

ANGOLA:  
ELECTORAL LAW

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## DRAFT OF THE ELECTORAL LAW

The valid constitutional law, **sovereignly** approved at the 9th Ordinary Session of the Popular Assembly of the Second Legislature in March 1991, ordained Angola as a democratic State, of law and party pluralism, in which the sovereignty resides in the Angolan people, to whom belongs the exercise of political power through periodic universal suffrage for the choice of their representatives.

Having now the necessity of approving the laws that regulate the process of general elections and the realization of the citizens' right of suffrage established in the Fundamental Law of the State;

In these terms, in under authority of the precept in paragraph b) of Article 51 of the Constitutional Law and exercising the power conferred on me by paragraph q) of Article

47 of the same Law, the Popular Assembly approves and I sign and make public the following:

## ANGOLAN ELECTORAL LAW

## (Inspection and Payment of Accounts)

1. The competing entities in the campaign must, in a maximum period of sixty (60) days after the official proclamation of the balloting results, give discriminate accounts of their electoral campaign to the NEC and publish the same in the country's most widely read daily newspapers.

2. The NEC must evaluate, within sixty (60) days, the propriety of the receipts and expenditures and publish its evaluation in the country's most widely read daily newspapers.

3. If the NEC verifies any kind of irregularity in the accounts, it must notify the respective entity to present, within fifteen (15) days, a rectification of the accounts. The NEC must pronounce itself on these new accounts within fifteen (15) days.

4. If the competing entities in the elections do not present accounts in the period fixed in paragraphs (1) and (3) of this article or if they conclude that there is an infraction in terms of paragraph (2) of Article 87, the NEC must **intervene**.

## TITLE V ELECTORAL PROCESS

### CHAPTER I CONSTITUTION OF THE POLLING PLACES

#### Article 90 (Polling Stations)

1. The polling stations are constituted on the principle of approximately 1,000 voters per location.

2. Thirty (30) days before the days set for the elections the NEC will have disseminated, through the organs of social communication and posted on the door of the Provincial Governments, Municipal and Communal Offices, or any other public place or of easy access to the public, the definitive map of polling stations.

3. Whenever the NEC considers it necessary, there may be, at any time before the beginning of the voting process, the creation of new polling stations in any part of the country.

#### Article 91 (Location and Functioning of the Polling Stations)

1. It is for the NEC to determine the number and the location of polling stations by administrative and geographic regions.

2. The polling stations are located in public buildings, preferably schools and in the absence or shortage of these, in private buildings requisitioned for the purpose, these being required to offer adequate conditions of access and security for the voters.

3. Polling stations may not be located in:
- a) police units;
  - b) military units;
  - c) residences of traditional chiefs;
  - d) buildings of any political party or registered organization;
  - e) locations where alcoholic beverages are sold;
  - f) cultural facilities.

Article 92  
(Days of Polling Stations)

The polling stations are open simultaneously in the entire country on the days set for the elections.

Article 93  
(Dissemination of Locations)

The local administrative authorities will cooperate with the NEC in the dissemination of the locations, as well as the days and hours, of the polling stations.

Article 94  
(Polling Station Board)

1. At each polling station there is a board which has the power to promote and direct the electoral operations.
2. The polling station boards are composed of five (5) persons, those being a president, a secretary and three examiners.
3. The members of the boards must know how to read and write Portuguese, have academic preparation adequate for the complexity of the task, having at least one of these, **[and/or]** be able to speak the African language of the region where the polling station is located.
4. The performance of the function of the member of the board of the polling station is obligatory, except for force majeure or just cause.

Article 95  
(Constitution of the Board)

1. The board of the polling station constitutes itself on the hour set for the respective meeting. The board may not constitute itself in a location other than that determined by the NEC.



2. The constitution of the board outside the respective location implies the nullity of the elections and of the electoral activities practiced in these circumstances, except for force majeure, properly justified.

3. The composition of the polling station board will be given due publicity.

4. The members of the polling station board must be present at the polling place two hours before the start of the electoral operations.

5. If the NBC verifies that, one hour before the start of electoral operations, it is impossible to constitute due to absence of indispensable members, it will designate, after agreement with delegates present, the substitutes for those absent from among the voters of recognized fitness, considering their designation void if they have not appeared.

