

28 February 2013

Unofficial Translation¹ of: Law No. 73 of the year 1956
Regulating the Exercise of Political Rights and its Amendments

Chapter 1: Political Rights and their Exercise

Article 1

Every male and female Egyptian reaching eighteen years of age shall personally exercise the following political rights:

First:

Express their views in all referendums prescribed in the Constitution.

Second:

Elect each of:

1. The President of the Republic;
2. Members of the House of Representatives;
3. Members of the Shura Council;
4. Members of the Municipal Councils.

The election of the President of the Republic shall be conducted according to the law regulating the presidential elections. The exercise of other rights shall be in the manner and according to the arrangements prescribed in this law.

Officers and members of the main, subsidiary, and additional armed forces, as well as police officers and members shall be exempted from performing this duty throughout their period of service in the armed or police forces.

Article 2

The following shall be deprived from exercising political rights:

- (1) Convicts in a felony, unless rehabilitated.

¹ This translation has been prepared by Democracy Reporting International (DRI). It draws, partially, on existing and publicly available translations of the law up to 2005. It incorporates various amendments that were adopted during 2011 and 2013 (up to February 2013).

(2) Convicts against whom a sentence of the court of values is passed confiscating their funds. The deprivation shall be for a period of five years from the date of passing the sentence.

(3) Revoked.

(4) Convicts sentenced to imprisonment terms for a crime of theft, hiding stolen objects, swindling, issuing an uncovered check, breach of trust, perfidy, bribery, criminal bankruptcy, forgery, using forged papers, perjury, suborning witnesses, rape, corrupting the youth, committing a breach of morals, vagrancy, and committing a crime to get rid of military or national service, as well as convicts sentenced for attempting to commit one of the said crimes, unless the sentence is passed with a stay of execution or the convict has been rehabilitated.

(5) Convicts sentenced to penalty of detention in one of the crimes prescribed in articles from (41) to (51) of this law, unless the sentence is passed with a stay of execution, or the convict has been rehabilitated.

(6) Civil servants of the state or public sector workers who were discharged from service because of a breach of honour, unless five years have lapsed since the date of discharge, and unless a final judgment was awarded in their favour ruling the annulment of the decision discharging or indemnifying them.

(7) Revoked.

Article 3

The exercise of political rights is suspended with regard to the persons mentioned hereinafter:

(1) Persons under a court order during the period of their interdiction.

(2) Persons affected by mental illness and placed under custody, during their period of custody.

(3) Persons adjudicated as bankrupt for a period of five years from the date of adjudication of their bankruptcy, unless they have been previously rehabilitated.

Chapter 1 (Bis)

High Elections Commission

Article 3 (Bis)

The elections taking place after the issuance of this shall be under the supervision of the HEC, mentioned in article 3 bis (a) of this law.

It is possible to change to automatic or electronic voting gradually.

Article 3 (Bis-A)

The HEC shall be chaired by the head of Cairo's Court of Appeals² and includes as members:

- The two most senior deputy heads of the Court of Cassation;
- The two most senior deputy heads of the State Council; and
- The two most senior heads of Courts of Appeals, next to the Head of Cairo's Court of Appeals

Revoked

Higher councils of the above-mentioned judicial bodies shall select an alternate member, without prejudice to seniority.

The HEC shall assume a public juristic personality. The secretariat shall be based in Greater Cairo and represented by the head thereof.

Article 3 (Bis-B)

The heads of the judicial bodies shall notify the Minister of Justice of the names of the senior deputies selected from respective bodies. The HEC shall be composed by virtue of a decree by the President of the Republic, from among the names proposed by the Minister of Justice.

Article 3 (Bis-C)

Should an obstacle arise and prevent the head of the HEC from undertaking the duties of the post, he shall be replaced by the most senior head of the Appeals Court.

Should an obstacle arise, preventing an HEC member from undertaking his job, he shall be replaced by the alternate member nominated by the respective higher council.

