ELECTION LAW COMPENDIUM
OF
CENTRAL AND EASTERN EUROPE

Published by

The International Foundation for Election Systems (IFES)



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International Foundation for Election Systems, Washington, D.C. 20005

August 2002

The International Foundation for Election Systems (IFES) is a non-profit, non-partisan organization which conducts projects world-wide to assist in the development of democratic electoral systems. While many of IFES' projects involve international experts working in cooperation with firmly established democracies, we feel it is important to create the opportunity for dialogue and mutual cooperation among electoral administrators, legislators, academicians, and legal experts within and among developing democracies in all regions of the world. The mutual support, open exchange of information and experience which arise from such contacts not only assists in the common goal of establishing democratic processes, but assures participants and representatives from all countries that this goal knows no borders, and allows them to acknowledge the mutual commitment of their foreign and domestic colleagues to the attainment of this goal.

This book has been carefully edited by IFES staff. However, due to the detailed process of translation of the laws into Ukrainian, some errors may exist. Consequently, we ask that the reader submit any questions, suggestions, or comments to our Washington office in order to assist IFES in the publication of subsequent editions of this *Compendium.*

Sincerely,



Richard W. Soudriette
President

TABLE OF CONTENTS

Current Status of Laws in the Compendium ii
Editor's Note iv
Albania 1
Bosnia and Herzegovina 39
Bulgaria 81
Czech Republic 113
Estonia 143
Hungary 167
Latvia 173
Lithuania 185
Macedonia 249
Moldova 273
Poland 319
Romania 397
Slovakia 429
Ukraine 465

CURRENT STATUS OF LAWS IN THE COMPENDIUM

Due to the rapid pace of legislative reform in the election laws of Central and Eastern Europe, some of the laws included in this volume may have since been superseded by recent parliamentary action. At the time of publication of the Compendium, the status of election legislation in this volume was as follows:

ALBANIA	The Electoral Code of the Republic of Albania, enacted 8 May, 2000.
BOSNIA AND HERZEGOVINA	A combined Parliamentary and Presidential Election Law, enacted 21-23 August, 2001.
BULGARIA	Parliamentary Election Law, enacted 13 April, 2001. Presidential Election Law, enacted 4 October, 1991, Amendments of 1991, 1996, and 1998 are included in this edition.
CZECH REPUBLIC	Parliamentary Election Law, enacted 1 January, 1996
ESTONIA	Parliamentary Election Law, enacted 11 July, 1994, Amendments of 1998, 1999, and 2001 are included in this edition. Presidential Election Law, enacted 1996.
HUNGARY	Parliamentary Election Law, enacted 1989, Amendments of 1998 are included in this edition.
LATVIA	Parliamentary Election Law, enacted 25 May, 1995 and amended by the March 26, 1998 Law of the Saeima.
LITHUANIA	Parliamentary Election Law, as amended by the 18 July, 2000 Act No.VIII-1937 of the Seimas. Presidential Election Law, as amended by the 19 September 2000 Act No. VIII-1938 of the Seimas.
MACEDONIA	Parliamentary Election Law, As adopted on April 24, 1994 Amended in July 1999 Presidential Election Law, As adopted on May 19, 1998 and amended in July 1999.

MOLDOVA	The Electoral Code of the Republic of Moldova, enacted 2001. Presidential Election Law, enacted 22 September 2000.
POLAND	Parliamentary Election Law, As adopted by The Act of 12 April 2001 on Elections to the Sejm of the Republic of Poland and to the Senate of the Republic of Poland. Presidential Election Law, Amendments of 2000 are included in this edition.
ROMANIA	Parliamentary Election Law, enacted 1992. Presidential Election Law, enacted 8 June, 1992.
SLOVAKIA	Parliamentary Election Law, enacted 20 May, 1998. Presidential Election Law, enacted 18 March, 1999.
UKRAINE	Parliamentary Election Law, enacted 18 October, 2001. Presidential Election Law, enacted 25 March,1999.

EDITOR'S NOTE

The objective of this work is to provide a comprehensive collection of the election laws of developing democracies in Central and Eastern Europe. The editor is all too conscious of the difficulty in keeping abreast of the dynamic and vast changes in democratic processes taking place in this area of the world, as reflected in the ever-changing bodies of law governing the conduct of elections.

In order to maintain the current collection of election laws, IFES would greatly appreciate any information on the enactment of new laws and amendments. To this end, we request that new information on the status of election laws be communicated to the following for inclusion in the future editions of this publication:

International Foundation for Election Systems (IFES)

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Republic of

ALBANIA

THE ASSEMBLY LAW
No. 8609 dated May 8, 2000

THE ELECTORAL CODE OF THE REPUBLIC OF ALBANIA

In reliance on articles 81 and 83 point 1 of the Constitution, on the proposal of the Council of Ministers,
THE ASSEMBLY OF THE REPUBLIC OF ALBANIA
DECIDED:

FIRST PART

Chapter I. Definitions And Principles

Article 1. Purpose of this Code

The purpose of this Code is the specification of rules:

a) for voting for elections to the Assembly, for the organs of local government and for a referendum;
b) for the organization and functioning of the election commissions;
c) for the preparation and improvement of voters' lists;
ç) for the determination of electoral zones;
d) for the registration of electoral subjects and their financing;
dh) for the reflection of electoral campaigns by the media;
e) for the organization and validity of referenda;
ë) for procedures of voting and the issuance of the results of elections;
f) for criminal and administrative violations of the provisions of this Code.

Article 2. Definitions

For purposes of this Code:

1) The "election date" is the date of voting set in the decree of the President of the Republic and does not include the date on which a second round of voting may be held.
2) "Special institutions" are prisons, places of pre-detention, hospitals or other health institutions that accept patients for more than three days.
3) A "candidate" is an Albanian citizen registered with the electoral commissions as a candidate for deputy, or for mayor of a municipality or commune, or for a municipal or communal council, in accordance with this Code, who is to be voted on in the elections.
4) An "independent candidate" is a candidate for deputy, or for mayor of a municipality or commune or a municipal or communal council, who is not supported by any political party.
5) A "joint candidate" is a candidate of a single-member electoral zone or another electoral unit, who is supported by two or more political parties.
6) A "coalition" is a grouping of two or more political parties registered with the CEC that submits a joint multi-name list for the elections to the Assembly or the organs of local government.
7) "VCC" is a Voting Center Commission.
8) "CEC" is the Central Election Commission, created according to article 154 of the Constitution.
9) "LGEC" is a Local Government Election Commission.
10) "ZEC" is a Zone Election Commission.
11) "Voters' lists" are the official documents of the registration of voters for each polling unit provided in accordance with this Code.
12) A "multi-name list" is a list of candidates of a political party or coalition, approved by the CEC, which serves for the election of candidates in the proportional system.
13) An "electoral unit" is either an electoral zone, or a municipality or commune in the case of local elections.
14) A "political party" is a party registered in accordance with law no. 8580, dated 17.2.2000, "On Political Parties."
15) The "election period" is the period from 30 days before the election date until the final announcement of the results of the voting.
16) A "representative of an electoral subject" is a person authorized by a candidate or a registered political party to follow their interests in the elections and participate in the meetings of electoral commissions, in the name and for the account of the candidate or the party.
17) A "voting center" is the premises designated for holding the voting, in accordance with this Code.
18) The "second round" is the second day of voting in an electoral unit because no candidate won the required majority of votes on the election date, in accordance with the Code.

19) A "constitutional referendum" is a referendum held pursuant to point 4 or 5 of article 177 of the Constitution.
20) A "general referendum" is a referendum held pursuant to articles 150, 151 and 152 of the Constitution.
21) A "local referendum" is a referendum held pursuant to point 4 of article 108 of the Constitution.
22) "The National Registry of Voters" is the official document in which all voters of the Republic of Albania are registered.
23) "Revision of the lists" is the process of taking out or putting in names, or changing the data, in the voters' lists.
24) A "student" is every voter registered as a full-time student in an educational or job training program in Albania of at least three months in duration and whose residence for purposes of this education or job training is a place other than his domicile.
25) "Electoral subjects" are political parties or coalitions registered with the CEC, their candidates or independent candidates registered with a ZEC or LGEC.
26) "Domicile" is the place where a voter is registered in the civil status register, according to the condition of article 12 of the Civil Code.
27) "Residence" is the place within the territory of the Republic of Albania where the voter is temporarily located within the meaning of article 14 of the Civil Code.
28) A "voter" is every Albanian citizen qualified to vote.
29) "Voters in the armed forces or police forces" are all voters who serve in the armed forces or the police forces and reside in a military or police base.
30) "Elections" are the voting for the Assembly, the representative organs of local government or for a referendum.
31) "Partial elections" are the voting to fill the seat of one of the 100 deputies elected in single-member zones or the place of a mayor of a municipality or commune, as well as for the election of a new local council in case of dissolution.
32) "Polling Unit" is a geographical zone within a municipality, commune, or electoral zone established in accordance with this Code.
33) "Electoral zone" is one of the 100 geographical divisions of the territory of the Republic of Albania established in accordance with the Constitution and the rules of this Code, in which voting takes place for the election of a deputy.

Article 3. General Principles

1. Elections are conducted through free, secret and direct voting, according to the rules provided in this Code.

2. Every Albanian citizen, without distinction of race, ethnicity, gender, language, political conviction, religious belief, or economic condition, has the right to vote and to be elected in conformity with the rules provided in this Code.

3. Voters freely exercise the right to vote in conformity with the rules provided in this Code.

4. Voters are equal in the exercise of the right to vote and to be elected.

5. The division of electoral zones is done including in each one an approximately equal number of voters.

6. Every voter has the right to only one vote for the election of an electoral subject or referendum alternative, in accordance with the rules set forth in this Code.

7. Electoral subjects are free to make electoral propaganda in any lawful manner.

8. Electoral commissions provided in this Code fulfill their responsibilities in an impartial and transparent manner.

Article 4. Setting the Election Date

1. The date of the elections is set by decree of the President of the Republic, according to the rules provided in articles 65, 109, 115, 151 point 3, 152 point 3 and 170 point 6 of the Constitution of the Republic of Albania.

2. The first round of elections for the Assembly take place 60 to 30 days before the termination of its mandate and no later than 45 days after its dissolution.

3. The first round of elections for the organs of local government are held 60 to 30 days before the end of the mandate of the existing local organs, or no later than 45 days after their dissolution or discharge. In case of an appeal from the dissolved or discharged organ, the President of the Republic sets the date of elections no later than 45 days after the decision of the Constitutional Court. In the case of non-exercise of the right to appeal by the organ of local government dissolved or discharged, the President of the Republic sets the date of the elections no later than 30 days after the end of the time period for an appeal contemplated in article 115 point 3 of the Constitution.

4. The decree setting the date of elections contains: the date of the election and the date for second round elections.

5. Elections are held on a Sunday.

Article 5. Hours of Voting

1. When the date of the elections is on or between March 31 and October 15 of any given year, the voting centers open at 8 AM and close at 6 PM.

2. When the day of elections is on or between October 16 and March 30, the voting centers open at 7 AM and close at 6 PM.

3. No one may vote after the hour when the voting centers close, except voters who are waiting to vote at the time of closing.

SECOND PART. VOTERS, ELECTORAL SUBJECTS, OBSERVERS

Chapter I. Voters

Article 6. Conditions for Being a Voter

1. Every Albanian citizen who has reached the age of 18 on or before the election date, and who fulfills the conditions provided in this Code, has the right to vote for elections to the Assembly, local government organs and in referenda.

2. Citizens declared by final judicial decision as incapable of acting because of mental inability are excluded from the right to vote.

Article 7. Registration of Voters

Voters vote in the voting center in the zone where they are registered on the voters' list.

