results of the respective constituencies will execute the article 71 and 72 of this bylaw.

Article 76: Governors of Tehran and Isfahan after finalizing the reports on the results of the election in religious minorities' constituencies will publish the results in the central constituencies and will send the report to the subsidiary constituencies to be published as well.

Article 77: Governors and Deputy Governors of the subsidiary religious minorities' constituencies immediately after receiving the results from the Governors of the central constituencies shall act to publish the results in subsidiary constituencies.

Chapter 7 – investigating the complaints and the opinion of the Council of the Guardians

Article 78: if after the legal deadline is over there are no complaints regarding the election, the Executive Committee of the central constituency in presence of the Supervision Committee members will hold a session and shall officially report reception of no complains and their opinion on the quality of the election.

Article 79: in case of a complaint to the Executive Committee of the central constituency, the submitted complaint in accordance to the article 68 of the Islamic Consultative Assembly election law shall be examined and the results shall be recorded in the committee proceeding reports.

Article 80: Governors and Deputy Governors of the central constituencies immediately shall send 3 copies of the received proceeding reports of the results of investigation into the received complaints by the Executive Committee of the central constituency to the General Elections Headquarters of the Interior Ministry and one copy to the respective Supervision Committee of the central constituency.

Article 81: General Elections Headquarters of the Interior Ministry will send 2 of the copies to the central Supervision Committee for investigation and the opinion of the Council of the Guardians.

Article 82: The Council of the Guardians will declare it's opinion on the election results to the General Elections Headquarters of the Interior Ministry on each of the constituencies in accordance to the provision under the article 72 of the law.

Article 83: General Elections Headquarters of the Interior Ministry shall report the Council of the Guardians opinion to the Governor or Deputy Governor of the central constituency for legal proceedings.

Chapter 8 – issuance of the certificates of the elected candidates.

Article 84: Governors and Deputy Governors in central constituencies shall be bound, after receiving the Council of the Guardians opinion on the first round of the election delivered to them by the General Elections Headquarters of the Interior Ministry, within 48 hours to hold a joint session between the Executive Committee and Supervision Committee of the central constituency and officially report the end of the first round of the elections and take necessary measures to issue the certificates for elected candidates.

Article 85: in constituencies with no elected candidate for the first round, the Governors and Deputy Governors of the respective central constituency shall immediately upon receiving the reports of final results of the elections in the first round send 2 copies to the General Elections

Headquarters of the Interior Ministry, submit 1 copy to the Supervision Committee of the central constituency and file the remaining copy in the constituencies election files.

Article 86: in constituencies with elected candidates in the first round of the election, the Governors and Deputy Governors shall be bound to submit a copy of the certificate to the candidate or their written representatives and also submit 2 copies of the proceedings along with 3 copies of the certificates to the General Election Headquarters of the Interior Ministry via a trusted courier through the Provincial General Elections Headquarters. 1 copy of the proceedings shall be submitted to the Supervision Committee of the central constituency and another copy will be filed in the constituency's election file.

Provision 1: picture of the candidate shall be attached and stamped with the governor's stamp on all the copies of the certificate.

Provision 2: in accordance to the provision under the article 74 of the law, if the Executive and Supervision Committees refuse to sign the certificate after the Council of the Guardian declares its opinion, The Governor of the central constituency shall act to submit all the copies of the certificate to the General Elections Headquarters in Interior Ministry through the Provincial General Election Headquarters to be signed by the Interior Ministry and the president of the Central Supervision Committee.

Provision 3: in accordance to the article 74 of the law, 1 copy of the certificates will be submitted to the Council of the Guardians by General Elections Headquarters in the Interior Ministry.

Provision 4: all the mentioned steps shall be repeated for the second round after the Council of the Guardian declares its opinion.

Chapter 9- destroying the tariffs and used ballot papers.

Article 87: The interior Ministry shall be bound to order the Governors and the Deputy Governors destroying of all the tariffs and ballot papers after the proceedings of all the certificates of the elected candidates is completed in the Islamic Consultative Assembly.

Provision 1: The interior Ministry may use the tariffs in order to gather statistical data about the voters such as age, sex, marital status and etc before ordering the destruction of the tariffs and ballot papers. Evidently, keeping the ballots secret is mandatory.

Provision 2: in order to keep documents about the elections, General Elections Headquarters of the Interior Ministry shall take measures to submit 3 ballot boxes with tariffs, ballots and official reports included, from each Province to the Islamic Revolution Document Centre.

Article 88: Governors and Deputy Governors of central Constituencies shall be bound to take necessary measures after receiving the orders from Interior Ministry to destroy the tariffs and ballot papers, in presence of the Executive Committee and if possible, Supervision Committee members and report the proceedings.

Provision: as the ballot boxes of the religious minorities are being kept in the subsidiary constituencies and is not submitted to the central constituencies, Governors of Tehran and Isfahan are bound to order the respective subsidiary constituencies after receiving the orders from the Interior Ministry to destroy the tariffs and ballot papers, the subsidiary constituencies shall send 2 copies of the proceedings to the central constituencies. 1 copy of the proceedings along with 1 copy of the proceedings from the respective central constituency will be submitted to the General Elections Headquarters in Interior Ministry by the Governors of Tehran and Isfahan.

Article 89: instructions and forms regarding the administrative parts of this bylaw are executable by the approval of the Interior Ministry.

This text is replacing the resolution number 49849/t22190h dated December 7<sup>th</sup>, 1999.

**Source Information:**

Website of the Ministry of the Interior, Deputy of Political Affairs- Election Office- 2007  
The laws and bylaws were approved by the Sixth Parliament of the Islamic Republic of Iran.  
Translated by Ali Afshari.

<http://moi.ir/Portal/Home/ShowPage.aspx?Object=Instruction&CategoryID=3d9278f9-68e3-46d9-af52-362f0584df4a&LayoutID=58905250-944c-4350-8142-d2054a63f46e&ID=2e5b299f-fcde-4c2a-880f-f432f1de30a7>