In all events, replacement shall continue only for the duration of the said obstacle. In this case, the higher council of the respective judicial body shall select another alternate member.

Article 3 (Bis-D)

The HEC shall convene upon the call of its head. The convening of a meeting shall only be valid when the HEC head and at least four members are

² According to article 3 of the Decree Law 46/2011 amending the Law on Electing Political Rights, "The first HEC to be established after the enactment hereof, shall be chaired by the head of the Cairo's Court of Appeal, who shall assume office on October the first, 2011"

present. Deliberations of the HEC shall be secret. Moreover, decisions of the HEC shall be made by the majority of at least four members thereof.

Regulatory decisions of the HEC shall be published in the Official Gazette, and a comprehensive summary shall be published in two widely-circulated morning newspapers.

Article 3 (Bis-E)

The HEC shall form an electoral committee in each governorate with the presidency of the head of a first instance court and the membership of a judge in the court of appeals, a counselor in the State Council, one of the deputies of the head of the Commissioners of the State Council and one of the deputies of the head of the Administrative Prosecution, all shall be chosen by the Supreme Judicial Council and the Higher Councils of the stated bodies, depending on the circumstances. Each of the Higher Councils shall choose a reserve member to replace the original member in the event of having a hindrance.

Article 3 (Bis-F)

The HEC shall, in addition to the powers contained herein, have competence to:

First: set up voting centres as well as polling and counting stations provided for herein, and to appoint a secretary to each polling station;

Second: oversee preparation, content, review, filtering and updating of election lists, based on national ID data, and to supervise the registration process and correcting of registration lists;

Third: The development and the application of a system for electoral symbols, in regards to the political parties' candidates and the independent candidates, and of conditions determining the person specialized with applying the lists of the parties and the independents.

Fourth: receive, verify the authenticity of, and address reports and complaints in connection with the electoral process;

Fifth: lay down the rules regulating the engagement of Egyptian as well as international civil society organizations in following³ all electoral processes;

Sixth: draw up rules governing election campaigning without prejudice to the provisions of article 4 of the Constitutional Declaration, and article eleven of Law 38/1972 concerning the House of Representatives, including a

³ The original Arabic term [متابعة...] does not easily translate into English. The term could also be translated as 'witnessing'.

ban on the use of slogans, symbols or carrying out campaigning activities of a religious character or based on distinction as to gender and/or origin;

Seventh: create rules governing distribution of air time available, especially primetime TV and radio, for the purpose of electoral campaigning in state-owned and private media outlets based on full equality;

Eighth: declare the overall result of election and referenda;

Ninth: set out the schedule for by-elections;

Tenth: express opinion concerning election laws.

Article 3 (Bis-G)

Candidates shall comply with the rules regulating electoral campaigning as shown in the constitution and the law.

Article 3 (Bis-H)

Without prejudice to the provisions of article eleven of Law 38/1972 on the House of Representatives, violating the ban on electoral campaigning, set forth in article 3 bis (F), item (six) hereof, , shall result in expunging the candidate's name from the candidate lists in the district.

The head of the HEC shall, in such case, prior to the end of the vote, request that Supreme Administrative Court (SAC) to expunge candidate's name.

The SAC shall without delay decide on the request without submitting same to the State Commissioner's Authority. The execution of the sentence issued by the SAC may not be challenged unless before the court that handed down the sentence. If the court - prior to the start of the polls – rules that the name of the candidate be expunged, the voting process shall proceed after expunging the name of the candidate who has been deprived [of his registration as a candidate]. However, if the voting process starts before the court decides on the request, the election process shall proceed provided that the HEC suspends the announcement of the results of the poll in which the candidate in question is contesting in the case he/she has received sufficient votes that allow them to win or to enter into a run-off vote against another candidate. In the event that the court rules that such candidate be removed [from the contest] the election shall be re-run with the other candidates.

In all events, the sentence shall be enforced through draft of judgment, without a notice.

