

ACE Electoral Knowledge Network

Iran: Elections Act of Islamic Consultative Assembly (1999)

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Chapter 1 - Generalities:

Article 1:

The elections of Islamic Consultative Assembly shall be enforced according to the regulations of this act and the government is duly obliged to hold the elections before the termination of last period so that the territory never runs without Parliament.

Note: Parliament here means Islamic Consultative Assembly

Article 2:

The number of Islamic Consultative Assembly members shall be 290 persons and its increase shall be subject to Article 64 of the Constitution.

Note: 5 of 290 members of the Parliament are the deputies of religious minorities, as below:

Zoroastrians and Jews each one member, one member for Assyrian and Caldean Christians, One member for each Armenian Christians of north and south.

Article 3:

The supervision of the elections of Islamic Consultative Assembly has been undertaken by the Guardian Council. The approbation and public supervision runs in all the stages and affairs of elections.

Article 4:

If there remain more than one year to the termination of Parliament period, middle-period elections shall be held in the stations with no member. If the number of members is less than four fifth of their total number and there remain 6 months to the end of Parliament period, the middle period elections will be held.

Article 5:

The supervisors of the Ministry of the Interior, governor-generals' offices, governors' offices and deputy governor's offices shall be governor-generals, governors and deputy governors institute of the Home Minister.

Article 6:

The membership years of full time civil servants or military men of organizations, companies and governmental institutes or affiliated units, public foundations or municipality, would be considered as their service years after being elected and the issuance of their credentials with granting a group and respective increase of service years. During their membership of parliament they only receive their membership salary.

Note: The years of membership in Islamic Consultative Assembly is also considered as the service years of those members who are employed by governmental organizations or their affiliated units during or after their membership.

Chapter 2 - The Quality of Elections

Article 7:

The elections will be enforced publicly and directly with confidential votes.

Article 8:

The election of a member in the first stage is subject to obtaining the majority of at least one forth of total votes (one third in the previous Majles) and in the second stage as well as middle-period elections , the pro rata majority.

Note 1: In case of the equality of two or some members votes, the measurement for their election is drawing lots being carried out in the common meeting of Executive Boards and Supervisory Board of Election station Center. The said candidates or their representatives are authorized to appear in the casting ceremonies.

Note 2: If the elections of one or more election stations are intercepted or cancelled or the candidate's credentials are not confirmed by the Parliament, The Ministry of the Interior shall be obliged to hold re-elections within 5 months simultaneously in the said station in coordination with Guardian Council. The 5-month respite is commenced from the date when the last station status is determined.

Note 3: If any station losses one or more members because of death, resign or any other reason, the Ministry of the Interior is obliged to hold the elections in the related station within 5 months after the date declared by the Islamic Consultative Assembly with coordination with Guardian Council.

Note 4: Those elected candidates whose credentials are refused due to the refusal of their competency in Islamic Consultative Assembly are not authorized to take part in the elections of the period of Islamic Consultative Assembly.

Article 9:

If in the first stage of the elections, one or more candidates do not succeed to obtain the majority of one fourth (Previously one third) of the cast votes, the elections will be held in two stages.

This means that from those candidates who did not obtain the quorum of one fourth of the votes, but the highest votes of the first stage, only two times of the required number of the Parliament members can take part in the second stage of elections.

If the number of remained candidates are less than two times of required members, all of them will take part in the elections of second stage.

Note 1: None of the candidates are authorized to nominate in more than one station, otherwise their nomination will be cancelled and they will be deprived from participation in the elections of this period.

Note 2: Being coordinated with Guardian Parliament the Ministry of the Interior declares the date of second stage of elections one month after the declaration of first stage result and the authenticity of the elections shall be confirmed by Guardian Council.

Note 3: All the voters of second stage shall exclusively cast their votes to the same polls of the first stage. Those who have cast no votes in the first stage, can cast in the second stage.

Note 4: In the middle period elections those ones are entitled to cast that they has cast in previous elections of the same period or cast in none of the elections stations.

Article 10:

In each stage of elections each qualified person is authorized to cast his/her vote only once by presenting his birth certificate.

Note 1: Polling votes in jails, garrisons and hospitals shall be carried out only by the presentation of birth certificate.

Note 2: The card for casting vote which has been attached to the birth certificate is sealed and then punched.

Note 3: Taking the votes shall be held simultaneous in all stations, all over the country. Its duration is at least 10 hours, which shall be extendable for 2 more hours.

Note 4: The Minister of the Interior is the only authority for discretion of the necessity for extension of taking the votes.

Note 5: Elections shall be held on one day of the public holidays.

Article 11:

All ministries, organizations, departments, legal foundations, governmental institutes or affiliated units, municipalities and public institutes shall be obliged to put their employees and facilities at the disposal of the elections if they were requested by the Home Minister, governor-generals, governor and deputy governor. Obviously their employees' cooperation is considered as their

mission.