Article 8. Voters who Live Outside the State

Voters who live in another state have the right to vote only in the territory of the Republic of Albania at the place where they are registered in the registry of civil status, provided they are registered in the National Registry of Voters, in accordance with the procedures in this Code, and possess a voter card.

Article 9. Voters in Special Locations

Voters who, on the date of the election, are residing in special institutions, military bases or police facilities, as well as students, vote in accordance with the rules provided in this Code.

Chapter II. Candidates

Article 10. Conditions for Being a Candidate

1. In addition to the conditions for being a voter, a candidate also meets the conditions of point 3 of article 45 and article 69 of the Constitution.

2. A candidate for the local government organs, in addition to the conditions provided in article 45 of the Constitution, shall be a citizen domiciled in the respective local government unit. A candidate for the organs of local government may not be a deputy in the Assembly or a candidate for deputy.

3. The candidates of the party lists deposited with the electoral commissions shall meet the conditions contemplated in points 1 and 2 of this article.

Article 11. Filling Vacancies in the Elected Organs

1. When the seat of a deputy in the Assembly is vacant, it is filled by a new member.

2. When the mandate of a deputy elected from the multi-name list of an electoral subject ends prematurely, his seat is filled by the next candidate on the list.

3. When the mandate of a deputy elected in a single-member zone ends prematurely, the vacancy is filled by a new deputy elected by the voters of the same electoral zone. On the basis of immediate notification by the Speaker of the Assembly, the President of the Republic sets by decree a date for partial elections in that zone, no later than 45 days from receipt of the notification. The deputy elected to fill a vacant seat serves until the end of the mandate of the deputy who left.

4. When the mandate of a deputy elected in a single-member zone ends prematurely during the last 6 months of the mandate of the Assembly, his seat is filled by the appropriate candidate from the multi-name list of the respective electoral subject. If the mandate of an independent deputy terminates during such period, he is not replaced.

5. When the seat of a mayor of a municipality or commune is vacant, the Council of Ministers informs the President of the Republic within two weeks. The President of the Republic sets the date of partial elections to choose a new mayor of the municipality or commune within 45 days from the date of notification. When the seat of a council member in the municipality or commune becomes vacant, it is filled by the appropriate candidate of the respective multi-name list.

6. If the seat of a mayor of a municipality or commune becomes vacant during the last 6 months of his mandate, the respective council elects from its members a new mayor to serve until the end of the mandate.

7. Partial elections are held according to the same procedure as general elections.

Chapter III. Political Parties

Article 12. Registration of Political Parties

1. Every political party that nominates candidates for deputy, candidates for mayor of a municipality or commune or for council members of a municipality or commune, in compliance with the procedures contemplated in this Code, is registered with the CEC as an electoral subject no later than 45 days before election day.

2. To register with the CEC, a political party shall submit:
   a) verification that the party is registered with the Tirana District Court;
   b) the name, surname and address of the chairman of the party, who is the person authorized to nominate candidates;
   c) the official name, initials and address of the party;
   ç) a copy of the party's seal;
   d) the name and address of the financial officer of the party;
   dh) The name and address of the person responsible for communication with the CEC.

Article 13. Registration of Coalitions

Two or more political parties may be registered with the CEC as a coalition by submitting the composition of the coalition and the joint multi-name lists for the Assembly or the local councils.

Chapter IV. Observers

Article 14. The Right to Appoint Observers

1. Foreign and local non-governmental organizations, as well as international organizations specialized and engaged in the promotion and defense of human rights, have the right to send observers to every voting center and to every election commission.

2. Every Albanian citizen who meets the conditions for being a voter according to this Code and who is proposed by a subject contemplated in point 1 of this article has the right to be an observer.

3. The CEC approves the observers' lists submitted by the subjects contemplated in point 1 of this article and issues authorizations for all observers no later than four days before the date of the voting.

Article 15. Rights and Duties of the Observers

1. While performing their duties the observers have these rights:
   a) to observe all aspects of the preparation and conduct of elections;
   b) to submit written comments to the election commissions for every kind of irregularity that they notice.

2. The observers have these duties:
   a) to respect the requirements of this Code and the instructions of the CEC on election observation;
   b) to act in an impartial manner and not to make propaganda for any candidate, party, or referendum alternative, at the voting centers or in other places prohibited according to the Code;
   c) to present themselves at the election commissions with the authorization issued by the CEC and an identification document accepted by the CEC;
   ç) not to bear distinctive signs that serve as means of propaganda or that might influence the voters' will;
   d) not to interfere with the activity of election commissions.

THIRD PART. ELECTION COMMISSIONS

Chapter I. The Central Election Commission (CEC)

Article 16. Qualifications of Members

1. Members of the CEC shall possess knowledge and professional experience in one of the following areas: law, administration of elections, public administration, or public relations.

2. An Albanian citizen domiciled in Albania who meets the following requirements is elected a member of the CEC:
   a) he enjoys the right to vote and to be elected;
   b) he possesses a university degree;
   c) he has not been convicted of a crime by final court decision;
   ç) he has not been a member of the steering bodies of a political party during the last three years.

Article 17. Selection of CEC Members

1. The members of the CEC are selected pursuant to article 154 of the Constitution. The members of the CEC

collectively shall satisfy, at any time, the requirements of point 1 of article 16 of this Code.

2. The President of the Republic appoints two members of the CEC after consultations with groups representing a broad spectrum of society.

3. The Assembly elects two members of the CEC on the basis of proposals of the Bureau of the Assembly, which draws up two lists with three names each proposed by the groups of the opposition and the parliamentary majority. If none of the candidates of a list receives the required number of votes, the Bureau of the Assembly submits a new list.

4. The High Council of Justice elects three members of the CEC by secret ballot, on the basis of proposals from the National Judicial Conference and individual applications. All proposals and applications are made public. The National Judicial Conference nominates 6 jurists, at least one of whom is elected a CEC member.

5. After his election, a member of the CEC immediately resigns from every other state and political activity.

6. Members of the CEC may be re-appointed only once.

Article 18. Competencies

In implementation of article 153 of the Constitution, the CEC performs these duties:

1) It issues, for the implementation of the law and within its jurisdictional sphere, decisions and instructions with general legal authority in the entire territory of the Republic.
2) It decides on the unification of electoral practices.
3) It manages and reviews the process before and during the elections.
4) It announces by decision the national final results of the elections, in accordance with the declarations of the ZEC or, as the case may be, the LGEC.
5) It announces the winning candidates from the multi-name lists for deputy.
6) It administers the process of voter registration, and maintains the National Voters' Registry, according to the rules provided in this Code.
7) It implements education programs for voters and training programs for election commission members.
8) In compliance with this Code, it appoints and dismisses the members of the ZECs, LGECs and regional election commissions and supervises them during the performance of their duties.
9) If on the date of the elections for any reason a quorum is not achieved for the holding of meetings of a ZEC, LGEC or VCC, the CEC immediately names the members necessary to constitute a quorum.
10) It publishes a bulletin of election, which contains the voting results in each electoral unit and voting center as well as a report of election expenses.
11) Within the month of February of each year, it submits an annual report to the Assembly regarding its activities for the previous year.
12) It prepares its annual draft budget according to law no. 8379, dated 29.7.1998, "On the Drafting and Implementation of the State Budget."
13) It administers the funds put at its disposition from the state budget and from other lawful sources, in the service of the elections.
14) It reviews and decides on the complaints of the representatives of the electoral subjects about the conduct of the voting process, in accordance with the provisions of this Code.
15) It decides on the compensation of members and non-voting representatives of the election commissions.
16) It orders administrative penalties against persons who commit administrative offenses related to the elections and brings a criminal complaint when criminal acts are committed in connection with elections.
17) It performs other duties stemming from this Code or from other laws.

Article 19. Meetings and Decision-Making

1. Meetings of the CEC are open to the public, with the exception of matters related to personnel issues and budget development.

2. Meetings of the CEC are called jointly by the Chairman and Vice Chairman of the CEC or at the request of at least three of its members. In an election period, the CEC remains in session according to the time schedule specified at the first meeting after the election date is decreed. The time schedule of the meetings is posted in a visible public place at the CEC and is published in the three newspapers with the largest circulation.

3. Meetings of the CEC are valid when no less than four of its members are present.

4. Substatutory acts, decisions announcing the results of elections, decisions for the approval of the voters' lists, and decisions to propose to the Assembly to discharge a

CEC member are approved by at least four votes of the CEC. All other decisions are taken by a majority of the members present.

5. Normative acts of the CEC become effective only upon publication in the Official Journal.

6. Decisions of the CEC are announced immediately, together with the minority opinion, and are signed by all the CEC members who have voted.

7. The final results of an election are announced no later than three days from the date when the CEC receives all official data from the electoral commissions or court judgments on appeals against decisions of the electoral commissions. The decision is published in the Official Journal no later than three days from the date the decision is taken.

Article 20. Immunity of Members

1. A member of the CEC may be criminally prosecuted only with the approval of the Assembly.

2. A member of the CEC may be detained or arrested only if apprehended while committing a crime or immediately after its commission. In these cases, the competent organ notifies the Constitutional Court immediately. If the Constitutional Court does not consent within 24 hours to bring the arrested judge before a court, the competent organ is obliged to release him.

Article 21. Salary

The salary of a CEC member is equal to the salary of a High Court judge.

The salary of the CEC Chairman and Vice Chairman is 10 per cent higher than the salary of a CEC member.

Article 22. Premature End of Mandate

1. The mandate of a CEC member ends prematurely when:

a) he is convicted of a crime by final court decision;
b) he is absent from work for more than three months in a non-election period or for more than 5 consecutive days during an election period;
c) he loses the right to vote;
ç) he resigns.

2. In these cases, the chair of the CEC notifies the organ that appointed the member within 24 hours.

Article 23. Discharge of CEC Members

1. A member of the CEC may be removed by the Assembly by two-thirds of all its members for violation of the Constitution, mental incapacity or physical incapacity that seriously hinders the performance of his duties, or acts and behavior that seriously discredit the integrity and reputation of a CEC member.

2. The discharge of a CEC member is proposed by one-fifth of the deputies or by the CEC, which decides by the majority contemplated in article 19, point 4 of this Code.

3. The decision of the Assembly is reviewed by the Constitutional Court, which, when it determines the existence of one of the grounds contemplated in point 1 of this article, declares his removal from office.

Article 24. Rights and Duties of CEC Members

Members of the CEC take part regularly in the meetings of the CEC and perform the duties contemplated in this Code and in the substatutory acts issued by the CEC. They exercise their functions in their individual capacity and vote freely according to their internal convictions.

Article 25. Renewal of the Composition and Replacement of Members

1. Between March 1 and March 31, 2003, one of the members appointed by the President, one of the members appointed by the Assembly, and one of the members appointed by the High Council of Justice are replaced by the respective organs.

2. Between March 1 and March 31, 2006, the second member appointed by the President, the second member appointed by the Parliament, and one of the remaining two members initially appointed by the High Council of Justice are replaced by the respective organs.

3. The members who are replaced pursuant to points 1 and 2 of this article are determined by lots cast 30 days after the effective date of this Code.

4. The third member initially appointed by the High Council of Justice and the new members appointed according to points 1 and 2 of this article are replaced at the end of their seven year mandate by the respective organs.

5. The new members are appointed within 30 days from the termination of the mandate of the departed members.

6. In case the mandate of a member ends prematurely in accordance with article 22 or 23 of this Code, the organ that appointed the departed member appoints a replacement within 30 days from the date of the vacancy notice. The replacement remains in duty until the end of the full mandate of the prematurely departed member.

7. Notwithstanding point 5 of this article, the membership of the CEC is not changed during an election period. In these cases, the incumbent members are replaced within 30 days from the termination of the election period. In case the mandate of a member ends prematurely during an election period, he is replaced by the respective organ as soon as possible but no later than within 48 hours.

