

**REGULATION OF THE ELECTION COMMISSION (EC)
ON
RULES AND PROCEDURES FOR REFERENDUM VOTING
B.E 2550 (2007)**

The Constitution of Thailand (Interim Edition), B.E 2549 (2006), Section 49 provides that the Constitution Drafting Council (CDC) shall organize a referendum whether to approve or not to approve the entire constitution draft according to the rules and procedures announced by the CDC where the CDC's Announcement Re: Rules and Procedures to Disseminate the Constitution Draft and Referendum Voting, B.E 2550 (2007) has entrusted the Election Commission (EC) to organize and ensure that the voting is carried out honestly and fairly.

By virtue of Section 10 of the Act in conjunction with the Constitution governing the EC, B.E 2541 (1988), Clause 8, 11, 12, 15, 18, 19, 21, 22, 29, 30, 31, 32, 33, 34, 35 and 38 of the CDC's Announcement Re: Re: Rules and Procedures to Disseminate the Constitution Draft and Referendum Voting, B.E 2550 (2007); the EC's Order No. 108/2550 dated 28 June 2007, together with the EC's resolution in its Meeting No. 50/2550 dated 20 June 2007, the EC hereby issues its Regulation on Rules and Procedures for Referendum Voting, B.E 2550 (2007) as follows.

Clause 1. This Regulation shall be called the "Regulation of the Election Commission (EC) on Rules and Procedures for Referendum Voting, B.E 2550 (2007)."

Clause 2. This Regulation shall come into effect starting from the day following the date of its announcement in the Government Gazette.

Clause 3. In this Regulation,

"voting" shall mean voting at a referendum whether to approve or not to approve the entire constitution draft written by the CDC according to Section 29, paragraph 2 of the Constitution of Thailand (Interim Edition), B.E 2549 (2006);

"voting day" shall mean the date stipulated as the day for referendum voting according to the CDC's Announcement;

"voters with the rights to vote" shall mean those having rights to vote in the referendum;

"constituency" shall mean an area designated as a constituency for referendum voting;

"polling unit" shall mean a local area designated for referendum voting;

"polling station" shall mean a place designated as a premise for referendum voting;

"out-of-province polling station" shall mean a place designated as a location for referendum voting for those having rights to vote but registering to exercise their

rights out of the province, which shall include designated areas around the out-of-province polling station;

“voting ballot” shall mean voting ballot for referendum voting;

“ballot box” shall include any object used in lieu of a ballot box for referendum voting;

“provincial governor” shall include City Clerk of Bangkok Metropolitan Administration (BMA);

“district chief” shall include district clerk, who is chief of the *king amphoe* and director of the *khet* (district);

“municipality clerk” shall include City Clerk of Pattaya City

“security officer” shall mean police officers or civilians or military officers or administrative officers or national volunteer guards or other officers of state agencies or local administration who have been appointed to maintain public order at the polling station;

“province” shall include Bangkok;

“district” shall include *king amphoe* and *khet*;

“municipality” shall include Pattaya City and other local administration organizations incorporated by a law as a specific local administration body;

“Tambon” shall include *kwaeng*;

“Provincial Hall” shall include BMA’s Office;

“District Office” shall include offices of the *king amphoe* and the district office;

“Municipality Office” shall include Pattaya City Hall;

Clause 4. The EC Chairman shall take charge of this Regulation.

CHAPTER 1 **CONSTITUENCIES, POLLING UNITS AND POLLING STATIONS**

Section 1 **Constituencies**

Clause 5. In this referendum, provincial area shall be the constituency.

Section 2 **Polling Units and Polling Stations**

Clause 6. The district registrar and the local registrar shall issue a draft announcement to determine polling units and polling stations to the Referendum Sub-Committee at District Level according to Clause 19 (1) for posting in order to determine polling units and polling stations within the district no less than 20 days prior to the voting day where eight sets of Form Or Sor 1 shall be used.

The posting of announcement stated in paragraph one shall be carried out as follows.

Set 1 shall be posted at provincial hall.

Set 2 shall be posted at district office, limiting however to polling units and polling stations in that district only.

Set 3 shall be posted at municipality office or an office of the local administration organization, limiting however to polling units and polling stations at that local administration body only.

Set 4 shall be posted at the village chief's office or any crowded community deemed appropriate, limiting however to polling units and polling stations at that village or community only.

Set 5 shall be posted at a polling station or in a nearby area closed to a polling station of each polling unit.

Set 6 shall be sent to the Provincial Election Director to be kept at the Office of the Provincial Election Commission (Provincial EC).

Set 7 shall be given to a polling unit committee to be posted at a polling station of each polling unit on the voting day.

Set 8 shall be given to the district registrar or the local registrar to be kept as an extra copy.

Clause 7. To determine polling units to be set up in each district area as described in Clause 6, the authorities shall take into consideration public convenience in traveling thereto based on the following regulations:

- (1) Each unit shall accommodate approximately 800 voters;
- (2) To achieve the criteria in (1), if there are fewer voters in a village, two adjacent villages or more can be combined into the same polling unit;
- (3) For communities in municipality areas, Bangkok Metropolis or in crowded communities, a road, a soi, a canal or a river may be used to determine the polling unit area;
- (4) If it is deemed inconvenient or unsafe for voters to exercise their votes, a village may be determined as a polling unit area even though the number of voters is fewer than 800.

Clause 8. To determine the number of polling units in each constituency, the polling units shall be designated on a municipality-by-municipality basis or on a sub-district by sub-district basis (Tambon) basis, where they shall be given a number in a numerical order from 1 until all polling units in each municipality or Tambon, as the case may be, are assigned the number.

If any municipality divides its administration area into a *kwaeng*, the number of its polling unit shall be categorized based on *kwaeng*.

Clause 9. Prior to the voting day, should there be any need to change the polling station, the Referendum Sub-Committee at District Level may do so by announcing in Form Or Sor 2 no less than five days prior to the voting date unless in an emergency case where the announcement to change the polling station may be made in less than five days prior to the voting day. Following the announcement, the notice shall be posted at the same place where the announcement to determine polling units and polling stations described in Clause 6 is posted.

Clause 10. The polling station must be a place easily accessible by the public, is appropriate and large enough for them to vote comfortably. It must be located in a central area of that polling unit so that voters can easily go voting and checking the list of voters (Form Or Sor 10).

Clause 11. There shall be at least three voting booths at each polling station.

Clause 12. Prior to the voting day, the Referendum Sub-Committee at District Level shall provide voting equipment and arrange the space inside a polling station based on the plan of the polling station attached hereto *mutatis mutandis*.

Clause 13. On the voting day, the polling unit committee must arrange signage or logo to indicate the areas around the polling station.

Clause 14. On the voting day, prior to the voting hour, a national flag shall be flown in front of the polling station like what is normally done at a government agency. When the voting ends, the flag shall be flown down.