Note 1: For supervision on the elections, all the organizations and foundations are obliged to offer their employees to Guardian Council and their assigned delegations, as per their request. Also the Ministry of the Interior, Governor-generals' offices, governors' offices and deputy governors' offices shall offer their facilities to them.

Note 2: The mission fee of the said employees shall be payable from the credit fund of their related organization.

Article 12:

The elections of Jews, Zoroastrians, Assyrian, Caldean Christians and north Armenian elections shall be held in the station of Tehran Governor's Office, but the elections of south Armenian Christians shall be held in the station of Isfahan Governor's Office where the religious minorities reside.

Article 13:

If the elections of Parliament coincide with another elections, according to the order of the Ministry of the Interior, one nomination and taking vote branch with the same members but separated polls are considered for both elections.

Article 14:

IRI Broadcasting is obliged to broadcast all the declarations and notices of elections as well as elections training programs at the discretion of the Ministry of the Interior, in addition to display the Parliament role and members' duties.

Article 15:

The elections in the places where stricken by earthquake, war or flood, at the discretion and proposal of the Ministry of the Interior and approval of Guardian Council, shall be held in those cities where the refugees have settled or in the said stations if possible. This is publicly declared.

Note: The nomination and taking vote branches of the said places are set up in those cities in where more than 2500 refugees of the said places have settled there with no possibility to return to their own stations.

Article 16:

The Disciplinary Forces shall be responsible for protection of polls and discipline according to the scope of their legal duties. They are not authorized to interfere in executive or supervisory affairs.

Note: In case of Disciplinary Force requirements and by virtue of the approval of legal competent authorities, military forces may cooperate with disciplinary forces.

Article 17:

The competent judiciary courts are obliged to arbitrate the elections crimes and violations, extraordinarily.

Article 18:

In the following cases and by the confirmation of the Supervisory board of the stations the vote papers are cancelled but considered in taken votes:

1. Illegible votes
2. The votes achieved by sale and purchase

3. he votes which bear the names other than the confirmed candidates.
4. Blank votes

Note: In those stations that the required number candidates is more than one, only the unreadable names will be cancelled.

Article 19:

In the following cases and by the confirmation of the Supervisory board the stations the vote papers are cancelled and not considered in taken votes:

1. The poll is not sealed respectively.
2. The votes are more than tariff.
3. The votes of those persons who are not old enough to cast a vote.
4. The votes cast by the birth certificate of dead persons or foreigners.
5. The votes cast by fabrication
6. The votes cast by the Birth Certificates of other persons or fabricated certificates.
7. Repeated votes.
8. The votes cast by the Birth Certificates of those who are not present.
9. The votes which are no sealed by the elections station.
10. The votes written on any other paper than the vote sheets.

Note 2: The extra votes mentioned in Item 2 are deducted from vote sheet by lots drawing.

Article 20:

If any name other than the candidates are written in the vote sheets, it won't be cancelled and only the excessive names are not considered.

Note 1: If the name of a candidate is frequently written in a vote sheet, only one vote shall be considered for him.

Note 2: If the cast votes are not separable due to the similarity of the candidates' names, the votes are divided among those candidates who are called the same. Regarding the remained inseparable votes, drawing lots shall be executed.

Note 3: When two elections coincide, the cast votes to the wrong poll may be transferred to the right one under the supervision of Guardian Council, before taking any action.

Article 21:

If the written names exceed the stipulated number, the extra names are not considered from the end.

Article 22:

Before the elections start, empty polls shall be closed and sealed by the seal of the Supervisory Board of Elections. The representatives of the board certify the quantity of empty polls, which is drawn up before the elections start. Whenever it is necessary to add a poll during the elections, all the afore-said formalities shall be carried out.

Article 23:

During the elections, the Ministry of the Interior shall be obliged to inform the public, of all

election related affairs.

Article 24:

Governors and deputy governors of elections stations shall conform the result of their votes counting with supervisory boards of station, immediately after the completion of the elections and the counting the votes. The result shall be dispatched to the Ministry of the Interior and Guardian Council and finally publicly informed by the mass media.

Article 25:

The Ministry of the Interior is responsible for the execution of Islamic Consultative Acts as well as good circumstance of elections. Therefore the Ministry is authorized to dispatch some representative to elections station or nomination branches during the elections.

Note: No organization is authorized to intervene in the elections or send any agent to the elections station, under the title of Elections Acts Execution or Supervision.

Article 26:

Immediately at the end of the elections, the result shall be drawn up in five copies signed by executive board of elections station center and supervisory board. One copy remains with executive board, two others are sent to the Ministry of the Interior, one copy to the supervisory board and one to the central supervisory board.

Chapter 3 - Candidates and Electors' Particulars:

Article 27:

The electors shall hold the following particulars:

1. Iranian Nationality
2. 17 years of age (Previously 16)
3. Sound of mind

Article 28:

The candidates shall hold the following particulars when they are nominated:

1. Believing and practically binding to the Islamic Republic of Iran
2. Iranian Nationality
3. Binding to the Constitutions and Absolute Religious Guardianship
4. Holding at least Associate Degree of its equivalent
5. Having no bad reputation in the elections station
6. Physical Health at the extent of being able to see, hear and speak
7. At least aged 30 and at most aged 75

Note 1: The religious minorities candidates are not obliged to believe in Islam (item 1) but their own religion.