Article 3 (Bis-I)

The head of the HEC shall establish a permanent General Secretariat thereof, to be chaired by a Deputy Head of the Court of Cassation, or another person of an equal standing, with the membership of a sufficient number of judges, or any other member of the judicial authorities of equal standing to be selected by the supreme councils of these authorities, and a representative of the Ministries of the Interior, Telecommunications and IT, and Local Development to be chosen by respective competent ministers.

The HEC shall identify the competences given to the General Secretariat and the rules of procedures thereof.

The head of the HEC has the right to request secondment of any person – from among public servants and specialized experts – whom he seeks their help in any of the general secretariat affairs.

In all events, the seconding authority shall incur all financial remunerations paid to the employee on secondment just as he is working at such authority, during the whole secondment period.

Article 3 (Bis-J)

The High Elections Commission shall have an independent budget to be included in the general state budget. The Commission shall adopt regulations for its financial affairs including the rules and spending procedures for allocated funds and statements of spending by its members and staff.

Article 3 (Bis-K)

State agencies are required to assist the HEC in carrying out its competencies, to implement its decisions and to provide the HEC with whatever information and data it requests. The Commission shall have the right to request documents, papers, data and any other information held by a state body that it deems necessary to fulfill its competencies and it may seek assistance in this regard from researchers or experts to conduct an investigation or study.

Article 3 bis (L)

Every Egyptian living abroad carrying ID card or valid passport and had issued an ID card before has the right to vote in general elections and referenda.

Every Egyptian living abroad registered in the voters' register and wishes to exercise his right to vote shall request this right by contacting the Egyptian consulate where he resides or the HEC via letters or emails. He shall record in his request the date, his address in the country of residence, electoral district in Egypt as identified by the ID card.

Each diplomatic mission or consulate shall prepare a registry for requests stating the date of request. The consulate shall be display a list in an obvious place listing registered citizens and their electoral districts. Electoral centres shall be created in regions covered by diplomatic missions and consulates; these centres shall have polling stations with no more than 1.000 voters per station. A general committee shall be established in each diplomatic mission composed of members of the diplomatic or consular mission, with full judicial supervision, and a secretary to each committee who should be working for the Ministry of Foreign Affairs.

The Chairman of the HEC shall issue a decree of the composition of these committees from members of the diplomatic and consular missions upon a suggestion from the Minister of Foreign Affairs.

Polling shall begin before scheduled time for polling in Egypt. Voting by mail is allowed as regulated by the HEC. Counting shall take place according to article 34 bis of this law.

Chapter 2: Electoral Register

Article 4

All persons, both male and female, having the right to exercise political rights shall be recorded in the electoral register. However, a person who acquired Egyptian citizenship by naturalization shall not be recorded in the electoral register except after at least five years have passed since citizenship was acquired.

Article 5

The electoral register shall be automatically created from national ID data held in the database of the Civil Status Authority of the Ministry of the Interior. It shall contain data on eligible voters who have not been excluded for any reason from practicing their political rights [and updated] throughout the year. [Electors] shall be automatically registered at the place and in the manner set forth in the executive regulations.

Article 6

The Regulations shall indicate the entities for which a special voter list shall be compiled. The Regulations shall set out the methods for preparing the electoral register, its contents, the verification and amendment methods, [procedures for] its display, and the entities where it shall be kept, as well as the formation of committees tasked with recording entries in electoral register and all that is prescribed in the present law.

Article 7

The Public Prosecution shall notify the HEC and the Ministry of Interior of final judgments depriving or suspending the exercise of political rights

In the case that civil servants or public sector employees have been deprived of exercising their political rights on grounds of moral turpitude, their place of employment shall serve such notification.

At all events, notifications must be made within fifteen days from the date such rulings or judgments are made final.

Article 8

Revoked

Article 9

An elector may not be recorded in more than one electoral register.

Article 10

No modification to the electoral register may be introduced after the voters are called to cast the ballot or vote in the referendum.

