

POLITICAL PARTIES RULES OF THE KINGDOM OF BHUTAN

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ELECTION COMMISSION OF BHUTAN

POLITICAL PARTIES RULES OF THE KINGDOM OF BHUTAN

In keeping with the provisions of the Election Act of the Kingdom of Bhutan, 2008 for the Political Parties to have a system and procedure for effective participation in the National Assembly Elections, the Election Commission hereby adopts the Political Parties Rules of the Kingdom of Bhutan.

ARTICLE I

1. Short Title, Extent, Application and Commencement

These Rules shall:

- 1.1 Be called the Political Parties Rules of the Kingdom of Bhutan;
- 1.2 Extend to the whole of Kingdom of Bhutan;
- 1.3 Apply to the formation of Political Parties and their conduct in the Kingdom of Bhutan; and
- 1.4 Come into force with effect from.....

2. Definitions

In these Rules, unless the context otherwise requires:

- 2.1 “Commission” means Election Commission of Bhutan;
- 2.2 “Election Act” means the Election Act of the Kingdom of Bhutan, 2008;
- 2.3 “Party Leader” means the leader of a political party in the National Assembly duly elected in accordance with the Charter of the political party;

- 2.4 “Political Party” means an association or body of individual citizens of Bhutan registered with the Election Commission as a political party under the Election Act;
- 2.5 “Election Symbol” means a pictorial design or sign, reserved for a political party, or a candidate by the Election Commission, which represents or identifies a political party or a candidate in the form of a party logo, flag or poster;
- 2.6 The words importing the masculine gender shall include feminine gender; and
- 2.7 The words importing the singular number shall include the plural number and vice versa, unless the context otherwise requires.

ARTICLE II

3. Registration and Membership

- 3.1 An application for registration of a political party shall be made to the Commission, in the **Political Parties Form No.1** within one month of the formation of the party.
- 3.2 The leader of the party must submit to the Commission registration form duly filled and signed by him.
- 3.3 The form submitted by a political party must contain:
- a. The name of the party;
 - b. The election symbol which it proposes to register;
 - c. The name of the Dzongkhag in which its head office is situated;
 - d. The address to which its letters and other communication are to be sent; and
 - e. The names and addresses of its President, Secretary, Treasurer and other office-bearers.
- 3.4 A person shall be entitled to be a member, be associated with or be elected as an office-bearer of a political party.
- Provided he is not a member of the Royal Family, a truelku, lam, any influential religious personality or ordained members of any religion or religious institutions excluding the laity, or a member of the armed-forces or civil service, and has not been disqualified to be a voter under any section of the Election Act.
- 3.5 A person shall not be a member of more than one political party at any given time.
- 3.6 A person's name shall be entered in the record of the political party, upon joining a political party.

- 3.8 An ordinary member of a political party may withdraw his membership from the party by notifying the local party office in writing.
- 3.9 A political party must immediately notify the Commission on the death, resignation and withdrawal of its member.

ARTICLE III

4. Charter of the Political Party

- 4.1. A registered party shall have a written Charter, declaring that the party:
- a. Bears true faith and allegiance to the Constitution of the Kingdom of Bhutan;
 - b. Upholds the sovereignty, national security, unity and integrity of the Kingdom;
 - c. Is broad-based, demonstrated by its cross-national membership with members from all the Dzongkhags;
 - d. Is committed to national cohesion and stability;
 - e. Commits to the advancement of democracy and the social, cultural, political and economic growth of Bhutan;
 - f. Will not restrict its membership based on region, gender, language, religion, or other status;
 - g. Will hold intra-party elections of its office-bearers;
 - h. Will resort to fund raising strictly in accordance with the laws;
 - i. Will not misuse the party funds; and
 - j. Will abide by the provisions of the Election Act, Public Election Fund Act, National Referendum Act and all Rules and Regulations made thereunder.

