



Assembly of the Republic Electoral Law

Law no. 14/79 of 16 May 1979

With the amendments made by the following legislative acts:

Declarations of 17 August 1979 and 10 October 1979, Resolution of the Council of Revolution no. 104/82 of 1 July 1982, Law no. 8/81 of 15 June 1981, Executive Law no. 400/82 of 23 September 1982, Law no. 14-A/85 of 10 July 1985, Executive Law no. 55/88 of 26 February 1988, Laws nos. 5/89 of 17 March 1989, 18/90 of 24 July 1990, 31/91 of 20 July 1991, 55/91 of 10 August 1991, 72/93 of 30 November 1993, 10/95 of 7 April 1995, 35/95 of 18 August 1995, and Organic Laws nos. 1/99 of 22 June 1999, 2/2001 of 25 August 2001, 3/2010 of 15 December 2010, and 1/2011 of 30 November 2011.

Under the terms of Article 164(d) and Article 167(f) of the Constitution the Assembly of the Republic hereby decrees the following:

TITLE I Electoral eligibility

CHAPTER I Eligibility to vote

Article 1 Eligibility to vote

1. Portuguese citizens over the age of eighteen years are eligible to vote.
2. Portuguese who are also held to be citizens of another state do not lose the eligibility to vote because of that fact.

Article 2 Incapacities to vote

The following are not eligible to vote:

- a) Persons who are barred by a sentence that has transited in rem judicatam;
- b) Persons who are clearly acknowledged to be demented, even if they are not barred by a sentence, when they are committed to a psychiatric establishment or are declared to be demented by a medical board composed of two doctors;
- c) Persons who are deprived of political rights by a judicial decision that has transited in rem judicatam.

Article 3 Right to vote

Citizens who are registered on the electoral roll, be it in Portuguese territory or in Macao or abroad, are electors of the Assembly of the Republic.

CHAPTER II
Eligibility for election

Article 4
Eligibility for election

Portuguese citizens who are registered electors are eligible for election to the Assembly of the Republic.

Article 5
General ineligibilities

The following are ineligible for election to Assembly of the Republic:

- a) The President of the Republic;
- b) *(Repealed)*;
- c) Serving court judges and public prosecutors;
- d) Sitting judges who are not covered by the provisions of the previous paragraph;
- e) Full-time military personnel and members of militarised forces, while they are on active service;
- f) Serving career diplomats;
- g) Persons who are exercising diplomatic functions on the date on which nominations are submitted, if they are not included in the previous paragraph;
- h) Members of the National Electoral Commission.

Article 6
Special ineligibilities

1. Directors and heads of tax offices and ministers of any religion or form of worship who possess jurisdictional powers may not be candidates for the constituency in which they exercise that activity.
2. Portuguese citizens who have another nationality may not be candidates for the electoral constituency that includes territory of the country to which that nationality pertains.

Article 7
Public sector staff

Civilian public-sector and state staff and the staff of other public-law legal persons do not require authorisation to stand for election as Members of the Assembly of the Republic.

CHAPTER III
Status of candidates

Article 8
Right to dispensation from functions

Candidates have the right to be dispensed from the exercise of their functions, be they public or private, for the thirty days before the date of the elections, and that time shall count as effective length of service for all purposes, including the right to remuneration.

Article 9
Obligatory nature of suspension of mandate

Candidates who are mayors or who are substituting for mayors under the terms of the law may not exercise the respective functions from the date on which nominations are submitted until election day.

Article 10
Immunities

1. No candidate may be remanded in custody, except in cases of flagrante delicto and for a crime that is punishable by a major prison term.
2. In the event that criminal proceedings have been brought against any candidate and he is indicted by means of an indictment order or equivalent, the case may only proceed once the results of the elections have been proclaimed.

Article 11
Nature of mandate

The Members of the Assembly of the Republic represent the whole country, and not the constituencies for which they are elected.

TITLE II
Constituency system

CHAPTER I
Organisation of constituencies

Article 12
Constituencies

1. For the purpose of the election of the Members of the Assembly of the Republic the electoral territory is divided into constituencies, each of which corresponds to an electoral college.
2. The mainland constituencies match the areas of the administrative districts, are called by the same names and have their district capitals as their seats.
3. There is a constituency in the Madeira Autonomous Region and a constituency in the Azores Autonomous Region, and they are called by those names and have their seats in Funchal and Ponta Delgada respectively.
4. Electors who reside outside Portuguese territory are grouped into two constituencies, one of which covers the whole of the territory of the European countries, and the other the remaining countries and the territory of Macao, and both have their seat in Lisbon.

Article 13
Number and distribution of Members of the Assembly of the Republic

1. The total number of Members of the Assembly of the Republic is two hundred and thirty.
2. The total number of Members of the Assembly of the Republic for the constituencies in Portuguese territory is two hundred and twenty-six, to be distributed in proportion to the number of electors in each constituency using d'Hondt's highest-average rule, in harmony with the criterion laid down in Article 16.
3. There are two Members of the Assembly of the Republic for each of the constituencies referred to in paragraph (4) of the previous Article.
4. The National Electoral Commission shall cause a chart with the number of Members of the Assembly of the Republic and their distribution by constituency to be published in Series I of the *Diário da República* between the sixtieth and the fifty-fifth days before the date on which elections are scheduled to be held.

5. When elections are scheduled less than sixty days in advance, the National Electoral Commission shall have the chart with the number and distribution of Members of the Assembly of the Republic published between the fifty-fifth and the fifty-third days before the day on which the elections are scheduled to be held.

6. The chart referred to in the previous paragraphs shall be drawn up on the basis of the number of electors according to the last update of the electoral roll.

CHAPTER II

Election rules

Article 14

Form of election

The Members of the Assembly of the Republic are elected from plurinominal lists in each constituency, and each elector may vote once for a single list.

Article 15

Organisation of lists

1. The lists that are put forward for election must contain the names of the same number of effective candidates as there are seats attributed to the constituency to which they refer, and of a number of substitute candidates that may not be less than two or greater than the number of effective candidates and may not exceed five.

2. The candidates on each list shall be considered to be ordered in the same sequence as that set out in the respective declaration of nomination.

Article 16

Criterion for election

Votes are converted into seats in accordance with d'Hondt's proportional representation method and in compliance with the following rules:

- a) The number of votes received by each list in the respective constituency shall be counted separately;
- b) The number of votes counted for each list shall be successively divided by 1, 2, 3, 4, 5, etc., and the quotients shall be placed in descending order in a series made up of as many terms as there are seats attributed to the respective constituency;
- c) The seats shall belong to the lists to which the terms of the series created under the previous rule correspond, and each list shall receive the same number of seats as it has terms in the series;
- d) In cases in which just one seat remains to be distributed and the next terms of the series are the same and from different lists, the seat shall go to the list that obtained the smallest number of votes.

Article 17

Distribution of places within lists

1. Within each list the seats shall be awarded to the candidates in accordance with the order of precedence laid down in Article 15(2).

2. In cases of the death of a candidate or an illness that causes a physical or psychological impossibility, the seat shall be awarded to the next candidate under the aforesaid order of precedence.

3. The existence of an incompatibility between the functions performed by a candidate and his exercise of the office of Member of the Assembly of the Republic shall not prevent the award of a seat.

Article 18
Supervening vacancies in the Assembly

1. Vacancies that arise in the Assembly of the Republic shall be filled by the next citizen on the respective list or, in the case of a coalition, by the next citizen from the party that put forward the candidate who gave rise to the vacancy.
2. When application of the rule contained in the final part of the previous paragraph makes it impossible to fill the vacancy with a citizen who had been put forward by the same party, the seat shall be awarded to the next candidate on the list submitted by the coalition.
3. In cases in which there are no longer any unelected effective or substitute candidates from the list to which the holder of the vacant seat belonged, the vacancy shall not be filled.
4. Members of the Assembly of the Republic who are appointed to be members of the Government may not exercise their mandate until their governmental functions end, and they shall be substituted in accordance with paragraph (1).

TITLE III
Organisation of the electoral process

CHAPTER I
Scheduling the date of elections

Article 19
Scheduling elections

1. The President of the Republic shall schedule the date of elections for Members of the Assembly of the Republic at least sixty days in advance or, in cases of dissolution, at least fifty-five days in advance.
2. In cases involving elections for a new legislature, the elections shall take place between the 14th of September and the 14th of October of the year in which the existing legislature ends.

Article 20
Election day

Election day shall be the same in every constituency and must fall on a Sunday or national holiday.

CHAPTER II
Submission of nominations

SECTION I
Submission

Article 21
Power to submit

1. Nominations are submitted by political parties acting alone or in coalition and are subject to registration of the party or coalition by the beginning of the period for submitting nominations, and lists may include citizens who are not registered members of the respective parties.

2. No party may submit more than one list of candidates in the same constituency.
3. No one may be a candidate in more than one constituency or appear on more than one list, failing which he shall be ineligible for election.

Article 22

Coalitions for electoral purposes

1. Coalitions of parties for electoral purposes must be noted the Constitutional Court, must be communicated to that Court by the time at which nominations are effectively submitted, in a document that is jointly signed by the competent organs of the respective parties, with a list of their names, initials and symbols, and must be announced in two of the most widely read daily newspapers within the same time limit.
2. Coalitions cease to exist as soon as the definitive result of the elections is made public, but may turn themselves into coalitions of political parties under the terms and for the purposes of the provisions of Article 12 of Executive Law no. 595/74 of 7 November 1974.
3. The provisions of Article 12(3) of Executive Law no. 595/74 of 7 November 1974 are applicable to coalitions of parties for electoral purposes.

Article 22-A

Decision

1. On the day following the submission of a coalition for the Constitutional Court to take note of it, a chamber of the Court shall sit to consider the legality of the names, initials and symbols and whether they are the same as or similar to those of other parties, coalitions or fronts.
2. The decision provided for in the previous paragraph shall immediately be published in the form of a public notice, which the President shall have affixed to the door of the Court.
3. Within a time limit of twenty-four hours counting from the affixation of the public notice, the agents of any list that any coalition or party has put forward in any constituency may appeal against the decision to the Plenary of the Constitutional Court.
4. Sitting in plenary, the Constitutional Court shall decide the appeals referred to in the previous paragraph within a time limit of forty-eight hours.

Article 23

Submission of nominations

1. The submission of nominations pertains to the competent organs of the political parties in question.
2. Submission shall be made by the forty-first day before the planned date of the elections, before the judge of the judicial district whose seat is in the capital of the constituency in question.
3. In constituencies whose seat is in Lisbon or Porto, nominations shall be submitted before the judges of the civil courts.
4. In the constituencies of the Azores and Madeira Autonomous Regions submission shall be made before the judge of the judicial district whose seat is in the respective capital.

Article 24

Requisites for submission

1. Submission consists of delivering a list containing the names and other identity details of the candidates and of the list's agent, together with the declaration of nomination, and also, in cases of lists submitted by coalitions, an indication of which party is putting forward each of the candidates.
2. For the purposes of the provisions of paragraph (1) identity details mean the following: age, parents, profession, place of birth and place of residence, together with the number, issuing archive and date of the person's identity card.
3. The declaration of nomination shall be jointly or separately signed by the candidates, and must include the declaration that:
 - a) They are not subject to any ineligibility;
 - b) They are not candidates for any other constituency, and do not appear on any other list of candidates;
 - c) They accept their nomination by the party or electoral coalition that is putting forward the list;
 - d) They agree with the agent who is named on the list.
4. Each list shall be accompanied by the following documents:
 - a) A certificate or authenticated copy of a certificate from the Constitutional Court proving that the political party is registered and the date of registration, and also, in cases of lists submitted by coalitions, documents proving fulfilment of the requisites laid down in Article 22(1);
 - b) A certificate of the registration of each of the candidates and the agent on the electoral roll, to include the identity details referred to in paragraph (2) for each one.

