



**INSTRUCTION**  
**on determining qualifications and procedure of appointing members of the polling  
station committees**

Sarajevo, May 2014

Pursuant to Article 2.9, paragraph (1), point 2, Article 1.5, paragraph (3) and Article 2.19 of the Election Law of Bosnia and Herzegovina ("Official Gazette of BiH" no. 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13 and 7/14), the Central Election Commission of Bosnia and Herzegovina has at its 20<sup>th</sup> session held on May 8, 2014 adopted

**I N S T R U C T I O N**  
**on determining qualifications and procedure of appointing members of the polling  
station committees**

**CHAPTER I            INTRODUCTION**

**Article 1**  
**(Application – Article 1.5 and 2.19 of the BiH Election Law)**

(1) This Instruction shall define:

- a) qualifications, number of members, the procedure for allocation of seats in the polling station committees and for appointment of polling station committees' members and mobile teams (Article 2.19, paragraphs (1) up to (13) of the BiH Election Law),
- b) qualifications, number of members, the procedure for allocation of seats in the polling station committees and for appointment of polling station committees' members in diplomatic-consular representation offices of Bosnia and Herzegovina (hereinafter: DCROs of BiH) (Article 1.5, paragraphs (3) and (5) of the BiH Election Law),
- c) procedure of training, knowledge test and certification of polling station committees' members and mobile teams (Article 2.19, paragraphs (14) and (15) of the BiH Election Law),

(2) For the purpose of this Instruction, member of a polling station committee and a mobile team shall be: president, member, deputy president and deputy member.

**CHAPTER II            QUALIFICATIONS AND NUMBER OF MEMBERS**

**Section A. Polling station committees in Bosnia and Herzegovina**

**Article 2**  
**(Qualifications – Article 2.2, paragraph (1) and (4) of the BiH Election Law)**

(1) Besides general conditions prescribed by Article 2.2, paragraph (1) of the BiH Election Law a member of polling station committee shall meet the special conditions:

- a) he/she shall have temporary place of residence in the municipality for which the polling station commission is being appointed, and if possible to be recorded in the excerpt from the Central Voters Register for the polling station to which he/she is appointed,
- b) to have at least a high school diploma, namely III, IV or V degree of professional qualifications.

(2) When appointing member of a polling station and his/her deputy, the election commission shall try to ensure that the appointment is done in accordance with provisions of Article 2.2, paragraph (4) and provisions of Article 2.19, paragraph (1) of the BiH Election Law.

### **Article 3**

#### **(Number of members –Article 2.19, paragraph (1) and (2) of the BiH Election Law)**

(1) Polling station committee shall consist of president and his/her deputy, and two members with their deputies, if no more than 350 voters have been recorded in the excerpt from the Central Voters Register for a particular polling station.

(2) Polling station committee shall consist of president and his/her deputy, and four members with their deputies, if more than 350 voters have been recorded in the excerpt from the Central Voters Register for a particular polling station.

### **Article 4**

#### **(President and members of polling station committee)**

(1) President and members of polling station committee for a particular polling station should, as a rule, be recorded in the excerpt from the Central Voters' Register for that polling station.

(2) President or members of the polling station committee who are not recorded in the excerpt from the Central Voters' Register for that polling station shall be allowed absence for the polling station for the period of time needed to cast the ballot at the polling station where there are recorded in the excerpt from the Central Voters' Register.

### **Article 5**

#### **(Deputy president and deputy members of polling station committee)**

(1) Deputy president or deputy member of the polling station committee shall take part in the operations of the polling station committee only if the president or member of the polling station committee is unable to come to the polling station committee on the Election Day or if he/she has to leave the polling station during the Election Day for justifiable reasons.

(2) If the deputy president or deputy member of the polling station committee was not engaged in the work of the polling station by the time of its closing, he/she shall participate in the process of vote count at a polling station where more than 500 voters are recorded.

(3) Provisions referred to in paragraph (2) of this Article shall relate only to regular polling stations. The deputy president or deputy member of the polling station committee participating in the counting process after the close of polling station shall not participate in the decision-making process unless he/she substitutes absent president or member of the polling station committee.