ARTICLE IV

5. Party Structure and Roles

- 5.1. A party shall have a President who shall be the head of the party.
- 5.2. The highest decision-making body of a party shall be an Executive Committee with elected members.
- 5.3. A political party shall, in addition to its President, have the following office bearers:
 - a. Secretary, responsible for the management and administrative affairs of the party;
 - b. Treasurer, responsible for keeping detailed records of everything received and disbursed and filing of annual accounts and election returns to the Election Commission;
 - c. Internal Auditor, responsible to check legalities of all election receipts and expenses;
- 5.4. A political party shall conduct elections within a political party to elect the party leader and other office-bearers, at regular intervals as per its Charter.
- 5.5. A political party shall submit to the Commission, the results of intra-party election, with details of the total number of votes cast and the number of votes secured by each contestant for all of its party office-bearers, and a copy of the party's notifications declaring the results of the election.

6. Dissolution of a Political Party

- 6.1. A political party shall stand dissolved by declaration of the Supreme Court:

- a. If the objectives or activities of the political party are in contravention to the provisions of the Constitution of the Kingdom of Bhutan;
 - b. If it has received money or assistance from foreign sources or has acted against the sovereignty, national security, unity and integrity of the Kingdom of Bhutan;
 - c. If it has solicited or resorted to collection of funds from private individuals or any agency other than from its registered members; or
 - d. On any other ground as prescribed by Parliament.
- 6.2. The Election Commission shall remove a political party's name from the Register of Political Parties, if:
- a. It has obtained registration through means of fraud or forgery;
 - b. It has contravened the Election Code of Conduct prescribed in the Election Act;
 - c. It has amended its name or charter in contravention of provisions of the Election Act;
 - d. It has intimated its desire to the Commission to be struck off the Register of Political Parties;
 - e. It has failed to secure at least ten percent of the total valid votes cast at two successive Primary Rounds of elections to the National Assembly; or
 - f. There exists a ground where an enquiry is not required to be made by the Commission.
- 6.3. If the ruling party in the National Assembly is dissolved under the provisions of Election Act the National Assembly shall be dissolved and fresh elections held.

7. Disqualification

- 7.1. A political party shall neither be allowed to register under the name of a political party which has been dissolved by the Supreme Court nor use its symbol in any subsequent elections.
- 7.2. The Election Commission shall refuse an application to register a political party, if in its opinion:
 - a. Charter of the party does not conform to the provisions of the Election Act;
 - b. Name or symbol of the party identifies with a community, region or religion;
 - c. Party is a business concern;
 - d. Party has a military or para-military structure;
 - e. Name or symbol of the party is the name or symbol, or resembles the name or symbol of another political party which is already registered with the Commission; or
 - f. Does not conform to the Election Symbols Rules of the Kingdom of Bhutan.
- 7.3. The Election Commission shall, on refusal of an application for registration, as mentioned above, communicate its decision to the applicant party after giving it a reasonable opportunity to be heard.

8. Political Parties' Obligations

- 8.1. A political party shall communicate to the Election Commission any change in its head office, office-bearers, address, or change in any other relevant information without delay.
- 8.2. A registered political party shall make an application to the Election Commission in the **Political Parties Form No.2A** for changing the name of the party to a name specified in the application or **Political Parties Form No. 2B** for changing any provision in its Charter.

- 8.3. A registered political party shall submit to the Election Commission other particulars, such as, the name list of its members, political principles on which it is based, the policies, aims and objectives it pursues or seeks to pursue.
- 8.4. A political party shall, in such form as prescribed under the Public Election Fund Act of the Kingdom of Bhutan submit to the Commission a consolidated statement of annual accounts of the political party audited by the Royal Audit Authority containing:
 - a. Annual income and expenses;
 - b. Sources of its funds;
 - c. Assets and liabilities; and
 - d. Campaign accounts after an election.