Note 2: Item 4 is not applicable for the previous members of Islamic Consultative Assembly.

Article 29:

The following people are not authorized to run for Parliament due to their position or job:

A - The following are deprived from candidacy in all elections stations unless they resign from their positions 3 months before their nomination:

1. 1- President, vice-president and his consultants
2. Secretary of National Interests Discernment Parliament or his Deputies
3. Consultants of Vice-presidents
4. Officers-in-charge of the head of three powers
5. Ministers and Heads of Ministries
6. Ministers Deputies and Consultants
7. General Directors and Chiefs of General Departments of Ministries and General Director of Ministry of stations as well as Ministers' Officers-in-charge
8. Members of Guardian Council and Central Supervisory Board of Elections
9. Head of Judiciary Power and his Deputies and Consultants
10. Head of State Supreme Court and his Deputies or Consultants
11. State General Prosecutor, his Deputies and Consultants
12. Head of Administrative Justice Court, his Deputies and Consultants
13. Head of State Investigation Organization, his Deputies and Consultants
14. Heads and Supervisors of Organizations, General Departments, and Departments of Religious and Political Affairs of Armed Forces of Islamic Republic of Iran, their Substitutes or deputies
15. Chairman of Iran Broadcasting and his deputies
16. Head of IRI Red Crescent Society and his Deputies
17. Governor-generals
18. Governor-generals' Deputies and Consultants
19. Governors
20. Governor-Deputies
21. Mayors and Chairmen of Regional Municipalities
22. Chairmen and Directors of Governmental Organizations
23. President of Islamic Azad University
24. Directorate Members and Managing Directors of Banks
25. Directorate Members and Managing Directors of Governmental Companies or Affiliated Companies with nation wide duties and options
26. General Director of Central Bank of Islamic Republic of Iran, his Deputies and Consultants
27. Heads and Directors of Foundations (Mostazafan, Shahid, Panzdah Khordad, Maskan), Imam Khomeini Charity Committee, Literacy Movement, Islamic Campaign Organization, Campaign Bureau of Ghom Hozeh Elmieh, Chairman of Governmental Punishments Organization, Chairmen of Chamber of Commerce Industries, Mines & Cooperation and their Deputies and Consultants
28. Employees of Armed Forces and Ministry of Information

B - The followings are deprived from nomination in the elections stations of their mission, unless they resign from their position within 3 months before their nomination:

1. Permanent Friday Prayer Leader
2. Judges
3. General Directors and Supervisors of Provinces Bureaus and General Departments as well as their Deputies

4. General Directors and Supervisors of General Departments of Governor's General's Offices and their Deputies
5. Chairmen and Supervisors of Governmental Departments and Organizations or Affiliated Units and their Deputies in Provinces and Cities
6. Universities presidents and Deans of Higher Education Institutes, including Governmental or non-governmental ones
7. The Directorate Members and Managing Directors of Governmental Companies or Affiliated companies in the city of province
8. Heads of Regions and the Chairmen of Banks Branches in the city or province
9. Chairmen of Islamic Campaign Bureaus in cities or provinces centers
10. Directors of IRI Broadcasting Centers

C - Members of Executive Boards and Guardian Council Supervisors in their duly Elections stations

Note 1: All the authorities holding the positions equivalent to those mentioned in items A and B shall be subject to this article. Their equivalence shall be determined by State Employment and Administrative Affairs Organization.

Note 2: Regarding those authorities whose resignation is subject to the agreement of their related higher authority, the acceptance of their resignation is one of the conditions for nomination. Also the resignation of Armed Forces Personnel is subject to the agreement of the Commander in Chief of All Forces.

Note 3: At the time of nomination, it is necessary to present the official certificate of resignation acceptance and non-engagement in those positions mentioned in the Items A and B, three months before the nomination.

Note 4: The Ministry of the Interior shall inform the public about the nomination process four months before.

Article 30:

The followings are deprived from the Membership of Islamic Consultative Assembly:

1. 1- Those who have played a great role in stabilization or the former regime.
2. Landholders who have registered wastelands under their own titles
3. Organizations and groups whose illegibility has been declared by the competent authorities.
4. The convicted opponents of Islamic Republic of Iran
5. Those who have convicted to apostasy by the competent judiciary courts
6. Reputable for corruption and notorious for debauchery
7. Convicted persons to the religious penance, unless their repentance has been proved.
8. Smugglers of narcotic drugs and addicted persons
9. Interdicted persons and those who are subject to the Article 49 of the Constitutions, as per the judgment of court
10. Former regime attaché including the members of city societies and freemasonry caucus attaché and members of directors boards of Rastakhiz and Iran Novin factions as well as their active members, the members of senate parliaments, National Council and Savak

members.