Article 25 Agents of lists

1. The candidates on each list shall appoint one of their number or one of the electors registered in the respective constituency as agent to represent them in both the operations regarding the judgement of eligibility and the subsequent operations.
2. The agent's address shall always be given in the nomination file, and when he does not reside in the seat of the constituency he shall choose a domicile there for the purpose of being notified.

Article 26 Publication of lists and verification of nominations

1. Once the time limit for the submission of lists has passed, the judge shall have copies affixed to the door of the court building.
2. In the two days after the end of the time limit for submitting nominations, the judge shall verify that the file is in order, the authenticity of the documents in it, and the eligibility of the candidates.

Article 27 Procedural irregularities

In the event that the judge verifies the existence of a procedural irregularity, he shall immediately have the list's agent notified that it must be overcome within a time limit of two days.

Article 28 Rejection of nominations

1. Ineligible candidates shall be rejected.
2. The list's agent shall immediately be notified that the ineligible candidate or candidates must be replaced within a time limit of two days, failing which the whole list shall be rejected.

3. In cases in which a list does not contain the full number of candidates, the agent must complete it within a time limit of two days, failing which the whole list shall be rejected.

4. Within forty-eight hours of the end of the time limits laid down in (2) and (3), the judge shall have any rectifications or additions that are requested by the respective agents made to the lists.

Article 29 Publication of decisions

Once the time limit laid down in paragraph (4) of the previous Article, or that laid down in Article 26(2) if there are no changes to the lists, has passed, the judge shall have the rectified or completed lists affixed to the door of the court building, together with an indication of the lists that have been admitted or rejected.

Article 30 Challenges

1. Within a time limit of two days following the publication referred to in the previous Article, the candidates, their agents and the political parties that are competing for election in the constituency may challenge the judge's decisions regarding the submission of nominations. Such challenges shall be made to the judge himself.

2. In cases of a challenge made against the admission of any nomination, the judge shall immediately have the agent of the respective list notified that he has a time limit of twenty-four hours in which to respond, should he wish to do so.

3. In cases of a challenge lodged against the non-admission of any nomination, the judge shall immediately have the agents of the remaining lists, even if they have not been admitted, notified that they have a time limit of twenty-four hours in which to respond, should they wish to do so.

4. The judge must decide within a time limit of twenty-four hours counting from the end of the time limits provided for in the previous paragraphs.

5. When there are no challenges, or those that have been made have been decided, the judge shall have a complete list of all the lists that have been admitted affixed to the door of the court building.

6. A copy of the lists referred to in the previous paragraph shall be sent to the Director-General of the Interior or, in the autonomous regions, the Representative of the Republic.

Article 31 Lottery of submitted lists

1. On the day following the end of the time limit for the submission of nominations and in the presence of those candidates and their agents who attend, the judge shall hold a lottery of the lists that have been submitted, for the purpose of allocating them an order on voting slips. A written record of the lottery shall be made.

2. Holding the lottery and printing voting slips do not imply that nominations have been admitted, and must be considered to be without effect with regard to any list or lists that are definitively rejected under the terms of Article 28 et sequitur.

3. The result of the lottery shall be affixed to the door of the court, and copies of the written record shall be sent to the National Electoral Commission and to the Director-General of the Interior or, in the autonomous regions, the Representative of the Republic.

SECTION II Disputes regarding the submission of nominations

Article 32
Appeal to the Constitutional Court

1. The judge's final decisions regarding the submission of nominations may be appealed to the Constitutional Court.
2. The appeal must be lodged within a time limit of two days counting from the date of the affixation of lists referred to in Article 30(5).

Article 33
Legitimacy

The candidates, their agents and the political parties that are competing for election in the constituency possess the legitimacy to appeal.

Article 34
Lodging and passage of appeals

1. The request for leave to appeal, which must set out the latter's grounds, shall be submitted to the court that handed down the decision against which the appeal is to be made, together with all the evidence.
2. In cases of an appeal against the admission of any nomination, the court whose decision is the object of appeal shall immediately have the agent of the respective list notified that he, the candidates, or the political parties that put them forward have a time limit of twenty-four hours in which to respond, should they wish to do so.
3. In cases of an appeal against the non-admission of any nomination, the court whose decision is the object of appeal shall immediately have the entity that challenged the nomination's admission under the terms of Article 30, if there is one, notified that it has a time limit of twenty-four hours in which to respond, should it wish to do so.
4. The appeal shall pass to the Constitutional Court with the same case file.

Articles 35
Decision

1. Sitting in plenary, and within a time limit of forty-eight hours counting from the date on which it receives the case file provided for in the previous Article, the Constitutional Court shall take a definitive decision, which it shall communicate to the judge by telegraph on the same day.
2. The Constitutional Court shall hand down a single Ruling with regard to each constituency, in which it shall decide all the appeals regarding the competing lists in that constituency.

Article 36
Publication of lists

1. The lists that are definitively admitted shall immediately be affixed to the door of the court, and a copy of them shall be sent to the National Electoral Commission and to the Director-General of the Interior or, in the autonomous regions, the Representative of the Republic, and to the municipal councils, who shall publish them within a time limit of twenty-four hours in the form of public notices affixed to the door of all the municipal councils in the constituency in question.
2. On election day, the lists that are to be put to the ballot shall again be published in the form of public notices affixed to the door of and inside polling stations.

SECTION III
Replacement and withdrawal of nominations

Article 37
Replacement of candidates

1. Candidates may only be replaced in the following cases and at least fifteen days before the elections:
 - a) Elimination due to a definitive judgement in an appeal on the grounds of ineligibility;
 - b) Death or illness that causes physical or psychological impossibility;
 - c) The candidate withdraws.
2. Without prejudice to the provisions of Article 15, replacement is optional, and replacements shall be placed on the list after the last of the substitutes.

Article 38
New publication of lists

In cases in which candidates are replaced or a decision to reject any list is annulled, there shall be a new publication of the respective lists.

Article 39
Withdrawal

1. The withdrawal of lists is lawful up to forty-eight hours before election day.
2. The party that put the list forward shall communicate the withdrawal to the judge, who shall in turn communicate it to the Directorate-General of the Interior or, in the autonomous regions, the Representative of the Republic.
3. It is also lawful for any candidate to withdraw by means of a declaration, which he shall subscribe with a signature that must be authenticated by a notary, notwithstanding which the list that was submitted shall remain valid.

CHAPTER III
Formation of polling stations

Article 40
Polling stations

1. Each parish shall have one polling station.
2. The polling stations of parishes with a number of electors that substantially exceeds one thousand shall be divided into polling sections, in such a way that the number of electors in each one does not substantially exceed that number.
3. By the thirty-fifth day before election day, the mayor shall decide the divisions provided for in the previous paragraph, and shall immediately communicate them to the corresponding parish council.
4. The decision referred to in the previous paragraph may be appealed within a time limit of two days, at the initiative of the parish council or of at least ten electors from any polling station, to the district court with jurisdiction at the seat of the district or autonomous region, which shall take a definitive decision within an identical time limit.

5. The definitive chart of polling stations and sections shall immediately be affixed at the municipal councils.

Article 41
Day and time for polling stations

Throughout Portuguese territory polling stations shall assemble at eight a.m. on the day that is scheduled for the elections.

Article 42
Location of polling stations

1. Polling stations must assemble in public buildings, preferably schools or seats of municipal councils or parish councils that offer the indispensable conditions in terms of capacity, security and access. In the absence of public buildings in acceptable condition, resort shall be had to a private building requisitioned for the purpose.

2. The mayor or the chairman of the municipal administrative committee *and, in the municipalities of Lisbon and Porto, the respective neighbourhood administrators*, have the competence to decide the locations in which the electoral stations are to operate.

Article 43
Public notices about polling stations

1. By the fifteenth day before that of the elections, mayors or the chairmen of municipal administrative committees shall, by means of public notices affixed in the customary places, announce the day, time and locations at which polling stations are to assemble and the divisions or combinations of polling stations, if any.

2. In cases in which polling stations are divided up or combined, the public notices shall also indicate the electoral registration numbers of the citizens who must vote in each section.

Article 44
Boards of officers of polling stations and sections

1. In each polling station or section a board of officers shall be formed to arrange and direct the electoral operations.

2. The board shall comprise a presiding officer, his substitute, and three other officers, who shall be a secretary and two scrutineers.

3. Electors who cannot read and write Portuguese may not be appointed members of a board of officers, and members must be part of the electoral station to whose board of officers they are appointed, save in the cases provided for in Article 47(3).

4. Save for reasons of force majeure or just cause, performance of the functions of member of the board of officers of a polling station or section is compulsory.

5. The following causes justify disqualification:

- a) Age over sixty-five years;
- b) Illness or physical impossibility, as confirmed by the municipal health officer;
- c) Change of residence to the area of another municipality, as confirmed by the parish council of the new residence;
- d) Absence abroad, as duly confirmed;
- e) Exercise of a professional activity that cannot be delayed, as duly confirmed by a hierarchical superior.

6. Whenever the elector is able to do so, he shall invoke the cause that justifies the disqualification to the mayor at least three days before the election.

7. In the case provided for in the previous paragraph the mayor shall immediately substitute the elector by appointing another elector who belongs to the polling station.

Article 45 Delegates of lists

1. In each polling station or section there shall be a delegate and the respective substitute for each list of candidates for the elections.

2. Delegates of lists are not required to be registered on the electoral roll for the polling station or section in which they are to exercise their functions.

Article 46 Appointment of delegates of lists

1. By the eighteenth day before the elections, the candidates on or agents of the different lists shall name delegates and substitutes for the respective polling stations and sections to the mayor in writing.

2. Credentials completed by their party or coalition shall be given to each delegate and the respective substitute in advance, and must be presented for signature and authentication to the authority referred to in the previous paragraph when the delegate and substitute are named. The credentials shall obligatorily contain their name, parish and electoral registration number, the number, issuing archive and date of their identity card, and the designation of the electoral station at which they are to exercise their functions.

3. It is not lawful for parties to challenge an election on the basis of any delegate's absence.

Article 47 Appointment of members of boards of officers

1. By the seventeenth day before that designated for the election, the delegates must attend a meeting at the seat of the parish council, to be convened by the latter's chairman, in order to choose the members of the board of officers of the polling stations or sections. This choice must immediately be communicated to the mayor. When a polling station has been divided up, the meeting shall be attended by only one of the delegates of each list who have been put forward by the candidates on or agents of the different lists.

2. In the absence of agreement, on the sixteenth or fifteenth day before that designated for the elections the delegate of each list shall propose two citizens for each place that is still unfilled to the mayor or the chairman of the municipal administrative committee in writing, so that the choice between them may be made by lottery, to be held within a time limit of twenty-four hours at the municipal council *or neighbourhood administration* building and in the presence of the delegates of the lists that are competing in the election in the polling section in question. In cases in which citizens are not proposed by the delegates of the lists, the mayor or the chairman of the municipal administrative committee has the competence to appoint the members of the board of officers whose places are still unfilled.

