

## **Government Decree 12/2017**

### **Regulating the exercise of voting rights in hospital and prison establishments**

**As amended January 14 2022**

#### **Republication of Full Decree 12/2017 with January 2022 Amendments**

##### **Preamble**

While the right to vote is recognized for all Timorese citizens, including those who are in hospitals or in prisons, there is, however, a need to clarify some aspects with regard to the personnel who provide services in these institutions and the way in which they exercise this constitutionally enshrined right.

Thus, the Government decrees, under the provisions of article 67 of Law No. 07/06, of 28 December, amended by Laws No. 5/2007, of 28 March, 8/2011, of 22 June 2/2012, January 13, 7/2012, March 1, 4/2017, February 23 and July 15, 2021, the following to have the force of regulation:

##### **CHAPTER I**

##### **General Provisions**

##### **Article 1**

##### **Scope**

1. This regulation establishes the rules for voting in hospitals and prisons.
2. Voters admitted to national, municipal and referring hospitals and community health centres, in prison establishments. as well as service professionals scheduled to work in these institutions, on the day of the election of the President of the Republic, have the right to vote as long as their names appear on the list of voters provided by their respective directors to STAE up to 10 days before the date of the election, and must be deleted from the list of voters for the polling center where they should vote.
3. One companion of a patient hospitalized in the hospital establishments identified in the previous paragraph may also exercise their right to vote, and their name must also be included in the list to be provided to STAE by the director of the hospital institution.
4. In the event of medical discharge after sending the list mentioned in paragraph 2 above, provided that their name is on the list the voter and respective companion may exercise their right to vote in the inpatient hospital institution where they were hospitalized, provided they present a medical certificate from the institution confirming the discharge.
5. Voting in hospital and prisons establishments is carried out according to the timetable established by STAE, after consulting the heads of those establishments.

**Article 2**  
**Voting procedure in hospitals and prisons**

1. On Election Day, polling station officials from the nearest polling center to public hospitals and prisons shall travel to these institutions to collect the votes of the citizens who are hospitalized or serving a prison sentence, or on duty there in accordance with the operational plan as defined by STAE.
2. The officials take with them sealed ballot boxes in sufficient numbers for the collection of votes, ballot papers, the polling station book and other materials necessary for the exercise of the voting rights of the citizens referred to in the previous number.
3. In the course of all operations inherent in the voting process, the ballot boxes must remain sealed.
4. In order to collect the votes in the hospital, the ballot box must be taken by the electoral officers, from bed to bed, in order to allow hospitalized patients to vote, in accordance with the provisions of these regulations, using the list of hospitalized voters, without prejudice to the compulsory presentation of the current voter card, and in the absence thereof, of the identity card or passport.
5. For the collection of votes in prison, the ballot boxes are set up in a place determined by the prison director and operate according to the respective prison regulations, with the list of votes who are serving a prison sentence, with the mandatory presentation of the current voter card.
6. Voters who are on duty at a prison or hospital establishment as identified in the previous article on voting day, and whose names are on the voters list, vote at a polling location determined by the director of the institution by presenting their current voter card and, in the absence of this, by presenting their valid Timorese ID card or passport.
7. Once the operations of the team of electoral officials have been completed, they return to the polling station to immediately close these activities, in accordance with the provisions of the regulations on voting procedures, counting and tabulation.

**CHAPTER III**  
**Final and Transitional Provisions**

**Article 3**  
**Revocations**

Any contrary provision regarding voting in hospital and prison establishments shall be revoked.

**Article 4**  
**Entry into force**

This government decree enters into force on the day following its publication.

Approved by the Council of Ministers on 24 February 2017