6. On the day of the elections and for the five (5) days following, while the activity of those designated to make up the polling station board continue, they are excused from having to appear at their respective work places. **This dispensation does not affect the rights and prerogatives of those affected, requiring however the substantial proof of membership on the board of the polling station.**

#### Article 96 (Mobile Boards)

1. Mobile polling station boards, under the control of the NEC, may be created to attend the regions where voters are dispersed and where the creation of fixed polling station boards is not justified.

2. The mobile polling station boards are constituted in conformity with the specified in the preceding article.

#### Article 97 (Permanence of the Board)

1. The polling station board cannot be altered once constituted, except in case of force majeure, requiring that the NEC give public acknowledgement of the alteration.

2. The presence of the president, the secretary and at least one of the examiners is sufficient to consider the electoral operations valid.

#### Article 98 (Work Elements of the Board)

1. Once the polling stations have been defined and the respective boards constituted, the NEC will furnish the board of each polling station two authenticated copies or photocopies of the electoral registry.

2. The authenticated copies or photocopies must be obtained at least 3 days before the elections.

3. The NEC delivers to each polling station board president, in a timely manner before the day set for the elections, all the necessary material, namely:

- a) the **electoral operations log**, counter-signed on all pages with time of opening and closing;
- b) stamps and maps necessary to the electoral operations;
- c) the ballots;
- d) the ballot boxes;
- e) seals, glue and envelopes for the **ballots**.

4. It is up to the local governments to create and guarantee the necessary and indispensable conditions for the protection, storage, security and inviolability of the materials referred to in the preceding paragraph, namely the ballots and the ballot boxes.

Article 99  
(List Delegates)

1. There may be one delegate and respective substitute selected by each of the candidates, political parties, coalition of parties and group of voters on each polling station board.
2. The list delegates are not members of the polling station boards.

Article 100  
(Designation of the List Delegates)

1. In the fifteen days preceding the elections the candidates and their proxies must deliver the names of their delegates and respective substitutes to the NEC.
2. The delegates are duly credentialed by the contestant or proxy, with the credential required to have the name, electoral registration number, date and type of identity card, as well as an indication of the polling station where the respective function will be performed. The credential is authenticated by the NEC.
3. The absence of any delegate is imputed to the candidacy **which selects the delegate, and does not affect the validity of the poll**.

Article 101  
(Powers of the List Delegates)

1. The list delegates have the following powers:

a) to be present at the location where the polling station board functions and to occupy the closest places in a way that facilitates all the operations related to voting and counting;

b) to be heard in all questions that arise during the functioning of the polling stations, whether during the voting or during the counting;

c) to make observations on the procedures when considered convenient and to sign them. Whenever the reports are not signed by the list delegates, **it must be assumed that they are right**. The lack of a signature on the report does not affect its validity.

d) to counter-sign, and seal all documents relative to the electoral operations;

e) to consult at all times the electoral registries.

## CHAPTER II THE ELECTION

### SECTION I SUFFRAGE

#### Article 102

(The Personal, In-person, Unique Nature of the Vote)

1. The right to vote is exercised personally [and in person] by the voter.
2. Each voter can only vote one time.

#### Article 103

(Exercise in National Territory)

1. The right to vote is exercised in the entire territory of the Popular Republic of Angola.
2. For the purposes of the exercise of the right to vote, the diplomatic representations, consulates, ships and aircraft of the Popular Republic of Angola are not considered national territory.

#### Article 104

(Voters who Work in Shifts)

The voters who work in shifts have the right to be excused for the time necessary for the exercise of the right to vote.

#### Article 105

(Freedom and Confidentiality of the Vote)

1. The vote is free.

2. No one may reveal or force others to reveal at the polling station or outside it for whom one will vote or has voted.

Article 106  
(Requirements of the Exercise of the Right to Vote)

In order that the voter be allowed to vote it is necessary:

- a) that his name be written in the electoral registry;
- b) that he carry the voter's card issued under the terms of Article 95;
- c) that he not have already exercised his right to vote.

Article 107  
(Location of the Exercise of the Right to Vote)

The voter exercises his right to vote at the polling station where he finds himself on the day of the election.

Article 108  
(Loss of the Voter's Card)

1. The voter who appears at the polling station board without his respective voter's card may not vote, except as provided in the following paragraph.

2. The duly registered voter whose card has been lost and who appears at the polling station board can be authorized to vote as soon as he indicates the number of the card, provides proof of his identity through one of the means referred to in Articles 190, item (2), paragraph (a) and signs a declaration under the terms of Article 80.

SECTION II  
VOTING

Article 109  
(Opening of Voting)

1. The polling station opens at 7:00 of the days set for the elections, after the constitution of the board, the president being authorized to declare its opening.