3. In polling sections in which the number of citizens with the requisites needed to form boards of officers is demonstrably insufficient, the mayor has the competence to appoint the missing members from among the citizens who are registered on the electoral roll for the same parish.

4. The names of the members of the board of officers chosen by the delegates of the lists or by the authorities referred to in the previous paragraphs shall be published in the form of a public notice, which shall be affixed to the door of the seat of the parish council within a time limit of forty-eight hours. During the following two days, any elector may challenge the choice before the mayor or the chairman of the municipal administrative committee on the grounds that the requisites laid down in the present Law have not been fulfilled.

5. The said authority shall decide the challenge within twenty-four hours and, if he upholds it, shall immediately make a new appointment by means of a lottery to be held at the municipal council *or neighbourhood*

administration building, in the presence of the delegates of the lists that are competing in the election in the polling section in question.

6. By at least five days before election day, the mayor shall draw up the writ of appointment of the members of the boards of officers of the electoral stations and shall communicate the appointments to the competent parish councils.

7. The mayor shall, in accordance with the procedure set out in paragraph (2), immediately replace persons who are appointed members of a board of officers of an electoral station and who, at least three days before the elections, justify as laid down by law that it is impossible for them to exercise those functions.

8. *In municipalities in which there are administrative neighbourhoods, the competence which the present Article attributes to the mayor or the chairman of the municipal administrative committee shall pertain to the respective neighbourhood administrators.*

Article 48 **Formation of boards of officers**

1. The board of officers of a polling station or section may not be formed before the time at which the station is scheduled to convene, or at a location other than that which was decided, failing which all the acts in which it takes part and the election shall be null and void.

2. Once the board of officers has been formed, a public notice signed by the presiding officer and containing the names and electoral registration numbers of the citizens who comprise the board of officers, and the number of registered electors, shall immediately be affixed to the door of the building in which the polling station is assembled.

3. Without prejudice to the provisions of paragraph (1), the members of the boards of officers of polling stations or sections must be present at the location in which each one is to operate one hour before the time at which electoral operations are scheduled to begin, so that those operations may commence at the set time.

4. If, one hour after the time at which the station is scheduled to open, it has not been possible to form the board of officers because the members who are indispensable for it to operate are not present, the chairman of the parish council shall, subject to the unanimous agreement of the delegates of lists who are present, appoint replacements for the absent members from among electors whose aptness is recognised and who are registered with that polling station or section, and from that moment on the appointment of the previous members of the board of officers who failed to appear shall be deemed to be without effect.

5. Members of polling stations' boards of officers are dispensed from the duty to present themselves at their employment, department or service on both election day and the following day, without prejudice to all their rights and benefits, including the right to remuneration, to which end they must provide adequate confirmation of their status.

Article 49 **Remaining on the board**

1. Once a board of officers has been formed, it cannot be changed, save in cases of force majeure. An account of any change and the reasons for it shall be given in a public notice affixed in the location indicated in the previous Article.

2. For electoral operations to be valid, it is necessary for the presiding officer or his substitute, and at least two other officers, to be present at any given moment.

Article 50 **Delegates' powers**

1. Delegates of lists have the following powers:

- a) To occupy the places closest to the ballot table, in such a way as to be able to monitor all the voting operations;
- b) At any moment in time, to consult the copies of the electoral roll books used by the polling station's board of officers;
- c) To be consulted and be given clarifications with regard to all the questions that are raised during the operation of the polling station, during both the voting phase and the counting phase;
- d) To lodge challenges, protests or counter-protests with regard to the voting operations, either orally or in writing;
- e) To sign the minutes and initial, close, and seal with wax all the documents regarding the voting operations;
- f) To obtain certificates of the voting and counting operations.

2. Delegates of lists may not be appointed to replace members of boards of officers who fail to attend.

Article 50-A **Immunities and rights**

1. Delegates of lists may not be detained while their polling station is operating, except for a crime that is punishable by a prison term of more than three years and in flagrante delicto.
2. Delegates of lists enjoy the right enshrined in Article 48(5).

Article 51 **Electoral roll books**

1. As soon as polling stations and sections have been defined and the members of the boards of officers have been appointed, the electoral registration commission must supply the latter, at their request, with two authenticated copies or photocopies of the electoral roll books.
2. When a polling station is divided up, the copies or photocopies shall only include those sheets in the books that correspond to the electors who are to vote in each polling section.
3. The copies or photocopies provided for in the previous paragraphs must be obtained two days before the election at the latest.
4. Delegates of lists may consult the copies or photocopies of the electoral roll books at any time.

Article 52 **Other working items used by boards of officers**

1. At least three days before the day that has been designated for the elections, the mayor or the chairman of the municipal administrative committee *or, in the municipalities of Lisbon and Porto, the neighbourhood administrator* shall deliver to each polling station or section presiding officer a notebook intended to hold the minutes of the electoral operations, with an opening record signed by him and every sheet initialled by him, together with the forms and charts that prove necessary.
2. At least three days before the day that has been designated for the elections, the entities referred to in the previous paragraph shall also deliver the voting slips to each polling station or section presiding officer.

TITLE IV **Election campaign**

CHAPTER I **General principles**

Article 53
Beginning and end of election campaigns

The election campaign period begins on the fourteenth day, and ends at midnight on the second day, before the day that has been designated for the elections.

Article 54
Promotion, undertaking and scope of election campaigns

1. Without prejudice to active participation by citizens, the promotion and undertaking of election campaigns always pertains to the candidates and political parties.
2. Any candidate or political party may freely undertake election campaigns throughout Portuguese territory and in Macao.

Article 55
Names, initials and symbols

1. During election campaigns each party shall always use the respective name, initials and symbol.
2. *In cases of coalitions, the names, initials and symbols of the parties in each coalition may be used, or new names, initials and symbols may be adopted.*
3. Each coalition's name, initials and symbol must comply with the requisites laid down in the applicable legislation.

Article 56
Equal opportunities for candidacies

Candidates and the political parties or coalitions that put them forward have the right to equal treatment by public and private entities, so that they can conduct their election campaigns freely and under the best conditions.

Article 57
Neutrality and impartiality of public entities

1. The entities and organs of the state, of the autonomous regions and local authorities, of other public-law legal persons, of state-owned enterprises and mixed economy enterprises, and of enterprises that hold public-service concessions or concessions for property in the public domain or public works, together with their officeholders when acting in that capacity, may not directly or indirectly intervene in election campaigns or undertake any acts that favour or prejudice a candidacy to the detriment or advantage of one or more others, and must ensure equal treatment and impartiality in any intervention in electoral procedures.
2. In the exercise of their functions the staff and agents of the entities referred to in the previous paragraph shall observe rigorous neutrality towards the different candidacies, as well as towards the different parties.
3. The display of symbols, initials, stickers or other propaganda items by the officeholders of the organs and the staff and agents of the entities referred to in paragraph (1) during the exercise of their functions is prohibited.
4. The regime provided for in the present Article is applicable as of the publication of the decree that sets the date for the elections.

Article 58
Freedom of expression and of information

1. During election campaigns no limitation may be imposed on the expression of political, economic and social principles, without prejudice to any civil or criminal liability.
2. During election campaign periods no sanctions whatsoever may be applied to the enterprises that operate the media, or to their agents, for acts that form part of the campaign, without prejudice to any liability they incur, which may only be actioned after election day.

Article 59 **Freedom to meet**

The freedom to meet for electoral purposes during an election campaign period is governed by the provisions of the general law on the right to meet, with the following special provisions:

- a) When it addresses meetings, rallies, demonstrations or parades in places that are public or open to the public and are to be held by a political party, the notice referred to in Article 2(2) of Executive Law no. 406/74 of 29 August 1974 must be issued by the competent organ of the party in question;
- b) Processions, parades and audible propaganda may take place on any day and at any time, subject only to the limits imposed by the maintenance of public order and by the freedom of transit and to work, as well as the limits derived from citizens' rest periods;
- c) Copies of the official record referred to in Article 5(2) of Executive Law no. 406/74 of 29 August 1974 must be sent to the President of the National Electoral Commission and the competent organ of the political party concerned;
- d) Orders to change routes or parades shall be issued by the competent authority, and shall be given in writing to the competent organ of the political party concerned and communicated to the National Electoral Commission;
- e) Use of the public places referred to in Article 9 of Executive Law no. 406/74 of 29 August 1974 must be divided up equally between those who are competing in the election in the constituency in which the places in question are located;
- f) Only the competent organ of the political party concerned may request the presence of law enforcement officers at meetings it organises, and that organ shall be responsible for maintaining order when it does not make such a request;
- g) The limit referred to in Article 11 of Executive Law no. 406/74 of 29 August 1974 is hereby extended to two a.m. during election campaigns;
- h) The appeal provided for in Article 14(1) of Executive Law no. 406/74 of 29 August 1974 shall be made to the Constitutional Court within a time limit of forty-eight hours.

Article 60 **Prohibition on divulging opinion polls**

It is prohibited to divulge the results of opinion polls or surveys on electors' attitudes towards competitors in elections from the date on which elections are scheduled until the day immediately after that on which they are held.

CHAPTER II **Election propaganda**

Article 61 **Election propaganda**

Election propaganda means all the activities that directly or indirectly aim to promote candidacies, be they undertaken by candidates, political parties, the officeholders of their organs or agents or any other persons, particularly the publication of texts or images that express or reproduce the content of those activities.

Article 62 **Right to broadcasting time**

1. Political parties and coalitions have the right of access to public and private radio and television stations for election propaganda.
2. During the election campaign period radio and television stations shall reserve the following broadcasting times for political parties and coalitions:
 - a) Radiotevisão Portuguesa, S.A., on all its channels including the international channel, and private television stations:
 - From Mondays to Fridays – fifteen minutes between seven p.m. and ten p.m.;
 - On Saturdays and Sundays – thirty minutes between seven p.m. and ten p.m.;
 - b) Radiodifusão Portuguesa, S.A., in medium wave and frequency modulation broadcasts linked to all its regional broadcasters and its international programming:
 - Sixty minutes each day, of which twenty minutes to be between seven a.m. and midday, twenty minutes between midday and seven p.m., and twenty minutes between seven p.m. and midnight;
 - c) Private radio stations with a national scope, in medium wave and frequency modulation broadcasts linked to all their broadcasters, when they have more than one:
 - Sixty minutes each day, of which twenty minutes to be between seven a.m. and midday, and forty minutes between seven p.m. and midnight;
 - d) Private radio stations with a regional scope:
 - Thirty minutes each day.
3. Stations must tell the National Electoral Commission the planned schedule for the broadcasts at least ten days before the campaign begins.
4. Radio and television stations shall record the broadcasts that correspond to the exercise of the right to broadcasting time and store the recordings for one year.

Article 63 **Distribution of reserved times**

1. The broadcasting times that are reserved by Radiotevisão Portuguesa, S.A., by private television stations, by Radiodifusão Portuguesa, S.A. linked to all its broadcasters, and by private radio stations with a national scope shall be allocated proportionately to those political parties and coalitions which have put forward at least twenty-five per cent of the total number of candidates and are running in the same percentage of the total number of constituencies.
2. The broadcasting times that are reserved by Radiodifusão Portuguesa, S.A.'s international and regional broadcasters and by private stations with a regional scope shall be divided up equally between the political parties and coalitions which have put forward candidates in the constituency, or one of the constituencies, all or most of which is or are covered by the respective broadcasts.
3. At least three days before the election campaign begins and using the criteria referred to in the previous paragraphs, the National Electoral Commission shall organise the same number of series of broadcasts as there are parties and coalitions with the right to them, and shall hold a lottery between those that are placed in identical positions.