(4) Notwithstanding paragraph (2) of this Article, the deputy president and deputy member of the polling station committee shall participate in the counting process at the regular polling stations in the Brčko District of BiH regardless of the number of voters recorded in the excerpt from the Central Voters' Register for that particular polling station.

## **Section B. Polling station committees at the DCROs BiH**

### **Article 6**

#### **(Qualifications-Article 2.2, paragraphs (1) and (4) of the BiH Election Law)**

(1) Besides general conditions prescribed by Article 2.2, paragraph (1) of the BiH Election Law member of a polling station committee at DCROs of BiH shall satisfy special conditions:

- a) he/she shall be recorded in the excerpt from the Central Voters Register for voters voting outside BiH DCROs BiH or by-mail,
- b) shall have at least a high school diploma, but exceptionally he/she shall have lower degree than stipulated aimed at meeting the conditions set in Article 1.5, paragraph (5) of the BiH Election Law.

(2) Representation of member of each constituent people in the polling station committee shall be ensured.

### **Article 7**

#### **(Number of members- Article 2.19, paragraph (1) and (2) of the BiH Election Law)**

(1) Polling station committee shall consist of president and his/her deputy, and two members with their deputies, if no more than 300 voters have been recorded in the excerpt from the Central Voters' Register for voters voting outside of BiH at DCROs of BiH that is designated for voting.

2) Polling station committee shall consist of president his/her deputy, and four members with their deputies, if more than 300 voters have been recorded in the excerpt from the Central Voters' Register for voters voting outside of BiH at DCRs of BiH that is designated for voting.

## **Section C. Mobile teams**

### **Article 8**

#### **(Qualifications – Article 2.2, paragraph (1) and (4) of the BiH Election Law)**

(1) Besides general conditions prescribed by Article 2.2, paragraph (1) of the BiH Election Law member of a mobile team shall satisfy special conditions:

- a) he/she shall have temporary place of residence in the municipality for which the mobile team is appointed; and
- b) shall have at least a high school diploma, namely III, IV or V degree professional qualifications.

(2) When appointing members of a mobile team and their deputies, the election commission shall try to ensure that appointment is done in accordance with provisions of Article 2.2, paragraph (4) and with provision of Article 2.19, paragraph (11) of the BiH Election Law.

### **Article 9**

#### **(Number of members - Article 2.19, paragraphs (1) and (2) of the BiH Election Law)**

(1) A mobile team shall consist of president and his/her deputy, and two members with their deputies.

(2) Number of mobile teams shall be determined by election commission taking into account total number and territorial distribution of voters, who will cast their vote by a mobile team.

### **CHAPTER III                    PROPOSALS, PROCEDURE OF AWARDING SEATS AND APPOINTMENT**

#### **Section A. Polling station committees in Bosnia and Herzegovina**

##### **Article 10**

##### **(Proposals and appointment – Article 2.19 of the BiH Election Law)**

(1) Representatives of a political subject that are certified to participate in the elections in the constituency in which the polling station committees are appointed, shall be represented in the polling station committees applying the lottery system conducted by the BiH Central Election Commission for positions on the ballot paper.

(2) The BiH Central Election Commission shall submit list of political subjects that are verified to participate at the elections in these constituency to every election commission. The list shall not include a coalition made out of political parties that have candidates and candidates' lists in that constituency and that independently participate in the lottery draw.

(3) A political subject cannot be represented at the same polling committee with more than one representative.

(4) The election commission shall be obliged to invite on time all political subjects referred to paragraph (2) of this Article, certified to participate in the elections in the constituency for which the polling station committee is appointed, to attend the lottery, which shall be conducted by the election commission no later than 60 days prior to the Election Day. The election commission shall be obligated to immediately or no later than two days deliver the results of the lottery to political subject that failed to attend the lottery.

(5) Political subjects submit proposals for members of polling station committees in accordance with the provision of Article 2.19, paragraph (10) of the BiH Election Law and this Instruction, taking into account that proposed candidates are recorded in the excerpt from the Central Voters' Register for that polling station and that they are physically capable of performing duties at the polling station committee.