11. Persons convicted of fraud , treachery, embezzlement, receiving bribe, usurpation of others assets or properties and financial misuse by the competent judiciary court.

Chapter 4 - Executive Board :

Article 31:

Immediately after the issuance of order for the elections start by the Ministry of the Interior, the governor or governor deputy of the elections station orders the sub-station governor or governor deputy for the composition of Executive Boards and he himself shall composite Executive Board of Elections directed by himself, in the station within 6 days and at the presence of Supervisory Board of Guardian Council and membership of the head of station personal status registry as well as nine trustworthy persons subject to the Article 32.

Note: In the cities or stations where Islamic Council has been composed, one of the members of this council, being elected by the members shall be one of nine trustworthy persons.

Article 32:

Governor or governor deputy of each elections station center introduces 30 trustworthy persons, residing at the same place or those residents who have been residing there at least for 5 years, from among all the qualified ones, to the Supervisory Board for confirmation of their competence.

The supervisory board dispatches its write comments regarding their competence, to the governor or governor deputy within three days.

The governor or governor deputy shall invite the competence-verified trustworthy persons, in writing and they will hold a meeting at least two days after the invitation.

At the presence of two third of the invited persons, they shall elect 9 persons among themselves as the main trustworthy persons and five other ones as the substitutes. They shall be elected by secret ballots and relative majority of votes.

Note 1: If the supervisory board does not verify the trustworthy persons introduced by the governor or governor deputy, they shall introduce two times more persons to the board which is obliged to declare its comment within 24 hours. If the introduced persons were not verified again, in case of verification of at least 20 persons, the main and substitute members are elected among them. In case of non-confirmation of the governor, governor deputy, city or province supervisory board, the rest of 30 persons shall be elected within 24 hours and with coordination with governor general.

Note 2: The trustworthy persons subject to this Article shall believe in Islam (except for the religious minorities districts), being bound over the Constitutions, literate, with good reputation and not being an effective agent for the stabilization of the former regime or the attaché of illegal groups.

Note 3: The number of Executive Board members in elections station center and sub-stations as well as their composition procedure and time are the same.

Note 4: The governors or governor deputies of elections stations are obliged not to introduce those who have committed a breach in Executive Boards or taking vote branches of the last elections, for membership among the trustworthy persons.

Article 33:

None of the members of Executive Board as well as the supervisors of Guardian Council or the members of nomination or taking vote branches, should not have the following genealogical or in-law relations:

A- Genealogical Relation: Father, Mother, Son or Daughter, Sister, Brother

B- In-Law Relation: Spouse and his/her Father, Mother, Sister, Brother

Article 34:

The members of executive board are obliged to take part in the meetings as well as carryout of their legal duties, after the acceptance of their membership.

Note 1: The absence of governor, or governor deputy or the head of personal status registry, the executive board is obliged to report to its higher rank and wait for later duties.

Note 2: In case of the absence of governor and/or governor deputy and/or head of personal status registry and/or in case of any dispute among the members of executive board with cause the interception of the elections, the supervisory board is obliged to inform the higher supervisory board as soon as possible.

Note 3: Executive board is obliged to mention the absentees as well as the reason, in its reports to the Ministry of the Interior.

Article 35:

Whenever one or more trustworthy persons of executive board do not present in two consecutive meetings or four alternate ones, or resign, or lapse the quorum of executive board, the governor or governor deputy invites the same number of substitute trustworthy persons according to their obtained votes. If the invitation of all substitute trustworthy persons does not cause the quorum, required number of them shall be supplied from the remaining trustworthy persons (up to 30 persons).

Article 36:

Immediately after the elections of trustworthy persons, tributary boards shall open a meeting and determine the number and place of nomination and taking vote branches.

The minutes of their meeting shall be dispatched to the governor or governor deputy for stipulation in the executive board of station center.

Article 37:

The meetings of tributary and main executive boards shall be opened at the presence of two third of all members and any decision shall be made by absolute majority of the present members.

Note: Abstaining votes are considered as negative votes.

Article 38:

After the determination of nomination and vote taking branches in the center of elections station

and investigation and ratification of the executive boards approvals, regarding the number of places of nomination and taking votes branches, the executive board of elections station shall notice the date of elections, start hour, conditions of voters, violations and penal regulations, places of nomination and vote taking branches, nine days before the election.

Note: In case of any problem, this time may be decreased to seven days subject to the agreement of the Ministry of the Interior.

Article 39:

The governor or governor deputy of the station is obliged to send three copies of the notices to the Ministry of the Interior. One of these copies shall be send to the Central Supervisory board of Guardian Council, by the Ministry.

Article 40:

Executive Board of station center and tributary stations shall assign 5 literate trustworthy persons (or seven ones in crowded stations) and introduce them to the governor or governor deputy, for the issuance of their action.

Note 1: The members of nomination and vote taking branches shall elect one among themselves as the head, one as deputy and the others are the secretaries. They shall take any required action for preparation of the elections places one day before.