2. Before the start of voting the president of the board, along with the other members of the board and the delegates of the candidates, sees to the verification of the voting booth, the working documents of the board and shows the others present the ballot boxes so that they can certify that they are empty.

3. There being no irregularity, the president, the secretary, the examiners and the delegates of the candidates vote immediately.

Article 110  
(Order of Voting)

1. The voters vote in order of their arrival at the polling station, arranging themselves in line for the purpose.

2. The president of the board gives priority in voting to the voters charged with the protection security of the polling stations.

Article 111  
(Continuity of the Electoral Operations)

1. During the functioning of the polling station, the voting operations are uninterrupted and only conclude with the counting.

2. Voters are admitted only until 19:00, with only those voters present by that hour to be able to vote.

Article 112  
(Causes for Cancellation of Voting)

1. The voting may not take place whenever:

- a) the board cannot constitute itself;
- b) some tumult occurs that causes the interruption of voting for more than three hours;
- c) some public calamity or grave disruption of public order, whose effects are felt on the days set for the elections, occurs at the location of the polling station.

2. In case of verification of the circumstances provided for in the preceding paragraph, the voting will take place within 8 days and will be held, without interruption, in just one day.

3. In the event that requirements of paragraph (2) of the present article cannot be met, counting is undertaken without accounting for the cancelled voting.

4. The NEC is empowered to take all necessary measures to meet requirements of paragraph (2) of the present article.

Article 113  
(Security of the Polling Station)

1. It is the duty of the president of the polling station board and the examiners to assure the freedom of the voters in exercising their right to vote.

2. For the purposes of the preceding paragraph there is available, on the days of the election, polling station security group, consisting of citizens of recognized fitness.

3. To guarantee order in the location of the polling station, the security group makes sure that no voter capable of disturbing the order and tranquility of the polling station, who is drunk or carrying an offensive or defensive weapon, is within a radius of 500 meters.

Article 114  
(Prohibition on Propaganda)

No propaganda is permitted within the polling stations or outside them within a distance of 500 meters.

Article 115  
(Prohibition on the Presence of Non-voters)

1. The presence of the following is prohibited at polling stations:

- a) citizens who are not voters;
- b) citizens who have already voted at that station *or* at another.

2. The presence of organs of social communication (media) is permitted only for the obtaining of images.

3. The agents of the organs of social communication must:

a) identify themselves to the board, presenting the credential of the organ they represent;

b) abstain from collecting images very close to the ballot boxes and from making any declarations within 500 meters of the area that constitutes the location of the polling station.

Article 16  
(Prohibition on Presence of Armed Force and Cases in which it May Appear)

1. The presence of armed force within a radius of 500 meters from the polling station is prohibited.

2. The president of the board of the polling station, whenever necessary and after consultation with the board, may request the presence of armed force, whenever possible in writing, or in case this is impossible, making mention of the fact of the request and the period of the presence at the electoral report.

Article 117  
(Method of Voting of Each Voter)

1. The voter presents himself to the board of the polling station, which carries out his identification, by means of evaluating the voter's card.

2. The board carries out the marking of the voter's card, mechanically perforating it and the voter's name on the registry and the card number on the appropriate list.

3. Having verified his identity, the examiner dips the voter's right index finger in ink. The president of the board delivers a ballot to the voter, showing him the voting booth.

4. In the booth, the voter marks an X in the box of the candidacy for which he wants to vote, folds the ballot in four parts, goes to a box and drops the ballot in.

5. If the voter inadvertently spoils the ballot, he must request another from the president of the board, giving him the first one. The president writes a note of despoilment on the returned ballot, countersigning it and keeping it for the purpose of **counting** under the terms of paragraph (1) of article (?).

Article 118  
(Vote of the Blind and Disabled)

1. Blind voters and those affected by illness or serious physical handicap, who for this reason the board verifies as not able to perform for themselves the different voting operations foreseen in the present law, may vote accompanied by a citizen voter chosen by them, with the companion obliged to maintain absolute silence.

2. When the board understands that it cannot verify the seriousness of the illness or physical handicap, it will solicit from the voter the presentation of at the time of voting a corroborative certificate of the impossibility of carrying out the acts related to voting, issued by a competent medical entity and authenticated with the stamp or seal of the respective service.