Article 11

The electoral domicile is the place of residence established in the National Identification Card.

Article 12

Revoked

Article 13

Revoked

Article 14

The electoral register shall be displayed, and the executive regulations shall indicate the method of displaying them.

Article 15

Any person, who is unlawfully omitted from the electoral register, or whose registration data is flawed, or who has regained eligibility to vote, or whose reason for ineligibility are expired, after the electoral register has been established is entitled to request that his/her name be registered or that his registration data be corrected.

Each voter whose name is registered in the electoral register is entitled to request that the names of those who have been unlawfully omitted or removed be registered or to request that registration data be corrected.

Such requests shall be submitted in writing throughout the year to the committee mentioned in article 16 hereof, and shall be registered in a special record according to the order the submissions. Receipts shall be given to applicants.

Article 16

The applications referred to in the previous article are adjudicated by a committee headed by the President of the Court of First Instance in the Governorate with the membership of two judges of the court of first instance to be chosen by the Supreme Judicial Council. A representative of the Ministry of Interior chosen by its minister shall be the Technical Secretariat of the Committee. The Committee shall decide on the [voter registration] requests within one week from the date of their submission. The Committee's decisions shall be notified to the concerned parties within three days from their date of issue. A decree on the formation of this committee and its secretariat shall be issued by the HEC.

Article 17

A person whose request is refused, or where it has been determined that their name shall be deleted, may appeal - without payment of fees - against the decision of the committee referred to in the previous article before the respective Administrative Court. The clerk's office of that court shall record these requests in a special register in the order of their receipt and shall notify the person submitting the request, the head of the voter registration committee, the head of the committee prescribed in the previous article, and the concerned parties, of the date of the session scheduled for hearing the appeal. The notification shall be by registered letter with acknowledgment of receipt, providing this notification shall take place at least five days before the scheduled date of the session.

Article 18

Any voter whose name is recorded in the electoral register may become a litigant before the court in any dispute concerning the entry or the deletion of any name.

Article 19

The Administrative Court shall decide on appeals without delay. The court rulings passed in this respect shall be incontestable by any means of appeal.

The court shall rule imposing a fine of not less than one hundred pounds and not exceeding one thousand pounds on the voter whose appeal is rejected.

Article 20

The Process Server Department shall serve a notice on the Security Director, the Election Committee in the Governorates and Registration Committees of the judgments in order that the electoral register is updated within five days subsequent to issuance thereof, without prejudice to the aforementioned article 10 [of this law].

Article 21

Revoked

Chapter 3: Regulation of the Referendum and Election Processes

Article 22

General elections shall be scheduled by a decree of the President of the Republic, whereas the date for by-elections shall be set by a decision by the head of the HEC. Such a decree or decision shall be made at least thirty days before the date specified for the election.

For referenda, the decree shall include the cases of referenda stipulated in the Constitution.

The President of the Republic, in case of necessity, may postpone the date fixed for general election or referendum, or one of its phases or elections in some electoral districts.

This decision shall be issued without being restricted to the period stipulated in the first paragraph [of this law], and to be announced as set out by Article 23 of this Law.

Article 23

The decree issued to call voters for an election or a referendum shall be announced by way of publication in the Official Journal.

Article 24

The HEC shall specify the number and determine the location of polling station committees and the places where elections and referenda are to be held, as well as specifying the location of the voting centre committees. The determination of the polling locations shall be decided after soliciting the opinion of the Minister of the Interior.

The HEC shall form General Committees at constituency level ensuring the inclusion of a sufficient number of members of judicial bodies and shall

assign a secretary and an alternate member to each. The General Committees shall decide on reports and complaints filed therewith and follow up on polling station processes in the constituency.

