

Local Level Election Code of Conduct, 2017

Preamble: Whereas, it is expedient to make provisions concerning the code of conduct to be observed by stakeholders for conducting the election in a free, fair, impartial, transparent and reliable manner;

Exercising the powers conferred by Section 22 of the Election Commission Act, 2017, having consulted with the relevant stakeholders, the Election Commission has framed the following Code of Conduct.

1. Short Title and Commencement: (1) This Code of Conduct may be cited as the “Local Level Election Code of Conduct, 2017”.

(2) This Code of Conduct shall come into force immediately.
2. Definition: Unless the subject or the context otherwise requires, in this Code:
 - a. “Commission” means the Election Commission of Nepal under Article 245 of the Constitution of Nepal.
 - b. “Election” means the election of Local Level.
 - c. “Observer” means the person or institution permitted by the Commission to observe the election during the election period.
 - d. “Political party” means the political party registered at the Commission under article 271 of the Constitution of Nepal and this term also indicates the political party formed under article 269 (1) of the Constitution of Nepal.
 - e. “Relevant Person” means the person involved in election campaign on behalf of a candidate or political party and this term also indicates the election representative of a candidate or political party or its sister organization or political party cadre.
 - f. “Local Level” means Village Executive, Municipality and District Assembly.
3. Code of Conduct shall be applicable to: (1) This code of conduct shall be applicable to the following institutions, persons, agencies and officials:
 - a. The Government of Nepal and ministers of the Government of Nepal,
 - b. State Government and Local body or level,
 - c. Employees of the State Government and Local body or level,
 - d. Public offices and employees of public office,
 - e. Government and semi-government office and employee of government and semi-government offices,
 - f. Nepal Army, Nepal Police, Armed Police Force, National Investigation Department of Nepal and State Police Office and Security Personnel,

- g. Employee involved in the task of election,
- h. Political party and sister organization of political party,
- i. Candidate and related person,
- j. Person who does not hold public position,
- k. Observer,
- l. Communication medium of Government and private sector,
- m. Private and non-governmental organization,
- n. Other person or institution determined by the Commission.

(2) The Commission can determine different dates for this code of conduct to be applicable to organization, person, agency and official as per Sub-section (1).

4. Code of Conduct Concerning Use of Transport Vehicles: The following code of conduct should be followed while using vehicle during election period:

a) Candidate for mayor and deputy mayor of metropolitan city can use a maximum of two four wheeler light vehicle and two motorcycle and candidate for ward chairperson and member can use one four wheeler light vehicle and one motorcycle for election campaign.

b) Candidate for mayor, deputy mayor, ward chairperson and member of sub-metropolitan city and municipality and chairperson, vice chairperson, ward chairperson and member of village executive can use a maximum one four wheeler light vehicle and two motorcycle for election campaign.

Provided that, in areas where no such vehicles can be operated, a maximum of two horses to be used.

c) A vehicle approved and used by one candidate shall not be used by another candidate.

5. Monitoring Mechanism: (1) For the implementation of this code of conduct, the Commission shall make a monitoring mechanism as per Section 23 of the Election Commission Act, 2017.

2. Other provisions related to monitoring mechanism formed under sub-section (1) shall be as prescribed in the Election Code of Conduct Monitoring Directive, 2017.

6. Sanction and Punishment: If any person violates this code of conduct, they shall be sanctioned and punished under Section 23 of the Election Commission Act, 2017.

7. Implementation of the election code of conduct, 2016: For the implementation of this code of conduct, the provisions prescribed in this code of conduct shall be followed and for the provisions not prescribed in this code of conduct, it shall follow the provisions of the election code of conduct, 2016.