Note 2: The place of nominations and vote taking branches which have been mentioned in the notices may not be changed, unless holding the elections in those places are impossible due to unpredicted accidents. In such a case, executive board and Guardian Council supervisors draw up the directive with the reason for this movement. The new place shall be the nearest one to the former elections site, so that the electors face not so much problem. The change of election place shall be noticed to the public.

Note 3: The elections or nominations may not be held in museums.

Chapter 5 - Candidature Announcement and Eligibility of Candidates

Article 41:

The Governor or Governor deputy of the polling stations is obliged directly or by empowering the governor or governor deputy of tributary polling stations to assign a representative for each nomination or polling station.

Article 42:

Executive boards shall be responsible for the authenticity of elections in their station.

Note: Whenever the ministry of interior finds it appropriate for the second stage of elections, it will order for trust worthy persons for the polling stations under the awareness and confirmation of central supervisory board.

Article 43:

The City Executive Board shall carry out all the affairs of election central station.

Article 44:

Obtaining the confirmation of central executive board, tributary executive boards are authorized

to establish movable polling stations for mountainous and arduous places or any other places where no stations may be established. Also the executive board of polling station center is authorized to establish movable station in the center whenever it is found necessary.

In both cases the supervisory board shall be informed respectively. A representative of the supervisory board shall be along with the movable station and he is also obliged to mention the route of station in his report.

Article 45:

Candidates of parliament shall refer to governor general office of polling station, and receive the special questionnaires for candidature announcement, fill them out and submit within 7 days from the date of issue of publication of election commencement order by the Ministry of the Interior.

The matter shall be publicly announced by the Ministry of the Interior through media in advance, and the governor generals shall spread the news to people through the required means.

Note 1: The candidates of parliament who are qualified and live abroad, are required to refer to the relevant Embassy, Consulate or political agency and shall fill out the candidacy questionnaire in the presence of the competent authorities of the Embassy or consulate or political agent. The Embassy shall inform the contents of the questionnaires to the Ministry of the Interior via TLX or fastest means of communication through the Ministry of Foreign Affairs. Then, the eligibility of the candidates shall be examined in a proper time at the executive board of the polling station.

Note 2: The candidates of parliament may receive the candidacy forms from the Ministry of the Interior and shall send to the Ministry of the Interior after filling them out. The Ministry of Interior shall inform the matter to the governor general of the polling station immediately.

Note 3: A photocopy of the candidacy form, a photocopy of ID card and two photos shall be sent to the central supervisory committee by the Ministry of the Interior at most within 3 days after completion of nomination.

Article 46:

Parliament candidates may announce personally and in writing their withdrawal to the governor general of election poll or the Ministry of the Interior. The withdrawal shall be announced to the central supervisory committee. Failure in announcement shall not be acceptable.

Article 47:

The governor general of polling station shall announce every day the complete particulars of the candidates of their polling station to the Ministry of the Interior with the fastest means possible. The Ministry of the Interior shall everyday send a copy of the complete particulars of the candidates to the central supervisory committee.

Article 48:

Ministry of the Interior and guardian council, upon receiving the candidates' particulars, shall send list of them to the Ministry of Information, Attorney General, State Personal Status Registry Office, Identity Control Office and International Police Office in order to study their records in connection with their eligibility stipulated in this law. The said centers shall announce the result of their study to the Ministry of the Interior and the Guardian Council presenting relevant reason

and evidence within 5 days.

Note: The Ministry of the Interior, if necessary, shall take fingerprints of the candidates.

Article 49:

Ministry of the Interior, upon receiving the results mentioned in the Article 48, shall announce to the governor general of polling station which shall present the results and documents at the common meeting of the executive board and central committee of supervision of the polling stations.

Article 50:

The executive boards of the polling stations shall study the eligibilities of the candidates through the Ministry of the Interior and shall announce the outcome to the committees of supervision at most within 5 days after termination of nomination respite.

Note: Disqualification notices of the candidates of the Islamic Consultative Assembly shall be valid based on the law and according to documents and evidence.

Article 51:

The governor general of polling stations shall inform the notice of disqualification of candidates issued by the executive board of election in reference to the legal documents within a day to the relevant candidates and shall send the relevant documents of the matter to the supervisory committee of the province with the fastest means possible.

Note: Those candidates whose eligibilities have not been confirmed may submit their complaint to the supervisory committee within 4 days from the date the notice served on them.

Article 52:

The reports and complaints received within 7 days after termination of the respite of receiving the complaints, shall be presented at the meeting of the committee of super-vision and the results shall be included in a memorandum. Should the intention of the executive board for disqualification of candidates is also approved by the supervisory committee of the province, the aforesaid committee shall seek the comment of the central supervisory committee in this respect. The supervisory committee of the province shall announce its views regarding qualification of other candidacies.

Note 1:

The supervisory committee of the province, upon having the comment of the central committee of supervision, shall announce the admission or rejection of all candidates according to legal evidence and documents at a meeting with the relevant governor general.