The HEC shall undertake the composition of the staff of polling station committees where elections and referenda are held. Each polling station committee shall include a head who is a member of a judicial body, a secretary, an officer and an alternate member drawn from among public servants to replace either secretary or officer. For the Shura Council and the House of Representatives elections where the elections are conducted by the individual and closed party-list systems, the polling station committee shall include a head who is a member of a judicial body, two secretaries and not less than two officers, and one alternate secretary and an alternate officer drawn from among public servants. One of the secretaries shall be responsible of the voting procedures for the party-list system and the other shall be responsible for the voting procedures of the individual system. The official drawn from a judicial body may head more than one polling station committee but not exceeding three, provided that the polling stations are in the same location with no separation and allow the head to exercise actual supervision over all polling stations.

The decision issued regarding the composition of committees shall designate which person replaces the head of the committee in the event of his absence or other reason which prevents him from undertaking his duties, providing that any replacement [official] shall belong to a judicial body.

In the case of House of Representatives or Shura Council elections, each individual candidate and list representative shall have the right to deploy an agent, registered in the voters' register at the General Committee's register, to represent him in the polling centre or the general committee. If half an hour after scheduled time for polling passed with the number of agents being less than 2, the head of the station shall complete the number of agents from among the literate present registered candidates. If the number of agents goes above 8 and candidates failed to agree on their agents, the head of the polling station selects them by making a toss. The electoral headquarter stated in paragraph 3 shall be the polling centre when applying paragraph 5.

In all events, should one hour pass after the specified time and candidates fail to delegate representatives thereto or the head of the respective committee fails to complete numbers of representatives by replacements, the election or referendum shall proceed.

Every candidate has the right to authorize a voter registered in the same electoral district to act as his agent to every polling station and centre. A candidate agent shall have the right to access voting centres and polling stations during the vote and to request that head of the committee record a

note in the minutes of the proceedings. If a candidate agent does not have the appropriate authorisation [from the candidate], he shall not be permitted to access voting centres and polling stations. The agent's authorisation shall be sufficient when approved by any administrative authority or electoral committee in the governorate. Approval shall be given without fees even if by any competent endorsement bodies. Such an agent, or representative may not be a mayor (Omda) or a Sheikh, even if suspended.

Article 24 Bis

Cancelled

Article 25

If one of the committee members or its secretary is absent temporarily, the committee's head shall appoint an alternate from among the attending voters who can read and write.

Article 26

The maintenance of order in the polling station and its immediate vicinity shall be entrusted to the voting centre committee's head. He shall have the authority to call the police or military force when necessary. However, the police or military force shall not enter the election hall except upon the request of the committee's head. Such incidents shall be recorded in the minutes of the voting proceedings.

Voting centres shall include the building where the vote takes place and the surrounding area. The head of the voting centre shall designate the perimeter of the surroundings area before polling commences.

Article 27

No one but voters shall enter the voting centre and its immediate vicinity and their attendance carrying an arm shall be prohibited. The candidates may always enter polling stations.

Article 28

The process of elections or referendum goes for 2 consecutive days from 9 am till 9 pm. If by the end of the second day there were voters, who have not vote yet, in the vicinity of the elections, the committee shall write a list with their names and the elections or referendum process continues till after they vote.

In the case that an election or referendum is held over two days, the head of each polling station committee, shall at the end of the first day, seal the election or referendum ballot boxes with red wax and stamp it with his

seal. He shall write the minutes of the sealing procedure and record the number of voters [who voted on the first day]. He shall also seal the unused ballot papers and all other documents in one or more envelopes, seal the envelopes with red wax and place his stamp on the seal and record these procedures in the minutes. Ballots and ballot boxes shall be kept at the polling stations. The polling stations shall be locked and a red wax seal shall be placed over the lock and stamped by the head of the polling station committee. The polling station premises shall be guarded sufficiently.

The following day, the head of the polling station committee shall commence by verifying the seals on the polling station lock, the ballot box and the envelope containing the unused ballots are intact. A minute shall be written on the procedures for removing the seals. This minute shall be attached to the other polling station documents.

Article 29

Voting in the elections and expressing an opinion on a referendum question shall be done by means of an endorsement on the ballot-paper provided for the purpose.