8. When the seat of the Chairman or the Vice Chairman is vacant, the CEC elects a new chair or vice-chair within 15 days. During an election period, the Chairman or the Vice Chairman is elected as soon as possible but no later than within 48 hours of the creation of the vacancy.

Article 26. Privileges after Termination of the Mandate

After the termination of the mandate, a member of the CEC receives all the benefits granted to a judge of the High Court under law no. 8097, dated 21.3.1996, "On State Supplementary Pensions for Persons Who Hold Constitutional Functions and for State Employees." A member of the CEC does not enjoy these privileges when his mandate ends prematurely pursuant to letters "a" or "b" of point 1 of article 22 or article 23 of this Code, except when he is discharged by the Assembly for mental or physical incapacity.

Article 27. The Chairman of the CEC

1. The CEC elects the Chairman by secret vote from the ranks of its members.

2. The members of the CEC vote for the Chairman by selecting one of the members on a ballot.

3. The member of the CEC who has won the majority of the votes of all members is elected Chairman. When none of the members wins the required majority, a second round of voting is held between the two members who won the most votes in the first round.

4. The Chairman is elected for a three-year period with the right of re-election only once.

5. The mandate of the Chairman is counted within his term as a member.

Article 28. Duties of the Chairman

The Chairman of the CEC performs these duties:

a) He chairs meetings of the CEC.
b) He represents the CEC in relations with third parties.
c) He performs other duties contemplated in this Code.

Article 29. Vice Chairman of the CEC

1. The Vice Chairman of the CEC is elected with the same procedure and term as the Chairman of the CEC.

2. The Vice Chairman performs the duties of the Chairman in his absence.

Article 30. Secretary of the CEC

1. The Secretary of the CEC is the highest civil servant in the administration of the CEC and is appointed by the CEC on the basis of candidacies selected according to law no. 8549, dated 11.11.1999, "Status of the Civil Servant." The Secretary of the CEC shall be a lawyer with no less than five years of experience in election or public administration and shall meet the criteria for being a member of the CEC.

2. The Secretary of the CEC performs these duties:

a) He coordinates the activity of the CEC with the competent organs and ensures implementation of the decisions of the CEC.
b) He organizes the procedure for the election of the Chairman and Vice Chairman of the CEC.
c) He takes measures for the proper conduct of meetings of the CEC.
ç) He takes measures for the publication of normative acts of the CEC in the Official Journal.
d) He supervises the filing and maintenance of CEC decisions in a public register.
dh) He directs the administration of the CEC.
e) He performs other duties set by the CEC.

3. The Secretary is dismissed by the CEC in accordance with law no. 8549, dated 11.11.1999, "Status of the Civil Servant."

Article 31. Political Party Representatives

1. Each political party or coalition registered with the CEC may appoint only one non-voting representative to the CEC.

2. The representatives of the political parties at the CEC have the following rights:

a) to attend the open meetings of the CEC, make presentations at the meetings and observe the activity of the CEC for the preparation and conduct of elections;
b) to give written opinions on issues under consideration by the CEC and submit complaints to the CEC for violations of this Code and of the CEC regulations;

c) to receive copies of the decisions and other acts of the CEC and have access to the documentation of elections through the Secretary of the CEC;
ç) to have their complaints responded to in writing.

3. The representatives exercise their rights in accordance with the internal regulations of the CEC and, in any case, without hindering the normal functioning of the CEC.

Chapter II. Zone Election Commissions (ZEC)

Article 32. Composition of ZECs

1. A ZEC consists of a chairman, vice chairman, and up to five members appointed by the CEC upon the nomination of the seven political parties receiving the most votes in the respective zone in the last elections for the Assembly. The chairman and vice chairman are designated respectively by the first two parties that won the most votes in the last elections in the respective zone.

2. If less than seven parties received votes in the respective zone in the last elections for the Assembly, the ZEC is composed only of the representatives of those political parties that received votes.

3. The secretary of a ZEC is appointed by the CEC upon the proposal of the ZEC for a period determined by the CEC. The secretary of a ZEC shall be a jurist and has the status of a non-voting member of the ZEC.

4. Members of a ZEC may not be deputies or candidate for the Assembly or the representative organs of local government, or members of more than one ZEC. Members of the ZEC may not be military personnel or members of structures of the State Police or the State Information Service.

5. Members of the ZEC shall have a university degree and may not have been convicted of a crime by final court decision.

6. Members of the ZEC shall have a residence in the respective electoral zone.

7. The ZEC is a permanent organ, but its members are not full time. The CEC determines the working hours of the ZEC members during the election period and outside of it.

8. Every political party registered with the CEC as an electoral subject that does not have a member in the ZEC in accordance with point 1 of this article has the right to designate one non-voting representative to the ZEC after nomination of its candidate for the single-member zone or multi-name list candidates.

9. Independent candidates in the respective zone have the right to designate a non-voting representative to the ZEC.

10. If a political party represented on the ZEC does not nominate a candidate in that zone and has not submitted a multi-name list for the current election, that party relinquishes its seat on the ZEC.

11. The ZEC is re-established in accordance with the results of the last elections to the Assembly no later than one month after the declaration of the final results of the elections by the CEC.

12. When the seat of a member of the ZEC is vacant, it is filled in compliance with the rules provided in this article within 30 days from the date of creation of the vacancy. During the period of the elections, vacant seats are filled within three days.

Article 33. Non-Voting Representatives

1. The non-voting representatives to a ZEC are furnished with an authorization by the party or independent candidate.

2. The representatives to the ZEC have the same rights as the representatives of the parties to the CEC in accordance with point 2 of article 31 of this Code.

Article 34. Discharge of a ZEC Member

The members of a ZEC are discharged by the CEC for the same reasons that lead to the dismissal of members of the CEC.

Article 35. Duties of a ZEC

A ZEC is responsible for the conduct of the elections for the Assembly within the respective electoral zone and performs these duties:

1) It is responsible for the administration of the elections in the zone in accordance with the provisions of this Code and the substatutory acts issued by the CEC.
2) It sets polling unit boundaries, in cooperation with the local government organs and in accordance with CEC instructions.
3) It establishes the location of each voting center and assigns numbers to each of them.
4) It appoints the chairman, vice chairman and members of the VCCs in accordance with this Code.
5) It verifies the documentation of the candidates.

6) It investigates the complaints of political parties regarding the conduct of elections in the zone.
7) It posts in a visible place the voters' lists, the decree setting the election date and other announcements related to the conduct of elections in the zone.
8) It administers the budget allocated for elections in the zone by the CEC.
9) It assures the timely distribution of voting materials.
10) It receives the polling materials, including ballot boxes, from the VCCs.
11) It prepares the tabulation of election results in the zone and sends it together with other necessary materials to the CEC pursuant to article 107 of this Code.
12) It announces the election results in the zone.
13) It administers partial elections in the zone.
14) It makes arrangements for the recount of ballots.

Article 36. Meetings and Decisions of a ZEC

1. Meetings of a ZEC are public, except as provided in article 107 of this Code.

2. Decisions in a ZEC are taken by a majority of the voting members present in the presence of at least half of all voting members of the ZEC.

3. Decisions are signed by all members who have voted. Decisions are accompanied by the opinion of the minority.

Article 37. Actions of a ZEC after Issuance of the Decree, Setting the Date of Assembly Elections

After the decree setting the date for elections comes out, the ZEC publishes it immediately in the local press and electronic media and posts it at the municipality or commune offices and at the civil status offices of the zone. Together with the election decree, the ZEC publishes the location of all voting centers in the zone, the hours of voting, the names of all the members of the ZEC and its secretary, including the address of the office of the commission, its telephone and fax number, and a map of the electoral zone on which every voting center is geographically indicated. The ZEC publishes all other documentation that should be made public in accordance with this Code and the instructions of the CEC.

Chapter III. Local Government Election Commission (LGEC)

Article 38. Composition of an LGEC

1. Within every municipality and commune, an LGEC is created, consisting of the chairman, vice-chairman, and up to five members appointed by the CEC upon the nomination of the seven political parties receiving the most votes in the last elections of the respective council. The chairman and vice-chairman are designated respectively by the first two parties that won the most votes in the last elections for the respective council of the municipality or commune.

2. If less than seven parties received votes in the last elections of the respective council, the LGEC commission is composed only of the representatives of only those political parties that received votes.

3. The secretary of the municipality or commune serves as secretary of the LGEC for a period determined by the CEC. The secretary has the status of a non-voting member of the LGEC.

4. Members of an LGEC may not be deputies or candidates for the Assembly or the representative organs of local government, or members of another LGEC. Members of the LGEC may not be military personnel or members of the structures of the State Police or the State Information Service.

5. Members of the LGEC shall, as a rule, possess a university degree and may not have been convicted of a crime by final court decision.

6. Members of the LGEC shall have a residence in the respective local unit.

7. The LGEC is a permanent organ, but its members are not full time. The CEC determines the working hours of the members of the LGEC during the election period or outside of it.

8. Political parties registered with the CEC as electoral subjects who does not have a member in the LGEC in accordance with point1 of this article have the right to designate one non-voting representative each to the LGEC after nomination of its candidate for mayor of a commune or municipality, or multi-name list candidates for the local council.

9. Independent candidates in the respective commune or municipality also have the right to name one non-voting representative each to the LGEC.

10. If a political party represented on the LGEC does not nominate a candidate for mayor of a commune or municipality and has not submitted a multi-name list for the local council, it relinquishes its seat on the LGEC.

11. The LGEC is re-established in accordance with the results of the last elections to the local council no later than one month after the declaration of the final results of the local elections by the CEC.

12. When the seat of a member of the LGEC is vacant, it is filled in compliance with the rules provided in this article within 30 days from the date of creation of the vacancy. During the period of the elections, vacant seats are filled within three days.

Article 39. Non-Voting Representatives

1. The non-voting representatives to the LGEC are furnished with an authorization by the party or independent candidate.

2. The representatives to the LGEC have the same rights as the representatives of the parties to the CEC, in accordance with point 2 of article 31 of this Code.

Article 40. Discharge of Members

The members of an LGEC are discharged by the CEC for the same reasons that lead to the discharge of a member of the CEC.

Article 41. Duties of an LGEC

An LGEC performs these duties:

1) It is responsible for the administration of the elections for the organs of local government; it is responsible for posting, revising, and approving the preliminary voters' lists of the respective municipality or commune, according to the rules provided in this Code and the instructions of the CEC.
2) It sets the polling unit boundaries in the municipality or commune in cooperation with the organs of local government.
3) It performs by analogy the same duties that this Code contemplates for a ZEC.
4) In case of parliamentary elections, it send the revised voters' lists to the ZEC.

Article 42. Meetings and Decisions of the LGEC

1. Meetings of the LGEC are public, except as provided in article 107 of this Code.

2. Decisions in an LGEC are taken by a majority of the votes in the presence of more than half of all voting members of the LGEC.

3. Decisions are signed by all members who have voted. The decisions are accompanied by the opinion of the minority.

Chapter IV. Voting Center Commission

Article 43. Composition of VCCs

1. Within every polling unit, a VCC is created, consisting of the chairman, vice-chairman, and up to five members proposed by the seven political parties that received the most votes in the last parliamentary elections for the respective single-member zone, or in the last local elections for the respective local council. The chairman and vice-chairman are designated respectively by the two first parties that won the most votes in the last elections in the respective electoral unit.

2. If less than seven parties received votes in the last elections contemplated in point 1 of this article, the VCC is composed only of the representatives of those political parties that received votes.

3. The secretary of the VCC is appointed by the ZEC or LGEC, as appropriate. The secretary has the status of a non-voting member of the VCC.

4. Members of the VCC may not be deputies or candidates for the Assembly or the representative organs of local government, or members of another VCC. The members of the VCC may not be military personnel or members of the structures of the State Police or the State Information Services.