Article 119  
(Vote of Citizens who Can Neither Read nor Write)

Those citizens who know neither how to read nor write vote by means of putting their right index finger in the respective square of the candidacy for which they intend to vote, after having immersed it in an appropriate ink provided for that purpose and, in the case that the voter cannot place the X mark, under the terms provided in paragraph (4) of Article 117.

Article 120  
(Vote of Voters with Misplaced Cards)

1. The voter whose card has been lost certifies a declaration of the type attached to the present law, signing it or applying his finger-print, attesting to his identity, the voter's card number and the location of registration.

2. His vote is placed in an envelope attached to another envelope containing the declaration with the data referred to in the preceding paragraph written on the exterior and deposited in a container set aside for this situation.

3. The votes are counted by the Provincial Electoral Council of the voting location after confirmation of the electoral registry by the Provincial Electoral Council of the area where the voter was registered.

Article 121  
(Blank and Null Votes)

1. A blank vote corresponds to the ballot in which no mark has been made.

2. A null vote corresponds to a ballot:

a) on which more than one square has been marked or when there is doubt about which square has been marked;

b) on which the square corresponding to a candidate or candidates who have quit the elections or have not been admitted has been marked;

c) on which any kind of cut, drawing, or erasure has been made;

d) on which any word has been written.

2. Ballots on which the mark, although not being perfectly drawn or exceeding the boundaries of the square, unequivocally signals the will of the voter, will not be considered null votes.

Article 122  
(Doubts, Challenges, Protests, and Counter-protests)

1. Aside from the delegates of the candidacies, any voter present at the polling station may raise questions and present in writing complaints, protests, and counter-protests relative to the electoral operations of the said station, and prepare them with the appropriate documents.

2. The board may not refuse to accept complaints, protests and counter-protests and must counter-sign and append them to the reports.

3. Complaints, protests, and counter-protests must be an object of deliberation of the board, which may leave them for the end, if it is understood that this does not affect the normal process of voting.

4. All decisions of the board are taken by majority of the members present and in good standing, with the president having the deciding vote.

CHAPTER III  
COUNTING



1. At any polling station, the voting is declared null only if irregularities that might influence the general results of the elections are demonstrated.

2. In this case, the respective electoral processes are repeated in the seven (7) days after the nullification.

## CHAPTER II INFRACTIONS

### SECTION I GENERAL PROVISIONS

#### Article 194 (Concurrence with Graver Infractions)

The penalties provided for in this section do not exclude the combination with other more serious penalties in the case of concurrence with an infraction punishable under the criminal law in force.

#### Article 195 (Concurrence with **Disciplinary Action**)

The application of the punitive measures provided for in this law does not exclude disciplinary sanction insofar as the perpetrator is an agent subject to this responsibility.

#### Article 196 (General Aggravating Circumstances)

Aside from provisions in the common criminal legislation, the following constitute general aggravating circumstances of electoral infractions:

a) the perpetrators are members of the NEC, the Provincial Electoral Commission, Electoral Registration Brigades, or polling stations;

b) the perpetrators are proxies of the political parties or the delegates of the electoral lists;

c) the acts have influenced the result of the balloting.

#### Article 197 (Punishment for Attempts and Foiled Crimes)

Attempts and foiled crimes are punishable as consummated acts.

Article 198  
(Execution of Penalties)

The penalties related to the punishment of a serious electoral infraction are executed, and cannot be suspended, nor substituted with fines or any other penalty.

Article 199  
(Suspension of Political Rights)

The application of any prison term for a serious electoral infraction provided for in the present law is always accompanied by the additional penalty of suspension of political rights for from one (1) to three (3) years.

Article 200  
**(Limitation)**

Criminal proceedings for electoral infractions lapse one (1) year from the date of the proclamation of the results of the voting.

Article 201  
**(Witnesses)**

In trials of criminal electoral infractions, an political party, coalition of parties or groups of voters may be a witness.

SECTION II  
INFRACTIONS RELATIVE TO ELECTORAL REGISTRATION

Article 202  
(Falsification of the Voter in Registration)

1. Whoever furnishes false information in the process of enrollment in the electoral registry is punished with imprisonment of up to a one (1) year and **forfeiture of salary** up to two months.

2. Whoever registers more than one time or abets the enrollment of the same citizen in two or more registration locations is punished with a prison term of up to one (1) year and **forfeiture of salary** up to two months.

3. The same penalty applies to whoever knowingly enrolls another person without active electoral capacity in the electoral registry, or impedes the enrollment of someone who he knows to have active electoral capacity, or who fails to cancel an improper enrollment, or, in any other way, falsifies the electoral registration.