Clause 15. The polling unit committee shall arrange signage at the polling station which shall at least contain the following statements:

“Polling Station for Polling Unit No...., Moo... Tambon/Kwaeng.... (Municipality....) Amphoe/Khet...., Province..... (Name of such polling station)”

Clause 16. Prior to the voting, the Referendum Sub-Committee at District Level shall determine at least one central polling station according to Form Or Sor 5 in advance as a location to resolve any problem in case on the voting day, any polling unit encounters a riot, flood, fire or any other *force majeure* that prevents voters from voting, where such voters shall instead exercise their votes at this pre-determined polling station as deemed necessary.

Section 3

Out-of-Province Polling Station

Clause 17. No less than 30 days prior to the voting day, the Provincial Election Commission (Provincial EC) shall announce at least one out-of-province polling station in each province. The provisions in Section 2 on polling units and polling stations shall apply *mutatis mutandis*.

CHAPTER 2

COMPETENT OFFICERS CONDUCTING REFERENDUM VOTING

Section 1

The Provincial Election Commission

and

The Provincial Election Director

Clause 18. The Provincial Election Commission (Provincial EC) shall be empowered in the provincial constituency as follows.

- (1) To supervise, take care of, direct and manage the referendum voting in the provincial constituency to ensure that it is fairly and honestly done;
- (2) To appoint a sub-committee or a group of persons or any person to assist the referendum voting in the provincial constituency; to entrust such sub-committee, group of persons or persons to perform any duty relating to referendum voting in the provincial constituency;
- (3) To announce an out-of-province polling station for voters who have residence in other provinces aside from the province they are listed in the household registration and who have applied to the district registrar or the local registrar of a district or municipality where they live to exercise their rights out of the province of household registration their names are at;
- (4) To announce the change of the out-of-province polling station in case prior to the voting date, the out-of-province voting could not be done due to riot, flood, fire or other *force majeure*;
- (5) To announce the out-of-province central polling station for voting purpose in case on the voting day, out-of-province voters could not use their polling station due to riot, flood, fire or other *force majeure*.
- (6) To announce a list of voters having rights to vote the referendum out of the province according to Form Or Sor 10/Kor.
- (7) To combine vote counts, announce scores and report results of the out-of-province votes and score results of out-of-province polling stations.
- (8) To comply with the announcements, regulations, requirements, orders and resolutions of the EC
- (9) To enter polling station, central polling station, out-of-province polling station and central out-of-province polling station

Clause 19. The appointment of the sub-committee, group of persons or persons according to Clause 18 (2) shall mean:

(1) an appointment of a set of government officials, staff or other state officials or appropriate staff in the area as the Referendum Sub-Committee at District Level according to Form Or Sor 6 for each district based on the number of population of each district as follows:

- (a) for a district with fewer than 50,000 populations, there shall be one chairman of the Referendum Sub-Committee at District Level and two sub-committee members thereof.
- (b) for a district with population between 50,000 and 100,000, there shall be one chairman of the Referendum Sub-Committee at District Level and three sub-committee members thereof.
- (c) for a district with more than 100,000 populations, there shall be one chairman of the Referendum Sub-Committee at District Level and four sub-committee members thereof.

(2) an appointment of competent officers who shall be in charge of the out-of-province polling station.

Clause 20. At the referendum, the provincial EC director shall be empowered to support the referendum voting in the provincial constituency by coordinating with related agencies, do something else relating to the referendum voting and comply with the EC's announcements, rules and regulations, orders and resolutions and the Provincial EC's resolutions.

Section 2

The Referendum Sub-Committee at District Level

Clause 21. In this referendum voting, the Referendum Sub-Committee at District Level shall be empowered in district area as follows.

- (1) To direct and be responsible for the management of the referendum voting within the district to ensure that it is carried out honestly and fairly according to Clause 8 of the CDC's Announcement Re: Rules and Procedures to Disseminate the Constitution Draft and Referendum Voting, B.E 2550 (2007).
- (2) To announce polling units and polling stations in the constituency; to announce the change of polling units and polling stations
- (3) To announce the central polling station in case on the voting day, no voting can be made at the polling unit due to riot, flood, fire or other *force majeure*, before reporting the Provincial EC so that the EC can be reported without delay
- (4) To announce the list of voters (Form Or Sor 10) and the CDC's Announcement Re: Voting Day
- (5) To appoint a working group or a group of persons or any person to assist the work leading to the referendum voting in constituency at the district level
- (6) To appoint competent vote-handling officers
- (7) To appoint a working group or anyone to prepare for the voting and to deliver ballot boxes, voting ballots, lists of voters (Form Or Sor 10), voting forms and other voting materials for use at the voting of each polling unit to the polling unit committee in a responsible constituency

- (8) To provide ballot boxes, voting ballots, lists of voters (Form Or Sor 10), voting forms and other voting materials for use in each polling unit's voting
- (9) To receive results of vote count, ballot boxes, all remaining voting ballots, stubs of voting ballots, lists of voters (Form Or Sor 10), forms with remarks, voting forms and other voting materials from the polling unit committee.
- (10) To combine vote counts from every polling unit within the district before
- (11) immediately reporting the result of vote counts to the Provincial EC according to Form Or Sor 20.
- (12) To comply with the announcements, regulations, requirements, orders and resolutions of the Provincial EC
- (13) To enter a polling station and a central polling station

Clause 22. Competent officers to handle the voting according to Clause 21 (6) shall consist of the following.

- (1) One director at each polling unit to be appointed from government officials or other state officials except political officials to facilitate the polling unit committee.
- (2) A polling unit committee consisting of no fewer than five members at each polling unit where one shall be chairman and no fewer than four shall be the members. They shall be appointed from voters at the polling unit to manage the voting and to maintain public order including to count votes at the polling station.
- (3) At least one staff at each polling unit who shall be appointed from government officials or other state officials or voters to help members of the polling unit committee.
- (4) At least one security guard at each polling unit to maintain public order.

Section 3

Polling Unit Director

Clause 23. No fewer than 30 days prior to the voting day, the Provincial Election Director shall notify related agencies to nominate government officials or other state employees for appointment as the Polling Unit Director.

No fewer than 20 days prior to the voting day, the agencies under paragraph one shall notify the names of government officials or other state employees to the Referendum Sub-Committee at District Level.

No fewer than 15 days prior to the voting day, the Referendum Sub-Committee at District Level shall appoint one polling unit director according to Form Or Sor 7 for each polling unit, where he/she shall be a competent officer according to the Criminal Procedure Code. The appointment shall be posted at the Office of the Provincial EC and the appointee shall be notified.

Clause 24. The polling unit director shall be empowered to do the following: To support, facilitate, advice and supervise the operation of the polling unit committee to ensure that the voting is carried out legally and according to the regulations.