Note 2:

The governor general shall announce the intention of the central supervisory committee as to admission or rejection of all candidates received from the supervisory committee of the province to the relevant candidates who may submit their complaints to the guardian council in writing.

Note 3:

Should the central supervisory committee disqualify the candidates whose eligibilities have been approved of by the executive board of polling station, the candidates may submit their complaints

to the guardian council. The guardian council shall announce its final comment on qualification or disqualification of the candidates to the Ministry of the Interior.

Article 53:

Should the trustees of the executive board not comply with the legal regulations of election, the governor general shall take step to change the trustees or establish a new executive board upon approval of the supervisory committee of polling station and permission of the Ministry of the Interior. Change of some members or general change of the executive board shall be carried out according to the Articles 32 & 35.

Article 54:

Where according to the received reports and complaints it is known to the guardian council that members of the supervisory committee violate the laws and regulations, the guardian council, as the case may be, shall attend to the violations legally.

Article 55:

The nominees can introduce, alone or in-group, a representative to the committee of supervision of the polling station through the following procedure:

- Polling stations with one candidate, one representative for each poll box
- Polling stations with two candidates, one representative for the two poll boxes
- Polling stations with three candidates, one representative for the three poll boxes
- Election polls with four candidates, one representative for the four poll boxes
- Polling stations with five candidates, one representative for the five poll boxes
- Polling stations with six candidates, one representative for the three poll boxes

Also, for the number of candidates of each polling station, the equivalent number of polling stations one representative.

These representatives can be present at the polling stations. They shall announce any violation, in writing, to the executive board and the supervisory committee without any intervention.

Appearance of representatives of the candidates until the end of election and counting of votes and writing relevant minutes of meeting is permissible. Failure in appearance of the representatives at the polling stations shall not be acceptable and shall be considered as offence and the offender shall be sentenced to the punishment stipulated in the article 83 of the law.

Note: Attendance of persons other than those in charge and members of election polls, supervisors of guardian council, representatives and inspectors of the Ministry of the Interior, representatives of candidates, in polling stations under any title is not allowed and shall be considered as offence. Police officers and those in charge of polling stations shall prevent attendance of outsiders. The offenders shall be sentenced to punishment stipulated in the Article 75.

Chapter 6 - Campaigning:

Article 56:

Campaigning activity of candidates shall start 8 days before election (first and second phases) and shall discontinue 24 hours before the start of the election.

Article 57:

Using any placard, tract, wall writing and propaganda shows as well as mobile speakers outside the speaking hall and the like except photos at most in two forms, speech materials, questions and reply from the side of election candidates and their fans, is not allowed. The violators shall be sentenced to 3 to 30 days imprisonment.

Note: Commenting of political characters in approving the candidates is permissible provided without specifying the title and liability of them and the relevant document signed by them has been submitted to the executive board of election.

Article 58:

Nobody has right to remove and destroy the campaign posters within the legal time and such action shall be deemed as offence.

Article 59:

Any campaign activity, after official announcement of nominees, through media, Friday pray rostrum or any other means, which are official and governmental, activity of employees during working hours and also using other means of ministries, offices, public companies and institutes affiliated to the government, municipality and other organizations which use public budget (to any extent) and also providing such means and facilities are forbidden and shall be considered as offence.

Note 1:

The institutes and organizations the assets of which are from public properties, such as Mostazafan foundation are subject to this Article.

Note 2:

The publications and press belonging to organizations, ministries, offices and institutes mentioned in this article, shall have not the right to propagandize for election nominees even by publication of notice.

Article 60:

Members of the executive board and supervision over election shall not have the right to campaign for or against the election nominees.

Article 61:

Sticking of notice, photo, poster and any propaganda on the signs of traffic control signs of hospitals, schools and other educational institutes and also the signs erected in public streets by the government sector and the affiliates of the government and post boxes, telephone booth, power and telephone panels, panels and real estates of private sector is not allowed unless by permission of the owners. The offenders shall be prosecuted by the police officers and shall be handed over to judicial authorities. Governor Generals shall eliminate such papers otherwise it shall be considered as offence.

Article 62:

Any notice and propaganda shall be removed from the place of polling station before the election.

Article 63:

Polling stations shall be erected only in any village, cities and counties. In greater cities, polling stations shall be erected in each municipal district.

Note 1:

Polling station, is a center where nominees' campaigning activities stipulated in the chapter 6 of this law are organized.

Note 2:

Establishment of polling station without announcement of its address, name of the authority in charge to the governor general is forbidden.

Article 64:

Press and publishers have not the right to publish articles against the nominees or publish false information culminating in withdrawal of a group of voters; in any case, the nominees have right to give their responses within 18 hours after publication and the publishers shall publish it immediately according to press law. If the response is not published, the publisher shall be responsible to send the nominee's response to a similar publisher for publication in its first periodical. Publication of such materials otherwise is forbidden and the nominee has right to publish his/her objection.

Article 65:

The candidates and their fans are not allowed to campaign against other candidates. They can only express their eligibilities and any disrespect towards nominees in public is forbidden and the offenders shall be punished.

