

Republic of Vietnam

Presidency

No. 45-NV

*Decree on setting  
procedures & ways  
for village and hamlet  
elections. Hamlet elections  
were held beginning in 1962  
but no village elections  
were held until a number  
of years after the Decree  
against Diem*

The President of the Republic of Vietnam

- In view of Decree No. 124-TTP of May 28, 1961 establishing the composition of the government,
- In view of Ordinance No. 57-a of October 24, 1956 reorganizing the national administration structure,
- In view of Decree No. 34-NV of March 19, 1953 and subsequent documents establishing the statutes for village and hamlets and the duties of the Village Councils,
- In view of Circular No. 5-NV of December 7, 1960 strengthening the Village Council by staffing it with a Youth Member,

Upon the proposal of the Secretary of State for Interior

Promulgates:

Art. 1 - The village is hereby placed under the administration of an organization which is called the "Village Council".

Art. 2 - The village is divided into hamlets. Hamlets do not have legal status. Hamlets shall be converted into villages if they become completely self-supporting.

The boundaries of hamlets shall be fixed by the Secretary of State for Interior

Art. 3 - The hamlet is placed under the administration of an organization elected which is called the "Hamlet Administrative Committee".

Part I

Village Council

Chapter I

Composition, duties and interests of the Village Council

Art. 4 - The composition of the Village Council includes:

- Village Representative
- Economic and Finance Member
- Police Member
- Youth Member
- Civil Status and Health Member

For large villages, whose population is over 5,000 inhabitants and having a budget exceeding 500,000\$, may have additional assistants - 3 persons or less - recruited by the Village Council with ratification by the Province Chief.

Assistants to the Village Council shall assist other members, specifically in the matter of paperwork, and they can be assigned to special jobs by the Village Council.

The office work of the Village Council will be supervised by a Clerk. The latter will be appointed by the Province Chief and placed under the direction of the Village Representative.

Art. 5 - With the support of the Hamlet Administrative Committees, the Village Council has the responsibility for administering the village activities and managing its public functions.

The Village Council, within the limits of current regulations, is empowered to discuss and decide on the following matters:

1. Budget, receipts and ordinary or extraordinary expenses, supplemental estimated expenditures and Government bonds.
2. Regulations governing the collection of income of the village.
3. Sale, transfer and exchange of village properties and, in general maintenance work of these properties.

4. Conditions on leasing properties from others, and renting of village properties to others.
5. Projects for modifying hamlet boundaries.
6. Projects for construction of roads and plazas, alignment of roads and construction of new by-ways.
7. Receipts of donations and legacies for villages and hamlets.
8. Legal proceedings in order to defend the interests of the villages, amicable arrangements, after approval by the Province Chief.
9. Annual balance sheet of the village budget.
10. All questions that must be submitted to the decision of the Village Council in accordance with regulations in force.

Art. 6 - The following decisions must be ratified by the Secretary of State for Interior along with the concurrence of the Secretaries of State concerned before implementation:

1. Leasing or renting of real estate or equipment for a period of over 3 years if the rent is over 50,000\$ a year,
2. Receipt of donations and legacies with additional charges and conditions,
3. Sale, transfer and exchange of village properties, the expenses for which exceed 50,000\$,
4. Reconstruction and maintenance of village public buildings, the expenses for which exceed 50,000\$,
5. Establishment of the village budget, the total amount of which exceeds 500,000\$,
6. Projects for modifying hamlet boundaries.

Art. 7 - The decisions as to the following matters must be ratified by the Province Chief before implementation:

1. Lease or rent of real estate or equipment for a period of 3 years or less with the rental cost of 50,000\$ or less,
2. Receipt of donations or legacies with no additional charges or conditions,

3. Sale, transfer and exchange of village properties, the expenses for which amount to 50,000\$ or less,
4. Reconstruction or maintenance of village public buildings, the expenses for which amount to 50,000\$ or less,
5. Establishment of contracts that require financial responsibility of villages,
6. Establishment of the village budget, the total of which amounts to 500,000\$ or less,
7. Establishing of additional percentage rate on all kinds of taxes that it has been authorized to collect,
8. Projects for construction of roads and plazas, alignment of roads and construction of by-ways.