- (1) To assist, recommend and verify documents the polling unit committee is to prepare according to the laws, announcements, regulations and terms and conditions.
- (2) To comply with orders made or entrusted by the EC, the Provincial EC, the Provincial Election Director and the Referendum Sub-Committee at District Level.
- (3) To travel with ballot boxes together with the polling unit committee.

The Polling Unit Director shall be removed from his office after completing activities in Clause 86.

Clause 25. In case the Referendum Sub-Committee at District Level views that the polling unit director cannot perform his duty or that his performance may cause damage, the Referendum Sub-Committee at District Level may order the person removed from his office.

Clause 26. In case an incident in Clause 25 occurs, the Referendum Sub-Committee at District Level shall immediately appoint a new polling unit director.

Section 4 **The Polling Unit Committee and Vote-Handling Staff**

Clause 27. No fewer than 15 days prior to the voting day, the Referendum Sub-Committee at District Level shall appoint one voter at the polling unit as Chairman of the Polling Unit Committee and no fewer than four voters as members of such committee. The sub-committee shall also appoint at least one person as vote-handling staff from government officials or other state officers or voters at each polling unit according to Form Or Sor 7 before announcing the appointment at the Office of the Provincial EC and notifying the appointees without delay.

Clause 28. Prior to the voting day, should member of the polling unit committee already appointed by the Referendum Sub-Committee at District Level is disqualified, or possesses prohibited characteristics of voters at that polling unit, or cannot perform his job, the Referendum Sub-Committee at District Level shall appoint voter from the polling unit as member of the polling unit committee as a replacement until the sub-committee consists of five persons.

Clause 29. On the voting day, should there be fewer than five directors working at the polling unit, directors at the polling unit at that time shall appoint voters at the polling unit as a temporary member of the polling unit committee until the appointed director is present to perform his/her duty.

If the chairman fails to perform his duty or is not at the polling station or cannot perform his duty, directors shall choose one among themselves as chairman instead, or temporarily do the job until the chairman can perform his job, as the case may be.

Clause 30. The polling unit committee and vote-handling staff shall be removed from their office after completing the task in Clause 86.

Clause 31. The meeting of the polling unit committee shall consist of no fewer than half of its member to form a quorum. Chairman of the polling unit committee shall act as chairman of the meeting. If the chairman fails to perform his duty or is present but cannot perform his job, the remaining directors of the polling unit committee shall choose one among themselves as chairman of the meeting.

The resolution of the polling unit committee shall be based on majority votes where one member shall have one vote. In case of tie, chairman of the meeting shall have a casting vote.

Section 5

Security Officer

Clause 32. No fewer than 15 days prior to the voting day, Commissioner-General of the Royal Thai Police or anyone entrusted thereby shall submit a name list of police officers to be appointed as security officer where at least one officer will be stationed at each polling unit. The name list shall be given to the Referendum Sub-committee at District Level for appointment purpose according to Form Or Sor 7.

Security officer according to paragraph one shall act in lieu of the EC as an injured party where it shall be empowered to file a complaint with the police.

If the number of police officers is not enough, Commissioner-General of the Royal Thai Police or anyone entrusted thereby shall nominate civilians or military officers or administration officers or national volunteer guards or other state or local administration staff.

Clause 33. Security officer shall have the following power and duties:

- (1) To maintain public order at the polling station;
- (2) To provide safety to the polling unit director, the polling unit committee and vote-handling staff;
- (3) To travel with ballot boxes and materials stated in Clause 86 with the polling unit committee

Security officer shall be considered removed from his office after completing his task in (3).

Clause 34. Aside from duties stated herein, provincial governors, district chiefs, administrative officers, police officers and local administration officials shall assist, support and facilitate as well as maintain public order during the voting.

Clause 35. Government officials, staff or employees of government agencies, state agencies, state enterprises or local administration organizations or other state officials shall have a duty to provide assistance and to directly or indirectly facilitate the voting procedures as requested by the Provincial EC or the Referendum Sub-Committee at District Level.

Section 6
Competent Officer Conducting Referendum Voting
at the Central Polling Station

Clause 36. In case any voting at the polling unit cannot be done on the voting day due to riot, flood, fire or other *force majeure*, the Referendum Sub-Committee at District Level shall appoint a director at the central polling station, the central polling station sub-committee, vote-handling staff and security officer for the central polling station according to Clause 16.

Section 7
Competent Officer Conducting Referendum Voting
at Out-of-Province Polling Station

Clause 37. The Provincial EC shall appoint a competent officer handling the referendum at an out-of-province polling station according to Form Or Sor 9; namely, a director at the out-of-province polling station, the out-of-province polling station sub-committee, vote-handling staff and security officer, where the provisions in Section 3 Re: Polling Unit Director, Section 4 Re: Polling Unit Committee and Vote-Handling Staff and Section 5: Security Officer of Chapter 2 Re: Competent Officers Conducting Referendum Voting shall apply *mutatis mutandis*.

The Provincial EC shall appoint a team of competent officers to conduct referendum at out-of-province polling station according to paragraph one for approximately 800 voters who register to exercise their rights out of the province.

Section 8
Training of Competent Officers Conducting Referendum Voting

Clause 38. Prior to the voting day, the Referendum Sub-Committee at District Level will organize a training for the polling unit directors, the polling unit committees, vote-handling staff, security officers and competent officers conducting the referendum at the central polling station to understand their roles and duties according to the laws, rules and regulations as well as the EC's orders.

For competent officers conducting the referendum voting at out-of-province polling station under Section 7, the Provincial EC shall organize such training.

CHAPTER 3
VOTERS AND LIST OF VOTERS

Section 1
Voters

Clause 39. Voters must have qualifications and must not possess any prohibited characteristics that prevent them from exercising their votes according to Clause 13 and Clause 14 of the CDC's Announcement Re: Rules and Procedures to Disseminate the Constitution Draft and Referendum Voting, B.E 2550 (2007).

Section 2

List of Voters

Clause 40. The district registrar or the local registrar shall prepare a draft list of voters (Form Or Sor 10) for the Referendum Sub-Committee at District Level to review in order to announce the list of voters (Form Or Sor 10) no less than 20 days prior to the voting day.

The list of voters (Form Or Sor 10) according to paragraph one shall be made on the polling unit basis where it shall be listed according to house numbers in each polling unit. For polling unit in municipality areas, Bangkok Metropolis or crowded communities, the list can be made on the basis of the name of a road, soi, canal, or river on in an alphabetical order and in an order of the house number.

Clause 41. The list of voters shall at least consist of the following items:

- (1) Name and last name;
- (2) ID number;
- (3) Sex;
- (4) Date of birth;
- (5) Address listed in the household registration

A list of voters shall be based on Form Or Sor 10.

Clause 42. The Referendum Sub-Committee at District Level or a sub-committee entrusted thereby shall sign the list of voters (Form Or Sor 10) on behalf of the EC.

The list of voters (Form Or Sor 10) shall include name, family name as well as position of the typist and the reviewer for counterchecking purpose.