Article 64 **Publications of a journalistic nature**

1. News publications which are daily, or are non-daily and appear more than once every fifteen days, and which wish to insert material regarding an election campaign must communicate this wish to the National Electoral Commission at least three days before the beginning of the election campaign.
2. These publications must journalistically treat the different candidacies without discrimination, in accordance with Executive Law no. 85-D/75 of 26 February 1975 and other applicable legislation.
3. The provisions of paragraph (1) do not apply to the state-owned press, which must always insert material regarding each election campaign and, for equal treatment purposes, must comply with the provisions of the legislation referred to in the previous paragraph.

4. Publications that are referred to in paragraph (1) and have not made the communication referred to therein may not insert election propaganda, but only any material that is sent to them by the National Electoral Commission.

Article 65

Indoor performance venues

1. The owners of indoor performance venues or other enclosed spaces that are normally used by the public and possess the conditions needed for them to be used in the election campaign shall declare this fact to the mayor at least ten days before the election campaign begins, and shall indicate the dates on and times at which the indoor venues or enclosed spaces can be used for that purpose. In the absence of such a declaration or in the case of a proven shortage, the mayor may requisition the indoor venues and enclosed spaces that he deems necessary to the election campaign, without prejudice to the spaces' normal and programmed activities.

2. The time that is intended for election propaganda under the terms of the previous paragraph shall be divided equally between those political parties and coalitions that want it and have submitted nominations in the constituency in which the indoor venue is located.

3. At least three days before an election campaign begins and after first consulting the agents of the lists, the mayor shall indicate the days and times that are allocated to each party and coalition, in such a way as to ensure equality between all of them.

Article 66

Graphic and audible propaganda

1. At least three days before an election campaign begins, parish councils must establish special spaces in certain locations intended for putting up posters, photographs, mural journals, manifestos and notices.

2. The number of spaces that are reserved in the locations provided for in the previous paragraph must be the same as the number of lists of candidates put forward for election in the constituency.

3. Putting up posters and engaging in audible propaganda do not require authorisation or communication to the administrative authorities.

4. It is not permitted to put up posters, write or make mural paintings on national monuments, on religious buildings, on the seats of entities that exercise sovereignty, the autonomous regions or local government, on traffic or road signs, or inside offices or buildings that are public or open to the public, including commercial establishments.

Article 67

Joint use or swapping

Political parties and coalitions may agree to the joint use or swapping of broadcasting times or publicity spaces that pertain to them or of indoor performance venues whose use is allocated to them.

Article 68

Public buildings

Mayors must seek to ensure that the use of public buildings and enclosed spaces belonging to the state and other public-law legal persons is granted for election campaign purposes, dividing it up equally between those who are competing in the election in the constituency in which the building or enclosed space is located.

Article 69

Cost of use

1. The use under the terms laid down in the previous Articles of the broadcasts of public and private radio and television stations, of publications of a journalistic nature and of public buildings and enclosed spaces shall be free of charge.

2. Acting via the Ministry of the Interior, the state shall compensate radio and television stations for the use, which must be duly proven, that corresponds to the broadcasts provided for in Article 62(2), by paying the sum set out in tables that the Minister Attached to the Prime Minister shall homologate by the sixth day before the beginning of the election campaign.

3. The tables that are referred to in the previous paragraph and concern the television, and radio stations with a national scope, shall be set by an arbitration commission made up of a representative of the Technical Secretariat for Electoral Procedural Affairs, one from the Inspectorate-General of Finance, and one from each radio or television station, as appropriate.

4. The tables that are referred to in paragraph (2) and concern radio stations with a regional scope shall be set by an arbitration commission made up of a representative of the Technical Secretariat for Electoral Procedural Affairs, one from the Inspectorate-General of Finance, one from Radiodifusão Portuguesa, S.A., one from Associação de Rádios de Inspiração Cristã (ARIC) and one from Associação Portuguesa de Radiodifusão (APR).

5. When they make the declaration provided for in Article 65(1), or when the requisition provided for in the same paragraph has been made, the owners of indoor performance venues, or those who operate them, must indicate the price that is to be charged for their use, which may not exceed the net revenue to be gained from one quarter of the seating in the indoor venue in question at a normal performance.

6. The price referred to in the previous paragraph and the other terms and conditions of use shall be the same for all candidacies.

Article 70 Political party organs

The provisions of the previous Articles are not applicable to publications of a journalistic nature that belong to political parties, on condition that the latter fact is set out in the publication's title section.

Article 71 Civic clarification

Acting via Radiotevisão Portuguesa, Radiodifusão Portuguesa, the press and/or any other means of information, the National Electoral Commission is responsible for promoting the objective clarification of citizens about the significance of the elections to the life of the country, about the election process and about the voting process.

Article 72 Commercial advertising

As of the publication of the decree that schedules the date of elections, political propaganda that is directly or indirectly made via any means of commercial advertising is prohibited.

Article 73 Telephone installations

1. Political parties have the right to the installation of one telephone for each constituency in which they put forward candidates.

2. Applications for telephone installations may be made as of the date on which the nominations are put forward, and installations must take place within a time limit of eight days counting from the application.

Article 74
Rentals

1. As of the date on which the decree that schedules the date of the elections is published and until twenty days after the electoral act, tenants of urban property may, by any means including sub-rental for an amount not exceeding that of their rent, devote them, via parties or coalitions, to the preparation and undertaking of the election campaign, whatever the purpose of the primary rental and regardless of any provision to the contrary in the respective contract.
2. The tenants, candidates and political parties in question are jointly responsible for all damages caused by the use provided for in the previous paragraph.

CHAPTER III
Electoral finances

Article 75
Accounting for revenues and expenses

1. *Political parties must make detailed accounts of all the revenues received and expenses incurred with regard to putting forward candidacies and the election campaign, with precise indications of the origin of the former and the destination of the latter.*
2. *All candidacy and election campaign expenses shall be borne by the respective parties.*

Article 76
Contributions with pecuniary value

Parties, candidates and agents of lists may not accept any contributions with pecuniary value intended for the election campaign from Portuguese enterprises or non-Portuguese natural or legal persons.

Article 77
Limit on expenses

No party or coalition may spend more on the respective candidacies and election campaign than the overall amount equal to fifteen times the monthly national minimum wage per candidate on the respective list.

Article 78
Review of accounts

1. *Within a time limit of at most sixty days counting from the official proclamation of the results, each political party must provide detailed accounts of its election campaign to the National Electoral Commission and have them published in one of the country's most widely read newspapers.*
2. *Within a time limit of sixty days, the National Electoral Commission must consider whether the revenues and expenses are in order and have the result of its consideration published in one of the country's most widely read newspapers.*

3. If the National Electoral Commission verifies the existence of any irregularity in the accounts, it must notify the political party that it must submit new accounts that are in order within a time limit of fifteen days. The Commission must pronounce itself on the new accounts within a time limit of fifteen days.

4. If a political party does not submit accounts within the time limit set in paragraph (1), or does not submit new accounts that are in order in accordance and within the time limit set in paragraph (3), or the National Electoral Commission concludes that there is an infraction against the provisions of Articles 75 to 77, it must make the respective report to the competent entity.

TITLE V Election

CHAPTER I Suffrage

SECTION I Exercise of the right to vote

Article 79 Personal nature of voting and presence

1. The right to vote shall be directly exercised by the registered elector.
2. Without prejudice to the provisions of Article 97, no form of representation or delegation is permitted in the exercise of the right to vote.
3. Registered electors shall be present when they exercise the right to vote, save for the provisions regarding the form in which the right to vote early is exercised.

Article 79-A Early votes

1. The following may vote early:
 - a) Military personnel who, on the day on which the election is held, are impeded from travelling to their polling station by an imperative in the exercise of their functions that cannot be delayed;
 - b) Agents of forces and services who exercise internal security functions in accordance with the law, and also firemen and civil defence agents, who are in a situation analogous to that provided for in the previous subparagraph;
 - c) Maritime and aeronautical workers, as well as long-haul railway and highway workers who, due to their professional activities, will presumably be on board or away on the day on which the election is held;
 - d) Electors who are or presumably will be hospital in-patients and unable to travel to the polling station or section due to illness;
 - e) Electors who are under arrest or imprisoned and are not deprived of political rights;
 - f) Members who officially represent national teams organised by sporting federations that possess public sporting utility status and who are away abroad for sporting competitions on the day on which the election is held;
 - g) All electors who are not covered by the previous subparagraphs and who, because they represent any legal person in the public, private or cooperative sector, organisations that represent workers or organisations that represent economic activities, and also other electors who, for an imperative reason derived from their professional functions, are impeded from travelling to their polling station on election day.
2. When the electors referred to in subparagraphs a), b) and g) of the previous paragraph are away abroad between the twelfth day before that of the election and election day itself, they may exercise the right to vote at

the diplomatic or consular representations or the foreign delegations of the Portuguese ministries and public institutions defined in advance by the Ministry of Foreign Affairs, in accordance with Article 79-D.

3. Students at education institutions who are registered at establishments situated in or on a district, autonomous region or island other than that for which they are registered on the electoral roll may also vote early.

4. When they are registered on the electoral roll in Portuguese territory and are away abroad, the following electors may also vote early:

- a) Military personnel, militarised agents and civilians who are integrated into peacekeeping, technical-military cooperation or equivalent operations;
- b) Doctors, nurses and other citizens who are integrated into humanitarian missions that are recognised as such by the Ministry of Foreign Affairs;
- c) Researchers and grant-holders at university or equivalent institutions that are recognised as such by the competent ministry;
- d) Students who are registered at education institutions or who attend them under exchange programmes;
- e) Electors who are ill and are receiving treatment abroad, as well as the persons accompanying them.

5. Registered electors who are the spouses or equivalent or relatives of, or other similar persons who live with, the electors mentioned in the previous paragraph may also vote early.

6. Only those votes which are received at the seat of the parish council that corresponds to the polling station at which the elector ought to vote, by the day before that on which the election is held, shall be considered.

7. The lists that are competing for election may, under the general terms applicable to such appointments, appoint delegates to monitor the early voting operations. Such delegates shall enjoy all the immunities and rights provided for in Article 50-A.

Article 79-B

Form of exercise of the right to vote early for professional reasons

1. Electors who are in any of the situations provided for in paragraph (1)(a), (b), (c), (f) and (g) of the previous Article may address themselves to the mayor of the municipality in whose area they are registered to vote, between the tenth and the fifth days before election day, and express their wish to exercise the right to vote early.

2. The elector shall identify himself in the form provided for in Article 96(1) and (2), and shall provide evidence confirming the impediment that he is invoking by presenting a document which is signed by his hierarchical superior, his employer or another person, and which adequately confirms the existence of the impediment to the normal exercise of the right to vote.

3. The mayor shall give the elector a voting slip and two envelopes.

4. One of the envelopes, which shall be white, is to hold the voting slip, and the other, which shall be blue, is to hold the previous envelope and the confirmation document referred to in paragraph (2).

5. The elector shall complete the slip under conditions that ensure the secrecy of his vote, and shall fold it in four and place it in the white envelope, which he shall adequately close.