Art. 8 - The Village Representative directs and supervises the Village Council, represents the village in instituting an action at law. He manages and regulates all village public affairs. He certifies all contracts, legalizes bills of sale, and purchases of real estate and equipment, signs all receipts for money and authorizes expenses within the limits prescribed by the Province Chief.

Art. 9 - The Economic and Finance Member manages the budget and village properties, collects taxes and takes charge of economic affairs. He replaces the Village Representative during his absence or when he is away for official business, presides at council meetings and carries out the duties of the Village Representative.

Art. 10 - The Police Member takes charge of administrative and judiciary police action in the village, delivers summons and notifications of the court, and maintains order and safety in the village.

Art. 11 - The Youth Member directs and promotes the youth movement and community development in the village. He also takes charge of information, cultural and educational affairs, and social and charitable activities.

He cooperates with:

The Economic and Finance member in all matters concerning rural construction.

The Police Member in all matters concerning patrol, safety and military.

Art. 12 - Civil Status and Public Health Member keeps the registry office. He registers the births, marriages and deaths of the people, takes charge of the health service and public hygiene as well as the census of population.

Art. 13 - The Village Clerk takes charge of all office work and maintains the files.

Art. 14 - The elected members, assistants and village clerks are entitled to allowances provided by the village budget in accordance with the salary schedule fixed by the Secretary of State for Interior after concurrence with the Secretary of State at the Presidency.

In the exercise of their duties, all members of the Village Council, their wives and children, in case of illness, shall be treated in a Government hospital under class II rank, the hospitalization costs will be deducted from their salaries in accordance with current regulations. In case a member dies from an accident during the exercise of his duties, his wife or relative of direct kinship shall receive a subsidy fixed by the Province Chief, according to the availability of funds in the village budget. This subsidy will not exceed the total of his salary for 12 months.

## Chapter II

### Election of Village Council

#### I. General Provisions

Art. 15 - The Village Council shall be elected by an electoral body which includes:

- All members of Hamlet Administrative Committees in active service
- All presidents of popular groups as defined in the hamlet community charter

As concerns the Youth Member, he will be elected by the representatives of hamlet youth inter-group chiefs and their assistants and chiefs of groups of Village Republican Youth.

Art. 16 - The election shall be organized on Sunday two weeks before the expiration of the former council. The election date shall be fixed by the Province Chief by way of a resolution. The District Chief shall take charge of the organization of the election.

Art. 17 - The term of the Village Council is 2 years, except in case of resignation or dismissal.

Art. 18 - The Province Chief is empowered to remove any member from office, who commits a grave error or who does not fulfill his duties. Any member who is judicially prosecuted shall be temporarily dismissed by decision of the Province Chief.

Art. 19 - In case the Council loses two or more members, the Village Council must be reorganized with a reelection within a period of 2 months if this loss takes place more than 6 months before the expiration of the term.

Art. 20 - In case the majority of the members prove incompetent or commit grave errors, the Secretary of State for Interior may, upon proposal of the Province Chief, dissolve the Village Council by way of an arrete and the election of a new Council must be organized within 2 months from the date on which the Province Chief receives the decision of the Secretary of State for Interior. In the meantime and pending the results of the election, a temporary committee shall be appointed by the Province Chief to take charge of current affairs.

## II. Voters and election candidates

Art. 21 - The list of voters of each village shall be established by the district and posted for the first time at least 30 days before the election day at the headquarters of the Village Council and those of the Hamlet Administrative Committees.

Art. 22 - Any voter who meets the voting requirements but whose name is not shown on the list or who finds an error in the listing of his name on the list posted, has the right to file a complaint.

Letters of complaint should be filed at the district office within 10 days from the date of posting the list of voters for the first time. Upon receipt of such letters, the district office will issue a receipt.