The list of voters shall include name and last name of typist and reviewer for counterchecking.

Clause 43. The Referendum Sub-Committee at District Level shall do the following with each set of the list of voters (Form Or Sor 10):

- (1) Post it at provincial hall;
- (2) Post it at district office, limiting to polling units in that district only;
- (3) Post it at municipality officer or at the Tambon Administration Organization office, limiting to polling units in the area only;
- (4) Post it at the village chief's office or at a crowded community as deemed appropriate, limiting however to polling units or polling stations in the village or community only
- (5) Post it at the polling station or nearby area, limiting to each polling unit
- (6) For the district registrar or the local registrar to amend, either by adding or removing names
- (7) Set 7-8 shall be used by the district registrar and the local registrar for updating purpose and to make sure that it matches what is in Set 6 before giving it to the Referendum Sub-Committee at District Level, where one set will be given to the polling unit committee for checking purpose and for

noting any voting remark while the other set will be reserved for posting at the central polling station on the voting day or at the polling station on that day.

Clause 44. The district registrar or the local registrar shall notify voter names according to the list of voters (Form Or Sor 10) to house owners no less than 15 days prior to the voting date according to Form Or Sor 11.

Section 3

Adding Voter Names in the List of Voters

Clause 45. If a voter or any house owner sees that he or a person having his name listed in his house hold registration is in fact not listed in the list of voters (Form Or Sor 10) of the polling unit he or the person is supposed to be a voter in that polling unit, such voter or house owner shall bring a copy of the household registration and ID Card or any other identity card issued by the authorities to submit a petition according to Form Or Sor 12 to the district registrar or the local registrar where the polling unit is located no fewer than 10 days prior to the voting day.

As soon as the district registrar or the local registrar receives the petition and evidences, should he view that the petitioner or the person having names listed in the household registrar is indeed a voter, he shall add the petitioner's name or the name of the person listed in the household registration into the list of voters (Form Or Sor 10), either by typing or writing in an annex attached to the last page of the list of voters (Form Or Sor 10) of that polling unit. In addition, a note indicating the reason the name is added shall be made in a remark to be countersigned and dated.

If the district registrar or the local registrar considers that the petitioner or those having names in the household registration turn out to have no rights to vote, the petition shall be dismissed in writing. The reason must be cited and the petitioner shall be notified within three days from the day the petition is received.

Section 4

Removing Those Having No Rights to Vote from the List of Voters

Clause 46. Any voter deems that the list of voters (Form Or Sor 10) contains names of those having no rights to vote, the voter may submit a petition using Form Or Sor 12 to remove those having no voting rights from the list of voters (Form Or Sor 10) to the district registrar or the local registrar where the polling unit is located no less than 10 days prior to the voting day.

If after considering the petition, the district registrar or the local registrar finds that there is enough evidence to believe that the person is indeed having no rights to vote, the person's name shall be removed from the list of voters (Form Or Sor 10) where the name shall be struck out of the list (Form Or Sor 10) and a reason of the strike-out shall be noted in a remark which shall also be dated. The order shall be notified to the person in question and the house owner.

If the district registrar or the local registrar, having considered the matter, deems that those being requested to have their names removed from the list of voters (Form Or Sor 10) are in fact having a rights to vote, the petition shall be dismissed in writing. The reason must be cited and the petitioner and the house owner shall be notified within three days from the day the petition is received.

Clause 47. If a house owner deems that in the list of voters, there are other persons appeared in his household registration where, in reality, the person's name was never in his household registration before, the house owner shall present the house owner's copy of the household registration thereto at least 10 days prior to the voting day or present the evidences to the polling unit committee on the voting day.

If the district registrar or the local registrar or the polling unit committee, as the case may be, having considered the matter, deems that the person has never been listed in that household registration, it shall order the person's name removed from the list of voters (Form Or Sor 10) where the provisions in Section 42, paragraph two, shall apply *mutatis mutandis* and such removal shall be recorded in the report of the voting incident, Form Or Sor 16.

CHAPTER 4 VOTING

Section 1 Voting Ballots

Clause 48. Voting ballot shall be made of paper, in a proper width and length as necessary, and the referendum ballot shall be based on the sample attached to the CDC's Announcement Re: Rules and Procedures to Disseminate the Constitution Draft and Referendum Voting, B.E 2550 (2007).

For the purpose of public relations, a sample of referendum ballot may be made to be different from the real ballot used in the referendum voting.

Clause 49. Voters shall mark one sign of X in the ballot at the space underneath a choice of opinion voters may choose.

Section 2 Ballot Boxes

Clause 50. A ballot box shall be made from metal or other materials where in the front there shall be a lock to insert key or other devices in lieu of the key. Its material shall be transparent so that one can see inside the ballot box.

At a polling station, there shall be one polling box big enough to hold all voting ballots of all voters at each polling unit.

A ballot box shall be similar to the design attached hereto *mutatis mutandis*.

Section 3

Pre-Operation Prior to the Voting Day

Clause 51. The Provincial Election Director shall prepare ballot boxes, voting ballots, a list of voters (Form Or Sor 1), forms and other voting materials to be used in the voting and vote counting of each polling unit and deliver them to the Referendum Sub-Committee at District Level to act according to Section 52.

Clause 52. Prior to the voting day, the Referendum Sub-Committee at District Level may appoint any officer or person to prepare for the voting and to deliver ballot boxes, voting ballots, lists of voters (Form Or Sor 10), a card to place over an insertion hole on the ballot box (Or Sor 14), an announcement of the number of voting ballots prior to the voting (Or Sor 15), a report of the voting incidents (Or Sor 16), an announcement of number of voting ballots after the voting is completed (Or Sor 17), score cards (Or Sor 18), an announcement of vote counts at the polling unit (Or Sor 19), an announcement to suspend the voting during the voting process (Or Sor 23 and Or Sor 23/Kor), a number of voting ballots (Or Sor 25) and other voting materials to the polling unit committee of the polling unit in its responsible areas prior to the start of the voting hours where there shall be enough time to check and count voting ballots, forms and other materials required in the voting.

The number of voting ballots, forms and other materials for use in the voting and vote counting must be carefully computed to ensure that they are enough for the voting and vote counting.

Clause 53. The polling unit director, no fewer than three members of the polling unit committee, vote-handling staff and security officer shall be the persons receiving ballot box, voting ballots, forms and other materials for use at the voting and vote counting from the Referendum Sub-Committee at District Level or the working committee according to Clause 52.

Clause 54. After duly checking and counting voting ballots, forms and other materials for use at the voting and vote counting, members of the polling unit committee may put all voting ballots in a ballot box and tie the box with a rope before sealing it with shellac on top of the rope. If the box has an insertion hole to insert the ballot, a card shall be placed over the hole before locking it with a key where such key or other replacing device shall also be sealed over by shellac. For forms and other materials, they shall be put together in a clear bag.