The head of the polling centre has to give every voter an open ballot, on its back the stamp of the committee and the date of the elections or referendum. The head of the polling centre may sign over the stamp, if it is smeared. The voter takes one of the sides of the room, specialized for voting, to give his vote, within the hall of the elections itself. After the voter votes on the ballot he returns it, folded, to the head of the polling centre to put it in the specific box for the voting ballots. The voter signs, in writing or by his thumb-print, in front of his name in one voters' attendance list. The HEC sets the safeguards and the methods to insure that repeated voting does not take place.

To ensure the secrecy of the election or the referenda, the ballot papers shall be produced in a way that the name of the candidate or the political party list, or the subject put into referenda, shall bear a colour or symbol as stipulated in the regulation that shall be adopted by a decision of the High Election Commission.

The executive regulations shall indicate the form of the ballot paper and its contents, as well as the manner of making an endorsement on it. No lead pencil shall be used.

However, blind and other voters with a disability who cannot record their views on the election or referendum ballot papers without assistance may express their choice verbally in a manner such that only the committee members can hear. The secretary of the polling station committee shall record the voter's choice on his ballot-paper, and the head of the polling

station committee shall sign it and record next to the voter's name on the voter list that the voter expressed his choice according to this procedure.

These voters may also delegate a person to attend voting with them before the polling station committee, to write their electoral or referendum choice on the ballot papers they receive from the head of the committee. This delegation shall be recorded in the minutes.

Article 29 Bis

In the elections of the House of Representatives and the Shura Council, which take place through voting for individuals and closed lists, the head of the polling centre gives every voter an open ballot containing the names of the candidates in the file of individual electoral system and another ballot, with a different colour, containing the names of the lists in the electoral districts of the closed lists. Each of the secretariats of the polling centre shall have a list with the names of all voters of the centre. There shall be two boxes, one for the voting ballots of the individual electoral system and one for the voting ballots of the closed lists system.

Article 30

A voter shall not express his view more than one time in the same election or referendum.

Article 31

Identification of the voter shall solely be established by the ID card.

Article 32

The secretary of the polling station committee shall place his/her signature in the voter list next to the name of each voter who casts a ballot.

For referenda, voters may cast a ballot at the polling station in the place at which they are located. In such cases the secretary of the polling station committee shall record the data contained in the [voter's] ID card in a separate register drawn up in duplicate and which is to be signed by the head, officers or secretaries of the polling station committee.

Article 33

All conditional choices given to more or less than the number [of candidates] required to be elected, or if the voter records his view on a ballot other than the one given to him by the head of the committee, or if the ballot paper signed by the voter, or bears any other sign or mark indicating the voter's identity, shall be null and void.

The invalidity or corruption of any of the procedures occurring for one of the boxes mentioned in article 29 bis does not affect the validity of the second box. In addition, the invalidity of the ballot papers in one of the boxes does not affect the validity of the ballot papers in the other box.

Article 34 Bis

The polling centre shall count and announce the numbers of the registered voters in it, the number of valid and invalid votes and the number of votes each candidate or list obtained.

In the case of House of Representatives and Shura Council, in which there are individual and closed party-list candidates, counting procedures for individual ballot boxes candidates must be separated from party-list ballot boxes. Counting procedures for each of them shall be reported in different reports.

Chairmen of polling centres shall hand over counting reports, envelopes of ballots and all other election documents to the chairman of the High Elections Commission.

The Chairman of the High Elections Commission shall draft a report on combined counting. In the case of House of Representatives or Shura Council elections, in which there are individual and closed party-list candidates, the Chairman of the High Elections Commissions shall draft a separate report for votes for individual candidates and votes for party-list.

Counting procedures and result announcement shall follow stated procedures in this law, without contradicting regulations on this article.

Article 35

The Counting Committee shall decide on all the issues connected with the election or referendum process and the validity or invalidity of the expression of voters' views.