Three days after the 10-day time limit stated above, the list of voters as well as all letters of complaint will be sent to the District Chief for consideration who will transmit them to the Committee prescribed in article 23.

Art. 23 - The composition of the Committee as stated above includes:

- |  |           |
|--|-----------|
| - Province Chief or his representative           | President |
| - District Chief concerned or his representative | Member    |
| - A member of the Provincial Council             | Member    |

Art. 24 - The list of voters must be considered by the committee and returned to the District office within 7 days. The District Chief will have the list of voters posted the second time at the places as defined in Article 21 at least 8 days before election day.

Art. 25 - Persons who meet the requirements stated below have the right to stand for election:

- Enjoy Vietnamese citizenship
- Are 25 years of age on or before election day
- Enjoy full rights of citizenship
- Be in good standing with the military draft board
- Read and write Vietnamese language correctly
- Have resided in the village concerned during a continued period of time of at least one year before election day
- Do not fall under the cases mentioned in article 26 below

It is not authorized for members of the Village Council to hold various salaried public positions or the position of any other elected members.

Civil servants who stand for election are explicitly considered as choosing the functions of the Village Council. Civil servants elected will take leave without pay throughout the term of the Council.

Relatives including grandson, son, blood brothers and sisters, lineal kin, husband and wife cannot hold various responsibilities in the same Village Council.

Art. 26 - The following persons shall not be permitted to run for election:

Those who bid for contracts with the local village (during the period of implementation of this contract only).

Those who are sentenced for criminal acts.

Those who are sentenced for petty offences of robbery, swindle, breach of trust, forging and transgression of good morals and good customs.

Those who have served 3 months' imprisonment for other minor offences except minor offences of negligence or carelessness (such as minor car accident, etc.)

Those who are insane and under guardianship.

Those who are forbidden the right to stand for election or deprived of this right by the Court.

Those who go bankrupt and are not yet rehabilitated.

Those civil servants and servicemen of all branches who are dismissed or discharged for disciplinary reasons.

Those who have gone overseas illegally.

Those who do not comply with the military service order.

Those members of the Village Council and the Hamlet Administrative Committee who are discharged or dismissed.

Art. 27 - All applications for election must be addressed to the office of the District at least 20 days before election day and must be accompanied by the following documents:

- Birth certificate or copy of the identity card.
- Police record sheet (form No. 3) not over 3 months old.
- Certificate of good conduct.
- Certificate of residence in the hamlet certifying that the candidate has been living there at least one year. This certificate is issued by the local Village Council.

Art. 28 - The lists of candidates will be posted the second time 2 days after the deadline for receipt of applications as defined in Article 21.

Art. 29 - Within 3 days after the posting of the list of candidates, voters and candidates in the village may file their letters of complaint on the candidates at the office of the District. On the 4th day, the list of candidates and the letters of complaint will be transmitted with recommendations to the Committee as defined in Article 23 for consideration. The list of candidates must be considered by the Committee and returned to the District within 5 days. This list will be posted the second time 7 days at the latest before the election day.

Art. 30 - After the list of candidates has been posted the second time, the candidates may start their election campaigns pursuant to the principle of equality, the procedure of which shall be fixed by the Committee mentioned in Article 23.



Candidates who discover any irregularities of election procedure may request the local District Chief to take appropriate measures to put an end to them. In addition, if the irregularities exert influence on the results of the election, the success of the candidate elected who transgressed can be cancelled.

### III. Election Procedure

Art. 31 - The responsibility for the printing of the ballot for the candidates shall be taken charge of by the District Chief. The ballots shall be made of white paper in accordance with the form determined by the Committee mentioned in Article 23. On each ballot, will be printed the name of one candidate with a symbol on the top of the right side, in a square frame.

Art. 32 - The election shall be held once by relative majority. The voting shall start from 8 a.m. and terminate at 1300 p.m. of the same day. The District Chief shall determine the sites to accommodate the polling-booths.