Article 203  
(Use of False Documents for Double Registration)

Whoever uses false documents to perform his enrollment more than one time in the same registration location or in different locations is condemned to two (2) to eight (8) years in prison.

Article 204  
(Falsification of the Voter's Card)

Whoever, with fraudulent intent, modifies or substitutes the voter's card is punished with imprisonment of up to **two (2)** years and **forfeiture of salary** of up to four months.

Article 205  
(Obstruction of Registration)

1. Whoever through violence, threat or fraudulent artifice impedes a voter from enrolling himself in the electoral registry, or leads him to register outside the time limit, is punished with imprisonment up to one (1) year and **forfeiture of salary** up to two months.

2. If the acts referred to in the preceding paragraph are carried out by any member of the Registration Brigades or a delegate of a political party, the imprisonment is up to two (2) years and **forfeiture of salary** up to four months.

Article 206  
(Obstruction of Detection of Double Registration)

Anyone aware of double registration who does not take measures intended to rectify the irregularity in due time is punished by imprisonment of up to six (6) months and **forfeiture of salary** of up to thirty days.

Article 207  
(Impediments to Verification of the Electoral Registry)

1. The members of the registration brigade who fail to display the copies of the electoral registry books under the terms of Article 46 are punished with a fine of from 3,000 to 18,000 New Kwanzas.

2. The same penalty is incurred by members of the brigades who obstruct the examination of the registry books by the public.

3. If, in the cases of the preceding paragraphs, the members of the registration brigades act with deceit, they are punished with imprisonment of from six (6) months to two (2) years and **forfeiture of salary** up to four months.

Article 208  
(Failure to Correct Electoral Registry Books)

The members of the registration brigades who, through negligence, do not carry out the correction of the registry books or do not comply with its precise terms, as provided in Article 44, are punished with a fine of from 3,000 to 10,000 New Kwanzas.

Article 209  
(Falsification of the Electoral Registry Books)

1. Whoever consciously and by any method corrupts, substitutes, suppresses, destroys, or alters the electoral registration books is punished with imprisonment of from two (2) to eight (8) years and a fine of from 15,000 to 100,000 New Kwanzas.

2. Members of the electoral registration brigades who deceitfully fail to carry out the completion and correction of the electoral registry books under the terms of Article 44 are subject to the same penalty.

SECTION III  
INFRACTIONS RELATIVE TO THE PRESENTATION OF CANDIDACIES

Article 210  
(Plural Candidacies)

Whoever intentionally takes part in more than one list of deputies to the National Assembly is punished with a fine of from 100,000 to 300,000 New Kwanzas, without prejudice under provisions of Article 167.

SECTION IV  
INFRACTIONS RELATIVE TO THE ELECTORAL CAMPAIGN

Article 211  
(Violation of the Duties of Neutrality)

The violation under the terms of Article 68 of this law is punished with a penalty of a fine of from 50,000 to 150,000 New Kwanzas.

Article 212  
(Improper Utilization of a Name, Abbreviation or Symbol)

Whoever, during the electoral campaign, utilizes the name, symbol, abbreviation or denomination of the candidates or any other identifying elements of a party, coalition of parties or of a candidate, with the intention to damage or injure, is punished with the penalty of imprisonment of up to one (1) year and fine of between 30,000 and 100,000 New Kwanzas.

Article 213  
(Abuse of Broadcast Time)

1. The candidate, political party or coalition of parties who, during the electoral campaign and in the radio or television stations, use expressions or images that constitute crimes of defamation, calumny, or injury, and make appeals to disorder, anarchy, insurrection or incitement of hatred, violence or war, may immediately lose this right for the balance of the electoral campaign, in accord with the gravity of the infraction committed, independently of the civil and criminal culpability that may result.

2. This suspension is extended to all radio and television stations, even though the acts leading to the punishment occurred in only one of them.

Article 214  
(Suspension of the Right to Broadcast)

1. The NEC may apply the sanction provided for in paragraph (1) of the preceding article, by official duty, by petition justified and duly prepared by the administration of the radio or television station in which the act has occurred or by those offended by the act.

2. The radio and television stations must always record and archive the communications referred to in paragraph (1) of the preceding article and make them available to the NEC, if requested, for the purposes of eventual proof.

3. The NEC rules up to the moment of the next planned broadcast in any radio or television station for the candidate, party or coalition to whom this pertains, except when it learns of the infraction at least twenty four (24) hours before, in which case it must rule within this period.