Members of the polling unit committee shall keep ballot boxes, voting ballots, forms and other voting materials in a safe place where security officer shall supervise them.

Section 4

Operation on the Voting Day

Section 55. On the voting day, the polling unit committee together with the ballot box, voting ballots, print forms and other materials used in the printing and counting and those being ordered to perform a duty at a polling station must be there at around 06.00 hours.

Clause 56. At 07.30 hours, the polling unit committee shall open the polling box to check and count all voting ballots in order to announce the number of voting ballots prior to the voting according to Form Or Sor 15 in two sets. One will be posted at the polling station while the other will be given to the Referendum Sub-Committee at District Level.

Clause 57. The polling unit committee shall divide duties among their members as follows.

- (1) Duty to maintain public order at the polling station; this includes maintaining order, supervising and facilitating voters especially the disabled who come to exercise their votes so that the voting is orderly conducted.
- (2) Duty to check the list of voters (Form Or Sor 10); this includes checking the identity of voters wishing to exercise their rights from the list of voters (Form Or Sor 10), read voters' names and addresses and have voters sign the list of voters (Form Or Sor 10), write down their ID number and the issuing place of their ID cards and have voters sign or have their fingerprint printed in the list of voters (Form Or Sor 10).
- (3) Duty to deliver voting ballots; this includes recording a number assigned to the person's name in the list of voters (Form Or Sor 10), having voters sign their names or having their right thumb printed before signing names onto the stub of the voting ballot and tearing the perforated ballot from its stub, folding the ballot and delivering it to voters for voting.
- (4) Duty to supervise the voting booth; this includes maintaining an order for voters to enter the booth to vote fairly, honestly and orderly.
- (5) Duty to supervise the ballot box: this includes supervising ballot box and having voters putting ballots into the box.

The polling unit director, members of the polling unit committee, vote-handling staff and security officer may alternately assist others members of the polling unit committee who are performing their duties at the time as deemed appropriate.

Clause 58. To facilitate voters, the polling unit committee may divide a list of voters (Form Or Sor 10) with remarks in separate portions and use other voting ballots not yet being used to make sure that the name checking and the delivering of voting ballots to voters will become more speedily.

Clause 59. The polling station shall open from 08.00 hours to 16.00 hours. At the opening hour of the voting, the polling unit committee shall open a ballot box in an open location to show voters at the polling station that the box is empty before locking it with key or other devices in lieu of the key and open an insertion hole. This action shall be recorded in the report of voting incident (Form Or Sor 16). No fewer than three members of the polling unit committee and no fewer than two voters at the

polling station at the time shall sign the report of voting incident unless there is no voter there at the time.

Clause 60. After completing the action in Clause 59, chairman of the polling unit committee shall make a speech to announce the start of the voting. For example, he may make a speech that “now it is the time to start voting, may I announce the voting procedure be started,” before the voting commences.

Section 5

Voting

Clause 61. Voter, in exercising his vote, shall present himself to the polling unit committee and submit the following in order to exercise his rights:

- (1) ID card or an expired ID card; or
- (2) A receipt for an application to have an ID card or to change a new card (Bor Por 2) with photo and the authorities’ seal; or
- (3) A replacement slip that can be used in lieu of a receipt to apply for an ID card with photo and the authorities’ seal (Bor Por 2 Kor); or
- (4) Government official’s card or ID card of state pensioners in accordance with the laws governing state official’s ID cards; or
- (5) ID card or other evidences issued by the authorities as determined by the EC in accordance with Clause 62.

Clause 62. ID card or other evidence issued by the authorities as determined by the EC in Clause 61 (5) shall contain photos and ID numbers, which include the following evidence:

- (1) Driver’s license issued by the Department of Land Transport;
- (2) Passport issued by the Ministry of Foreign Affairs

Clause 63. To check a voter’s request to exercise his vote, members of the polling unit committee shall check evidences described in Clause 61 or Clause 62 of those presenting themselves to exercise their vote against a list of voters (Form Or Sor 10). When the name is found and verified, members of the polling unit committee shall read the person’s name and address out loud. If no voter or no one protests, ID card number or evidences and place where the card is issued or other evidences shall be noted down. Voter may sign or have his right thumb printed onto the list of voters (Form Or Sor 10) as evidence with a remark that it is the voter’s right thumb fingerprint. Member of the polling unit committee who distributes the voting ballot shall sign and record the voter’s number stated in the list of voters (Form Or Sor 10) onto the voting ballot stub and has the voter sign or has his right thumb printed on the stub before giving one voting ballot to that voter to vote.

If voter does not have a right thumb, his left thumb shall be printed instead. If voter has no thumb, any finger can be printed. If voter has no finger at all, he shall be

exempted and member of the polling unit committee shall indicate that the voter has no fingers.

Clause 64. If there is a protestor or if member of the polling unit committee is suspicious that the person standing before him is not listed in the list of voters (Form Or Sor 10), member of the polling unit committee shall make a final decision whether or not the protested or the suspect is indeed entitled to vote. If member of the polling unit committee deems that the person is in fact not listed in the list of voters (Form Or Sor 10), the polling unit committee shall note its decision in the report of voting incident (Form Or Sor 16). But if the protested or the suspect is well aware that he has no right to vote or that he is not a legitimate voter at the polling station but tries to vote by presenting an ID card or other evidences not belonged to himself or that is fraudulent to members of the polling unit committee in order to vote, the polling unit committee shall act on behalf of the EC as an injured party to file a complaint with the police against the offender.

If the polling unit committee, having investigated the matter, rules that the protested or the suspected indeed is listed in the list of voters (Form Or Sor 10), the committee shall act according to Clause 63 and record the decision in the report of voting incident (Form Or Sor 16).

Clause 65. Voters having names listed in the list of voters (Form Or Sor 10) of any polling unit shall vote thereat. If anyone having his name listed at several polling units, he shall have a right to vote at one polling unit only.

Voters appointed to perform voting duties or any duties relating to the voting shall be entitled to vote at the polling unit where he is working without having to be listed in the list of voters (Form Or Sor 10) there. However, the polling unit that he performs his duty must be within the same constituency that he is entitled to vote.

Voters under paragraph two wishing to vote at the polling unit he is working must present an order appointing him to the polling unit committee at the polling unit before exercising his vote. Only when the polling unit committee verifies the evidence, then, the committee shall add this voter's name onto the list of voters (Form Or Sor 10) but this name shall not be counted with the number of voters with a rights to vote at that polling unit. On the contrary, it shall be counted as part of those presenting themselves to exercise their votes before reporting this in the report of voting incident (Form Or Sor 16).

Clause 66. Although a voter's name may be listed in a household registration of any polling unit, but if his name fails to appear in the list of voters (Form Or Sor 10) and if he fails to add his name onto it according to Clause 45, he may not exercise his rights to vote at the polling unit in where his name is listed in the household registration on the voting day.