Art. 33 - There shall be a committee at the polling-booth. This committee shall include one Chief and 2 Members who direct and supervise the poll. The Chief of the Committee shall be appointed by persons other than the candidates. The Chief of the Committee shall select 2 members from the voters present when the polling begins.

Art. 34 - At the beginning of the polling, the Chief of Committee opens the polling-box in the presence of the voters to make sure that it is empty, then locks it up with two different locks, the custody of which will be entrusted to the Chief of Committee and the elder member, one key for each person. At the closing of the polls, if for some reason, the Chief of Committee does not have the 2 keys in question to open the polling boxes, he must try by all means to open them and then state the event in the report on polling control.

Art. 35 - The poll shall be accomplished in accordance with the following procedure:

- a. When a voter comes to the polling-box, one member shall make a check mark by his name on the list of voters.
- b. The second member shall deliver to the voter an envelope and the ballots of candidates. Each voter shall receive only one ballot of each candidate.

- c. Afterwards, the voter will go into the voting room (which is previously set up and closed off), choose 4 ballots bearing the names of the candidates selected and put these ballots into the envelope.
- d. After getting out of the voting room, the voter will hold the envelope high for the committee men to see and will then put it into the ballot-box.

Art. 36 - At the conclusion of the election, the Committee in charge designates one representative of the candidates and 2 representatives of the voters to control and check the ballots and prepare the election returns.

Art. 37 - First of all, the Chief of Committee opens the ballot-boxes and counts the envelopes. If the number of envelopes is found more or less than the number of voters who have participated in the voting, it must be clearly stated in the report.

Afterwards, the control men will open the envelopes, count the ballots, classify the candidates and at the same time count the ballots of each candidate.

Art. 38 - The following cases are considered as invalid:

- Envelopes having more than 4 ballots
- Envelopes and ballots which do not conform to the regular approved forms
- Envelopes which do not contain ballots
- Envelopes which contain blank ballots or other kinds of paper
- Ballots which are not in the envelope
- Ballots which show an erasure additional words or signs or which are torn or mutilated

The Chief of the Committee and one member must sign on the envelope or on the ballot paper considered as invalid and attach them to the control report in which each invalid case is clearly stated.

Art. 39 - The candidate who wins the largest number of ballots shall be elected as Village Representative. Three succeeding candidates who win most of ballots shall be elected to the remaining posts. In case the number of ballots is equal, the eldest member is elected.

Art. 40 - Right after the ballot control, the Committee in charge shall publish the result of election provisionally. The report prepared by this Committee will be made in triplicate to be sent to the District Office.

Art. 41 - Three days at the latest after the election day, the Village Representative and 3 members elected shall hold a first meeting to share

their responsibilities according to their capability: Economic and Finance Member, Police Member, Civil Status and Public Health member.

With regard to the position as Economic and Finance Member, the member elected must possess a private property which guarantees him for the post as manager of the village finance.

Art. 42 - The post of Youth Member shall be elected during the annual congress of the Village Republican Youth with the electoral body prescribed in article 15, Chapter II.

Art. 43 - The reports on election and on division of responsibilities mentioned in articles 40 and 41 must be forwarded to the Committee specified in Article 23 through administrative channels immediately after the day of meeting about division of responsibilities. This Committee shall control and check the polling dossier and shall publish the final result.

Art. 44 - The result of election and the division of responsibilities among the members shall be ratified by the Province Chief by way of a decision.

The decision ratified by the Province Chief must be given to the Village Representative and other members 3 days at the latest before the expiration of the former Village Council.

Art. 45 - The voters and candidates in the village have the right to file a complaint regarding the election. Letters of complaint should state the sound reasons and will be made in triplicate and filed at the office of the President of the Committee specified in Article 23 within 3 days after the election. The Committee will issue a receipt upon receiving the letters of complaint.

Art. 46 - The Committee must immediately notify through administrative channels of any letter of complaint to the candidate whose success in election raises an objection (from the people). He will then be given a 10-day period to file a protest at the office of the President of the Committee.