6. The white envelope shall then be placed in the blue envelope, together with the aforesaid confirmation document, and the blue envelope shall be closed and sealed with wax, and the mayor and the elector shall sign it legibly on the back.

7. The mayor shall give the elector a receipt confirming that he has exercised his right to vote, as per the model attached in annexe to the present Law, which receipt shall contain his name, his home address, the number of his identity card and the polling station to which he belongs, together with his electoral registration number, and the document shall be signed by the mayor and authenticated with the municipality's stamp or dry seal.

8. The mayor shall draw up minutes recording the operations that have been undertaken, in which he shall expressly mention the elector's name and electoral registration number and the parish in which he is registered, and shall send a copy of it to the general counting assembly.

9. By the fourth day before that on which the election is to be held, the mayor shall send the blue envelope to the board of officers of the polling station at which the elector ought to exercise the right to vote. The envelope shall be addressed to the respective parish council and shall be sent by the safety of the post.

10. The parish council shall give the votes it has received to the presiding officer of the polling station by the time provided for in Article 41.

Article 79-C

Form of exercise by inpatients and by persons who are under arrest or imprisoned

1. Electors who are in either of the situations provided for in Article 79-A(1)(d) and (e) may, by electronic means or by post, by the twentieth day before that of the election, ask the mayor of the municipality in which they are registered to vote for the documentation needed to exercise the right to vote, sending copies of their citizen's card or identity card and of their elector's card and attaching a document confirming the impediment that they are invoking, to be issued by the doctor treating them and confirmed by the management of the hospital, or a document issued by the warden of the prison, as appropriate.

2. By the seventeenth day before that of the election, the mayor shall send the following by registered post with notification of receipt:

- a) To the elector, the documentation needed to exercise the right to vote, together with the documents sent by the elector;
- b) To the mayor of each municipality in which electors in the situations defined in paragraph (1) find themselves, a list of the names of the aforesaid electors and of the hospitals or prisons in question.

3. The mayor of the municipality in which the hospital or prison in which an elector is an inpatient or an inmate is located shall, by the sixteenth day before that of the election, notify the lists that are competing for election with a view to fulfilment of the purposes provided for in Article 79-A(3), and shall make them aware of which hospitals or prisons the early vote will take place in.

4. Any appointment of delegates of lists must be transmitted to the mayor by the fourteenth day before that of the election.

5. Between the tenth and the thirteenth days before that of the election, the mayor of each area in which a hospital or prison establishment with electors in the situations provided for in paragraph (1) is located shall, on a day and at a time that have previously been communicated to the respective director or warden and to the delegates of the lists, go to the hospitals or prisons in question in order to comply, mutatis mutandis as required by the constraints imposed by the hospital or prison regimes, with the provisions of paragraphs (3), (4), (5), (6), (7), (8) and (9) of the previous Article.

6. For the purpose of the incumbence provided for in the previous paragraph, the mayor may exceptionally have himself substituted by any duly accredited member of the municipal council.

7. Parish councils that are sent the votes shall give them to the polling station presiding officer by the time provided for in Article 41.

Article 79-D

Form of exercise of the right to vote early by electors who are away abroad

1. Electors who are in any of the situations provided for in Article 79-A(2), (4) and (5) may exercise the right to vote between the twelfth and the tenth days before the election, at the diplomatic or consular representations or the foreign delegations of the Portuguese ministries and public institutions defined in advance by the Ministry of Foreign Affairs, in accordance with Article 79-B, and the competence to perform the mayor's intervention shall pertain to the diplomatic official designated for the purpose, who shall also be responsible for sending the electoral correspondence to the respective parish council by the most expedite means.

2. In the case of the electors mentioned in Article 79-A(4)(a) and (b), if the Ministry of Foreign Affairs recognises that it is impossible for them to travel to the places referred to in the previous paragraph, it shall designate a diplomatic official who shall collect the electoral correspondence during the period referred to above.

3. Lists that appoint delegates by the sixteenth day before that of the election may monitor the electoral operations provided for in the previous paragraphs.

Article 79-E Form of exercise by students

1. Electors who are in the situation provided for in Article 79-A(3) may, by electronic means or by post, ask the mayor of the municipality in which they are registered to vote for the documentation needed to exercise the right to vote, by the time limit and under the conditions provided for in Article 79-C(1) and (2).

2. The document confirming the elector's impediment shall consist of a declaration issued by the management of the education establishment attesting to his admission or attendance.

3. The right to vote shall be exercised before the mayor of the municipality where the elector attends the education establishment, by the time limit and under the terms provided for in Article 79-C(3) to (7).

Article 80 Unicity of votes

Each elector is only permitted to vote once.

Article 81 Right and duty to vote

1. Voting is a right and a civic duty.

2. The persons in charge of enterprises, departments and services that are operating on election day must dispense their workers from work for enough time to exercise the right to vote.

Article 82 Secret ballot

1. Under no pretext may anyone be obliged to disclose their vote or, save in the case of the collection of unidentifiable statistical data, be asked about that vote by any authority.

2. No one may reveal which list they have voted or are going to vote for, either inside the polling station or within a distance of five hundred metres outside it.

Article 83 Requisites for exercise of the right to vote

For an elector to be admitted for the purpose of voting, he must be registered in the electoral roll book and his identity must be recognised by the board of officers.

Article 84 Location for exercise of the right to vote

The right to vote shall only be exercised at the polling station that corresponds to the location for which the elector is registered, save for the provisions governing the form of exercise of the right to vote early.

Article 85
Misplacement of elector's cards

In cases in which elector's cards are misplaced, the electors have the right to obtain information about their electoral registration number from the parish council, which shall be open for this purpose on election day.

SECTION II
Voting

Article 86
Opening of voting

1. Once the board of officers has been formed, the presiding officer shall declare the electoral operations open, have the public notice referred to in Article 48(2) affixed, review the voting chamber and the board's working documents with the other members of the board of officers and the delegates of the lists, and display the urn in front of the electors so that everyone can verify that it is empty.
2. In the absence of any irregularities, and on condition that they are registered at that polling station or section, the presiding officer, the other officers and the delegates of the lists shall vote immediately.

Article 87
Board procedure in relation to early votes

1. Once the members of the board of officers have voted, in cases in which there are early votes the presiding officer shall open them and cast them into the urn in accordance with the provisions of the following paragraphs.
2. The presiding officer shall hand the blue envelopes to the scrutineers in order for them to verify whether each elector is duly registered and whether the confirmation document referred to in Article 79-B(2) is present.
3. Once the notation has been made in the electoral roll book, the presiding officer shall open the white envelope and place the voting slip in the urn.

Article 88
Order of voting

1. Electors shall vote in the order in which they arrive at the polling station, to which end they shall form a queue.
2. The presiding officers of polling stations and sections must allow the members of boards of officers and delegates of candidacies from other polling stations and sections to exercise their right to vote as soon as they present themselves and display the respective writ of appointment or credential.

Article 89
Continuity of electoral operations and closure of voting

1. Electoral stations shall operate without interruption until all the voting and counting operations are concluded.
2. Electors shall be admitted to their polling station until seven p.m. After that time only the electors who are present may vote.
3. The presiding officer shall declare voting closed as soon as all the registered electors have voted or, if it is past seven p.m., as soon as all the electors who are present in the polling station have voted.

Article 90
Absence of voting at any polling station

1. Voting may not take place at any polling station if its board of officers cannot be formed, if there is any tumult that causes the electoral operations there to be interrupted for more than three hours, or if there is a serious disaster in the parish on the day on which the elections are scheduled to be held or during the three preceding days.
2. In the event that any of the situations provided for in the previous paragraph occurs, the following rules shall be applied in the following order:
 - a) If the result would be indifferent to the award of seats, there shall be no new voting;
 - b) Otherwise, new voting shall take place on the same day of the following week;
 - c) If it has proven impossible for the voting provided for in the previous paragraph to take place, the definitive count shall be made without taking the missing voting into account.
3. The competence to recognise that it is definitively impossible for voting to take place, or to postpone it, pertains to the mayor.
4. When new voting takes place, the members of the boards of officers may be appointed by the mayor.

Article 91
Policing polling stations

1. The competence to ensure the electors' freedom, maintain order and generally regulate the policing of the station pertains to the presiding officer, to which end he shall take the steps that are necessary and shall be assisted by the other officers.
2. The presence of persons who are manifestly drunk or drugged, or who are carrying any weapon or any instrument that is capable of being used as such, shall not be permitted in polling stations.

Article 92
Prohibition on propaganda

1. All propaganda is prohibited inside polling stations and outside them up to a distance of five hundred metres.
2. Propaganda also means the display of symbols, initials, signs, badges or stickers of any lists.

Article 93
Prohibition on the presence of non-electors

1. The presiding officer of the polling station must order any citizens who cannot vote there to leave the location where the polling station is operating, save if they are candidates or agents or delegates of lists.
2. Media agents are excepted from this principle, and may go to polling stations and sections in order to obtain images or other news items.
3. Media agents must:
 - a) Before they begin their work, identify themselves to the board of officers by showing a document confirming their profession and a credential from the media body they represent;
 - b) Not take images, or come close in any way to the polling booths to an extent that might compromise the secret nature of the voting process;
 - c) Inside the polling station or within a distance of five hundred metres outside it, not obtain other news items that might violate voting secrecy;
 - d) In general terms, not disturb the act of voting.
4. The images and other news items that are obtained in accordance with the previous paragraph may only be transmitted once all polling stations and sections have closed.

Article 94

Prohibition on the presence of any armed force and cases in which it may appear

1. Save for the provisions of the following paragraphs, the presence of any armed force in the locations in which polling stations operate and within a radius of one hundred meters thereof is prohibited.
2. When it is necessary to put an end to any tumult or prevent any aggression or violence in or near the polling station or section building, as well as in cases in which his orders are disobeyed, and after consulting the other officers, the presiding officer may request the presence of an armed force, whenever possible in writing or, in cases in which this is impossible, with a mention in the electoral minutes of the reasons for the request and of the period during which the armed force was present.
3. If the commander of the armed force possesses sure indications that the members of the board of officers are being subjected to physical or psychological coercion that is preventing the presiding officer from making the request, the commander may intervene on his own initiative in order to ensure the genuineness of the electoral process, but must withdraw as soon as the presiding officer or whoever is substituting for him asks him to do so, or when he verifies that his presence is no longer justified.
4. When he believes it to be necessary, the commander of the armed force or someone whom he delegates and to whom he gives credentials may visit the polling station or section unarmed and for a maximum period of ten minutes, in order to make contact with the presiding officer or whoever is substituting for him.
5. In the cases provided for in paragraphs (2) and (3), the electoral operations at the polling station or section in question shall be suspended, failing which the election in question shall be null and void, until the presiding officer considers that the conditions needed for the operations to continue are in place.