Clause 67. As soon as voter receives a voting ballot, he shall walk into a voting booth and mark one X onto the ballot. Then, he shall bring the folded ballot and put it into the ballot box himself in the presence of members of the polling unit committee.

The polling unit committee shall specifically facilitate voters who are disabled at the voting. This includes; for example, designating a member of the polling unit committee to assist and advise the disabled how to vote under the supervision of the polling unit committee or to arrange a special voting booth for the disabled only.

Clause 68. Anyone declaring himself as a voter but whose name could not be found by member of the polling station in the list of voters (Form Or Sor 10) shall be informed thereby that he “has no right to vote.” Member of the polling unit committee is prohibited to add the person’s name without permission even though he may know that the person is qualified as a voter. However, if the person insists that he is entitled to vote; for example, he claims that he has already submitted his petition to the district registrar or the local registrar and such registrar has already ordered his name to be added onto the list of voters (Form Or Sor 10) but the registrar has not added it physically, then, the polling unit committee may check evidences and decide whether or not the person has a right to vote as well as record its decision and the person’s statement onto the report of voting incident. (Form Or Sor 16).

Clause 69. Anyone declaring himself as the person with a right to vote and with a name in the list of voters (Form Or Sor 10) but his title or sex therein is different, or if the spelling of his name or last name in terms of letter, vowel or tone is inaccurate, the polling unit committee shall be empowered to investigate the matter and make a final decision whether to give the voting ballot to the person for voting purpose before recoding its decision in the report of voting incident. (Form Or Sor 16).

Clause 70. During the voting hours, members of the polling unit committee may leave the polling station only one at a time. If it is necessary that more than one member must leave the station on one occasion, chairman of the polling unit committee may permit so on a case-by-case basis.

Clause 71. During the voting hours, no one can enter the polling station except those having duty to vote and those entering to exercise their votes. This applies especially to the voting booth where, aside from voters who shall enter the booth to mark their voting ballots, no one may enter the booth unless it is necessary. The reason of such necessity shall also be recorded in the report of voting incident (Form Or Sor 16).

Members of the EC, the Provincial EC, Secretary-General of the EC, the Provincial Election Director, members of the Referendum Sub-Committee at District Level and those designated thereby in writing shall be entitled to enter the polling station within their responsible areas to supervise or give advice to ensure that the voting is carried out honestly and fairly.

Members of the polling unit committee shall record the entering of the persons described in paragraph two in the report of voting incident (Form Or Sor 16).

Clause 72. No one without legitimate power shall be allowed to open, destroy, damage, transform or render ballot boxes or voting ballots or other relevant evidences useless.

Section 6

Post-Voting Operation

Clause 73. At 16.00 hours sharp, chairman of the polling unit committee shall announce the closing hour of the voting by stating; for example, that “now that it is 16.00 hours, the voting shall be adjourned” and voting ballots shall no longer be distributed. If any voter remains at the polling station who however arrives there within 16.00 hours and who has presented ID Card or evidences described in Clause 61 or Clause 62 but does not yet receive any voting ballot, the polling unit committee shall allow the voter to vote according to Clause 63. Only when such voter has duly exercised his right, then, the polling unit committee may close an insertion hole of the ballot box.

Clause 74. The polling unit committee shall count the remaining voting ballots to prevent them from being used for voting. Members of the polling unit committee may use metal or other devices to punch every voting ballot both in the front and back cover before tying them together with a rope and sealing them with shellac or handling them in any other means that will prevent the remaining ballots from being used.

Clause 75. The polling unit committee shall sign their names in a card for putting over an insertion hole of the ballot box according to Form Or Sor 14 before placing the card over the insertion hole. The polling unit committee shall sign their names in the ballot box cover and tape it with transparent tape to prevent the ballot box from being swapped.

Clause 76. The polling unit committee shall count the number of those presenting themselves to receive voting ballots based on the list of voters (Form Or Sor 10) with remarks as well as the number of remaining voting ballots before announcing the number of all voting ballots, the number of those presenting themselves and receiving the ballots and the number of the remaining ballots based on Form Or Sor 17 in two sets, where one set shall be given to every member of the polling unit working at the time to sign before being posted at the polling station, while the other set shall be given to the Referendum Sub-Committee at District Level.

If the vote count result according to paragraph one shows a discrepancy between the number of those presenting themselves and receiving the voting ballots and the number of voting ballots being used, the polling unit committee shall recount them once again. If the result still shows a discrepancy, it shall record the incident in an annex attached to Form Or Sor 17 and in the report of voting incident (Form Or Sor 16) before going on to count the votes.

CHAPTER 5

VOTE COUNTING

Clause 77. The polling unit committee and vote-handling staff shall divide their vote-counting duties as follows.

- (1) The first member of the polling unit committee shall take a voting ballot out of the box one by one and unfold it before giving it to the second member of the polling unit committee.
- (2) The second member of the polling unit committee shall decide about the voting ballot.
- (3) The third member of the polling station shall have a duty to punch the voting ballots already decided and read by the second member of the polling unit committee before putting it in a container.
- (4) Vote-handling staff shall have a duty to mark scores in the score card (Form Or Sor 18).

The remaining directors at the polling unit shall have a duty to facilitate and exchange duties with other working members of the polling unit and vote-handling officers.

Clause 78. The vote counting shall be conducted at the polling station of each polling unit.



Clause 79. When the voting is over and members of the polling unit have already closed the insertion hole of the ballot box, the box shall be immediately opened for vote counting.

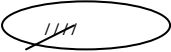
The opening of the ballot box and the vote count must be openly done and must be completed all the way through. No postponement or delay is allowed.

Clause 80. The vote counting shall be done as follows:

- (1) The first member of the polling unit committee shall take a voting ballot one by one out of the box, folding it and delivering it to the second member of the polling station.
- (2) The second member of the polling unit committee shall rule on the voting ballot as follows.
 - (a) If it is a valid ballot, he shall read “valid” and express his opinion whether to “approve” or “not to approve” the ballot before presenting the voting ballot openly to those at the polling station.
 - (b) If it is an invalid ballot, he shall read “invalid” and openly show the ballot to those at the polling station. The polling unit committee shall endorse the invalid ballot as “invalid” and cite a particular sub-clause under Clause 33 of the CDC’s Announcement Re: Rules and Procedures to Disseminate the Constitution Draft and Referendum Voting, B.E 2550 (2007) to indicate why the ballot becomes invalid, where no fewer than three members of the polling unit committee shall countersign it.
- (3) The third member of the polling unit committee shall punch the voting cards already decided and read before putting them in a container where valid ballots shall go into one and invalid ballots shall go into the other.

- (4) When member of the polling unit committee rules the ballot “valid” or “invalid,” vote-handling officers or those having a duty to note the scoring shall note the scores in a score card based on Form Or Sor 18 where the public at the polling station can clearly see the way the scores are marked.