Art. 47 - After the period of 10 days stated above, all letters of complaint and protests if any as well as the election reports with the invalid ballots and envelopes must be transmitted to the Administrative Court via the Department of Interior.

The Committee may decline the transmission of the letters of complaint if these letters do not specify any sound reasons. The Administrative

Court will judge and decide within one month's time from the date of receipt of the dossiers. The Department of Interior, the local Province Chief and the persons involved will be informed within 10 days of the judgment of the Administrative Court.

Art. 48 - The persons involved may lodge an appeal against the decision of the Administrative Court before the Political Council. Appeals at law should state reasons and will be made in triplicate and forwarded to the office of the Secretary General of the Administrative Court or to the Political Council within 10 days from the date of notification of the judgment.

Appeal at law may be sent by registered mail: the date on the seal of the post office will serve as a proof for the Political Council to see if the appeal at law is made within the time-limit authorized.

If need be, the President of the Political Council will notify the protester of the appeal and fix a time limit to enable him to submit his protestation.

The Political Council will judge and decide within two months from the date of receipt of the dossiers.

The Department of Interior, the local Province Chief and the persons involved will be informed within 10 days of the judgment of the Political Council.

Art. 49 - All election suits will be judged according to emergency procedure.

Records of proceedings and judgment as to election will be exempted from stamps and registration fees.

Art. 50 - The members whose success in election meets with an objection will assume their posts pending the result of the judgment.

## Part II

### Hamlet Administrative Committee

#### Chapter I

##### Composition, duties and interests of the Hamlet Administrative Committee

Art. 51 - The composition of the Hamlet Administrative Committee shall

include:

- Chief of Committee
- Political member
- Youth member
- Security member
- Economic and Finance member

For small hamlets whose population is few, the composition of the Hamlet Administrative Committee may also include:

- Chief of Committee and Political Member
- Youth Member and Security Member
- Economic and Finance Member

Art. 52 - The Hamlet Administrative Committee represents the Village Council in the Hamlet and assumes the responsibility for:

- Carrying out the laws and regulations, instructions, of the Government and of all local administrative levels.
- Implementing the Community Charter drafted and voted by the people in the hamlet.

Art. 53 - The Chief of the Committee represents the Administrative Committee before the Village Council, directs the Committee and guides all members' activities. The Chief of Committee certifies all ordinary administrative documents before sending them to the Village Council. He keeps the registry and the documents dealing with the census of population in the hamlet.

Art. 54 - The Political member takes charge of information and cultural affairs, political and civic action studies.

Art. 55 - The Youth Member promotes the Youth movement and community development, he coordinates with:

- The Security Member on patrol, security and military service,
- The Political Member and the Economic and Finance Member on rural construction problems and relief activities.

Art. 56 - The Security Member assists the Police Member and maintains the safety and order in the hamlet.

Art. 57 - The Economic and Finance Member takes charge of research studies on economic development plans, assists the Village Council in the collection of all kinds of taxes. In this capacity, he keeps and maintains all registers and documents dealing with the census of the hamlet properties.

Art. 58 - In the exercise of his duties, the Chief of Committee, and the members elected, their wives and children, in case of illness, will be treated in a government hospital under class II rank, the hospitalization costs will be deducted from their salaries in accordance with current regulations.

In case the Chief of Committee or a member dies from an accident while on duty, his wife or direct relatives will be entitled to a subsidy fixed by the Province Chief upon proposal of the District Chief and the Village Council. This subsidy is provided by the village budget and cannot exceed the salary of 12 months of the local Police Member.

## Chapter II

### Election of the Hamlet Administrative Committee

#### I. General provisions - Term

Art. 59 - The Hamlet Administrative Committee shall be elected by universal suffrage direct and secret. The election shall be held once by relative majority. As concerns the Youth Member, he will be elected by the members of both sexes of the Republican Youth in the hamlet.