4. Before ruling, the NEC always informs in writing the party, coalition of parties or candidate, if he is not integrated in a political organization, with the **summarized transcript**, the nature of the infraction and the notification to which the response may be made in the same form, within the period indicated.

5. Only documentary evidence that can be delivered to the NEC within the time period established for the response is permitted.

6. The ruling of the NEC is taken by absolute majority of its members.

Article 215  
(Violation of the Freedom of Electoral Assembly)

Whoever impedes the holding or continuation of a meeting, procession or parade of electoral propaganda organized under the terms of the law, is punished with a penalty of up to six (6) months imprisonment and a fine of from 10,000 to 50,000 New Kwanzas.

Article 216  
(Illegal Meetings, Rallies, Parades or Processions)

Those who, during the electoral campaign, carry out rallies, meetings, parades or procession without compliance with provisions of the relevant law are punished with the penalty of imprisonment of up to six (6) months and a fine of from 10,000 to 50,000 New Kwanzas.

Article 217

(Violation of the Duties of Proprietors of Theaters and Those who Use Them)

A violation of the provision of Article 79 is punished with a penalty of imprisonment of up to three (3) months and a fine of between 20,000 and 100,000 New Kwanzas.

Article 218

(Violation of the Limits of Written and Audio Propaganda)

Whoever infringes on the provision of Article 80 is punished with the penalty of imprisonment of up to three (3) months and a fine of between 10,000 and 50,000 New Kwanzas.

Article 219

(Damage to Electoral Materials)

Whoever destroys, tears, or by any means renders totally or partially unusable, or renders illegible electoral material posted in a legally permitted location or disfigures it or places any kind of other material over it with the purpose of hiding it is punished with the penalty of imprisonment of up to three (3) months and a fine of between 10,000 and 50,000 New Kwanzas.

Article 220

(Diversion of Correspondence)

Whoever in the course of his functions is tasked to deliver to a destination or any other person or to deposit in a determined location pamphlets, posters or other electoral propaganda material and who diverts, hides, destroys or sends to destination not agreed to by the owner is punished with the penalty of imprisonment of up to one (1) year and a fine of between 10,000 and 50,000 New Kwanzas.

Article 221

(Propaganda after the Close of the Electoral Campaign)

1. Whoever, through public meetings, distributes propaganda material, organizes rallies or parades or in any other way makes electoral propaganda on the day of the elections or the day before is punished with the penalty of imprisonment of up to six (6) months and a fine of between 10,000 and 50,000 New Kwanzas.

2. The same penalty, aggravated, is imposed on whomever, on the day of the elections promotes propaganda at the polling stations or nearby, within a distance of 500 meters.

Article 222

(Dissemination of Polling Results)

Violation of the provision of Article 71 is punished with the penalty of imprisonment of up to one (1) year and a fine of between 100,000 and 150,000 New Kwanzas.

Article 223  
(Non-accounting for Expenditures and Receipts)

Violation of the provision of Article 87 is punished with a fine of between 100,000 and 500,000 New Kwanzas.

Article 224  
(Failure to Pay Bills)

1. Parties that violate the provision of paragraph (1) of Article 89 are punished with a fine of between 100,000 and 500,000 New Kwanzas.

2. Members of central bodies of the guilty parties respond jointly by payment of a fine.

SECTION V  
INFRACTIONS RELATIVE TO THE ELECTIONS

Article 225  
(Violation of the Active Electoral Capacity)

1. Whoever, not possessing active electoral capacity, presents himself at a polling station, is punished with a fine of from 5,000 to 20,000 New Kwanzas.

2. A penalty of imprisonment of up to one (1) year and a fine of 30,000 to 80,000 New Kwanzas is imposed on a citizen who, not having active electoral capacity, effectively exercises the right to vote.

3. If, to exercise this right, the identity of another citizen properly enrolled in the electoral registries is used, the penalty is imprisonment of from six (6) months to two (2) years and a fine of from 20,000 to 100,000 New Kwanzas.

Article 226  
(Abusive Inclusion or Exclusion of the Vote)

1. Whoever consciously permits or abets the exercise of the right to vote by someone who does not have it or the exclusion of one who does have it is punished with a penalty of imprisonment of up to two (2) years and a fine of from 10,000 to 50,000 New Kwanzas.

2. A doctor or technician of the Health Services who falsely certifies an inability to exercise the right to vote incurs the same penalty.

