

REGULATION of Constituency Election Commissions

Rules for conducting sessions of Constituency Election Commissions shall be determined by Articles 19, 34 of the Election Code of the Republic of Azerbaijan (hereafter referred to as – Election Code) and this Regulation.

1. General provisions

1.1. Constituency Election Commissions puts the issues defined by the Election Code into the session, discusses and makes decisions on the task within their competence.

1.2. Sessions of the Constituency Election Commission shall be conducted in the state language of the Republic of Azerbaijan, session minutes and decisions shall be compiled in this language.

2. General requirements for the sessions of Constituency Election Commissions

2.1. Calling and organization of the sessions of Constituency Election Commissions

2.1.1. Sessions of the Constituency Election Commission shall be called by initiative of the Con.EC chairman or upon the request of at least 1/3 members of the commission members with decisive rights (hereafter referred to as – commission members). Such a request shall be made on the written application addressed to the Con.EC chairman.

2.1.2. The commission members shall be informed on the session of the Con.EC and the issues to be considered at the session by the commission chairman 5 days prior to the session or at least 3 days prior to the conduct of session. Information on the date of the Con.EC session, the list of the issues considered at the session, relevant draft decisions related to them and other documents shall be delivered to the commission members in written form or by electron communicational means within 24 hours if less than 5 days remain up to the voting, but immediately and individually on the voting day.

2.1.3. The Con.EC session shall be considered valid when 2/3 of the commission members formed in competent structure take part.

2.1.4. Con.EC members with decisive rights must participate at all the sessions of the Con.EC excluding cases of illness and other valid excuses.

2.1.5. At the Con.EC session, substitute members of the commission, members and officials of Secretariat of Central Election Commission, secretariat officials of Con.ECs, invited representatives of mass media and other persons may take part.

2.2. Determination of the session agenda of the Constituency Election Commission and organization of reports and discussions

2.2.1. The session agenda shall be determined by the Con.EC chairman and approved by the commission. The agenda may include issues with the request of 1/3 commission members. Any election-related issue shall be included in the session agenda basing on the written application addressed to the commission chairman with the request of 1/3 ConEC members.

2.2.2. As a rule, commission secretaries shall report on the issues considered at the Con.EC sessions.

2.2.3. The Con.EC chairman may appoint a reporter from the commission members.

2.2.4. At the Con.EC session, 10 minutes shall be provided for reporting, 5 minutes for additional reporting, 5 minutes for discussion on issues, 5 minutes for the discussion of different draft documents and 2 minutes for references, appeals and explanations.

2.2.5. The Con.EC chairman may prolong the above-stated period for the discussion of the issues to the point with the request of the commission members.

2.2.6. A reporter shall collect necessary documents and materials, takes all necessary measures for thorough, fully and fair consideration of the issue and shall prepare report on the task.

2.3. Rules for holding the session of the Constituency Election Commission

2.3.1. The person who chairs the Con.EC session shall implement the following activities:

2.3.1.1. to announce the session open and inform the commission members on the issues put into the agenda, to clarify whether there are any additional suggestions to the agenda or not;

2.3.1.2. to organize the discussion of the issues included in the agenda;

2.3.1.3. to give floor to the commission members, as well as, to other persons invited to the session one by one;

2.3.1.4. to ensure making speech to the point by the commission members and invited persons and complying with the Regulation, otherwise, to require them to abide by the relevant requirements (if necessary, may stop the speech);

2.3.1.5. to put the decisions into voting;

2.3.1.6. to announce the session closed when it ends.

2.4. Actions of the members of Constituency Election Commissions at the session

2.4.1. The followings may be required by Con.EC members:

2.4.1.1. to be informed in advance on the conduct of the session, the issues considered at the session and draft decisions related to them;

2.4.1.2. to be familiar with the issues included in the session agenda;

2.4.1.3. to obtain necessary references and information;

2.4.1.4. to be familiar with the drafts of normative documents;

2.4.1.5. to make reports and speeches on the Regulation and to participate in discussions;

2.4.2. The commission members shall abide by the followings:

2.4.2.1. to participate at all the sessions of the commission excluding cases of illness and other valid excuses;

2.4.2.2. to function at the commission upon the working assignments by the Con.EC chairman;

2.4.2.3. to comply with the Regulation;

2.4.2.4. to use time efficiently allocated for them to make speech;

2.4.2.5. to abide by ethic rules.

2.4.3. It shall be prohibited for the Con.EC members to not abide by ethic rules during the session, to make efforts to break the session, to leave the meeting hall as a sign of objection and similar actions. In these cases, Central Election Commission shall be reported.

2.4.4. The Con.EC member shall investigate the documents on the service empowered with him thoroughly and handle the reference on the results to the Con.EC secretariat in a manner defined by law.

2.5. Rules for making decisions at the sessions of Constituency Election Commissions

2.5.1. The Con.EC shall make decision within its competence on each issue put into discussion.

2.5.2. While reviewing the draft decision, the Con.EC members shall hear chief and assistant reporters and hold discussions on the draft.

2.5.3. The draft decision adopted as a basis by the Con.EC members shall be discussed in whole or parts, if necessary, the draft shall be made amendments and put in the vote.

2.5.4. During the voting, the draft decision shall be made amendments only by the Con.EC members.

2.5.5. The Con.EC member shall have a vote by private and open voting.

2.5.6. The Con.EC decisions shall be adopted by the vote of at least 6 of 9 participating members, at least 5 of 8 or 7 participating members, at least 4 of 6 participating members.

2.5.7. The Con.EC decisions shall be published on the commission's information board within 24 hours and enforced upon their publication.

2.6. Making Con.EC decisions official

2.6.1. The voting results on the issue put in vote at the Con.EC session and adopted decision shall be declared by the commission chairman and this shall be included in the session minute.

2.6.2. Decisions and session minutes of the Con.EC shall be signed by the commission chairman and secretaries.

2.6.3. If the above-mentioned persons do not sign the decision or session minute, then they shall be signed by the commission members voting in favor of these documents.

2.6.4. The Con.EC session minutes shall be distributed to the commission members for approval at least 24 hours prior to the session (but immediately on Election Day) and approved by decision in one of the next sessions of the commission (the issue is put in the session agenda as the first issue).

2.6.5. The commission members who do not agree with the Con.EC decisions may express specific opinion in written form and the opinion shall be included in the session minute of the commission.

2.7. Postpone or appointing the Con.EC session to another date

2.7.1. The person who chairs the Con.EC session may announce break during the session. If the issues included in the agenda may not be considered within a working day, a break shall be declared at the session and the session shall be informed to be continued on another date.

2.7.2. The Con.EC session may be postponed or the commenced session may be appointed to another date:

2.7.2.1. if the quorum lacks in the number of the Con.EC members;

2.7.2.2. the participation of the interested sides, experts or persons in the detailed, full and fair consideration of the issue is impossible;

2.7.2.3. if the documents and materials on the issues put in discussion of the session are not submitted or delayed to be submitted to the Con.EC members;

2.7.2.4. if there are other cases which form obstacles for detailed, full and fair investigation of the issues considered at the session.

3. Final provisions

3.1. "Regulation of the Constituency Election Commission" approved by decision 17/102 of Central Election Commission, dated 21 July 2003 shall be considered invalid upon the enforcement of the Regulation.