For the writing of scores in a score card (Or Sor 18), one mark shall represent one score. However, when it is the fifth score, a line shall be written across the first four scores and a circle shall be drawn as in the examples of  or 

or  to facilitate the counting and this shall be done at every five scores.

Clause 81. Voting ballots with characteristics stated in Clause 33 of the CDC’s Announcement Re: Rules and Procedures to Disseminate the Constitution Draft and Referendum Voting, B.E 2550 (2007) shall be considered invalid ballots. They are:

- (1) Fake ballot;
- (2) Ballot not yet marked;
- (3) Ballot not known which vote is exercised;
- (4) Ballot of which the mark is written outside the space provided;
- (5) Ballot not given by members of the polling unit committee;
- (6) Ballot marked with more than one marks;
- (7) Ballot containing other statements;
- (8) Ballot with characteristics announced by the EC as invalid

Clause 82. The invalid ballot according to Clause 81 (8) is as follows.

- (1) Ballot marked with other marks than X;
- (2) Invalid ballot according to Clause 105, paragraph three

Clause 83. When all the ballots are taken out of the ballot box and ruled, the ballot box shall be turned over so that the public at the polling station can be clearly seen.

If there is anyone protesting the counting or the reading of score as incorrect, the polling unit committee shall investigate the matter, make a final decision and record the decision in the report of voting incident (Form Or Sor 6) where the person who makes such protest and relevant officer may sign their names in the presence of no fewer than two witnesses as an evidence thereof.

Clause 84. When the record of scores is completed, the votes shall be added up. Scores in a score card (Form Or Sor 18) shall be checked against the number of voting ballots at the end of the voting process (Form Or Sor 17). If the results are the same, it will be considered correct. If not, another check will be made before the result of the vote counting is announced according to Form Or Sor 19. If the result of this checking is inaccurate again, a note shall be made and attached to Form Or Sor 19 and the incident shall be recorded in the report of voting incident (Form Or Sor 16).

The polling unit committee shall produce three sets of announcement of the voting result (Form Or Sor 19) as follows.

- (1) One set will be posted at the polling station;
- (2) One set will be put in a clear bag according to Clause 85;
- (3) One set will be sent to the Referendum Sub-Committee at District Level

Clause 85. After the voting is completed, the polling unit committee will have to keep the following documents and materials in a clear (external) bag:

- (1) Voting ballots of which the scores have been counted and invalid ballots where they shall be separated from each other in a clear (internal) bag. The number of each type of ballots shall be written onto the (internal) bag.
- (2) One set of the vote counting results (Form Or Sor 19).

The polling unit committee shall record the number of valid and invalid voting ballots, polling unit and polling station number in a form indicating the number of voting ballots inside a clear (external) plastic bag according to Form Or Sor 15 before putting the bag into a clear (external) bag that can be identified which bag belongs to which polling unit and tying it with a band to prevent the clear bag from opening.

After putting items under paragraph one and two, the clear (external) bag shall be put into a ballot box and the polling unit committee shall close the ballot box and tie it with a band where a ballot box shall be tied with a rope sealed with shellac or it may be done in any other way to prevent the box from being opened.

Clause 86. As soon as the polling unit committee closes the ballot box and prevents it from being swapped, the polling unit director and no fewer than three members of the polling unit committee, vote-handling staff and security officer shall immediately hand over the items in Clause 87 to the Referendum Sub-Committee at District Level.

Clause 87. Items that the polling unit committee must gather and deliver to the Referendum Sub-Committee at District Level are:

- (1) Ballot box under Clause 85;
- (2) Documents accompanying ballot boxes which consist of
 - (a) All the remaining voting ballots and their stubs
 - (b) List of voters (Or Sor 10) and voting remarks
 - (c) Announcement of the number of voting ballots prior to the voting (Or Sor 15)
 - (d) Report of voting incident (Or Sor 16)
 - (e) Announcement of the number of voting ballots after the voting (Or Sor 17)
 - (f) Score cards (Or Sor 18)
 - (g) Announcement of vote count (Or Sor 19)
- (3) Voting booths and other items such as flag, signage and voting and vote-counting materials

Clause 88. When the Referendum Sub-Committee at District Level receives items as stated in Clause 87, it shall compile all votes from all polling units within the district using three sets of Form Or Sor 20 as follows:

Set 1 will be posted at a place designated for vote compilation.
Set 2 will be sent to the Provincial EC.
Set 3 will be kept as evidence.

The Referendum Sub-Committee at District Level may combine all ballot boxes of each polling unit into the same box.

Clause 89. To do so as stated in Clause 86 and Clause 87, the polling unit committee shall produce two sets of report of ballot box delivery (Or Sor 26), where each will be given to the delivering person and the person who is delivered the box.

If any member of the polling unit committee cannot travel with the ballot box, he may write down his reason in a report of ballot box delivery (Or Sor 26).

CHAPTER 6

THE EXERCISING OF RIGHTS OF VOTERS WHO LIVE OUT OF THE PROVINCE

Clause 90. Any voters having domicile in other provinces aside from the province where his name is listed in the household registration may apply to exercise his rights at the province where he currently lives by submitting a petition to the district registrar or the local registrar of the district or the municipality he is living for the right to exercise his vote in that province. The petition shall be submitted at least 30 days prior to the voting day.

Voter submitting a petition to register so according to paragraph one may do so himself or authorize other voters in a Power of Attorney to do so on his behalf.

Clause 91. When submitting the petition according to Clause 90, such petition to register the rights to vote out of the province shall be made according to Form Or Sor 13, or it shall be made in writing and shall contain the following information to the least: name and family name, ID card number, address according to the household registration and province where his name is listed the last time in the household registration for no fewer than 30 consecutive days. Voter shall submit the petition together with a copy of his ID card or of any card with photo issued by the authorities that also carries ID Card number, as well as copy of the house owner's edition of household registration. These documents must also be certified. In addition, voter must attach an empty envelope affixed with stamp that has been self addressed with his petition as well.

Clause 92. As soon as the district registrar or the local registrar receives a petition to register voter's rights according to Clause 91, he shall initially check the documents whether or not the voter is indeed entitled to vote. If that is the case, the registrar shall notify the central registrar or anyone entrusted thereby to prepare a list of out-of-province voters according to Form Or Sor 10/Kor and make a remark in the list of shareholders (Or Sor 10) as follows: "To exercise his/her vote atProvince." A reply to the petitioner shall be issued to acknowledge the voter's intention to vote out of the province, using Form Or Sor 13/Kor.

Clause 93. Regarding the referendum voting out of the province, the central registrar or anyone entrusted thereby shall print out two sets of a list of voters who shall vote out of the province (Or Sor 10/Kor), using information under Clause 92, before sending them to the Provincial Election Commission for posting. One set will be posted at the out-of-province polling station on the voting day while the other will be used to verify the exercise of rights by out-of-province voters.