Chapter 7- Fines & Offences**Article 66:**

In addition to the offences stipulated in this law, commitment of the followings shall be considered as offence:

1. Buying and purchase of vote
2. Voting with the Identity Card of a person who is not present
3. Threatening or corruption in election
4. Voting with forged Identity Card
5. Voting with other's Identity Card
6. Voting more than one time
7. Recommendation to write the name of a specified candidate on ballot paper by outsiders at the polling station
8. Disruption in election
9. Decreasing or increasing the number of vote or tariffs
10. Cheating in voting and counting
11. Cheating and cunning in the tariff papers or ballot papers or minutes of meeting
12. Recommendation to write the name of a specified candidate on ballot paper by members of polling station, supervisors and inspectors.
13. Change, forgery and destruction of election papers such as tariff, ballot, minutes of meeting, telex, telegram and telegraphs.
14. Opening and breaking of the locks of polling stations without legal permit
15. Displacement, interference or destruction of election documents without legal permit
16. Causing fear and terror among the voters or polling members with or without weapons.
17. Interference in election with forged position or under any illegal way

18. Performance or failure in performance resulting in spoiling of voting of people such as prevention from sealing of tariff papers or identity cards or transfer of polling station to the place not publicly announced.

Note: If the offences mentioned in this Article causes disruption in the election of one or more than one polling stations, and the election goes beyond its legal framework being effective in the general result of election, the matter shall be announced to the central supervisory committee to be set forth in the guardian council.

Article 67:

Judicial organizations of each polling station shall take proper action within the framework of the usual regulations in order to prevent from any offence, through coordination with the supervisors of guardian council and the executive board.

Note:

From the beginning of nomination until the end of election, summoning and arrest of nominees of the Islamic Consultative Assembly for the offences before nomination or election offences is forbidden, unless non-arrest of them spoils other's rights at discretion of the head of the judiciary.

Chapter 8: Complaints and Investigation

Article 68:

The executive boards of polling stations, shall accept complaints from the date of formation of executive board until 2 days after announcement of election results and present at the common meeting of the executive boards and the polling committee of supervision at most within 7 days from the date of receiving the complaints.

Note 1:

Those who have objection to election, may submit their complaints to the secretariats of the guardian council within at most 7 days from the date of election.

Note 2:

The complaints which bear the particulars of the complainant including name, surname, father's name, occupation, address, telephone number (if applicable) and genuine signature, shall only be attended to.

Note 3:

Should the complainant accuses someone without reason and document and the act is considered as allegation, shall be liable to public prosecution.

Note 4:

Institution of claim is confidential and disclosure of it is not allowed.

Article 69:

The complaints which are submitted to the executive board during election, shall not hinder the work of election.

Article 70:

If the executive board, after study of the complaints and reports, observes that the election is not

being conducted properly in one or some polling stations, upon approval of the supervisory committee, the election of the polling station/s shall be announced null and void.

Note:

If nullification of votes of the polling station is not effective in the election, the decision shall be up to the guardian council.

Article 71:

All the complaints about the election, before sending the election file to the parliament, shall be sent to the central supervisory committee and then, shall be sent to the parliament.

Note:

The guardian council shall send all the complaints relevant to election to the parliament after issue of letters of credit.

Article 72:

If attending to the complaints of each polling station hinders or nullifies the election, announcement of it through medial shall be the responsibility of the guardian council.

Note:

Halt or nullification of election at each polling station shall be in accordance with the law along with the related valid documents upon decision of the majority of vote of members of the guardian council.

Article 73:

Issuing the letter of credit of those elected shall be subject to non-nullification of the election by the guardian council, and the guardian council shall announce its view as early as possible and the Ministry of the Interior shall order the issue of the letter of credit.

Article 74:

The letter of credit of those elected shall be issued upon instruction of the Ministry of the Interior along with the seal and signature of the executive board and committee of supervision in 5 copies (one copy for the guardian council) within 48 hours.

Note: Should any members of the executive board and supervisory committee, upon announcement of view by the guardian council, refuse to sign the letter of credit, shall be considered as violator of law and shall be deprived of membership in the executive boards and supervisory committee for 10 years and the letter of credit shall be valid by the signature of the Ministry of the Interior and chairman of the central supervisory committee over election throughout the country.

Chapter 9 - Punishment

Article 75:

Punishment of the offender stipulated in the items 1, 2, 3, 4 5, 6, 7, 8 of the Article 66 shall be sentenced to 3 months imprisonment, payment of 1,000,000 to 5,000,000 Rials. and 8 years deprivation from membership in executive boards and supervision committee of polling station.

Article 76:

Punishment of the offenders stipulated in the items 9, 10, 11, 12, 13, 14, 15, 18 of the Article 66

shall be from 6 months to 2 years imprisonment and 3,000,000 Rials. To 15,000,000 Rials. and as the case may be, termination of public service from 6 months to 2 years and 12 years deprivation of membership in the executive boards and supervisory committee.