5. Members of the VCC shall not have been convicted of a crime by final court decision.

6. Members of the VCC shall have a residence in the respective polling unit.

7. The members of the VCC are appointed only for the period of the elections. The appointment of the members is done in any case no later than 10 days before the date of the elections.

8. Political parties registered with the CEC as electoral subjects that do not have a member in the VCC in accordance with point 1 of this article have the right to designate a non-voting representative who has the rights specified in the seventh part of this Code.

9. Independent candidates have the right to designate one non-voting representative to the VCC.

10. When the seat of a member of the VCC is vacant, it is filled in compliance with the rules provided in this article within 30 days from the date of creation of the vacancy. During the period of the elections, vacant seats are filled within three days.

Article 44. Duties of a VCC

1. The VCCs are set up and function for all kinds of elections.

2. Members of the VCC are responsible for the conduct of the elections in the voting center, implementing the duties prescribed this Code.

Article 45. Decision-making in the VCC

1. Decisions in the VCC are taken by a majority of votes in the presence of more than half of all voting members of the VCC.

2. Decisions are signed by all members who have voted. Decisions are accompanied by the opinion of the minority.

Article 46. Voting Materials

1. The CEC provides the ZECs and the LGECs with the materials necessary for each voting center no later than 7 days before the date of the elections.

2. The ZEC, LGEC, and VCC secure the election materials in a safe place, in accordance with CEC instructions.

3. No earlier than 48 hours and no later than 24 hours before the opening of the voting center, the ZEC or LGEC, as appropriate, distributes the materials to the chairmen and secretaries of the VCCs.

4. One copy of the document showing receipt of the materials is kept with the official records of the voting center.

Chapter V. Special VCCs

Article 47. Composition and Responsibilities of Special VCCs

In accordance with this Code and the instructions of the CEC, a ZEC or LGEC, as appropriate, creates special voting center commissions in hospitals, prisons or places of pre-detention and dormitories. These commissions have the same composition and the same responsibilities as a VCC.

FOURTH PART. NATIONAL REGISTRY OF VOTERS

Chapter I. The Competent Authorities

Article 48. The Competent Organ

1. The National Registry of Voters is prepared under the supervision of the CEC. It contains data and is prepared in accordance with the provisions of this Code and the substatutory acts issued by the CEC for its implementation.

2. The National Registry of Voters is prepared on the basis of official data drawn from the civil status registries.

Article 49. Directorate of Registration of Voters

1. For the administration of the National Registry of Voters, the CEC creates the Directorate of Registration of Voters.

2. The Directorate of Registration of Voters is responsible for implementing the decisions of the CEC connected with the registration of voters. It performs these duties:

a) It administers the National Registry of Voters.
b) It prepares for the CEC the instructions to the offices of civil status on the method of compilation of the voter lists.
c) It organizes and directs the registration of voters door to door whenever it is considered necessary.
ç) It performs other duties in connection with the registration of voters set by the CEC.

Article 50. Voter Card

1. Every voter registered on the National Registry of Voters is furnished with a voter card in accordance with the instructions of the CEC.

2. The voter card is collected only by the voter in person.

3. The voter card contains a photograph of the voter and a unique voter identification number.

4. When the voter card is lost or becomes unusable, the voter is furnished with a new card, in accordance with the rules specified by the CEC.

Chapter II. Preparation Of The Voters' Lists

Article 51. National Registry of Voters

The National Registry of Voters is composed of the voters' lists of all municipalities and communes.

Article 52. Registration According to Domicile and Residence

1. Voters are registered on the voters' list of the polling unit for their domicile, with the exception of the cases contemplated in point 2 of this article.

2. Voters who are residing away from their domicile, but within the territory of the Republic of Albania, are registered on the list of the polling unit of their place of residence, and are de-registered from the list of the polling unit of their domicile.

3. The LGEC of the residence of the voter registers him in the preliminary lists of voters of the respective polling unit and notifies the CEC, which orders the de-registration of the voter from the list of voters of his domicile.

Article 53. Preliminary Voters' Lists

1. Preliminary voters' lists are drawn from the registries of civil status.

2. The voters' lists contain:
   a) The name, surname, father's name, date of birth, address and voter card number.
   b) The name of the commune or municipality or the number of the electoral zone, as well as the number of the voting center.

Article 54. Updating the Preliminary Voters' Lists

1. Four months before the end of the mandate of the Assembly or local government organs, the CEC requests the National Office of Civil Status to prepare, within two weeks, the preliminary voters' lists according to the particular election to be held. The CEC sends immediately to each LGEC four copies of the preliminary voters' lists.

2. The LGEC immediately posts the preliminary lists in a public place, making the respective announcement of the dates and time schedule for receiving voters' complaints. Every voter or political party has the right to request from the LGEC the correction of inaccuracies in the preliminary voters' lists, according to the requirements set forth in article 12 of the Civil Code and articles 55 through 58 of this Code.

3. When an LGEC considers it necessary, and with the approval of the CEC, it establishes door-to-door verification groups, which have the duty of confirming the accuracy of the data in the lists. When they notice inaccuracies, the verification groups fill out the respective forms and deliver them to the LGEC.

4. The CEC specifies the rules for the composition of the verification groups and the rules for the performance of the verification.

5. In case of early elections to the Assembly, partial elections and referenda, the procedures provided in points 1 to 4 of this article are followed, to the extent possible and adjusted to meet the circumstances.

Article 55. Grounds for Revision of the Preliminary Voters' Lists

1. Voters' lists are revised when a voter:
   a) dies;
   b) has lost the right to vote;
   c) was registered in more than one list;
   ç) has moved his domicile or residence; or
   d) shows that his personal data are incorrect.

2. In the case of letter ç of point 1, the voter is registered in the appropriate voters' list according to CEC instructions.

Article 56. Prohibition of Changing the Lists

The LGEC may not make changes to the preliminary voters' lists during the last 23 days before the date of the elections.

Article 57. Promulgation of Final Lists

1. After the termination of the period for revising the preliminary lists, each LGEC sends the revised list for its electoral unit to the CEC within 24 hours.

2. The CEC enters the revised lists into the National Registry of Voters. The Directorate of Registration of Voters sends the final lists to the ZECs or LGECs, as appropriate, or to other commissions contemplated by this Code no later than two weeks before the date of the elections.

3. The respective commissions post the final lists within 48 hours from the date of their receipt from the CEC.

4. The ZEC or LGEC sends the final lists to the VCCs no later than three days before the date of the elections. The ZECs and LGECs keep a copy of the final voters' lists.

Article 58. Access to the Voters' Lists by Electoral Subjects

1. The CEC makes the preliminary lists prepared in accordance with article 54 of this Code available to all registered political parties, at their request and upon payment.

2. After the expiration of the registration period for the candidates, the ZEC or LGEC, as appropriate, makes available to the electoral subjects a copy of the revised list sent to the CEC as provided in article 57.1 of this Code, at their request and against payment.

3. After approval of the final voters' lists, the CEC makes available to the central offices of each registered political party, at their request and against payment, a copy of the lists.

4. The candidates and parties use the voters' lists only to verify their accuracy and in compliance with the law.

5. The CEC sets the manner of delivery of, and fees to be charged for, the voters' lists provided to electoral subjects.

Article 59. Special Institutions

1. For general referenda and elections, two days prior to the date of voting, the director of the special institution prepares a list of voters and delivers it to the ZEC.

2. For local referenda and elections, two days prior to the day of voting, the director of the special institution prepares a list of those residents who are domiciled in the electoral unit where the institution is located and delivers it to the LGEC.

Article 60. Voters in Military Forces and Police Forces

1. Immediately after the date of the elections for the Assembly is set, the Ministry of Defense and other competent central institutions, at the request of the CEC, instruct the commanding officers of the respective bases to prepare a list of voters who will be residing on that base on the date of the elections.

2. The list of voters who will be residing on the base on the date of the elections is delivered to the ZEC no later than fifteen days after the date of the elections is set.

3. The ZEC adds the list of voters residing on the base to the list of voters for the respective electoral unit. They are struck off the list of voters for their place of domicile in compliance with the procedures designated by the CEC.

Article 61. Students

Students may vote in their place of residence in accordance with substatutory acts of the CEC. The CEC takes measures so that students are not registered on more than one voters' list.

FIFTH PART. SYSTEM OF ELECTIONS

Chapter I. System Of Elections For The Assembly

Article 62. Composition of the Assembly

The Assembly of the Republic of Albania is composed of 140 deputies, of whom 100 are elected directly by the voters in single-member electoral zones and 40 are elected according to the proportional percentage of the votes won in the first round of elections from the multi-name lists of electoral subjects deposited at the CEC.

Article 63. Election of Deputies in Single-Member Zones

1. A candidate who wins an absolute majority of the valid votes of the voters who have taken part in the voting in a single-member zone is considered elected the deputy of the zone to the Assembly.

2. If, in the first round of elections, none of the candidates wins an absolute majority, then after two weeks, a second round of elections is held. In the second round of elections, the two candidates who have received the greatest number of votes in the first round compete.

3. If a candidate withdraws from the second round, the candidate who has won the most votes compared to the other remaining candidates competes in his place in the second round.

4. When three or more candidates win an equal number of votes in the first round, then the two candidates who will compete in the second round are decided by lot. The same procedure is followed to choose the second candidate when one has been determined and the others have an equal number of votes.

5. After determining the need for a second round of elections, the ZEC announces the candidates to be voted on in this round. The announcement is made at the same time as the issuance of the results of the voting in the zone.

Article 64. Voting in the Second Round

1. In the second round of elections, the candidate who has won a majority of the valid votes is considered elected the deputy to the Assembly.

2. If, even after the second round of elections, the candidates have won an equal number of votes, then one of the candidates is elected the deputy of the zone by lot.

3. The CEC organizes the lot procedure whenever it is necessary. The lots are organized in the presence of the candidates.

Article 65. Joint Candidates

1. Political parties registered in the CEC have the right to nominate joint candidates for deputy.

2. Coalitions of political parties registered in the CEC may submit joint multi-name lists of candidates.

3. The submission of joint candidates and joint multi-name lists is made according to the time periods provided in article 76 of this Code.

Article 66. Allocation of compensatory mandates

1. Forty compensatory seats are allocated according to the following rules to political parties and coalitions of political parties.

a) Parties that win less than 2.5% and coalitions that win less than 4% of the valid votes in the whole country in the first round do not benefit from compensatory seats.

b) The number of valid votes won by each of the parties and coalitions meeting the respective threshold is divided by the sum of valid votes they have obtained on the national level, and the result is multiplied by 140. Each of these parties and coalitions are allocated initially as many seats in total as the full number obtained by the above-mentioned calculation. The remaining seats are allocated to the subjects with the larger remainders. In case the remainders for the last seat are equal, lots are drawn.

c) In order to determine the number of compensatory seats to be allocated to each party or coalition, the number of seats won in single-member zones is deducted from the number of seats allocated to each party or coalition according to letter "b" of this article. If the difference is negative or zero, the party or coalition keeps only the mandates won in single-member zones.