Art. 60 - The election must be held on Sunday 2 weeks before the expiration of the former Hamlet Administrative Committee. The election day will be fixed by the District Chief and the Village Council which organizes this election.

Art. 61 - The term of the hamlet Administrative Committee is 2 years except in case of resignation or discharge.

Art. 62 - The Province Chief is empowered to decide on the dismissal of any member who commits a grave error or who does not fulfill his duties. Any member who is judicially prosecuted is temporarily dismissed by decision of the Province Chief.

Art. 63 - In case the Hamlet Administrative Committee loses two or more members, it must be reorganized, with a reflection within 2 months if this loss takes place more than 6 months before the expiration of the term.

Art. 64 - In case the majority of members proves incompetent or commit grave errors, the Province Chief may, upon proposal of the District Chief, dissolve the Administrative Committee by way of a decision and the election of a new Administrative Committee must be organized within 2 months from the date on which the District Chief receives the decision of the Province Chief. In the meantime and pending the result of the election, a committee will be designated by the District Chief to take charge of current affairs.

## II. Voters and election candidates

Art. 65 - The voters in each hamlet are persons of both sexes who have Vietnamese citizenship, who are 18 years of age on or before election day and whose names are shown on the list of voters, except in the case when they are deprived of the right of citizenship by the Court.

The list of voters in each hamlet will be established by the Village Council and will be posted the first time 30 days before the election day at the headquarters of the Village Council and the Hamlet Administrative Committee.

Art. 66 - Any voter who meets the voting requirements but whose name is not shown on the list or who finds an error in the listing of his name on the list posted, has the right to file a complaint.

Letters of complaint must be filed at the office of the Village Council within 10 days from the date of posting of the list of voters for the first time. Upon receipt of such letters, the Village Council will issue a receipt.

Three days after the 10-day time limit stated above, the list of voters as well as all letters of complaint will be received by the Village Council which will transmit them with recommendations to the Committee for consideration prescribed in Article 67.

Art. 67 - The composition of the Committee as stated above shall include:

- |  |           |
|--|-----------|
| - District Chief or his representative     | President |
| - A member of the local Village Council    | Member    |
| - A voter designated by the District Chief | Member    |

Art. 68 - The list of voters must be considered by the Committee and returned to the Village Council within 7 days. The Village Council will have the list of voters posted the second time at the places as specified in Art. 65, Part II, at least 8 days before election day.

Art. 69 - Persons who meet the requirements stated below have the right to stand for election:

- Have their names shown on the list of voters.
- Are 21 years of age on or before election day.
- Enjoy full rights of citizenship.
- Be in good standing with the military draft board
- Read and write Vietnamese language correctly.
- Have resided in the local hamlet for a continued period of time of at least one year.
- Do not fall under the cases prescribed in Article 26 stated above.

It is not authorized for members of the Hamlet Administrative Committee to hold various salaried public positions or the positions of any elected member. The civil servants who stand for election are considered as choosing the functions of the Hamlet Administrative Committee. The Civil servants elected will take leave without pay throughout the term of the Hamlet Administrative Committee.

Relatives including grand sons, sons, blood brothers and sisters, lineal kin, husband and wife cannot hold various responsibilities in the same Hamlet Administrative Committee.

Art. 70 - Application for election must be filed at the Office of the Village Council at least 20 days before the election day and must be accompanied by the following documents:

- Birth certificate or copy of Identity card
- Police record (form No. 3) not over 3 months old.
- Certificate of good conduct.
- Certificate of residence in the hamlet certifying that the candidate has been living there for at least one year before the election day. This certificate is issued by the local Village Council.

The Village Council will issue a receipt to the candidate who sends in the above-mentioned paper.

Art. 71 - The list of candidates will be posted the first time 2 days after the deadline for sending in the applications at the headquarters of the local Village Council and the Hamlet Administrative Committee.

Art. 72 - Three days after the posting of the lists of candidates, the



voters and the candidates in the hamlets may file their letters of complaint on the candidates at the headquarter of the Village Council. On the 4th day, the list of candidates as well as the letters of complaint will be transmitted with recommendations to the Committee for consideration as prescribed in Article 67.