Article 95

Voting slips

1. Voting slips shall be rectangular in shape, with the size that is appropriate in order for indications of all the lists that are being put to the vote in each constituency to fit on them, and shall be printed on smooth, white, non-transparent paper.
2. The names, initials and symbols of the parties and coalitions that are putting forward nominations shall be printed on each voting slip in harmony with the model attached in annexe to the present Law, to be laid out horizontally, one below the other, in the order that results from the lottery undertaken in accordance with Article 31, which names, initials and symbols must reproduce those set out in the Constitutional Court record or notation, as appropriate, and the symbols must rigorously comply with the composition, configuration and proportions of those so recorded or noted.
3. On the line that corresponds to each party or coalition there shall be a blank square that is intended to be marked with the elector's choice.
4. The cost of printing voting slips shall be borne by the state, acting via the Ministry of the Interior, and Imprensa Nacional - Casa da Moeda shall be responsible for making them.
5. The Director-General of the Interior or, in the autonomous regions, the Representative of the Republic, shall send each mayor the voting slips so that he may comply with the provisions of Article 52(2).
6. The voting slips, the number of which shall be equal to that of the electors who are registered at the polling station or section in question plus twenty per cent, shall be sent in a an envelope that is closed and sealed with wax.
7. Mayors and presiding officers of polling stations or sections shall be accountable for the voting slips they receive to the district court with jurisdiction at the seat of the district or autonomous region, and the presiding officers of polling stations or sections must return any unused slips and those that are damaged or rendered unusable by electors to the court on the day following that of the elections.

Article 96
Way in which each elector votes

1. When he presents himself at the ballot table, each elector shall give his electoral registration number and name and shall hand the presiding officer his identity card, if he has it.
2. In the absence of his identity card, the elector shall be identified by means of any other document that contains an up-to-date photograph and is generally used for identification purposes, or by means of two registered electors who swear to his identity under honour, or by unanimous recognition by the members of the board of officers.
3. Once the elector has been recognised, the presiding officer shall say the elector's registration number and name out loud and, once his registration has been verified, shall then hand him a voting slip.
4. Then the elector shall enter the polling booth located in the station and there, alone, shall mark the square pertaining to the list for which he is voting with a cross and fold the slip in four.
5. The elector shall then return to the ballot table and hand the voting slip to the presiding officer, who shall place it in the urn, while the scrutineers note that the elector has voted by initialling the line in the electoral roll books that corresponds to his name, in the column intended for that purpose.
6. If the elector inadvertently damages the slip, he must ask the presiding officer for another one and return the first one to him. The presiding officer shall write the note "unusable" on the slip that has been returned, initial it and keep it for the purposes of Article 95(7).

Article 97
Voting by disabled persons

1. An elector who is affected by an obvious illness or physical disability and whose inability to undertake the acts described in Article 96 is verified by the board of officers, shall vote while accompanied by another elector of his choice, who shall ensure that his vote is cast as he intends it to be and who shall be bound to absolute secrecy.
2. If the board of officers decides that that the obviousness of the illness or physical disability is not verified, they shall require presentation to them, upon the act of voting, of a certificate confirming that it is impossible for the elector to undertake the acts described in the previous Article, to be issued by the doctor who exercises public health authority powers in the municipality's area and to be authenticated with the respective department's seal.
3. For the purposes of the previous paragraph, on election day health centres must remain open during the period in which polling stations are operating.
4. Without prejudice to the board of officers' decision on the admissibility of a vote, any of its members or any delegate for a political party or coalition may make a written protest.

Article 98
Blank and null votes

1. Votes shall be deemed blank votes when no mark of any kind has been made on the voting slip.
2. Votes shall be deemed null votes when they are cast on a voting slip:
 - a) On which more than one square has been marked, or when there are doubts as to which square has been marked;
 - b) On which the square corresponding to a list that has withdrawn from the elections or has not been admitted has been marked;
 - c) On which any cut, drawing or tear has been made, or when any word has been written.
3. Voting slips shall not be deemed null votes when, although the cross has not been perfectly drawn or goes outside the borders of the square, it unequivocally demonstrates the elector's wish.

4. Early votes shall also be deemed null votes when the voting slip does not reach its destination under the conditions provided for in Articles 79-B and 79-C, or is received in an envelope that is not duly closed.

Article 99
Doubts, challenges, protests and counter-protests

1. Any elector who is registered at a polling station and any of the delegates of lists may raise doubts and lodge written challenges, protests or counter-protests regarding that station's electoral operations and may attach the documents he sees fit thereto.

2. The board of officers may not refuse to receive the challenges, protests and counter-protests, and must initial them and attach them to the minutes.

3. The challenges, protests and counter-protests must be the object of a decision by the board of officers, who may take it at the end if they believe that this will not affect the normal pursuit of the voting.

4. All the board of officers' decisions shall be taken by an absolute majority of the members who are present, the grounds for them shall be given, and the presiding officer shall have a casting vote.

CHAPTER II
Counting

SECTION I
Partial counts

Article 100
Preliminary operation

Once voting has been closed, the presiding officer of each polling station or section shall count the slips that have not been used, and those that have been rendered unusable by electors, and shall enclose them in their own envelope, which he shall close and seal with wax for the purposes of Article 95(7).

Article 101
Counting voters and voting slips

1. Once the preliminary operation has been closed, the presiding officer of each polling station or section shall order that the number of those who have voted be determined by counting the notations that have been made in the electoral roll books.

2. Once that count has been concluded, the presiding officer shall order that the urn be opened in order to check the number of voting slips that have entered it and, at the end of the count, shall replace them therein.

3. In cases in which there is a difference between the number of voters determined in accordance with paragraph (1) and the number of voting slips counted, for counting purposes the latter number shall prevail.

4. The number of voting slips shall immediately be made public knowledge by means of a public notice, which shall be affixed to the main door of the polling station or section after first being read out loud by the presiding officer.

Article 102
Counting votes

1. One of the scrutineers shall unfold the slips one by one, and shall announce out loud which list has been voted for. The other scrutineer shall separately record on a blank sheet of paper or preferably on a clearly visible board, the votes attributed to each list, any blank votes, and any null votes.
2. At the same time the presiding officer shall examine and display the voting slips and, with the help of one of the other officers, shall group them into separate batches corresponding to each of the lists that have received votes, blank votes, and null votes.
3. Once these operations have ended, the presiding officer shall counter-check the counting by counting the slips in each of the separate batches.
4. Delegates of lists have the right to subsequently examine the separate batches of voting slips, without altering their composition, and in cases in which they have doubts or objections in relation to the counting or the way in which the vote from any slip has been classified, they have the right to ask for clarifications or to lodge challenges or protests before the presiding officer.
5. If the board of officers does not comply with a challenge or protest, the voting slips that are the object of the latter shall be separated, a note shall be made on the back of each one indicating the classification attributed by the board and the object of the challenge or protest, and shall be initialled by the presiding officer and, if he so wishes, by the delegate of the list.
6. Challenges or protests that are not complied with shall not prevent the voting slip from being counted for partial counting purposes.
7. The count that has been conducted in the above manner shall immediately be published by means of a public notice affixed to the main door of the polling station or section building, to include a breakdown of the number of votes for each list, the number of blank votes and the number of null votes.

Article 103

Destination of voting slips that are null or the object of challenge or protest

Once they have been initialled, voting slips that are null or the object of a challenge or protest shall be sent to the general counting assembly, together with the documents regarding them.

Article 104

Destination of remaining slips

1. The remaining voting slips shall be placed in packages that are duly sealed with wax and shall be entrusted to the safekeeping of the district judge.
2. Once the time limit for lodging judicial appeals has passed, or the latter have been definitively decided, the judge shall organise the destruction of the slips.

Article 105

Minutes of electoral operations

1. The secretary has the competence to draw up the minutes of the voting and counting operations.
2. The minutes must include:
 - a) The electoral registration numbers and names of the members of the board of officers, and of the delegates of the lists;
 - b) The times at which voting opened and closed and the location of the polling station or section;
 - c) Any decisions which the board of officers took during the operations;
 - d) The total number of registered electors and the total number of voters;
 - e) The electoral registration numbers of the electors who voted early;

- f) *The number and the name of electors for whom a duplicate of the receipt for a postal vote referred to in Article 79(11) has been received without the corresponding voting slip reaching the board of officers, or vice-versa;*
- g) The number of votes obtained by each list, the number of blank votes, and the number of null votes;
- h) The number of voting slips that were the object of challenge or protest;
- i) The counting differences, if any, referred to in Article 101(3), with a precise indication of the differences that were noted;
- j) The number of challenges, protests and counter-protests attached to the minutes;
- l) Any other occurrences that the board of officers believes it must mention.

Article 106
Dispatch to the general counting assembly

Within the twenty-four hours following the voting, the presiding officers of the polling stations and sections shall deliver the minutes, the electoral roll books and other documents regarding the election to the president of the general counting assembly, or send them to him by the safety of the post, or have them delivered by hand against issue of a receipt.

SECTION II
General count

Article 107
General count for each constituency

The competence to determine the results of the election in each constituency and proclaim the candidates who are elected pertains to a general counting assembly, which shall begin its work at nine a.m. on the second day after that of the election, at the location designated for the purpose by the president of the general counting assembly.

Article 108
General counting assemblies

1. A general counting assembly comprises:
 - a) The judge of the judicial district whose seat is in the capital of the constituency or, in Lisbon and Porto, the judge of the First Civil Bench, who presides and has a casting vote;
 - b) Two jurists chosen by the president;
 - c) Two mathematics teachers who teach in the seat of the constituency, to be appointed by the Minister of Education and Culture or, in the autonomous regions, by the Minister of the Republic;
 - d) Six polling station or section presiding officers, to be appointed by the district court with jurisdiction at the seat of the district or autonomous region;
 - e) A head of a judicial secretariat in the seat of the constituency, to be chosen by the president and to serve as secretary, without a vote.
2. The general counting assembly must be formed at least two days before the election, and the names of the citizens who comprise it shall immediately be made public knowledge by means of a public notice affixed to the door of the buildings designated for the purpose in accordance with the previous Article. The appointments provided for in subparagraphs (c) and (d) of the previous paragraph must be communicated to the president at least three days before the election.
3. Candidates and agents of lists may be present during the work of the general counting assembly, without votes, but with the right to make challenges, protests and counter-protests.
4. Citizens who belong to general counting assemblies are dispensed from the duty to present themselves at their employment, department or service during the period in which the assemblies operate, without prejudice to any of their rights and benefits, including the right to remuneration, on condition that they confirm they have exercised their functions by means of a document signed by the president of the assembly.

Article 109
Items used in the general count

1. The general count shall be conducted on the basis of the minutes of the polling station operations, the electoral roll books and other documents accompanying them.
2. If the items from any polling station are missing, the count shall begin on the basis of the items that have already been received, and the president shall schedule a new session for within the next forty-eight hours for the purpose of concluding the work, and in the meantime shall take the necessary steps to redress the shortcoming.
3. In the Azores and Madeira Autonomous Regions the general count may be based on telegraphic correspondence transmitted by the mayors or the chairmen of the municipal administrative committees.

Article 110
Preliminary operation

1. At the beginning of its work, the counting assembly shall decide about the voting slips regarding which there have been challenges or protests and, where appropriate, shall correct the count made by the respective polling station.
2. The assembly shall verify the voting slips that are deemed null and, once they have been reconsidered in accordance with a uniform criterion and where appropriate, shall correct the count made at each of the polling stations.

Article 111
General counting operations

The general count consists of:

- a) Verifying the total number of registered electors and of actual voters in the constituency;
- b) Verifying the total number of votes obtained by each list, the number of blank votes and the number of null votes;
- c) Distributing the seats of Member of the Assembly of the Republic between the different lists;
- d) Determining the candidates elected for each list.

Article 111-A
End of the general count

1. Without prejudice to the provisions of the following paragraph, the general count shall be concluded by the tenth day after the election.
2. In cases in which the voting at any polling station or section is delayed or declared null and void, the general counting assembly shall meet on the day after that on which the voting takes place or is recognised to be impossible in accordance with Article 90(3), in order to complete the counting operations for the constituency.