Article 77:

Punishment of the offenders stipulated in the item 16 of the Article 66 including steward, deputy or intriguer, if not admitted, the punishment shall be the same stipulated in the Article 617 of the Islamic Punishment Law.

Article 78:

Punishment of the offenders stipulated in the item 17 of the Article 66 in addition to the punishment stipulated in the Article 555 of the Islamic Punishment Law, shall be 12 years deprivation of membership in the executive boards and supervisory committee of polling station.

Article 79:

Punishment of violation of regulations stipulated in the Articles 11, 24, 34, 40, 53 and 60 and the notes relevant to the law of attending to administrative violations, shall be deduction of salary, job allowances, etc., at most deduction of up to 1/3 from one month salary for one year or temporary withholding from one month to one year.

Note:

If the offender is not from among the government employees, shall be deprived of membership in executive boards and supervisory committee of polling station for a period of 8 year.

Article 80:

Punishment of violation stipulated in the Articles 57 and 58 is payment of 500,000 Rials up to 1,000,000 Rials.

Article 81:

Punishment of the offenders stipulated in the Article 59 and its note 2 shall be 3 to 6 months imprisonment or payment of 2,000,000 Rials. to 10,000,000 Rials. and the punishment of the offenders stipulated in the last part of the Article 59, note 1 is the same stipulated in the Article 598 of the Islamic Punishment Law.

Article 82:

Punishment of the offenders stipulated in the Article 61 shall be payment of 100,000 to 2,000,000 Rials.. If the police officers and other authorities in charge refuse to do their duties stipulated in the the Article 61, shall be sentenced to temporary halt in work from 1 to 3 months.

Article 83:

Punishment of the offenders stipulated in the Article 63 in addition to the punishment required in the press law, shall be payment of 1,000,000 to 5,000,000 Rls.

If the violation includes allegation, the offender shall be sentenced to the punishment stipulated in the Islamic Punishment Law.

Article 84:

Punishment of the offenders stipulated in the Article 63 shall be payment of the sum of 500,000 Rials. to 2,000,000 Rials.

Article 85:

Punishment of the offenders stipulated in the Article 65 shall be payment of the sum of 50,000 Rls. to 1,000,000 Rls.

Article 86:

In all the cases where the offender of any of the violations subject of this law are from among the candidates, shall be sentenced to the major punishment stipulated.

Article 87:

In keeping with the Article 99 of the Constitution and utter neutrality, supervisors of the guardian council, during their responsibility term, shall keep their utter neutrality and taking side of any of the candidates by the supervisors shall be considered as offence.

Article 88:

Should the supervisors of the guardian council commit any of the offences related to the executive boards or supervisory committees of polling station, shall be sentenced to the punishment stipulated in the Article 66, the note of Article 53 for all the boards.

Article 89:

The punishments included in this chapter shall not be limited to types stated in this law and the judge, at any case, sentence the offender to the punishments stipulated in this law or the punishments stipulated in the book 5 of the Islamic Punishment Law (Inhibitive Punishments) approved on 22.05.1996.

Chapter 10- Preliminary Preparations, Organization and opening of the Islamic Consultative Assembly**Article 89:**

Governor generals of polling station, upon announcement of the state election office for issue of letters of credit of the election, shall take step to issue letters of credit of the members of the Islamic Consultative Assembly at most within 48 hours and shall sent a copy to the elected member or his/her proxy who shall be introduced in writing.

Article 90:

Once letters of credit of 2/3 of all members of the Islamic Consultative Assembly are received, Dept. General of Laws of the Islamic Consultative Assembly shall inform the matter to the Minister of the Interior in order to provide the preliminary steps to open the Islamic Consultative Assembly.

Article 91:

The Minister of the Interior, after preliminary preparations for opening the Islamic Consultative Assembly, shall invite the elected members to gather in Tehran. The elected members shall introduce themselves to the Department General of Laws of the Islamic Consultative Assembly within 5 days after invitation of the Minister of the Interior.

Article 92:

Minister of the Interior shall present the election report to the Islamic Consultative Assembly at the meeting of the opening of the Islamic Consultative Assembly.

Article 93:

The executive by-law of this law shall be provided by the Ministry of the Interior and shall be enforced upon approval of the board of ministers.

Article 94:

Those who have been required to resign and have resigned timely according to the former law of the Islamic Consultative Assembly and the law of changing the title of the members of the Rural

(now changed into Urban) Islamic Councils approved on 8.8.1999, can nominate in the 6th election of the Islamic Consultative Assembly. Also, those, except those mentioned above, who are required to resign according to this law, may nominate for the 6th election of the Islamic Consultative Assembly, if they resign 10 days after approval and notification of this law to the President.

This law shall be binding upon approval and notification to the President.

Ministry of the Interior, immediately after approval of this law, shall inform the matter publicly.

The above said law including 94 articles and 5 notes was passed at the open meeting of the Islamic Consultative Assembly on Sunday 28.11.1999 and was approved by the guardian council on 30.11.1999.