(6) Along with the proposal for members of polling station committees, the political subject shall be obligated to submit to the election commission forms –SG-1- statement of the proposed member of the polling station committee/mobile team, signed by the proposed candidates for members of polling station committees and verified with a seal and signature by an authorized person of the political subject. The form SG-1 is the integral part of this Instruction.

(7) If requested by the election commission, the political subject shall also submit proofs of qualifications and fulfillment of conditions of proposed candidates for members of polling station committees/mobile teams.

(8) If a political subject fails to submit the form referred to in paragraph (7), namely the data referred to in paragraph (8) of this Article, the election commission shall not consider such a proposal for appointment of member of the polling station committee/mobile team.

(9) The election commission shall accede to the procedure of appointing members of the polling station committees after the end of the period for submission of proposals by the political subjects. In the appointment process the election commission shall take into

consideration administered sanctions of illegibility to work at polling stations.

(10) Deputy members of polling stations shall be appointed from the same political subjects that were defined by the lottery draw to occupy seats for a particular polling station.

(11) Presidents of the polling station committees and their deputies shall be appointed by the election commission amongst members of polling station committee and their deputies, taking into account adequate representation of political subjects and their previous election experience.

(12) Election commissions shall be obligated to deliver decision on appointment of polling station committees' members to the political subjects. This decision should contain: name and last name of the president and members of the polling station committee, as well as of their deputies, gender, than the name of the political subject whose representatives they are, number and location of the polling station, an explanation on the manner of appointment and advice on legal remedy. The election commissions are also obligated to deliver the decision on appointment of the polling station committees' members to the BiH Central Election Commission.

(13) A complaint can be filed to the municipal election commission on the decision of municipal election commission on appointment of president, members of the polling station committees and their deputies within 24 hours following receipt of the decision on appointing polling station committees.

## **Article 11**

### **(Procedure of awarding seats on the polling station committees)**

(1) The procedure of awarding seats at the polling station committees shall be done in the following manner:

a) Political parties that independently have certified candidates' list, independent candidates and coalitions, which in their composition do not have political parties that independently have certified candidates' list or a candidate for any level of the authority in the basic constituency, shall equally participate in the procedure of awarding seats on the polling station committees and shall be represented in every round of the procedure.

b) Coalitions comprising of political parties that independently have certified candidates' list and political parties that do not have an independent candidate or a candidates' list on the ballot paper in the basic constituency shall participate in the procedure of awarding the seats to an extent to which political parties that do not have an independent candidate on the ballot paper are represented in the coalition.

c) The given criteria shall be applied by having the coalitions, consisting of political parties that do not have independent candidate or candidates' list on the ballot paper, and that are represented in  $\frac{1}{2}$  proportion excluded in every second round of awarding the seats on the polling station committees, the ones represented in  $\frac{2}{3}$  proportion are excluded every third round of awarding the seats on the polling station committees and the ones represented in  $\frac{1}{3}$  proportion are excluded in every second and third round of awarding the seats at the polling station committees, etc.

d) Staffing of the polling station committees shall be done in a manner as to take the first polling station on the polling stations' list and the membership in the polling station committee for that polling station shall be completed by the names of political subjects from the political subjects' list in the order determined by the lottery until the staffing of that polling station committee is completed. Than the second polling station from the list is taken

and the membership in that committee shall be completed by the subsequent names of political subjects from the political subjects' list. The procedure shall be repeated for each polling station until all positions in the polling station committees for all polling stations are occupied.

e) If the number of certified political subjects exceeds total number of polling station committees' members in the given municipality, election commission shall occupy the positions on the polling station committees according to the lottery sequence until all positions on the polling station committees are occupied. Remaining political subject shall not participate in the distribution of positions on a polling station committee.

f) Parties that are members of coalition and their coalition cannot be awarded seats on the same polling station committee. When such a situation happens, the election commission shall conduct replacement of seats by transferring political party or coalition to next polling station committee, where such transfer is possible, without disturbing above explained principle. In case when replacement is not possible for any reason, political party or coalition lose their seat on the polling station committee, and the election commission shall occupy the vacant seat from the registry of members of previous polling station committees.