The deliberations shall take place behind closed doors, and shall not be attended except by the head and members of the Committee.

Decisions shall be issued by an absolute majority of votes. In the case of a tied vote the Committee's head shall have a casting vote.

The decisions shall be recorded in the Committee's minutes and shall be substantiated. The head and members of the Committee shall sign the minutes and the head of Committee shall read them out publicly.

Article 36

The head of the voting centre committee shall announce the result of the election or the referendum according to the electoral system in place. Both the head and the secretary of a voting centre committee shall sign the minutes of the proceedings in triplicate, one copy is to be sent along with the ballot papers to the HEC directly, the other is to be sent to the Minister of Interior and the third is to be filed with the Electoral Committee in respective governorate.

In the case of the districts specialized with closed lists system, the head of the general committee announces the total number of votes, invalid votes and valid votes that each list obtained, in accordance to the procedures and rules stated in this law. The documents of the elections and the three copies of the minutes shall be sent to the HEC. The HEC, after it receives the documents of the elections and the minutes of all of the electoral districts all over the governorates of the electoral phase, is responsible for calculating the percentage that each list obtained, the number of seats each list obtained in each district and the names of the elected members in each district of the closed lists districts. Its head shall announce the results of the elections after the conclusion of each phase, in the event of holding the elections on a number of phases. All of the stated is in accordance to the provisions of articles 15, 17, 18 bis of law no.38 for year 1972 regarding the House of Representatives and articles 10 and 12 of law no. 120 for year 1980 in regards to the Shura Council. The HEC, afterwards, sends a copy of the minutes to the Minister of Interior and another copy to the elections committees in the governorates, for safekeeping.

Article 37

The head of the HEC shall, within three days of the announcement of the results of the election or referendum in electoral districts by the heads of the General Committees, or after the completion of the final phase of the election in the case the vote is conducted in several phases and according to the electoral system in place, announce the overall results of the election or referendum by decree. The decree shall be published in the Official Journal within two days of its issue.

Article 38

The head of the High Election Commission shall, within one month of the announcement of election results, send to each of the elected candidates a certificate of election.

Chapter 4: Election Crimes

Article 39

Subject to any stricter penalty prescribed by any other law, the following acts shall be liable to the penalties prescribed in the following articles.

Article 40

Any person whose name is recorded in the electoral register and fails to vote in the election or referendum without excuse shall be liable to a fine not exceeding five hundred pounds.

Article 41

Whoever uses force or violence against the head or any member of the election or referendum committee with the aim of preventing him from performing the work entrusted to him, or compelling him to perform it in a certain manner, but fails to attain his aim, shall be liable to imprisonment for a period not exceeding five years.

If the offender attains his aim, imprisonment shall be the penalty. If the offender acts with physical violence causing a wound resulting in a permanent disability, penal servitude shall be the penalty, and if the physical violence leads to death, the penalty shall be lifetime imprisonment.

Article 42

Whoever threatens the head or a member of the election or referendum committee with the aim of preventing him from performing the work entrusted to him shall be liable to confinement to jail for a period not exceeding two years. If the threat results in a deficient performance of the work, the offender shall be liable to confinement to jail.

Article 43

Whoever insults the head or a member of the election or referendum committee, whether by gesture or verbally, during or because of performing his work, shall be liable to confinement to jail.

Article 44

Whoever uses terror or intimidating methods with the aim of affecting the reliability of the electoral process or referendum procedures but does not attain his aim, shall be liable to confinement to jail for a period of not less than two years. If he attains his aim, he shall be liable to confinement to jail for a period of not less than two years and not exceeding five years.

Article 45

Whosoever, in a pre-meditated manner, destroys or damages any of the buildings, establishments, or the means of transport being used or provided for use in the election or referendum with the aim of obstructing the process, shall be liable to confinement to jail as well as being liable for payment to the value of property which they have demolished or damaged.