Article 112
Proclamation and publication of results

The results of the general count shall be proclaimed by the president, and then published by means of a public notice affixed to the door of the buildings that are designated for the purpose in accordance with Article 107.

Article 113
Minutes of the general count

1. Minutes of the general count shall immediately be drawn up and shall include the results of the respective operations, any challenges, protests and counter-protests lodged in accordance with the provisions of Article 108(3), and the decisions taken in relation to them.

2. Within two days after that on which the general count is concluded, the president shall send two copies of the minutes to the National Electoral Commission by safety of the post or by hand delivery against the issue of a receipt.

Article 114 **Destination of documentation**

The electoral roll books and other documentation submitted to the general counting assembly shall be delivered to the district court with jurisdiction at the seat of the district or autonomous region.

Article 115 **National election chart**

Within the eight days following receipt of the minutes of the general counts for all the constituencies, the National Electoral Commission shall draw up an official chart showing the result of the elections and shall cause it to be published in Series I of the *Diário da República*, to include.

- a) The number of registered electors, by constituency and total;
- b) The number of voters, by constituency and total;
- c) The number of blank votes, by constituency and total;
- d) The number of null votes, by constituency and total;
- e) The number and respective percentage of votes attributed to each party or coalition, by constituency and total;
- f) The number of seats attributed to each party or coalition, by constituency and total;
- g) The names of the Members of the Assembly of the Republic who have been elected, by constituency and by party or coalition.

Article 116 **Certificate or photocopy of the count**

The secretariat of the district court with jurisdiction at the seat of the district or autonomous region shall issue certificates or photocopies of the minutes of the general count to the candidates and the agents of each list that stood for election, as well as to any party that requests one, even if it did not put forward any candidates.

CHAPTER III **Electoral disputes**

Article 117 **Judicial appeals**

1. Irregularities that occurred during voting or the partial or general counts may be considered in a judicial appeal, on condition that they were the object of a challenge or protest lodged at the time of the act in which they occurred.

2. In addition to the person who lodged the challenge, protest or counter-protest, candidates, their agents and the political parties who are competing for election in the constituency may appeal against the decision on the challenge or protest in question.

3. Applications to appeal shall specify the factual and legal grounds for the appeal and shall be accompanied by all the evidence, including a photocopy of the minutes of the station at which the irregularity occurred.

Article 118
Competent court, procedure and time limits

1. Appeals shall be lodged before the Constitutional Court, within a time limit of twenty-four hours counting from the affixation of the public notice referred to in Article 112.
2. In the case of appeals regarding the constituencies in the autonomous regions, the appeal may be lodged before, and the grounds provided to, the Constitutional Court by telegraphic means or by telex, without prejudice to the subsequent dispatch of all the evidence referred to in paragraph (3) of the previous Article.
3. The President of the Constitutional Court shall immediately cause the agents of the lists that are competing in the constituency in question to be notified that, should they wish to do so, they, the candidates and the political parties must respond within a time limit of twenty-four hours.
4. The Constitutional Court sitting in plenary shall take the definitive decision on the appeal within the forty-eight hours following the end of the time limit provided for in the previous paragraph, and shall immediately communicate its decision to the National Electoral Commission.

Article 119
Nullity of elections

1. The voting at any polling station and the voting throughout the constituency shall be held null and void when it is verified that there have been illegalities that might influence the general result of the election in the constituency.
2. Once the election at a polling station or for the whole constituency has been declared null and void, the corresponding electoral acts shall be repeated on the second Sunday following the decision.

Article 120
Verification of credentials

1. The Assembly of the Republic shall verify the credentials of the candidates who are proclaimed elected.
2. For the purposes of the previous paragraph the National Electoral Commission shall send the Assembly of the Republic a copy of the minutes of the general count.

TITLE VI
Unlawful acts regarding elections

CHAPTER I
General principles

Article 121
Simultaneous existence of more serious crimes and disciplinary liability

1. The sanctions imposed in the present Law do not exclude the imposition of other, more serious ones for the commission of any crime that is provided for in criminal legislation.
2. The infractions provided for in the present Law also constitute disciplinary faults when committed by agents who are subject to that requirement.

Article 122
General aggravating circumstances

In addition to those provided for in criminal law, the following constitute general aggravating circumstances with regard to unlawful acts regarding elections:

- a) The fact that the infraction influences the result of the vote;
- b) The fact that the infraction is committed by a member of the board of officers of a polling station or section or an agent of the electoral administration;
- c) The fact that the agent of the unlawful act is a candidate, a delegate of a political party or an agent of a list.

Article 123
Punishment of attempted and foiled crimes

Attempts to commit crimes and foiled crimes are punished in the same way as consummated crimes.

Article 124
Non-suspension or substitution of penalties

The penalties imposed for malicious electoral infractions may not be suspended, or substituted by any other penalty.

Article 125
Suspension of political rights

Sentencing to prison terms for malicious electoral infractions provided for in the present Law is obligatorily accompanied by sentencing to the suspension of political rights for between one and five years.

Article 126
Proscription

Proceedings for electoral infractions proscribe after a time limit of one year counting from the undertaking of the punishable fact.

Article 127
Constitution of political parties as civil parties

Any political party may constitute itself a civil party to proceedings for criminal electoral infractions committed within the area of constituencies in which it put forward candidates.

CHAPTER II
Electoral infractions

SECTION I
Infractions regarding the submission of nominations

Article 128
Nomination of ineligible citizens

Any person who does not possess the capacity to be elected and who maliciously accepts his own nomination shall be punished by a prison term of between six months and two years and a fine of between ten thousand and one hundred thousand escudos.

SECTION II

Infractions regarding election campaigns

Article 129

Breach of duties of neutrality and impartiality

Citizens who are covered by Article 57 and who breach the duties of neutrality and impartiality laid down therein shall be punished by a prison term of up to one year and a fine of between five thousand and twenty thousand escudos.

Article 130

Improper use of names, initials or symbols

Anyone who uses a party or coalition's name, initials or symbol during an election campaign with the intention of prejudicing or defaming it shall be punished by a prison term of up to one year and a fine of between one thousand and five thousand escudos.

Article 131

Use of commercial advertising

Anyone who breaches the provisions of Article 72 shall be punished by a fine of between ten thousand and one hundred thousand escudos.

Article 132

Breach of the duties pertaining to radio and television stations

1. Failure to fulfil the duties imposed by Articles 62 and 63 constitutes an administrative offence, and each infraction is punishable by a fine:
 - a) Of between seven hundred and fifty thousand and two million five hundred thousand escudos, in the case of radio stations;
 - b) Of between one million five hundred thousand and five million escudos, in the case of television stations.
2. The National Electoral Commission has the competence to impose the fines provided for in paragraph (1).

Article 133

Suspension of right to broadcasting time

1. A candidacy's exercise of the right to broadcasting time shall be suspended when:
 - a) It uses expressions or images that may constitute a crime of defamation or libel, offence to the democratic institutions, call for disorder or insurrection, or incitement to hatred, violence or war;
 - b) It engages in commercial advertising.
2. The suspension shall be graduated between one day and the number of days remaining in the campaign, depending on the seriousness and degree of frequency of the fault, and shall cover the exercise of the right to broadcasting time on all radio and television stations, even if the fact that caused it only occurred on one of them.
3. This suspension is independent of any civil or criminal liability.

Article 134
Procedure for suspending exercise of the right to broadcasting time

1. The suspension of the exercise of the right to broadcasting time shall be the object of a request to the Constitutional Court by the Public Prosecutors' Office, acting on its own initiative or at the request of the National Electoral Commission or of any other party or group of citizens that is intervening in the referendum.
2. The competent organ of the candidacy whose right to broadcasting time has been the object of a suspension request shall immediately be notified by telegraphic means that it should contest the request within a time limit of twenty-four hours, should it wish to do so.
3. The Constitutional Court shall requisition such records of the broadcasts as prove necessary from the radio or television stations concerned, and those records shall immediately be made available to it.
4. The Constitutional Court shall decide within a time limit of one day and, in cases in which it orders the suspension of the right to broadcasting time, shall straight away notify the respective radio and television stations of the decision for the purpose of immediate compliance.

Article 135
Breach of the freedom to conduct electoral meetings

Anyone who impedes the holding or continuation of an electoral propaganda meeting, rally, procession or march shall be punished by a prison term of between six months and one year and a fine of between five thousand and fifty thousand escudos.

Article 136
Illegal meetings, rallies, marches and parades

Anyone who promotes meetings, rallies, marches or parades in contravention of the provisions of Article 59 shall be punished by a prison term of up to six months.

Article 137
Breach of the duties of the owners and operators of performance venues

Owners or operators of performance venues who do not fulfil the duties imposed in Article 65(2) and Article 69 shall be punished by a prison term of up to six months and a fine of between ten thousand and fifty thousand escudos.

Article 138
Breach of the limits on graphic and audible propaganda

Anyone who breaches the provisions of Article 66(4) shall be punished by a fine of between five hundred and two thousand five hundred escudos.

Article 139
Damage to electoral propaganda material

1. Anyone who wholly or partially robs, steals, destroys, tears or disfigures electoral propaganda material that has been affixed, or in any way renders it unusable or illegible, or places any material over it with a view to hiding it, shall be punished by a prison term of up to six months and a fine of between one thousand and ten thousand escudos.
2. The facts provided for in the previous paragraph shall not be punished if the propaganda material was affixed to the agent's own home or establishment without his consent, or if it contains manifestly out-of-date subject matter.

Article 140
Misappropriation of correspondence

Any post office employee who misdirects, withholds or fails to deliver to their addressee electoral propaganda circulars, posters or papers from any list shall be punished by a prison term of up to one year and a fine of between five hundred and five thousand escudos.

Article 141
Propaganda after an election campaign has ended

1. Anyone who, on the day of the election or on the day before it, engages in electoral propaganda by any means shall be punished by a prison term of up to six months and a fine of between five hundred and five thousand escudos.

2. Anyone who, on the day of the election, engages in propaganda in, or within the five hundred metres immediately around, polling stations shall be punished by a prison term of up to six months and a fine of between one thousand and ten thousand escudos.

Article 142
Revealing or divulging poll results

Anyone who breaches the provisions of Article 60 shall be punished by a prison term of up to one year and a fine of between five thousand and one hundred thousand escudos.

Article 143
Failure to account for expenses and unlawful expenses

1. Parties that breach the provisions of Article 75 and fail to account for any candidacy and election campaign expenses that have been, or are to be, paid by other persons shall be punished by a fine of between twenty thousand and two hundred thousand escudos.

2. Parties that exceed the limit on expenses set in Article 77 shall suffer the same penalty.

3. In both cases the members of the party's central organs shall be jointly liable for payment of the fines.

4. Anyone who has incurred any candidacy and election campaign expenses and does not communicate them to the party in question by at most fifteen days after that of the election for the purpose of compliance with Article 75(2) shall be punished by a prison term of up to six months and a fine of between five thousand and fifty thousand escudos.

Article 144
Unlawful revenues pertaining to candidacies

1. Senior political party officials, candidates and agents of lists that are put forward for election who breach the provisions of Article 76 shall be punished by a prison term of up to two years and a fine of between twenty thousand and one hundred thousand escudos.

2. The political party in question shall be subject to a fine of between twenty thousand and one hundred thousand escudos, and the members of its central organs shall be jointly liable for payment thereof.