(2) The BiH Central Election Commission shall adopt a special instruction for application of this Article after certification of political subjects.

## **Section B. Polling stations at DCROs of BiH**

### **Article 12**

#### **(Proposals and appointments – Article 1.5, paragraph (3) of the BiH Election Law)**

(1) The BiH Central Election Commission shall, no later than 50 days prior to the Election Day, send a request to the Ministry of foreign affairs of Bosnia and Herzegovina (hereinafter: the BiH Ministry of Foreign Affairs) to submit proposal of members of polling station committees at DCROs of BiH designated as polling station for voting of citizens of Bosnia and Herzegovina, who applied to vote in person at DCROs of BiH.

(2) The BiH Central Election Commission shall together with the request referred to in paragraph (1) of this Article submit to the BiH Ministry of foreign affairs the decision on DCROs of BiH that have been designated for voting.

(3) The BiH Ministry of foreign affairs shall, no later than 10 days following receipt of the request referred to in paragraph (1) of this Article, submit to the BiH Central Election Commission the proposal for members of polling station committees and their deputies in DCROs of BiH, taking into account that proposed candidates meet conditions set by Article 6 of this Instruction. The form SG-2- statement by the proposed member of the polling station committee at the DCRO of BiH is integral part of this Instruction.

(4) The BiH Central Election Commission shall no later than 30 days prior to the Election Day appoint members of the polling station committees and their deputies in accordance with the proposal.

(5) If the BiH Ministry of Foreign Affairs fails to submit the proposals of members of polling station committees at designated DCROs of BiH, the BiH Central Election Commission shall appoint members of the polling station committees in accordance with its jurisdiction.

**Article 13**  
**(Deputies of polling station committees' members)**

(1) Deputy president and/or deputies of the polling station committee's members shall participate in the work of the polling station committee only if the president and/or a member of the polling station committee is prevented of coming to the polling station on the election day or if they have justified reason to leave the polling station during the elections.

(2) Deputy President and/or deputies of the polling station committee's members in case of paragraph (1) of this Article shall participate in the decision making process.

**Section C. Mobile teams**

**Article 14**  
**(Proposals, awarding the seats and appointment - Article 1.5, paragraph (3) of the BiH Election Law)**

(1) Provisions of Article 10 and Article 11 of this Instruction shall apply to the procedure of awarding seats on mobile teams and appointment of mobile teams.

(2) Filling in vacant seats in the mobile teams shall be continued from a political subject that was last awarded a seat on the polling station.

(3) Immediately after completion of procedure for awarding seats at the mobile teams, the election commission shall no later than 15 days prior to the Election Day send a request to the political subjects that were awarded a seat in the mobile team to submit the proposals for the members of mobile teams and their deputies

(4) The political subjects referred to in paragraph (3) of this Article shall be obligated to submit to the election commission their proposals for members of mobile teams and their deputies at least within three days following receipt of the request.

(5) Political subject shall submit proposals for members of the mobile teams in accordance with the provisions of the BiH Election Law and this Instruction, taking into account that proposed candidates are physically capable of performing duties at the mobile team.

(6) Election Commissions shall appoint members of the mobile teams no later than 10 days prior to the Election Day.

**CHAPTER IV      TRAINING, KNOWLEDGE TEST, METHODS AND CRITERIA  
FOR KNOWLEDGE TEST AND CERTIFICATION**

**Article 15**  
**(Training – Article 2.19, paragraph (14) of the BiH Election Law)**

(1) In accordance with the plan and program of education, the BiH Central Election Commission shall organize training on the manner of voting and counting of the envelopes containing ballots for president and members of the polling station committees at DCROs of BiH, as well as for their deputies.

(2) In accordance with the plan and program of education that is adopted by the BiH Central Election Commission, the election commissions shall organize training on the manner of voting, counting of the votes and of the envelopes containing ballots for president and members of the polling station committees, as well as for their deputies.