ARTICLE V

9. Conduct of Political Parties

- 9.1. A political party shall follow the Code of Conduct as laid down under Election Act and these Rules.
- 9.2. A political party shall not:
- a. Propagate any opinion, or act in a manner prejudicial to the principles enshrined in the Constitution of the Kingdom of Bhutan;
 - b. Undermine the sovereignty or integrity of the nation;
 - c. Undermine public order or public morality or indulge in any criminal activity;
 - d. Promote sectarian or regional discord;
 - e. Indulge in any activity, which may create ill-will, differences or cause tension between different communities, religious or linguistic groups;
 - f. Permit their supporters to make use of any public property or private property, without the owner's written permission for purposes of erecting flag-staffs, cut-outs, suspending banners, pasting election posters and notices; and
 - g. Impart any military or para-military training to its members or any other persons.
- 9.3. A political party, its candidates, representatives or workers shall not obstruct or break up meetings organized by other parties and candidates.
- 9.4. A political party shall not affix posters or banners of any size as a part of election campaign, other than those specified and allowed by the Commission.

- 9.5. A political party shall not hoist or fix party flags on any public property or at any public place, except in places so designated by the Commission.
- 9.6. A political party shall not set up an election camp on any road or place meant for the use of the public.
- 9.7. A political party may use loud speakers for its election campaign only at the time of election meetings during the hours and places specified by the Commission.
- 9.8. A political party shall be allowed to take out such a procession only at places and routes designated for the purpose by the Superintendent of Police of the concerned Dzongkhag.
- 9.9. A political party shall ensure that only vehicles authorised by the Commission display party logos, symbols, posters or flags.
- 9.10. No worker of a political party or its representatives, other than those authorized by the Commission on election duty, shall enter the polling stations.
- 9.11. A political party and contesting candidates shall refrain from making insensitive comments on international issues that may embitter the government's relations with other countries.
- 9.12. A political party shall avoid criticism of other political parties, their leaders and candidates having no bearing on their public activities.
- 9.13. A political party shall confine its constructive criticism or comments to policies and programmes of other parties.
- 9.14. A political party shall ensure that the speeches and slogans used by it are dignified and based on principles of decency and decorum.
- 9.15. A political party, contesting candidates and workers shall refrain from deliberate dissemination of false and malicious information.

- 9.16 A political party shall not indulge and resort to forgery or disinformation or use of abusive language with an objective to defame other political parties and their leaders.
- 9.17 A political party, contesting candidates and their workers shall extend co-operation to the officers on election duty in order to ensure peaceful, free and fair polling.
- 9.18 A political party, contesting candidate and their workers shall not indulge in offering gifts to induce any voter or another candidate to stand or not to stand as a candidate or to withdraw or not to withdraw his candidature.
- 9.19 A contesting candidate or a political party shall not exceed the limit of election expenses fixed by the Commission.
- 9.20 A political party shall, in advance, inform police and local administration about the date, time and place for holding meetings.
- 9.21 A political party shall, in the event of any disturbances and obstruction during such meetings, seek the assistance of the police for taking action against the persons or bodies responsible for disturbances, instead of taking the matters into their own hands.
- 9.22 A member of political party shall, on being elected to the National Assembly, not defect either individually or en bloc.
- 9.23 A political party shall not resort to using regionalism, ethnicity, religion, and religious personalities to incite voters for political gains.

10. Registration Fee

- 10.1 A political party can impose Registration fee which shall be a one time payment made by a person intending to register himself as a member of that political party.
- 10.2 A political party shall provide for the fixation of the registration fee in its charter.

11. Membership fee

11.1 A political party may provide for the fixation of the membership fee in its charter.

12. Voluntary Contributions

12.1 A political party shall be entitled to accept voluntary financial or in kind contributions made by any of its registered members provided the value of such contributions does not exceed the ceiling prescribed by the Commission from time to time.

ARTICLE VI

13. Participation in Election

- 13.1 All political parties shall be eligible to participate in the Primary Round of elections to the National Assembly.
- 13.2 Two parties obtaining the first and second highest number of votes in the Primary Round are eligible to contest in the General Election to the National Assembly.

14. Ruling and Opposition Parties

- 14.1 A party that wins the majority of seats in the General Election shall be declared as the ruling party and the other as the opposition party in the National Assembly.
- 14.2 An opposition party, if it gains majority of seats in the National Assembly after any bye-election, shall be declared as the ruling party.