ç) Notwithstanding letter "b," if:

i) independent candidates are elected in one or more single-member zones;

ii) parties or coalitions that do not meet the respective threshold win seats in one or more single-member zones; or

iii) parties or coalitions that meet the respective threshold win more seats in single-member zones than they are entitled to on the basis of letter "b," then the following formula applies to the allocation of compensatory seats to parties or coalitions for which the difference according to letter "c" is positive: $N = (A - B)\ [40/(40 + C)]$. N is the number of compensatory seats of each party or coalition, A is the number of seats allocated to each party or coalition according to letter "b," B is the number of seats it won in single-member zones, and C is the total number of seats won according to points "i," "ii," and "iii" of this letter (in the cast of point "iii," only to the extent of the excess). Each of these parties and coalitions are allocated initially as many seats as the full number obtained by this calculation. The seats that remain are allocated to the subjects with the larger remainders, in descending order. In case the remainders for the last seat are equal, lots are drawn.

d) If a single-member zone deputy was elected as a joint candidate of two or more parties not in a coalition, for purposes of the calculation of letter "c," his seat is considered to have been won by the party among those nominating him that gained the greatest number of votes in the whole country in the first round, unless the parties have agreed otherwise.

dh) Deputies are elected from the multi-name lists of parties or party coalitions according to their respective order.

e) If the number of candidates on a multi-name list of a political party or coalition is smaller than the number of seats to which that party or coalition is entitled, according to this article, the unfilled seats are divided among the other parties and coalitions of parties that exceed the respective threshold in accordance with the following formula:

The number of valid votes won by each of the above parties or coalitions is divided by the total of the valid votes won by them, and the result is multiplied by the number of unfilled seats. A number of compensatory seats is initially allocated to each of these parties or coalitions equal to the full number that results from the above calculation. The seats that remain are allocated to the parties or coalitions with the largest decimal remainders. If the decimal remainders for the last seat are equal, lots are drawn.

Chapter II. Electoral Zones

Article 67. Single-Member Electoral Zones

1. For purposes of elections to the Assembly, the territory of the Republic is divided into 100 single-member electoral zones.

2. The boundaries of the electoral zones may not be changed during the last six months of the mandate of the Assembly.

Article 68. Electoral Zone Boundary Commission

1. Electoral zone boundaries are established by a law of the Assembly in accordance with the recommendations of the Electoral Zone Boundary Commission.

2. An Electoral Zone Boundary Commission (the Commission) meets every five years, beginning on August 1, 2000, for the purpose of reviewing the electoral zone boundaries in accordance with the criteria set forth in this Code.

3. The Commission consists of the following members:
   a) the Secretary of the CEC;
   b) the Director of the Institute of Statistics;
   c) the Head Registrar of Immovable Property;
   d) the Director of the Center of Geographic Studies of the Academy of Sciences.

4. The chairman of the CEC calls the first meeting of the Commission, after which the Secretary of the CEC serves as Chairman of this Commission.

5. The CEC provides for the budget and administrative support services for the Commission.

Article 69. Procedures for Setting Electoral Zones

1. Within three months of its establishment, the Commission issues an interim report with initial recommendations regarding electoral zone boundaries. The interim report is made available to each registered political party, the media and any other interested party who requests a copy.

2. Beginning two weeks after the issuance of the interim report, the Commission holds a series of public meetings at which registered political parties and other interested parties have the right to make a presentation to the Commission regarding the contents of the interim report.

3. The Commission considers its interim recommendations taking into account the presentations made in the public meetings and submits a final report on setting the electoral zones to the Assembly no later than the first Monday of December of the respective year.

Article 70. Commission Reports

1. The interim and final report of the Commission indicates the average number of voters for an electoral zone, the number of voters in each electoral zone along with the difference between the average and the estimated number of voters for each zone; a map of each electoral zone; a list of municipalities and communes within each zone; and a written description of the boundaries of each electoral zone.

2. The final report also contains a summary of the presentations made at the public hearings and the decisions of the Commission in connection with them.

Article 71. Criteria for Establishing Electoral Zone Boundaries

For the purpose of establishing electoral zone boundaries, the Commission follows the procedures set out in this article:

1) It obtains from the CEC the total number of voters and the number of voters in each existing electoral unit and polling unit. These data are taken from the National Registry of Voters as it exists on August 1 of the respective year.
2) It obtains from the CEC and other competent sources maps for the existing electoral zones, municipalities and communes, and polling units and any other map its deems necessary.
3) It establishes the average number of voters for the zone by dividing the total number of voters contained in the National Registry of Voters by the number of single member electoral zones.
4) It determine the percentage deviation from the average number of voters for each zone.
5) It reviews all electoral zone boundaries in an effort to ensure that, as much as possible, the number of voters in each zone is no less or no greater than 5 per cent of the average number.
6) When the number of voters in a municipality is within plus or minus 5% of the average number of voters, that municipality or commune shall constitute an electoral zone.
7) As much as possible, a commune shall be wholly included within one electoral zone, and a municipality with a total number of voters smaller than the number contemplated in point 6 shall not be divided into more than two electoral zones.
8) In addition to the rule provided in point 5 of this article, the Commission also takes the following issues into account when establishing zone boundaries:
   a) traditional ties and common interests of local communities;
   b) natural barriers and boundaries;
   c) communication and transportation linkages;
   ç) boundaries of regions.

9. The electoral zones shall be compact and may not be divided into parts that are separate from one another.

Article 72. Review of the Final Report

1. The Assembly examines the final report of the Commission within two weeks from receiving it. The Assembly accepts the report and approves the law on electoral zones, embodying the recommendations of the final report, or refers it back to the Commission for further consideration. The Assembly may not change the boundaries recommended by the Commission.

2. If the Assembly sends the report back for further consideration, the Commission undertakes a review of its recommendations and submits a second report within 30 days. The Assembly examines the new report within 15 days.

Article 73. Effective Date of New Zone Boundaries

1. The law on the electoral zones comes into effect on the effective date of the decree of the President of the Republic setting the date of the nearest elections, except if point 3 of this article applies.

2. Notwithstanding point 1 of this article, the CEC may exercise its functions according to the new boundaries contemplated in the law on electoral zones after the law becomes effective.

3. If the Assembly does not approve the law on electoral zones before the last six months of its mandate, the existing boundaries apply to the next parliamentary elections.

4. If the date of elections for the Assembly or the date of local government elections is announced after the boundary review has begun, the Commission continues its work but may not hold a public meeting or issue a public interim report until after the official declaration of election results is made by the CEC.

5. In the period between the approval of the new law on electoral zones and new elections for the Assembly, partial elections are held according to the zones existing at the time of the last elections for the Assembly.

Chapter III. System Of Local Elections

Article 74. System of Local Elections

1. The mayors of the municipalities or communes, as well as members of the councils of municipalities or communes, are elected by direct voting by the voters with a domicile in the territory of the municipality or commune.

2. The members of the councils of the municipalities and communes are elected on the basis of the multi-name lists submitted by political parties and coalitions, as well as on the basis of individual independent candidacies.

3. Political parties registered in the CEC have the right to submit joint candidates for mayor of a municipality or commune, as well as joint multi-name lists for local councils.

Article 75. Election of the Organs of Local Government

1. The candidate who wins more than half of all valid votes is elected mayor of a municipality or commune. If no candidate wins the required majority, a second round of voting is organized, implementing by analogy article 63 and 64 of this Code.

2. The mandates of the local councils are allocated by the LGEC on the basis of the following proportional system:

a) The number of valid votes won by each independent candidate is divided by the total number of valid votes and multiplied by the number of seats of the council. If the result is equal to or higher than 1, the independent candidate wins a seat in the council.

b) The number of valid votes won by each party or coalition and each independent candidate who failed to obtain a seat according to letter "a" of point 2 of this article is divided by the sum of valid votes they have obtained, and the result is multiplied by the number of seats that remain after letter "a" of point 2 of this article is applied. Each of these electoral subjects wins as many seats as the full number obtained from the above-mentioned calculation. If for an independent candidate the result is one or greater than one, the independent candidate wins only one seat. The remaining seats are allocated to the electoral subjects with the larger remainders. In case the remainders for the last seat are equal, lots are drawn.

c) The candidates of parties or coalitions are elected to the local councils according to the order of the respective multi-name list.

d) If the number of candidates on a multi-name list of a party or coalition is smaller than the number of seats to which that party or coalition is entitled according to this article, the unfilled seats are divided among the other parties and coalitions of parties that have submitted multi-name lists in accordance with the following formula:

The number of valid votes won by each of the above parties or coalitions is divided by the total of the valid votes won by them, and the result is multiplied by the number of unfilled seats. A number of seats is initially allocated to each of these parties or coalitions equal to the full number that results from the above calculation. The seats that remain are allocated to the parties or coalitions with the largest decimal remainders. If the decimal remainders for the last seat are equal, lots are drawn.

SIXTH PART. NOMINATION OF CANDIDATES

Chapter I. Candidates Voted On Directly

Article 76. Submission of the Documents of the Candidate

1. Documents for the nomination of candidates for deputy, for mayor of a municipality or commune or for the council of a municipality or commune are submitted respectively to the ZEC or the LGEC, as appropriate, no later than 22 days before the date of the elections. The respective commissions take a decision on accepting or not accepting the documentation submitted no later than 19 days before the date of the elections.

2. If the commissions notice a discrepancy or irregularity in the documentation of candidacy before the end of the term for certifying them, according to point 1 of this article, the commission gives the candidate the opportunity to correct the discrepancies, setting a time limit for the resubmission of the documentation, but no later than 19 days before the date of the elections.

3. No later than three days after the decree of the President of the Republic setting the date of the elections comes out, the CEC provides the nomination documents to be completed by the candidate along with the form for collecting signatures according to article 78 of this Code.

Article 77. Requirements for the Validity of the Candidacy Documents

1. The candidacy documents shall be in compliance with the requirements of this Code and in the form specified in the instructions of the CEC.

2. The candidacy documents contain the following data:
   a) The name, father's name, surname, date of birth and address of the candidate;
   b) The declaration of the candidate that he is a qualified voter and an eligible candidate for the position for which he is running;
   c) the name and address of a person named as his official agent, who shall be an eligible voter;
   ç) a list signed by voters of the respective zone who support his candidacy as provided in article 78 of this Code;
   d) except in the case of independent candidates, a declaration from the party endorsing the candidate, signed by the chairman of the party as identified in article 12 of this Code.

Article 78. List of Voters who Support the Candidate

1. For candidates for deputy, the candidacy documents are accompanied by a list with the signatures and voter identification numbers of 300 voters who reside in the zone, the names of whom are on the preliminary voters' lists of that electoral zone.

2. Candidates for the post of mayor of a municipality or commune submit the following documentation:
   a) for electoral units with up to 5,000 voters on the voters' lists, a list with the signatures and identification numbers of 50 voters, registered in the preliminary voters' lists;
   b) for electoral units with 5,000 voters up to 30,000 voters, a list with the signatures and identification numbers of 100 voters, registered in the preliminary voters' lists;
   c) for electoral units with more than 30,000 voters, a list with the signatures and identification numbers of 300 voters, registered in the preliminary voters' lists.

Article 79. Substitution of a Candidate

1. A candidate may withdraw his candidacy within 24 hours of certification by the commission. A candidate who withdraws after the certification made by the commission may not be replaced by the political party he represents.

2. If a registered candidate dies before the date of the elections, then the elections in that zone are postponed for four weeks. In this case the CEC sets another date for nomination of a replacement candidacy.

3. Immediately after the deadline for the withdrawal of a candidacy, the respective election commission carries out these duties:
   a) it forwards a final list of certified candidates to the CEC; and
   b) it publishes in newspapers, posters and electronic media within the jurisdiction of the electoral unit the names and political affiliation of all candidates in the order they appear on the ballot, in the manner and at the time required by the CEC.

4. In the case of elections for the Assembly or for mayor of a municipality or commune, the ZEC or LGEC, as appropriate, publishes the name and address of the official representative of the candidate.

Article 80. Representative of the Candidate

1. Within 48 hours from the certification of their candidacy documentation, each candidate shall give the name of his representative to the CEC. The representatives of the candidates at the VCCs are accredited by the ZEC or LGEC, as appropriate. The designation of representatives is not obligatory.

2. During the conduct of the voting, the representatives of the candidates keep their identification document in a visible place. They may not wear clothes or symbols or perform actions that have the purpose of influencing or that might influence the will of the voters.

3. The representative of a candidate may be substituted by the candidate or his official agent but not during the last 24 hours before the close of the voting and during the counting of votes in the voting center.