Article 46

Whosoever steals, hides, or damages a voter list or a ballot paper or any other paper connected with the election or referendum process with the aim of altering the genuine results thereof, or for any other purpose requiring a repeat of an election or referendum or its discontinuation, shall be liable to confinement to jail.

Article 47

Whoever deliberately records or deletes, by himself or by another person, his name or another person's name in the electoral register, contrary to the provisions of the law, shall be liable to confinement to jail.

Article 48

The following shall be liable to confinement to jail for a period of not less than one year and not more than five years, and a fine of not less than ten thousand pounds and not more than one hundred thousand Egyptian pounds:

First:

Whoever uses force or threat to prevent a person from voting in an election or referendum or to compel a person to vote in a certain way.

Second:

Whoever gives another person or offers or undertakes to give him a benefit for himself or for a third party in order to motivate him to refrain from voting or to vote in a certain way. The Chairman of the High Election Commission shall have the right to nullify all votes resulting from such offense.

Third:

Whoever accepts or demands such a benefit for himself or for a third party.

Fourth:

Whoever knowingly spreads or propagates false statements or news on the subject of the election or referendum or on the conduct or character of one

of the candidates with the aim of influencing the election or referendum result.

If these statements or news are propagated at a time when the voters cannot ascertain the truth, the penalty shall be doubled.

Fifth:

Whoever prints or handles ballot papers or other papers used in the electoral process without permission from the competent authority.

A candidate benefiting from the offenses mentioned in abovementioned paragraphs 1, 3, 4 and 5 shall be sentenced to the same punishment set out in the principal paragraph [of this article] should they be proved to have known and approved of the committing of such acts. Additionally, the Court shall sentence them to be barred from running in representative elections for five years from the date of the criminal sentence becoming final and peremptory.

Article 49

A jail sentence shall be imposed on:

First

Whoever votes in an election or referendum while knowing that that they have done so without due right

Second

Whoever votes while assuming another person's identity.

Third:

Whoever participates in the same election or referendum more than once.

The head of the High Election Commission shall have the right to nullify votes resulting from the committing of any of the offenses stipulated in the present Article.

Article 50

Whoever removes, damages, or changes the ballot-box, or tampers with the ballot-papers contained therein, shall be liable to confinement to jail.

Article 50 Bis

Electoral campaigning based on religious slogans or on discrimination on the grounds of sex or origin shall be prohibited. Anyone violating this prohibition shall be sentenced to jail term of not less than three months and to a fine of not less than five thousand and no more than ten thousand Egyptian Pounds.

Article 50 (Bis-A)

The Public Prosecution shall be responsible for judicially investigating crimes stipulated in the present Part and may order the provisional detention of the accused pending investigation until referral to a criminal trial.

The General Assembly of every Court of Appeals or Court of First Instance shall be responsible for determining one or more circuits for hearing and expeditiously ruling on electoral offenses.

Article 51

Whoever attempts the misdemeanours prescribed in the present law shall be liable to the same penalties prescribed in case of committing a crime.

Article 52

The head of the election or referendum committee shall have the authority vested in the investigation officers concerning the crimes that take place in the committee's premises.

Chapter 5: General and Temporary Provisions

Article 53

The call for carrying out the referendum shall be made by means of decree of the President of the Republic.

Article 54

Modifying the time limits prescribed in the present law, or dividing them into intervals may take place by virtue of a decree of the Minister of the Interior when preparing the electoral register for the first time.

Article 55

If a voter's travel from his home address to the place of election is by the governmental railways, two free return tickets shall be given to him as indicated in the executive regulations on submitting the certificate of recording his name in the electoral register.

Article 56

Decree-law No. 148 of the year 1935 and all provisions contradicting the provisions of the present law shall be superseded.

Article 57

The ministers, each in so far as he is concerned, shall enforce the present law, and the High Election Commission shall issue its Executive Regulations.

Law No. 73/1956 Regulating the Exercise of Political Rights and its Amendments

Gamal Abdel Nasser

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