Clause 94. Prior to the registration date to vote out of the province, the Provincial Election Commission shall announce at least one location, which will be used for out-of-province voting according to Form Or Sor 3.

Clause 95. The nature of out -of-province polling station shall be in accordance with Section 3: Polling Station, of Chapter 1: Constituencies, Polling Units and Polling Stations *mutatis mutandis*.

Clause 96. Ballot boxes and voting ballots according to Chapter 4: Voting shall be used in the voting at out-of-province polling station *mutatis mutandis*.

Clause 97. On the voting day, prior to the start of the voting hours, the committee at the out-of-province polling station shall count all the voting ballots thereat and record it in an announcement of the number of voting ballots (Or Sor 15) before openly posting it at the out-of-province polling station.

At the start of the voting hours, the committee at the out-of-province polling station shall open a ballot box to show that the box is empty before closing it. It shall follow the procedures in Section 4: Operation on the Voting Day of Chapter 4: Voting *mutatis mutandis*.

Clause 98. During the voting hours, the provisions in Section 5: Voting of Chapter 4: Voting shall apply to the voting at out-of-province polling station *mutatis mutandis*.

Clause 99. At the closing hours of the voting, the provisions in Section 6: Post-Voting Operation of Chapter 4: Voting shall apply to the post-voting operation at the out-of-province polling station *mutatis mutandis*.

Clause 100. Regarding vote counting at the out-of-province polling station, the provisions in Chapter 5: Vote Counting shall apply to the vote counting at the out-of-province polling station *mutatis mutandis*.

CHAPTER 7

COMPILING VOTE-COUNTING RESULTS AND ANNOUNCING RESULTS OF THE VOTE COUNT

Clause 101. As the Provincial EC receives a report of compiled results of vote counts (Or Sor 20) from the Referendum Sub-Committee at District Level, it shall combine all the votes from all polling units and out-of-province polling stations and issue an announcement regarding compilation of the province's votes, the number of all voting

ballots it has received, the number of voting ballots used at the voting and the remaining voting ballots left from the voting, using four sets of Form Or Sor 20/Kor and do the following:

- (1) Set 1 shall be posted at the Office of the Provincial EC;
- (2) Set 2 shall be posted at the provincial hall;
- (3) Set 3 shall be kept with the Provincial Election Director;
- (4) Set 4 shall be sent to the EC

CHAPTER 8

CHANGE OF POLLING STATION, SUSPENSION OF THE VOTING AND SUSPENSION OF VOTE COUNTING

Clause 102. Prior to the voting day, should the voting at any polling unit or any out-of-province polling station cannot take place due to riot, fire, flood or other *force majeure*, the Referendum Sub-Committee at District Level may designate a central polling station or have the Provincial EC announce the central out-of-province polling station where voters can conveniently come to vote according to Form Or Sor 5 or Or Sor 5/1, as the case may be, without delay. The announcement shall be posted at provincial hall, district office, municipality office, the Tambon Administration Organization's office, village chief's office and any crowded community area as deemed appropriate.

Clause 103. If the incident described in Clause 102 occurs on the voting day at a polling unit or an out-of-province polling station, the polling unit committee or the committee at out-of-province polling station may announce to suspend the voting thereat using Form Or Sor 22 or Or Sor 23, as the case may be. In addition, an announcement informing voters at the polling unit to exercise their votes at the central polling station as designated by the Referendum Sub-Committee at District Level or the Province EC shall be issued. Such announcement shall be posted at a place closed to the polling station. Report shall be made to the Referendum Sub-Committee at District Level or the Provincial EC, as the case may be, for immediate report to the EC.

Clause 104. In case an announcement is made to suspend the voting at a polling station or at an out-of-province polling station as described in Clause 103 during the voting hours, the distribution of voting ballots shall be suspended. The polling unit committee or the committee at out-of-province polling station shall mark the remaining voting ballots using procedures described in Clause 74 where the provisions in Clause 75, Clause 76, Clause 80 and Clause 87 shall apply, *mutatis mutandis*. Ballot boxes meanwhile shall be immediately delivered to the Referendum Sub-Committee at District Level or the Provincial EC, as the case may be. In addition, the delivery of ballot boxes shall be reported (Or Sor 26) and the reason why the voting is suspended shall be recorded in a report of voting incident (Or Sor 16).

If the voting cannot be carried out according to paragraph one, the Referendum Sub-Committee at District Level shall arrange the voting at polling unit or polling station;

or the Provincial EC may arrange the voting at out-of-province polling station according to Clause 103 on the voting day.

Clause 105. In case the vote counting at a polling unit or at an out-of-province polling station cannot be carried out due to riot, flood, fire or other *force majeure*, the polling unit committee or the committee at out-of-province polling station shall announce the suspension of vote count at such polling station or out-of-province polling station using Form Or Sor 24 or Or Sor 24/Kor, as the case may be. The vote counting shall be stopped and all voting ballots shall be put in a clear bag with the amount of voting ballots written on the clear bag. The bag will then be put in a ballot box, closed and tied with a rope sealed with shellac, or it can be done through any other means that can prevent the ballot box from being opened before the box is immediately delivered to the Referendum Sub-Committee at District Level or the Provincial EC. In addition, a report indicating the delivery of ballot box (Or Sor 26) and a record of reason why the vote counting is suspended shall be made in the report of voting incident (Or Sor 16), where the Referendum Sub-Committee at District Level or the Provincial EC, as the case may be, shall immediately report the EC.

As soon as the Referendum Sub-Committee at District Level or the Provincial EC, as the case may be, receives the ballot box, forms and equipment according to paragraph one, it shall count votes of the polling unit or the out-of-province polling station until everything is completed. The provisions in Chapter 5: Vote Counting shall apply *mutatis mutandis*.

If no action can be done according to paragraph two, it shall be considered that voting ballots of such polling unit or out-of-province polling station, as the case may be, become invalid.

CHAPTER 9

ANNOUNCEMENT OF THE REFERENDUM RESULT

Clause 106. When the EC receives an announcement of the voting result (Or Sor 20/Kor) from the Provincial EC, the EC shall combine the referendum voting results using Form Or Sor 21, and notify Chairman of the CDC to announce the result of the vote.

CHAPTER 10

KEEPING AND DESTROYING VOTING BALLOTS

Clause 107. The Provincial EC shall keep the ballot boxes and evidences relating to the voting in a safe place.

No one without legal authority shall open the ballot boxes.

Clause 108. Destroying voting ballots kept in a ballot box and related evidences under Clause 107 is allowed only when approved by the EC.

CHAPTER 11
FORMS USED IN THE REFERENDUM VOTING

Clause 109. Forms used in the referendum voting shall comply with the annexes attached hereto.

Announced on this 28th of June 2007.

Apichart Sukhaggonond
Chairman of the Election Commission