Chapter II. List Candidates For Elections To The Assembly

Article 81. Submission of the Lists

1. Political parties registered as electoral subjects submit to the CEC a list of candidates for the 40 seats in the Assembly within the time period provided for in article 76 of this Code.

2. The ordering of the candidates in the list is set by the electoral subject that submits it. In the case of the death, resignation or loss of the right to be a list candidate according to this Code, the candidates listed below move up one place.

3. The lists of the parties are signed by the chairman of the party, or, as the case may be, by the chairmen of the parties of the coalition. The list is accompanied by a declaration signed by each candidate that he is eligible to vote and desires to run.

Article 82. Acceptance of the Lists

When political parties submit a list of fewer than 20 candidates, the list is not accepted by the CEC.

Article 83. Verification of the Lists by the CEC

1. The CEC certifies the regularity of the multi-name lists according to the time periods and procedures contemplated in article 76 of this Code for the certification of direct candidates.

2. After certification of the multi-name lists, the CEC publishes them in the three newspapers with the largest national circulation and in the electronic media and sends a copy of the list to the ZECs, which publish them in the local media and announce them in public places in their zone according to the instructions received from the CEC.

3. The names on the certified multi-name lists may not be changed.

Chapter III. Lists Candidates For The Organs Of Local Government

Article 84. Conditions for Validity of the Lists

For the nomination of candidates for the members of the councils of municipalities and communes, registered political parties submit a list of candidates to the LGEC according to these conditions:

a) Within the same time period for submissions of candidacies for mayor of the municipality and commune, they forward to the LGEC a list of candidates according to the form prepared by the CEC.
b) Every candidate on the list declares that he accepts his nomination by the respective electoral subject.
c) The list is signed by the chairman of the party or a person authorized by him to endorse candidates.
ç) If a list candidates dies, the candidate listed below moves up.

Article 85. Non-acceptance of the Lists

1. An LGEC does not accept a list of candidates when the number of candidates on the list is less than half of the number of council members.

2. The ordering of the candidates on the list is set by the electoral subject that submits it.

Article 86. Certification and Publication of the Lists

The LGEC certifies the lists submitted by the parties. After the certification, the LGEC publishes the lists in the local press and media and announces them in the territory of the municipality or commune and immediately forwards a copy to the CEC.

SEVENTH PART. VOTING PROCEDURES

Chapter I. Ballots

Article 87. Preparation and Content of the Ballots

1. The ballots for elections are prepared by the CEC. The ballot shall not be not transparent and shall contain security elements specified by the CEC.

2. The ballots are produced in blocks with stubs. The serial number is noted only on the stub.

3. For elections to the Assembly, the voter votes with two separate ballots of different colors, one ballot for the candidates who are competing directly in the zone and the other for the political parties that are competing in the elections. The ballot for electoral subjects is the same for all electoral zones.

4. For elections for the local government organs, the ballot for the candidates for the municipal or communal council is of a different color from the ballot for the candidates for mayor of the municipality or commune.

Article 88. The Form of the Ballot

1. The ballot is printed according to the model prepared by the CEC. The back of the ballot has a place for putting the signature of the chairman and the vice chairman and the seal of the VCC.

2. Failure to sign the ballot by one of the subjects indicated in point 1 of this article does not constitute a reason not to begin the voting procedures.

Article 89. Sending Ballots and Other Materials

1. The CEC forwards the necessary number of ballots, seals, poll records and other voting materials to the ZECs or LGECs, as appropriate, no later than three days before the date of the elections.

2. The ZEC or LGEC, as appropriate, sends the necessary number of ballots and other voting materials to the VCCs no later than 12 hours before the opening of voting.

3. Ballots are printed on the basis of the total number of voters, plus two per cent.

4. The CEC specifies the additional number of ballots that are sent to the voting centers.

Article 90. Names of the Candidates and Subjects on the Ballot

1. The names of candidates for deputy, or mayor of a municipality or commune, are placed on the ballot according to the alphabetical order of their name.

2. Written on the ballot are:
   a) the first name, father's first name, and surname of the candidate as it appears on the documents of candidacy;
   b) the name and initials of the party or coalition the candidate represents, or the word "independent," is written to the right of the candidate's name;
   c) no other data about the candidate is written.

3. On the ballot of electoral subjects, the names of the registered political parties are placed in alphabetical order, together with the initials of the party.

4. The voter marks in a separate place at the side of the name of the candidate or party one of the signs 'x' or '+' or a mark that clearly indicates the choice of the voter.

Chapter II. Polling Units And Voting Centers

Article 91. Establishing a Polling Unit

1. A polling unit may not be divided into parts that are separate from one another.

2. As much as possible, a polling unit shall have no more than 1,000 voters. If it is found that a polling unit has more than 1,000 voters, the LGEC or ZEC, as appropriate, may establish more than one voting center for that polling unit.

3. When a residential center with at least 50 voters is more than three kilometers away from the closest voting center, a separate voting center is set up in that residential center, if it has at least 50 voters.

4. A polling unit is established by the ZEC or the LGEC but, as much as possible, the ZEC shall keep the polling unit boundaries established by the LGECs in its zone.

Article 92. Location of the Voting Center

1. One or more voting centers are established in each polling unit.

2. As much as possible, a voting center is located in a public building accessible to voters. A voting center may not be set up in:
   a) a private residence without the authorization of the CEC;

b) a building used by the public administration, except for educational and health institutions;
c) buildings owned or occupied fully or partially by a political party or candidate or their close relatives.

Article 93. Voting Centers in Special Locations

1. When in a special institution there are 15 or more voters eligible to vote for the electoral unit where the institution is located, the ZEC or LGEC, as appropriate, creates a voting center inside the institution for those persons.

2. In health institutions that have many wards, a separate voting center may be set up for each ward, if each of them has more than 15 voters.

3. Voters in military and police bases vote in the nearest ordinary voting center outside the base, as designated by the ZEC.

4. Students registered in the voters' lists according to article 61 of this Code vote only in the polling unit where they have been added to the list.

Chapter III. Procedures For Opening The Voting

Article 94. Preliminary Actions

1. One hour prior to the opening of the voting, the VCC, under the direction of its chairman and vice chairman and in the presence of the representatives of the electoral subjects and observers, performs these duties:
a) It arranges the tables, chairs and voting booths in such a manner as to assure the secrecy of the voting and the free and rapid movement of voters.
b) It removes any election propaganda that may be found within the voting center and within a range of 150 meters around it.
c) It posts instructions for voting at a suitable place within the voting center.
ç) It sets up other materials required by the CEC.
d) It checks all materials received, shows the empty ballot box to the representatives of electoral subjects and seals it in the manner prescribed by the CEC.

2. All members of the VCC and the representatives of the candidates or registered parties who are present sign the opening statement of the voting center.

Article 95. Opening the Polls and Presence of Members

1. After performance of the procedures provided in article 94 of this Code, the chairman of the VCC declares the voting open, but not before the time prescribed in article 5 of this Code.

2. The secretary of the VCC notes in the official records of the voting center the time of departure and return of any member who leaves the voting center.

Chapter IV. Procedures During Voting

Article 96. Number of Ballot Boxes

1. In elections for the Assembly, two boxes are set up in the voting center, one of which is used for voting for the candidates of the zone and the other for political parties or coalitions.

2. In local elections, one box is used for voting for candidates for mayor of the municipality or commune and another box is used for the candidates for the council of the municipality or commune.

3. For voting on a referendum, one ballot box is used for each issue upon which to be voted.

Article 97. Presentation of Voters in the Voting Center

1. After entering the voting center, the voter states his name and presents his voter card to the VCC.

2. The chairman confirms that the number on the voter card is the same as the number beside the name of the voter on the list of voters for the polling unit.

3. After confirming that the name and voter number are correct, the chairman strikes the name of the voter; the voter signs the voters' list beside his name; the ballot is signed according to the rules provided in article 88 of this Code; and the secretary places the seal of the VCC on the back of the ballot and gives it to the voter.

4. If a voter is not provided with a ballot pursuant to point 3 of this article, the incident is recorded in the official record, detailing the name of the person, the identification number on the card and any other relevant information.

5. If a representative of a candidate or a member of the VCC questions the identity of a voter who has been provided with a ballot, the incident is included in the official record detailing the person who made the objection, the reasons for the objection, the name and identification number of the voter and the reasons why the chairman of the VCC provided that person with a ballot.

Article 98. Voting

1. On receipt of the ballot, the voter proceeds to the closed room booth and votes by marking the ballot in the space provided.

2. After voting in the closed room, the voter folds the ballot so that his mark cannot be seen and leaves the voting booth.

3. Before the voter deposits the folded ballot in the ballot box, the chairman or a member designated by him checks that it contains the correct VCC seal and the signatures according to article 88 of this Code.

4. The voter then deposits the ballot into the ballot box and leaves the voting center.

5. With the exception of article 100 of this Code, a voter votes only for himself.

Article 99. Spoiled Ballots

1. If a ballot is marked outside the voting booth, the ballot is placed not in the ballot box but in the envelope for spoiled ballots. In this case, the voter is given a second ballot and the incident is recorded in the official record. If the voter again marks the ballot outside the voting booth, the ballot is again placed in the envelope for spoiled ballots and the voter is not given another ballot.

2. If a voter marks or damages the ballot accidentally and requests a second ballot, the ballot is considered spoiled and placed in the envelope for spoiled ballots and the voter is provided with a second ballot. This incident is recorded in the official record. A voter who damages the second ballot is not given another.

3. Spoiled ballots are in no event placed in the ballot box.

Article 100. A Voter who Cannot Vote Himself

1. A voter who, for physical reasons, is unable to vote for himself, may request the help of another voter who is on the list of voters for that polling unit. Both voters must be present in the voting center when this procedure is used.

2. A person may help only one voter who cannot vote himself.

3. Before marking the ballot, a person who assists another voter makes a declaration in the official record that he will mark the ballot as instructed and has not assisted any other voter.

4. No members of the election commissions of any level may help voters who are unable to vote themselves.

5. The mark selection on the ballot must be made in the voting booth.

Article 101. Keeping Order at the Voting Center

1. When order and the orderly conduct of the voting are endangered at the voting center, the VCC suspends the voting and asks for the help of the police.

2. The chairman or vice chairman of the VCC immediately notifies the ZEC or LGEC about the incident that has happened.

3. When order is restored in the voting center, the VCC asks the police forces to leave the voting center and takes measures to begin the voting again immediately.

Article 102. Persons Present in the Voting Center

1. Only the following persons may stay in a voting center:
   a) The members of the VCC and accredited representatives of electoral subjects.
   b) Voters waiting to vote.
   c) Accredited Albanian and foreign election observers.

2. If there are voters waiting to vote, the chairman of the VCC may direct that they wait outside the voting center in order to facilitate the voting of persons within the center.

3. Persons serving as an observer for a candidate (not accredited representatives to the voting center) may enter the voting center for the purposes of meeting with the accredited representative, but the meeting takes place outside the voting center.

4. No armed person including police or members of the armed forces, may enter the voting center except in those circumstances provided in article 101 of this Code.

Article 103. Voting in Special Institutions

The voting in hospitals, prisons and places of pre-detention and dormitories is carried out according to the rules for voting centers contemplated in this Code and substatutory acts of the CEC.

Article 104. Voters in the Armed Forces and Police Forces

1. Voters who serve in the Armed Forces or Police Forces vote in national elections and for national referenda in the electoral unit where their bases are located.

2. Voters who serve in the Armed Forces or Police Forces vote in local elections and for local referenda in the polling unit of their domicile.

Chapter V. Close Of The Polls And Counting Of Votes

Article 105. Close of the Polls

1. All polls close at the hour established in article 5 of this Code and in accordance with point 3 of article 5 of this Code.

2. After the last person has voted, only the following persons may remain in the voting center: Members of the VCC, one accredited representative for each candidate, one accredited representative for each registered political party that is participating in the multi-list voting but has not nominated a candidate for the position of deputy or mayor of a municipality or commune, and accredited Albanian and foreign election observers.