Article 227  
(Abuse of the Authority of Suffrage)

1. Any public authority, its agent or any citizen who, under any pretext, causes any voter to leave or remain outside his domicile on the day of the elections in order to impede his voting is punished with penalty of imprisonment of up to two (2) years and a fine of from 10,000 to 50,000 New Kwanzas.

2. Any public authority, its agent or any citizen who, in the circumstances provided for in the preceding paragraph, impedes any citizen from leaving his domicile or the place where he is located for the purpose of exercising his right to vote, incurs the same penalty.

Article 228  
(Multiple Voting)

Whoever votes more than one time is punished with a penalty of imprisonment of from three (3) months to two (2) years and a fine of from 10,000 to 50,000 New Kwanzas.

Article 229  
(Unfaithful Proxy)

A penalty of imprisonment of from three (3) months to two (2) years and a fine of from 10,000 to 50,000 New Kwanzas is applied to anyone who, acting as a guide for a blind or disabled voter, deceitfully and unfaithfully expresses the choice of that voter.

Article 230  
(Violation of the Secrecy of the Vote)

Whoever uses coercion or artifice of any nature on the voter in order to obtain a revelation of his vote, at the polling station or within 500 meters thereof, is punished with a penalty of a fine of from 5,000 to 20,000 New Kwanzas.

Article 231  
(Coercion and Fraud Against a Voter)

1. Whoever who uses violence or threats against any voter, or who uses lies, fraudulent artifices, false information or any fraudulent means in order to constrain or induce the voter to vote for a specific candidate, list or party or to abstain from voting, is punished with a penalty of imprisonment of from six (6) months to two (2) years and a fine of from 5,000 to 30,000 New Kwanzas.

2. The same penalty is applied to whomever uses the same conduct foreseen in the preceding paragraph with the objective of obtaining the resignation of any candidate.

3. The penalty foreseen in the preceding paragraphs is aggravated if the threat was made with the use of a weapon or the violence was perpetrated by two or more persons.

Article 232  
(Abuse of Public Functions)

All public functionaries or ecclesiastical or comparable authorities who, abusing their authority or in the exercise of which serve to constrain or induce the voters to vote for a



specific list, candidate, party or coalition of parties or to abstain from voting, are punished with a penalty of imprisonment of from six (6) months to two (2) years and a fine of from 20,000 to 100,000 New Kwanzas.

Article 233  
(Dismissal or Threat of Dismissal)

Whoever dismisses or threatens to dismiss a citizen from his employment, impedes or threatens to impede anyone from obtaining employment, applies or threatens to apply any other sanction to obligate the citizen to vote or not vote, or because the citizen did or did not vote for a certain list, party, coalition of parties or candidate or because he abstained from voting or participating in the electoral campaign, is punished with a penalty of imprisonment of up to two (2) years and a fine of from 50,000 to 200,000 New Kwanzas.

Article 234  
(Electoral Corruption)

Whoever offers or facilitates public or private employment or any patronage advantage to one or more voters or, in accord with another intermediary person, offers or promises the same things disguised with the title of pecuniary assistance to cover any kind of expenditures, to persuade anyone to vote or not vote for any list, party, coalition of parties or candidate is punished with penalty of imprisonment of from two (2) to eight (8) years and a fine of from 100,000 to 500,000 New Kwanzas.

Article 235  
(Failure to Display the Ballot Box)

1. A president of a polling station who does not display the ballot box in the presence of voters before the opening of balloting is punished with a fine of from 10,000 to 50,000 New Kwanzas.

2. When it is verified that a ballot box that has not been displayed contains ballots the president of the board is also punished with imprisonment of up to one (1) year, without prejudice to the application of the provision of the following article.

Article 236  
(Insertion of Ballots, Diversion of the Ballot Box or the Ballots)

1. Whoever fraudulently inserts ballots into the ballot box prior to the beginning of voting or after the closing of the session is declared is punished with a penalty of imprisonment of from two (2) to eight (8) years and a fine of from 20,000 to 100,000 New Kwanzas.

2. The same penalty is imposed on anyone who seizes a box with uncounted ballots or who fraudulently takes one or more ballots at any time.

Article 237  
(Fraud of the Polling Station Board or Partial Counting Assembly)

1. Any member of the polling station board who deceitfully dispenses or consents to the dispensing of a discharge note to a voter who has not voted or does not dispense a note to a voter who has voted, who alters the marked candidacy during the reading of ballots, who diminishes or adds to the votes of a candidacy during counting, or who, by any means falsifies the truth of the election, is punished with a penalty of imprisonment of from six (6) months to two (2) years and a fine of from 20,000 to 100,000 New Kwanzas.