15. Nomination of Candidates

- 15.1 The Executive Committee of a party shall make the nomination of candidates for election to the National Assembly after a decision of the party taken with simple majority votes of the members during an Executive Committee meeting organised for the purpose.
- 15.2 A party shall nominate candidates only equal to the number of seats in the National Assembly.
- 15.3 A candidate so nominated shall be required to declare his asset and liabilities in the **Political Parties Form No.3** and in the manner prescribed by the Election Commission.
- 15.4 A candidate shall be deemed to have been nominated at an election by a political party, if:
- a. He has made declaration to this effect in his nomination paper;

- b. He is a member of that political party and his name is borne on the list of members of the party;
- c. He is a member of a registered political party which could not qualify for the General Elections but is admitted as a member and nominated as a candidate by a political party to contest in the General Election. However, his membership in the original political party shall be forfeited;
- d. A notice in writing to that effect, in the [Political Parties Form No.4](#), has, not later than 5.00 p.m. on the last date for making nominations, been delivered by the party to the Returning Officer of the constituency and to the Commission;
- e. The said notice is signed by the President, the Secretary or any other office bearer of the party and the President, Secretary or such other office bearer is authorized by the party to send the notice;
- f. The name and specimen signature of such office bearer or authorized person of the party are communicated to the Returning Officer of the constituency and the Commission, not later than 5.00 p.m. on the last date for making nominations; and
- g. The forms, referred to in sub-section c. and e., are signed personally by the said office bearer or person authorized by the party.

16. Penalty

- 16.1 Violation of any of the above Rules shall be dealt in accordance with the Election Act.

17. Power of the Commission to Issue Instructions and Directions

- 17.1 The Commission may issue instructions and directions:

- a. For the clarification of any of the provisions of these Rules and Regulations;

- b. For the removal of any difficulty which may arise in relation to the implementation of any such provisions; and
- c. In relation to any matter with respect to formation of Political Party and its conduct for which these Rules make insufficient provision, and clarification is necessary in the opinion of the Commission.

18. Authority of Interpretation and Amendment

- 18.1 The Election Commission shall, in case of differences in meaning, be the final authority on interpretation of these Rules.
- 18.2 The Election Commission shall have the power to amend by way of addition, variation, or repeal the provisions of these Rules.

Done under our hands and seal of the Election Commission of the Kingdom of Bhutan (ECB) on this...Day of the ...Month of the Year... corresponding to the...Day of the... Month of the ...Year in the Bhutanese calendar.

Election Commissioner

Election Commissioner

Chief Election Commissioner



APPLICATION FOR REGISTRATION AS A POLITICAL PARTY

1. We, the following registered voters:

Sl. No	Name	VPIC Number	Dzongkhag
1	---	---	----
2			

intending to contest the elections in the National Assembly, hereby submit this application to the Election Commission for registration as _____ Party.

We submit herewith the copy of the pictorial design of the election symbol and the Charter of our political party as appended as annexure.

2. We undertake to ensure that, upon registration of our party, we shall fully abide by the Election Act of the Kingdom of Bhutan, 2008 and the bye-laws made thereunder.

3. We further undertake that this application is made in accordance with the provisions of the Election Act of the Kingdom of Bhutan, 2008.

4. Our party's Head office is situated at:

(a) Address:

(b) Our Mailing Address:

(c) We present here below the names and addresses of our Party's President, Secretary, Treasurer and office-bearers.

Sl.	Name	Designation	Address
		President	
		Secretary	
		Treasurer	
		(specify others)	
		(specify others)	

(d) We have our Local Offices at:

President
Name:

Signature:

.....Party

Date :

Place :



APPLICATION FOR CHANGE IN THE NAME OF A POLITICAL PARTY

The party, hereby submits this application requesting for a change in its name.