Article 106. Counting the Votes

1. After the last voter has voted, the chairman, along with the members of the VCC, performs these acts in the following order:

a) He determines the number of persons who have voted according to the list of voters and records that number in the official records of the voting center.
b) He determines the number of ballots used, as indicated by the consecutive number on the ballot stubs.
c) He counts the spoiled ballots found in the envelope for spoiled ballots and deducts that number from the number of ballots used and checks that the number of ballots used corresponds to the number of voters who voted according to the list of voters.
ç) He ensures that the seal on the ballot box is the same seal that was placed on the box at the opening of the poll.
d) He opens the ballot boxes in the order determined by the VCC and removes all the ballots.
dh) Without inspecting them, he counts the ballots in the ballot box, checks whether the number of ballots is the same as the number obtained in letter "c" of this article and records the information in the official records.
e) He sorts the ballots by candidate, setting aside those ballots where the intent of the voter is unclear, and checks whether each contains the signatures contemplated in article 88 of this Code and the seal of the VCC and in all other respects are valid ballots.
ë) He counts the ballots for each candidate, records the number in the official records and places the ballots for each candidate in separate envelopes.
f) He places all ballots rejected as provided in point 3 of this article in a special envelope and records the number in the official records.

2. When the chairman of the VCC decides to count a ballot for a candidate or to reject a ballot, and that decision is objected to by a member of the VCC or a representative of a candidate, the VCC votes on the question. The chairman places a number on the back of the ballot and records the number in the official records, along with the nature of the problem and the reasons for the decision. Any other member or representative may also add his written comments.

3. A ballot is rejected when more than one candidate or political party is voted for; when it is not clear who was voted for; when the ballot bears sign that might disclose the identity of the voter; when the voter has made other marks or has voted for a person or party that is not on the ballot; or the ballot does not bear the seal of the or the signature provided in article 88 of this Code.

4. If ballots found in the ballot box are not the same size, color or form as the ballots prescribed by the CEC, they are put in a special envelope and are not accounted for in the ballot account calculation.

5. After counting the ballots, the chairman of the VCC completes the tabulation of results of the voting center and signs it together with all members of the VCC and the representatives of the electoral subjects who are present. All persons present, including national and foreign observers, are provided with a copy of this tabulation. If any members of the VCC or representatives present object to the tabulation, the VCC votes on the question. The chairman records the issue in the official records, the nature of the problem and the reasons for the decision. The final tabulation reflects the decision. If any member or representative objects to the decision, he may add his written comments to the official records.

6. After the counting of ballots for mayor or deputy of a single-member zone, the ballot envelopes are placed in the ballot box, which is set aside. The above procedures are then repeated for the counting of ballots for multi-name lists.

7. After the counting of ballots for the multi-name lists, the chairman of the VCC completes a consolidated tabulation of voting center results, which is a summary of the information contained in the individual tabulations.

8. The original copies of all tabulations, the official records and seal of the VCC are placed in the ballot box containing the ballots for mayor of a municipality or commune or deputy of a single-member zone. A copy of the tabulations is placed in a special envelope, which is not placed in the ballot box.

9. Each ballot box is sealed and the identification number of the seal is recorded in the official records.

10. The chairman and the secretary of the VCC deliver the ballot boxes and the envelope containing the official records to the LGEC or ZEC within 24 hours from the close of the polls, in the manner prescribed by the LGEC or ZEC. The LGEC or ZEC provides the chairman with a receipt.

Article 107. Declaration of Results

1. No later than two days after the date of the elections, the LGEC or the ZEC, in the presence of the commission members, representatives of the electoral subjects and accredited Albanian and foreign observers, performs the following tasks and declares the results of the elections:

a) The chairman of the commission ensures that each ballot box is accounted for.
b) The ballot boxes are opened one at a time, checking whether the seal is the same seal recorded in the official records and whether the boxes contain the official records, ballot envelopes, unused ballots, ballot stubs, and seal of the VCC. The original copy of the tabulation is removed.
c) Each member of the commission may examine the official records.
ç) At no time may ballots be examined, removed from the box or counted.
d) The ballot box is closed and sealed again, leaving aside the original tabulation of results. The number of the seal is recorded in the official records of the commission.
dh) Any irregularities found in the ballot box are noted in the official records.
e) After all original tabulations of results have been removed, the chairman of the commission completes the tabulation of results for the electoral unit and declares a person elected to the position of deputy or mayor of the municipality or commune for the electoral unit, the membership of the municipal or commune council, the number of votes cast for multi-party lists, and, if appropriate, the candidates for the second round of elections.
ë) The chairman of the commission, along with the members of the commission and representatives of the electoral subjects who may be present, sign the tabulation of results for the electoral unit. The chairman provides a copy of the tabulation to all members of the commission, the representatives present, the candidates and Albanian and foreign observers who are present. The original copy of the tabulation is forwarded to the CEC, while a copy is posted in a visible place within the voting center.
f) If any members of the commission or representatives present object to the tabulation, the commission votes and takes a decision. The chairman records the nature of the problem and the reasons for the decision in the official records. The final tabulation reflects the decision taken. If a member or representative objects to the decision, he may add his comments to the official records.

2. All ballot boxes and records are retained by the LGEC or ZEC in accordance with the provisions of this Code and may only be opened by a judge during a recount of ballots or upon direction of the Constitutional Court or, as the case may be, the High Court in accordance with article 141 of this Code.

3. A recount of ballots may only occur after the declaration of the results of the election.

4. Only those persons mentioned in point 1 of this article may be present during the procedures set forth in this article.

Chapter VIII. Recount Of Ballots

Article 108. When Ballots are Recounted

1. If, after the LGEC or ZEC has declared a person elected (other than from multi-name lists), the margin of victory between the votes of the winner and the candidate who came in second is smaller than the total number of all ballots rejected during the counting of the ballots, or if the margin 25 votes or less, the ballots are recounted in the manner provided in this chapter.

2. If, after the LGEC or ZEC have declared a person elected (other than from multi-name lists), the above margin of victory is 150 votes or less, and if this number is equal to or less than the total number of ballots rejected as invalid during the counting, at the request of the candidate who came in second, the ZEC or LGEC organizes a recount of the ballots as follows:

a) The application is in the form prescribed by the CEC and is signed by the candidate and his official agent.
b) The application for a recount is presented to the chairman of the respective commission no later than 4 PM on the second day after the final count of votes by the LGEC or ZEC.
c) On receipt of the application for a recount, the LGEC or ZEC arranges for the recount of ballots, which shall begin no later than 48 hours after receipt of the application.

3. When a recount of ballots is required pursuant to points 1 and 2 of this article, the chairman of the commission immediately informs the president of the district court, who organizes a lottery to select three judges of the court to recount the ballots within the time specified by this Code.

4. All costs associated with the recount of ballots are borne by the CEC.

Article 109. Recount of Ballots

1. A recount of ballots takes place in a public facility of sufficient size to accommodate the ballot boxes from all voting centers of the electoral unit, the members of the LGEC or ZEC, and any accredited representatives of parties or candidates who wish to attend.

2. Only one representative for each electoral subject may attend the recount of ballots.

3. The members of the LGEC or ZEC attend the recount of ballots as observers. One or more members of the CEC may also attend as observers.

4. The secretary of the respective commission brings all ballot boxes and official records from the election to the place of the recount and serves as assistant to the judges conducting the recount. With the consent of the court, the secretary may retain the services of one or more impartial assistants.

5. During the recount, the court is responsible for the security and safekeeping of all ballot boxes and records.

6. At the time established for the start of the recount, the court and the secretary of the commission confirm that the LGEC or ZEC has delivered all required materials. The court notes any materials that were not delivered.

7. The recount of the ballots begins at 8 AM and continues until completed.

8. At the conclusion of the recount, the court completes a tabulation of the recount of ballots in the form prescribed by the CEC and provide a copy to the members of the commission, the members of the CEC, and each candidate or representative in attendance.

9. After receipt of the tabulation of the recount, the LGEC or the ZEC immediately declares the results of the election.

Article 110. Procedures for the Recount

1. At the time and place fixed for the recount, the court:
   a) checks that all ballot boxes and records are maintained in a visible place;
   b) begins the recount from voting center number one and continue in consecutive order with the recount of all ballots of all voting centers;
   c) examines the ballot boxes one by one.

2. Before opening a ballot box, the court checks whether the seal on the ballot box is the same seal that is recorded in the official records of the LGEC or ZEC. If the seal is not the same the box shall not be opened.

3. After it is confirmed that the seal on the box is the same, the recount proceeds, in full view of all those present, in the following order of tasks:
   a) The secretary opens the box and removes the official records, tabulations and seal of the VCC and checks that the materials are the proper documents for that voting center.
   b) The secretary removes the envelopes containing the ballots counted at the voting center, the envelopes containing the ballots rejected, and the envelopes containing the ballots spoiled during the voting, unused ballots and ballot stubs.
   c) The court confirms the information in the tabulations regarding the number of unused ballots, the last number on the ballot stubs, and the number of spoiled ballots. The court places those materials in the envelope designated for that purpose and enters the information on the recount statement.
   ç) Without inspecting the ballots, the court opens the envelopes containing the ballots and places them in piles that correspond to the envelope from which they were removed. The ballots contained in each envelope are counted and the result is compared with the number recorded in the voting center tabulation. If there is a discrepancy, the number of ballots found in the envelope at the time of the recount is considered the correct number.

d) After confirming the number of votes according to the tabulation of the voting center, the court continues with an inspection of all ballots, checking whether the ballot was sealed and signed according to article 88 of this Code, and declares for whom the ballot has been marked. During the recount, the court exercises the competencies of the VCC and may alter the decision of the VCC as recorded in the official records.

dh) During the investigation of a ballot that was objected to by one or more members of the VCC or one or more representatives, or was rejected by the VCC during the count, the court considers all the objections and comments regarding that issue as found in the official records. After making a decision regarding the ballot in question, the court explains the respective reasons, which are recorded in the record of the recount proceedings.

e) After the investigation of all ballots in the ballot box, the court declares the results of the voting center and complete the recount statement for the voting center; signs it together with the secretary; places all materials back in the ballot box, together with a copy of the recount statement; seals the ballot box, and begins the same procedure for the next voting center.

ë) Prior to sealing the ballot box according to letter "e" of this article, the court allows representatives of the electoral subjects, candidates, and members of the electoral commission to examine the official records and make notes. The ballots may be examined only by the court.

f) Following the recount of all ballots for the electoral unit and the completion of the recount statement for each voting center, the court completes the recount tabulation, a copy of which is provided to all persons present.

4. At the conclusion of the recount procedures, the court returns all ballot boxes and official records of the election to the election commission, which retains them in the manner provided in article 149 of this Code.

5. The CEC prescribes the forms to be used by the Court in this chapter.

Article 111. Multi-Name lists

1. Ballots cast for the council of a municipality or commune are recounted when the number of ballots rejected as invalid and those objected to may have influenced the division of seats in the council. The recount of the votes for the local councils is done according to the recount procedures provided in this chapter.

2. Ballots cast for multi-name candidates for deputy are not recounted.

Article 112. Decisions and Appeals

1. All decisions at a recount of ballots are made by the court.

2. Decisions made during the recount of ballots are final.

EIGHTH PART. INVALIDATION OF ELECTIONS

Article 113. Invalidation of Elections

1. The CEC invalidates elections in voting centers, electoral units, or in the entire territory of the Republic if it finds:

a) violations of law or natural disasters of such dimension that the allocation of seats in the Assembly or local councils, or the result of referenda or mayoral elections may have been influenced; or

b) that the voting did not begin or was suspended for more than six consecutive hours.