3. Any contribution that is received unlawfully shall revert to the state.

Article 145
Failure to provide accounts

1. Parties that breach the provisions of Article 78 shall be punished by a fine of between fifty thousand and five hundred thousand escudos.
2. The members of the parties' central organs shall be jointly liable for payment of the fine.

SECTION III
Infractions regarding elections

Article 146
Breach of the right to vote

1. Anyone who is not eligible to vote and presents himself to do so shall be punished by a fine of between five hundred and five thousand escudos.
2. If he does this fraudulently by taking the identity of a registered elector he shall be punished by a prison term of between six months and two years and a fine of between twenty thousand and two hundred thousand escudos.
3. Anyone who maliciously breaches the provisions of Article 79 shall be punished by a prison term of between six months and two years and a fine of between five thousand and twenty thousand escudos.

Article 147
Abusive admission or exclusion of votes

Anyone who contributes to the admission for the purpose of voting of someone who does not have the right to do so, or to the exclusion of someone who does have it, and also any doctor who falsely certifies that someone is unable to exercise the right to vote, shall be punished by a prison term of up to two years and a fine of between one thousand and ten thousand escudos.

Article 148
Impeding voting by improper use of authority

Law enforcement officers who, on election day and on any pretext, maliciously make any elector leave his domicile, or retain him outside that domicile, so that he cannot go and vote shall be punished by a prison term of up to two years and a fine of between five thousand and twenty thousand escudos.

Article 149
Multiple voting

Anyone who votes more than once shall be punished by a prison term of between six months and two years and a fine of between twenty thousand and one hundred thousand escudos.

Article 150
Disloyal agents

Anyone who accompanies a blind or disabled person to vote and maliciously expresses the latter's wish in a manner that is not faithful thereto shall be punished by a prison term of between six months and two years and a fine of between five thousand and twenty thousand escudos.

Article 151
Breach of voting secrecy

1. Anyone who, in, or within the five hundred metres immediately around, a polling station employs coercion or an artifice of any kind or uses his dominant influence over an elector to make the latter reveal how he voted shall be punished by a prison term of up to six months.
2. Anyone who, in, or within the five hundred metres immediately around, a polling station reveals which list he is going to vote or has voted for shall be punished by a fine of between one hundred and one thousand escudos.

Article 152
Coercion and fraudulent artifice in relation to electors or candidates

1. Anyone who employs violence or threats towards any elector or who employs deceptions, fraudulent artifices, false news or any other unlawful means in order to compel or induce him to vote for a given list or to refrain from voting shall be punished by a prison term of between six months and two years.
2. Anyone who employs violence or threats towards any candidate or who employs deceptions, fraudulent artifices, false news or any other unlawful means in order to compel or induce him to withdraw from standing for a given list shall be punished by a prison term of between six months and two years.
3. The penalty provided for in the previous paragraphs shall be increased if the threat was made with the use of a weapon or the violence was exercised by two or more persons.

Article 153
Abuse of public or equivalent functions

Citizens who are invested with public authority, staff or agents of the state or of another public legal person and ministers of any denomination who make improper use of their functions in order to, or who, during the exercise of those functions, use them in order to, compel or induce electors to vote for a given or lists or refrain from voting from them, shall be punished by a prison term of between six months and two years and a fine of between ten thousand and one hundred thousand escudos.

Article 154
Dismissal or threat of dismissal

Anyone who dismisses or threatens to dismiss someone from their employment, impedes or threatens to impede someone from obtaining employment, or imposes or threatens to impose any other sanction in order to ensure that he votes or refrains from voting for, or because he did vote or refrain from voting for, a certain list of candidates, or because he participated or refrained from participating in the election campaign, shall be punished by a prison term of up to two years and a fine of between five thousand and twenty thousand escudos, without prejudice to the nullity of the sanction imposed on the employee and the latter's automatic reinstatement if the dismissal has already taken effect.

Article 155
Electoral corruption

1. Anyone who, in order to persuade someone to vote or refrain from voting for a given list, offers, promises or grants public or private employment or any other thing or advantage to one or more electors or, by agreement with the latter, to a third party, even when the thing or advantages so used, promised or obtained are dissimulated in the form of pecuniary compensation given to the elector for travel or accommodation expenses or of payment for food or beverages or on the pretext of expenses in relation to the election campaign, shall be punished by a prison term of up to two years and a fine of between five thousand and fifty thousand escudos.

2. The same penalty shall be imposed on any elector who accepts any of the benefits provided for in the previous paragraph.

Article 156
Failure to display the urn

1. Presiding officers of polling stations or sections who do not display the urn in front of the electors before voting begins shall be punished by a fine of between one thousand and ten thousand escudos.

2. If it is verified that there were voting slips in the urn that was not displayed, the presiding officer shall also be punished by a prison term of up to six months, without prejudice to the provisions of the following Article.

Article 157
Placing slips in urns and misappropriation of urns or voting slips

Anyone who fraudulently places voting slips in an urn before or after voting begins, who takes possession of an urn that contains voting slips that have been collected but not yet counted, or who takes possession of one or more voting slips at any point in time between the opening of the polling station in question and the general count of the election shall be punished by a prison term of between six months and two years and a fine of between twenty thousand and two hundred thousand escudos.

Article 158
Frauds by officers of polling stations and general counting assemblies

1. Members of polling stations or sections' boards of officers who maliciously note or consent to the notation of the vote of an elector who has not voted or do not make that notation with regard to an elector who has voted, who change the list that was voted for when the voting slips are read, who subtract or add votes from or to a list during the count, or who falsify the truth of the election in any way shall be punished by a prison term of between six months and two years and a fine of between twenty thousand and one hundred thousand escudos.

2. The same penalties shall be imposed on members of a general counting assembly who commit any of the acts provided for in the previous paragraph.

Article 159
Obstructing monitoring

1. Anyone who impedes any of the delegates of the lists from entering or leaving polling stations, or who in any way tries to oppose their exercise of all the powers granted to them by the present Law shall be punished by a prison term.

2. If the person in question is the presiding officer, the term shall not be less than six months in any case.

Article 160
Refusal to receive challenges, protests or counter-protests

Polling station presiding officers who illegitimately refuse to receive challenges, protests or counter-protests shall be punished by a prison term of up to one year and a fine of between one thousand and five thousand escudos.

Article 161
Obstruction by candidates or delegates of lists

Candidates or delegates of lists who seriously disturb the normal pursuit of electoral operations shall be punished by a prison term of up to one year and a fine of between one thousand and ten thousand escudos.

Article 162
Disturbing polling stations

1. *Anyone who disturbs the normal operation of polling stations with insults, threats or acts of violence, thereby giving rise to tumults, shall be punished by a prison term of up to two years and a fine of between five hundred and twenty thousand escudos.*

2. *Anyone who enters polling stations during electoral operations without the right to do so and refuses to leave after being invited to do so by the presiding officer shall be punished by a prison term of up to three months and a fine of between five hundred and five thousand escudos.*

3. *Anyone who enters polling stations bearing weapons shall be subject to immediate seizure of the weapon and shall be sentenced to a prison term of up to six months and a fine of between five hundred and ten thousand escudos.*

Article 163
Failure to attend by an armed force

Whenever the presence of an armed force is necessary in the cases provided for in Article 94(2), its commander shall be punished by a prison term of up to one year if he unjustifiably fails to attend.

Article 164
Failure to fulfil the duty to participate in the electoral process

Anyone who is appointed to be part of the board of officers of a polling station and fails to take up those functions or leaves them without justified reason shall be punished by a fine of between one thousand and twenty thousand escudos.

Article 165
Falsification of electoral roll books, voting slips, minutes or documents with regard to the election

Anyone who in any way and with malice, adulterates, replaces, does away with, destroys or alters electoral roll books, voting slips, polling station or counting minutes, or any documents regarding the election shall be punished by a prison term of more than two and up to eight years and a fine of between ten thousand and one hundred thousand escudos.

Article 166
Slandering denunciation

Anyone who maliciously and without grounds accuses someone else of the commission of any infraction provided for in the present Law shall be punished by means of the penalties applicable to slandering denunciation.

Article 167
Challenges and appeals in bad faith

Anyone who in bad faith lodges a challenge, appeal, protest or counter-protest, or who challenges decisions of electoral organs by means of an appeal for which there are manifestly no grounds, shall be punished by a fine of between five hundred and ten thousand escudos.

Article 168
Failure to fulfil other obligations imposed by law

Anyone who fails to fulfil any obligations that are imposed upon him by the present Law or to practise the administrative acts needed to execute them promptly, or unjustifiably delays their fulfilment, and is not

incriminated as provided for in the previous Articles, shall be punished by a fine of between one thousand and ten thousand escudos.

TITLE VII Final provisions

Article 169 Certificates

At the request of any interested party the following shall obligatorily be issued within a time limit of three days:

- a) The certificates needed to accompany the file used to submit nominations;
- b) The certificates regarding the general count.

Article 170 Exemptions

The following are exempt from all charges or fees, stamp duty and judicial tax, as appropriate:

- a) The certificates referred to in the previous Article;
- b) All documents intended to accompany any challenges, protests or counter-at polling stations or the general counting assembly, or any challenges or appeals provided for by law;
- c) The notarisation of documents for electoral purposes;
- d) Judicial powers of attorney for use in challenges and appeals provided for in the present Law, which powers of attorney must specify the purposes for which they are intended;
- e) Any applications or requests, including judicial ones, regarding the election process.

Article 171 End of time limits

1. When any procedural act provided for in the present Law involves the intervention of public entities, departments or services, the end of the respective time limits is deemed to refer to the end of the normal opening hours of the competent departments, services or official offices.

2. For the purposes of the provisions of Article 23, the opening hours of judicial secretariats shall be as follows, to apply throughout the country:

- From nine thirty a.m. to twelve thirty a.m.;
- From two p.m. to six p.m.

Article 172 Regime applicable outside Portuguese territory

1. In the constituencies pertaining to electors who reside outside Portuguese territory the organisation of the electoral process, the election campaign and the election shall be regulated by Executive Law, within the principles laid down in the present Law.

2. For as long as no special law exists, the current legislation regarding elections in Macao and abroad shall remain in effect, *mutatis mutandis*.

Article 172-A Subsidiary law

With regard to everything that is not regulated in the present legislation, acts that imply the intervention of any court are subject to the Code of Civil Procedure provisions on declaratory procedure, except for Article 145(4) and (5).

**Article 173
Repeal**

All legislation and norms whose provisions coincide with or are contrary to those of the present Law are hereby repealed.

ANNEXE I

Receipt for early vote

For the purposes of the Assembly of the Republic Electoral Law I hereby declare that ... (name of registered elector), who resides at ..., holds identity card no. ..., issued on ... (day) ... (month) ... (year) and is registered at the ... polling station (or polling section) under no. ..., exercised his right to vote early on ... (day) ... (month) ... (year).

The Mayor of ...

(signature)

**ANNEXE II
(Voting slip referred to in Article 95[2])**

ELEIÇÃO DA ASSEMBLEIA DA REPÚBLICA			
Círculo Eleitoral de			
DENOMINAÇÃO	SIGLA	SÍMBOLO	<input type="checkbox"/>
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	

Passed on 04.04.1979.

The President of the Assembly of the Republic, *Teófilo Carvalho dos Santos*

Enacted on 25.04.1979.

Let it be published.

The President of the Republic, *António Ramalho Eanes*.

The Prime Minister, *Carlos Alberto da Mota Pinto*.