- a. Proposed name:
- b. Reasons for proposal to change:

President

Name:

Date :

Signature:

Place :

Enclosed:

Signed copy of the resolution adopted by the Party at
..... General meeting held on(dd/mm/yy)

Political Parties Form No.2B



**APPLICATION FOR CHANGE IN THE CHARTER
OF
A POLITICAL PARTY**

The party, hereby submits this application requesting for the change in the provision(s) of our Charter.

- c. Existing provision(s):
- d. Proposed change in provision(s):
- e. Reasons for proposal to change:

President

Name:

Date :

Signature:

Place :

Enclosed:

Signed copy of the resolution adopted by the Party at
..... General meeting held on (dd/mm/yy)

Political parties Form No.3



CANDIDATE ASSET DECLARATION FORM

Income, Asset and Liability Declaration

1. A candidate shall declare the income, asset and liability including that of his spouse(s) and dependent children in one form.
2. The declarations shall be submitted within one week upon nomination by the Political Party.

Part I – General Information

a) Details of the Declarant

Name	ID Card No.	Name of the Party	Present Address

b) Details of Spouse(s)

Name	ID Card No.	Present Address	If employed name of the Agency

c) Details of Children

Name	ID Card No.	Address	Date of Birth	If employed, name of the Agency

Part II – Declaration of Income, Assets and Liabilities

If you or your spouse or your children own assets, please provide details under the relevant sections of the Tables 1-5 given below:

Table A: Immovable Property

Name of the registered owner	Relation to the Declarant	Type of Property	Plot or Thram No.	Location	Estimated market value	Date of Acquisition

Table B: Shares and Stocks declaration form

Name of the registered owner	Relation to the Declarant	Certificate Number	Number of Shares/ Stocks	Company or Business holding Shares/ Stocks	Estimated Market Value	Date of Acquisition

Table C: Vehicle/ Machinerics declaration form

Name of the registered owner	Relation to the Declarant	Type of Vehicle/ Machinerics	Registration No.	Estimated Value	Acquisition (Inherited/ Purchased/ Others)	Remarks

Table D: Declaration of interest bearing deposits

Name of the owner	Relation to the Declarant	Types of Deposits	Account No.	Bank/ Companies	Amount	Source

Table E: Declaration of other assets and activities not specified

Name of the owner	Relation to the Declarant	Type of Assets/ Activities	Estimated Value	Date of Acquisition	Remarks if any

Part III – Income Statement

Types of Income	Declarant	Spouse(s)	Child			Total
			1	2	3	
Income from employment						
Rental income from land & building						
Interest income from deposits & securities						
Income from shareholdings						
Income from hire of vehicles or any other property except land & building						
Any other incomes not specified above						
Grand Total						

Part IV – Liabilities (Loans)

Name of Debtor	Creditor (Name of Financial Institution)	Loan Amount	Loan Outstanding	Purpose	Remarks if any

Part IV – Personal Income Certificate

I hereby enclose the Personal Income Tax Certificate issued to us by the Taxing authorities for the year.....

Declaration:

I hereby declare that the information given in this Form is true and correct to the best of my knowledge. In case any information is found incorrect, I assume full responsibility thereof and shall be liable for prosecution as per the laws of the Kingdom of Bhutan.

(Name and Signature of the Declarant)

Dated:

Countersigned by:

(Name and Signature of Spouse)

Dated:

1.

2.

(Name and Signature of Children)

Dated:

1.

2.

3.

Political Parties Form No.1



APPLICATION FOR REGISTRATION AS A POLITICAL PARTY

1. We, the following registered voters:

Sl. No	Name	VPIC Number	Dzongkhag
1	---	---	----
2			

intending to contest the elections in the National Assembly, hereby submit this application to the Election Commission for registration as _____ Party.

We submit herewith the copy of the pictorial design of the election symbol and the Charter of our political party as appended as annexure.

2. We undertake to ensure that, upon registration of our party, we shall fully abide by the Election Act of the Kingdom of Bhutan, 2008 and the bye-laws made thereunder.

3. We further undertake that this application is made in accordance with the provisions of the Election Act of the Kingdom of Bhutan, 2008.