2. The same penalty is applied if the member of the board of the polling station alters the marked list during the reading of ballots, or diminishes or adds votes to a list during counting.

3. The penalties referred to in the preceding paragraphs are applied to the members of the Electoral Councils who commit any of the acts foreseen therein during the partial or national counting.

#### Article 238

##### (Obstruction of the Activities of the Board and List Delegates)

1. Whoever obstructs any member of the polling station board or list delegate in the exercise of their functions granted under the terms of this law or removes them from the location where these functions were or are being exercised is punished with the penalty of imprisonment of up to two (2) years and a fine of from 10,000 to 50,000 New Kwanzas.

2. The penalty of imprisonment referred to in the preceding paragraph will not be for less than 6 months if the infraction was committed against the president of the board.

#### Article 239

##### (Refusal to Receive Challenges, Protests or Counter-protests)

A president of the polling station board who unjustifiably refuses to receive a challenge, protest or counter-protest is punished with a penalty of up to six (6) months and a fine of from 5,000 to 10,000 New Kwanzas.

#### Article 240

##### (Obstruction of the Station by Candidates or List Delegates)

A candidate or list delegate who gravely disturbs the normal functioning of the voting operations is punished with a penalty of imprisonment of up to one (1) year and a fine of from 5,000 to 50,000 New Kwanzas.

Article 241  
(Disturbance of the Polling Stations)

1. Whoever disturbs the normal functioning of the polling station with insults, threats or acts of violence which do or do not result in a commotion is punished with a penalty of imprisonment of up to six (6) months and a fine of from 10,000 to 50,000 New Kwanzas.

2. Whoever enters a polling station while lacking the right to do so and refuses to leave after the request of the president is punished with a penalty of imprisonment of up to three (3) months and a fine of between 5,000 and 25,000 New Kwanzas.

Article 242  
(Failure to Appear of Armed Force)

If police forces are duly called for to guarantee the regular continuation of the voting operation under the terms provided for in paragraph (2) of Article 116 of the present law and it does not appear and no suitable justification is presented within a period of 24 hours, the commander of the force will be punished with a penalty of imprisonment of up to six (6) months and a fine of from 5,000 to 20,000 New Kwanzas.

Article 243  
(Non-compliance with Duty to Participate in the Electoral Process)

1. Whoever, having been named by a competent entity to take part in a polling station board, without a justifiable motive, fails to assume those functions, is punished with a fine of from 5,000 to 20,000 New Kwanzas.

**2. Whoever has had their nomination cancelled by the NEC and who fails to abandon the referenced functions incurs the same penalty.**

Article 244  
(Falsification)

Whoever in any way fraudulently tears, substitutes, suppresses, destroys or alters the registry or counting books or any documents relevant to the election is punished with a penalty of imprisonment of from two (2) to eight (8) years and a fine of 50,000 to 150,000 New Kwanzas.

Article 245  
(Libelous Denunciation)

Whoever, without foundation, imputes to another person the commission of any infraction foreseen in the present law, is punished in accordance with the terms of Article 245 of the Penal Code.

Article 246  
(Bad Faith Challenge and Appeal)

The penalty of imprisonment of up to three (3) years and a fine of from 5,000 to 20,000 New Kwanzas is applied to anyone who, in bad faith, challenges, protests, or counter-protests or impugns decisions of the electoral bodies through manifestly unfounded means.

Article 247  
(Non-compliance with Obligations)

The non-observance of any obligations imposed by the present law or omission of the administrative acts necessary to their prompt execution, as well as unjustified delay in compliance is punished with a fine of from 5,000 to 20,000 New Kwanzas.

TITLE IX  
FINAL AND TEMPORARY PROVISIONS

Article 248  
(Active Electoral Capacity of the Members of the Angolan Armed Forces)

The members of the Angolan Armed Forces who are on active duty do not have active electoral capacity in the first general elections held after the publication of the present law.

Article 249  
(Exemptions)

Documents meant for the fulfillment of prescriptions of this law are exempt from any taxes or fees, depending on the case, such documents to include:

- a) certifications necessary for the electoral registration;
- b) documents meant for the support of any challenges or appeals foreseen in this law;
- c) notarized declarations for the purposes of registration.

Article 250  
(Provision of Certifications)

The request of any interested party for certifications necessary for the electoral registration or by virtue of it are obligatorily answered within a maximum period of five (5) days.