The list of candidates must be considered by the Committee and returned to the Village Council within 5 days. This list will be posted at least 7 days before election.

Art. 73 - After the list of candidates has been posted the second time, the candidates may start their election campaign pursuant to the principle of equality. The election procedure will be established by the Committee prescribed in Article 67.

Candidates who discover any irregularities of election procedure may request the local Village Council to take appropriate measures to put an end to them.

In addition, if the irregularities exert influence on the results of the election, the success of the candidates elected who transgressed may be cancelled.

### III. Election procedure

Art. 74 - The responsibility for the printing of the ballot shall be taken charge of by the Village Council. The ballots shall be made of white paper in accordance with the form determined by the Committee mentioned in Article 67. On each ballot, will be printed the name of one candidate with a symbol on the top of the right side in a square frame.

Art. 75 - The election shall be held once by relative majority. The election shall be carried out in accordance with the regulations prescribed in Article 35. It starts from 8 a.m. and ends at 4 p.m. of the same day.

Art. 76 - There shall be a Committee at the polling-booth. This Committee shall include one chief and 2 members, who direct and supervise the poll. The Chief of Committee shall be appointed by persons other than the candidates. The Chief of Committee shall select 2 members among the voters present when the polling begins.

Art. 77 - At the beginning of the polling, the Chief of Committee opens the polling-box in the presence of the voters to make sure that it is empty,

then locks it up with 2 different locks, the custody of which will be entrusted to the Chief of Committee and the elder member, one key for each person. At the closing of the polls, if for some reason, the Chief of Committee does not have the 2 keys in question to open the polling boxes, he must try by all means to open them and then state the event in the report on polling control.

Art. 78 - At the conclusion of the polling, the Committee in charge of polling-booths shall designate one representative of the candidate and 2 representative of the voters to control and check the ballots and to draw a report in accordance with the procedure prescribed in Article 37 and 38 above.

The cases previously defined in Article 38 will be considered as invalid.

Art. 79 - The candidate who wins the largest number of ballots shall be elected as Chief of the Hamlet Administrative Committee. Three succeeding candidates who win most of ballots shall be elected to the remaining posts. In case the number of ballots is equal, the eldest member is elected.

Art. 80 - Right after the ballot control, the Committee will publish the result of election unofficially. The report prepared by the Committee will be made in 4 copies to be sent to the office of the Village Council.

Art. 81 - Three days at the latest, after the election day, the Chief of Committee and 3 members elected will hold a first meeting to share their responsibilities according to their capability: Political Member, Security Member, Economic and Finance Member.

Art. 82 - The post of Youth Member shall be elected during the annual Congress of the Republican Youth in the hamlet.

Art. 83 - Reports on election and on division of responsibilities mentioned in Articles 80 and 81 must be forwarded to the Committee prescribed in Article 25 through the Village Council and the District Chief right after the meeting. This Committee shall control and check the polling dossier and shall publish the final election result.

Art. 84 - The result of the election and the division of responsibilities among the members shall be ratified by the Province Chief by way of a decision.

The decision ratified by the Province Chief must be given to the

Chief of Committee and other members at least 3 days before the expiration of the term of the former Administrative Committee.

Art. 85 - The voters and the candidates in the hamlet have the right to file a complaint on the election.

Procedure as to complaint and consideration of the letters of complaint will be carried out in accordance with the regulations prescribed in Articles 45, 46, 47, 48, 49, 50 of this decree.

Art. 86 - All expenditures for the organization of the election of the Village Council and the Hamlet Administrative Committee shall be provided by the Village budget.

Art. 87 - Regulations governing the implementation of this decree shall be prescribed by the Secretary of State for Interior.

Art. 88 - All former provisions contrary to this decree are cancelled.

Art. 89 - All Secretaries of State, and Province Chiefs are charged, each as to that which concerns him, with the execution of this decree.

s/ Ngo dinh Diem