(3) If a member of polling station committee and/or a mobile team fails to attend training referred to in paragraphs (1) and (2) of this Article, he/she shall be suspended and the election commission will appoint another member from the records on composition and work of the polling station committees and/or mobile teams that it has in its possession.

## **Article 16** **(Knowledge test and certification)**

(1) The BiH Central Election Commission shall in accordance with the determined methodology conduct knowledge test and award certificates to successful presidents and members of the polling station committees and their deputies at the DCROs of BiH.

(2) The BiH Central Election Commission shall, after completed training, conduct knowledge test and award certificates to successful presidents and members of the polling station committees and/or mobile teams and their deputies.

(3) Presidents and deputy presidents of the polling station committees and/or mobile teams, who received certificate, shall be obligated to participate in the training of polling station committees and/or mobile teams organized by the municipal election commission in the manner as to:

- a) Assist the election commission in implementing practical part of the training and exercise with the members of the polling station committees and/or mobile teams and their deputies,
- b) Organize training for the members of the polling station committees and/or mobile teams and their deputies in the polling station committee/mobile team to which they were appointed presidents or deputy presidents in special additional term.

(4) After completed knowledge test the election commission shall also award certificates to successful members of the polling station committees and/or mobile teams and their deputies. The certificate is a proof that a member of the polling station committee has passed obligatory education for the given elections.

(5) The BiH Central Election Commission shall determine design of the certificate referred to in paragraphs (1), (2) and (4) of this Article, and it shall be integral part of this Instruction.

(6) The election commission shall keep a record on issued certificates, and it shall contain name and last name, national identification number of a person who received the certificate and the serial number of the certificate.

(7) Issued certificates shall be valid only for the elections for which they are issued.

## **Article 17** **((Methods and criteria for knowledge test))**

(1) The BiH Central Election Commission shall set forth the methods and criteria for the knowledge test that is to be given to appointed presidents and members of the polling station committees and/or mobile teams, as well as their deputies.

(2) The knowledge test referred to in paragraph (1) of this Article shall be a written test or an on-line test using the multiple choice method.

(3) The test shall encompass questions in the field of knowing manner of voting, counting ballots, packing electoral material, etc., which are divided into three different samples of test.

The election commission shall provide each candidate with a sample of the test, taking into account that candidates sitting close to each other during the exam receive different test samples. Duration of the exam shall be 30 minutes.

(4) The election commission shall verify test with a stamp of the election commission before the testing commences, and after the test and the check-up, the test shall be verified by signature of the president and/or member of the election commission.

(5) Candidates having 50% or more correct answers at the test shall be considered successful.

(6) Candidates having 75% or more correct answers at the test shall be considered particularly successful.

(7) Candidates, who fail the test, shall be suspended and the election commission will appoint another member from the records on composition and work of the polling station committees and/or mobile teams that it has in its possession.

(8) The election commission shall conduct the training and knowledge test referred to in Articles 17 and 18 of this Instruction until candidates, who successfully passed the test, are appointed to the polling station committees.

(9) The election commissions shall be obligated to keep completed tests in their archives. If requested by the BiH Central Election Commission, the election commissions shall for the purpose of review, submit to the BiH Central Election Commission completed tests of appointed presidents and members of the polling station committees, mobile teams, their deputies, as well as other candidates who took the test.

(10) The BiH Central Election Commission shall determine tests for testing members of the polling station committees for every election and shall deliver the tests to the election commission for the purpose of conducting the testing.

#### **Article 18 (Ineffectiveness)**

Enforcement of the Instruction on determining qualifications, number of polling station committee members, procedure for lottery and appointment, training, knowledge test and certification of members of polling station committees and mobile voting teams („Official Gazette of BiH“, number 61/12) shall become ineffective upon entry into force of this Instruction.

#### **Article 19 (Entry into force)**

This Instruction shall enter into force the next day following its publication in the “Official Gazette of BiH”, and it shall be published in the “Official Gazette of FBiH”, “Official Gazette of RS” and “Official Gazette of BiH District of Brčko” and on the web page of the BiH Central Election Commission [www.izbori.ba](http://www.izbori.ba).

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President  
  
Stjepan Mikić