4. Our party's Head office is situated at:

(a) Address:

(b) Our Mailing Address:

(c) We present here below the names and addresses of our Party's President, Secretary, Treasurer and office-bearers.

Sl.	Name	Designation	Address
		President	
		Secretary	
		Treasurer	
		(specify others)	
		(specify others)	

(d) We have our Local Offices at:

President
Name:

Signature:

.....Party

Date :

Place :

Political Parties Form No.2A



APPLICATION FOR CHANGE IN THE NAME OF A POLITICAL PARTY

The party, hereby submits this application requesting for a change in its name.

- a. Proposed name:

- b. Reasons for proposal to change:

President

Name:

Date :

Signature:

Place :

Enclosed:

Signed copy of the resolution adopted by the Party at
..... General meeting held on(dd/mm/yy)



**APPLICATION FOR CHANGE IN THE CHARTER
OF
A POLITICAL PARTY**

The party, hereby submits this application requesting for the change in the provision(s) of our Charter.

- a. Existing provision(s):
- b. Proposed change in provision(s):
- c. Reasons for proposal to change:

President

Name:

Date :

Signature:

Place :

Enclosed:

Signed copy of the resolution adopted by the Party at
..... General meeting held on (dd/mm/yy)

Political parties Form No.3



CANDIDATE ASSET DECLARATION FORM

Income, Asset and Liability Declaration

1. A candidate shall declare the income, asset and liability including that of his spouse(s) and dependent children in one form.
2. The declarations shall be submitted within one week upon nomination by the Political Party.

Part I – General Information

a) Details of the Declarant

Name	ID Card No.	Name of the Party	Present Address

b) Details of Spouse(s)

Name	ID Card No.	Present Address	If employed name of the Agency

c) Details of Children

Name	ID Card No.	Address	Date of Birth	If employed, name of the Agency

Part II – Declaration of Income, Assets and Liabilities

If you or your spouse or your children own assets, please provide details under the relevant sections of the Tables 1-5 given below:

Table A: Immovable Property

Name of the registered owner	Relation to the Declarant	Type of Property	Plot or Thram No.	Location	Estimated market value	Date of Acquisition

Table B: Shares and Stocks declaration form

Name of the registered owner	Relation to the Declarant	Certificate Number	Number of Shares/ Stocks	Company or Business holding Shares/ Stocks	Estimated Market Value	Date of Acquisition

Table C: Vehicle/ Machineries declaration form

Name of the registered owner	Relation to the Declarant	Type of Vehicle/ Machineries	Registration No.	Estimated Value	Acquisition (Inherited/ Purchased/ Others)	Remarks

Table D: Declaration of interest bearing deposits

Name of the owner	Relation to the Declarant	Types of Deposits	Account No.	Bank/ Companies	Amount	Source

Table E: Declaration of other assets and activities not specified

Name of the owner	Relation to the Declarant	Type of Assets/ Activities	Estimated Value	Date of Acquisition	Remarks if any

Part III – Income Statement

Types of Income	Declarant	Spouse(s)	Child			Total
			1	2	3	
Income from employment						
Rental income from land & building						
Interest income from deposits & securities						
Income from shareholdings						
Income from hire of vehicles or any other property except land & building						
Any other incomes not specified above						
Grand Total						

Part IV – Liabilities (Loans)

Name of Debtor	Creditor (Name of Financial Institution)	Loan Amount	Loan Outstanding	Purpose	Remarks if any

Part IV – Personal Income Certificate

I hereby enclose the Personal Income Tax Certificate issued to us by the Taxing authorities for the year.....

Declaration:

I hereby declare that the information given in this Form is true and correct to the best of my knowledge. In case any information is found incorrect, I assume full responsibility thereof and shall be liable for prosecution as per the laws of the Kingdom of Bhutan.

(Name and Signature of the Declarant)

Dated:

Countersigned by:

(Name and Signature of Spouse)

Dated:

1.

2.

(Name and Signature of Children)

Dated:

1.

2.

3.