2. Point 1 of this article applies only to those territorial units where the violations contemplated in letter "a" of point 1 were found or where voting was suspended under letter "b" of point 1 of this article.

3. The CEC decides on the invalidation of elections after consultations with the respective ZEC or LGEC.

4. Elections that have been invalidated pursuant to this article are re-held in no later than four weeks.

5. Any interested person may appeal to the Constitutional Court or the High Court, as the case may be, against the decision of the CEC to invalidate or not to invalidate an election within 10 days from the announcement of the decision of the CEC.

NINTH PART. REFERENDA

Chapter I. General Principles

Article 114. Meaning of Referendum

1. The referendum is the direct exercise of the people's sovereignty, through voting, for a specific issue or law, according to articles 108 point 4, 150, 151, 152 and 177 of the Constitution.

2. Voting on referenda is performed according to the rules contemplated in this Code.

3. In a referendum, the alternative that has won the majority of the valid votes, but not less than one third of the number of voters registered in the National Registry of Voters and possessing a voter card, is considered the winner, unless otherwise provided in this chapter.

Article 115. Restrictions in the Exercise of the Right to a Referendum

1. No constitutional or general referendum can be held on the date of elections for the Assembly or for the organs of local government.

2. No general or constitutional referendum can be held during the period starting six months before the end of the mandate of the Assembly until three months after the first meeting of the new Assembly.

3. No local referendum can be held during the period starting three months before the end of the mandate of the organs of local government until three months after the first meeting of the local councils.

4. The procedure for holding a general referendum is suspended when early elections for the Assembly are announced until three months after the first meeting of the new Assembly.

5. The procedure for holding a local referendum in a unit of local government is suspended when early local elections are announced in the unit until three months after the beginning of the mandate of the local government organ.

6. In accordance with point 3 of article 152 of the Constitution, requests for a referendum that have not been fully processed in accordance with the provisions of this chapter by March 15 of the year, regardless of when made, are deferred until the following year.

Article 116. Procedures for the Conduct of Referenda

1. Constitutional and general referenda are administered by the CEC through the ZECs and, to the extent necessary or appropriate, in accordance with the procedures stipulated in this Code for the conduct of elections to the Assembly.

2. Local referenda are administered by the CEC through the LGECs and, to the extent necessary or appropriate, in accordance with the procedures stipulated in this Code for the conduct of local elections.

3. For referenda at the regional level, the CEC creates a regional election commission. The members of this commission are proposed by the Regional Council according to the rules contemplated in this Code for the composition of an LGEC.

4. When more than one referendum is held on the same date, the ballots for each referendum are of different colors.

Article 117. Approval of Draft Laws Voted on in Referenda

1. A draft law approved by referendum is promulgated by the President of the Republic and enters into force at least 15 days after publication in the Official Journal.

2. The repeal of a law or part of a law by referendum enters into force immediately upon the declaration of the result. On the reasoned request of the Council of Ministers, the Assembly may decide to postpone the repeal of the law or the part repealed, but not for more than 60 days.

Chapter II. Different Types Of Referenda

Section 1. Constitutional Referendum

Article 118. Types of Constitutional Referenda

A constitutional referendum conducted in accordance with point 4 of article 177 of the Constitution is decided on by two thirds of all members of the Assembly in order to present proposed constitutional amendments directly to popular vote. A constitutional referendum conducted in accordance with point 5 of article 177 of the Constitution is one requested by one fifth of the members of the Assembly to submit to popular vote a constitutional amendments approved by not less than two thirds of all members of the Assembly.

Article 119. Initial Procedures

1. Requests for a constitutional referendum to amend the Constitution contain the text of the draft law for the amendment to the Constitution.

2. Requests for a referendum in accordance with point 5 of article 177 of the Constitution are delivered to the General Secretary of the Assembly within 15 days of the approval of the constitutional amendment by the Assembly.

3. The General Secretary of the Assembly immediately sends the decision of the Assembly (or the request of one fifth of the deputies, as the case may be) requesting a constitutional referendum to the Constitutional Court and the President of the Republic.

Article 120. Preliminary Examination by the Constitutional Court

Within 60 days of receipt of the request, the Constitutional Court examines in advance the constitutionality of holding the constitutional referendum initiated according to point 4 or 5 of article 177 of the Constitution.

Article 121. Subsequent Procedures for a Constitutional Referendum

1. When the Constitutional Court decides that the request for a constitutional referendum is in compliance with the Constitution or does not issue a decision within the time period, the President of the Republic sets the date for holding the referendum in compliance with point 3 of article 152 of the Constitution.

2. In this case, the General Secretary of the Assembly notifies the CEC of the conduct of a constitutional referendum, and sends to it the text of the draft law that will be voted on in the referendum. The General Secretary of the Assembly publishes the text of the draft law that will be voted on in the referendum in the three newspapers with the largest national circulation.

3. If the Constitutional Court decides that the request for the constitutional referendum is not consistent with the Constitution, the procedure for holding the referendum ceases. In the case of a request pursuant to point 5 of article 177 of the Constitution, the constitutional amendments previously approved by the Assembly are promulgated by the President of the Republic and become effective at least 15 days after their publication in the Official Journal.

4. Constitutional amendments submitted to referendum according to point 5 of article 177 of the Constitution are rejected if more than half of all voters registered in the National Registry of Voters who possess a voter card vote against them. If the amendments are not rejected in the referendum, they are promulgated by the President of the Republic and become effective at least 15 days after their publication in the Official Journal.

Section 2. General Referendum

Article 122. Initiative for a General Referendum

1. Fifty thousand voters registered in the National Registry of Voters who possess a voter card have the right to a general referendum for the repeal of a law, or to request the President of the Republic to call a referendum on a matter of special importance, in compliance with point 1 of article 150 of the Constitution and the provisions of this Code.

2. A request to begin the procedures for a referendum is submitted to the CEC by a group of no less than 12 initiators, who are voters registered on the National Registry of Voters possessing a voter card.

3. A request to repeal part of a law may be made, but only if the remainder of the law is self-sufficient.

4. A request to begin the procedures for a referendum for the repeal of a law or part of a law contains:

a) the title, number and date of approval of the law that is sought to be repealed and, if only part of the law is sought to be repealed, the respective provisions; and
b) the reasons why the law or the particular provisions should be repealed.

5. A request to begin the procedures for a referendum on an issue of special importance describes clearly the issue set out, its importance and the position of the initiators in connection with the issue. The issue must be clear, complete, and unequivocal, and expressed in such a form that voters can answer "yes" or "no."

Article 123. Model Forms for Collecting Signatures

1. Within 20 days from the submission of the request for a general referendum, the CEC provides the initiators, against payment, with forms for the collection of the signatures of 50,000 voters listed in the National Registry of Voters at the time of submission of the request. At the head of the form, the title of the law, the provisions sought to be repealed or the issue raised is printed.

2. Signatures with the respective voter card numbers in support of the request to hold a general referendum are deposited with the CEC during the period from January 1 to November 30 of each year.

Article 124. Verification of the Request by the CEC

1. The CEC verifies the voter card numbers and signatures in accordance with substatutory acts issued by it.

2. The CEC decides whether to accept the request within 90 days from the day it is submitted, based only on the regularity of the submission. The decision is made known promptly to the interested persons. A decision not to accept the request sets out clearly the irregularities that lead to non-acceptance.

3. Within five days from notification of the decision, the initiators may declare to the CEC that they are ready to correct the irregularities that were found. In this case, the CEC sets a term of up to 30 days for the re-submission of the request. The CEC decides within 10 days whether to

accept the re-submitted request and promptly notifies the initiators.

Article 125. Examination of the Request by the Constitutional Court

1. After determining that the requests are in order, the CEC brings the requests for a general referendum to the President of the Republic and the Constitutional Court, except for the cases contemplated in article 115 of this Code. At the same time, the CEC notifies the Speaker of the Assembly and the Prime Minister of the requests accepted.

2. The Constitutional Court decides on the constitutionality of the requests for a general referendum and whether they are formulated in accordance with points 3 and 5 of article 122 within 60 days from the day of receipt of the requests from the CEC.

3. The President of the Republic decides whether or not to hold referenda on issues of special importance after the promulgation of a positive decision of the Constitutional Court or after the passage of the term during which it should have issued the decision. If he decides that a referendum requested should not be held, he advises the CEC in writing of his reasons, which the CEC transmits to the initiators.

Article 126. Setting the Date for a General Referendum

The President of the Republic sets the voting day for general referenda in accordance with point 3 of article 152 of the Constitution.

Article 127. Referenda on the Initiative of the Assembly

When the Assembly decides on the holding of general referenda in accordance with point 2 of article 150 of the Constitution, the same procedures provided in this section for referenda in accordance with point 1 of article 150 of the Constitution are followed, to the extent necessary or appropriate.

Section 3. Local Referenda

Article 128. Initiative for a Local Referendum

1. Ten percent of the voters registered in the voters' list of a municipality or commune and possessing a voter card, or 20,000 of them, whichever number is smaller, have the right to a local referendum on an issue of local governance in the respective municipality or commune.

2. A number of municipal or communal councils that represent no less than one third of the population of a region have the right to request that a referendum be held on an issue of local governance at the regional level.

3. A referendum on the same issue cannot be repeated in the same unit of local government before three years have passed.

4. For holding a local referendum, the provisions for a general referendum in points 2 and 5 of article 122, article 123 and point 2 of article 124 of this Code are adapted and applied, to the extent possible or appropriate.

TENTH PART. ELECTORAL CAMPAIGN AND MEDIA.

Article 129. Period of the Electoral Campaign

1. The electoral campaign starts 30 days before election day and ends 24 hours before the beginning of voting.

2. When a second round is to be held or the elections repeated in accordance with this Code, the campaign continues after the end of the first round and concludes 24 hours before the beginning of voting.

Article 130. The Rights and Obligations of Electoral Subjects during the Campaign

1. During the election campaign, every electoral subject has the right to make electoral propaganda in any lawful manner.

2. The results of electoral opinion polls may not be made public during the last 5 days before election day.

3. The publication of electoral opinion polls shall include the name of the pollster, the sponsor, the sample size, the margin of error, and the time period during which the poll was taken.

4. The conduct of electoral campaigns in de-politicized institutions is prohibited.

5. Propaganda for or against a candidate or other electoral subject by foreigners is prohibited.

Article 131. Propaganda Materials

The organs of local government designate in a fair and impartial manner public places for posting propaganda materials.

Article 132. Electoral Campaign on Public Radio and Television

1. During the electoral campaign, Public Radio and Television provides free air time for each registered

political party and the CEC, which is allocated in accordance with the following rules:

a) A total of two hours are set aside for the CEC and allocated in accordance with its time requests. At least two thirds of the total time is allocated between 6:00 PM and 10:00 PM.
b) Each parliamentary party participating in the first round of elections is allocated equal free air time by the CEC in an amount that is no less than fifteen minutes on public television and 15 minutes on public radio.
c) Those parties not represented in the Assembly participating in the first round of elections are entitled to 10 minutes of air time on public television and 10 minutes of air time on public radio.
ç) The sponsor of electoral propaganda must be clearly specified on any television or radio program or advertisement.
d) The total amount of free air time allocated to all the political parties over the course of an electoral campaign is no more than ten hours.

2. For the second round of elections, political parties with candidates running in the second round are entitled to 15 minutes of free air time on public television and 15 minutes of free air time on public radio. Independent candidates running in the second round are entitled to 3 minutes of free air time on public television and 3 minutes of free air time on public radio.

3. Public Radio and Television covers the electoral campaign through news or informative programming in compliance with the principles of impartiality, completeness, truthfulness, and pluralism of information set forth in articles 4, 36 and 41 of law no. 8410, dated 30.9.1998, "On Public and Private Radio-Television in the Republic of Albania." The free air time allocated to political parties in accordance with point 1 of this article may not be allocated as part of news or informative programming.

4. Public Radio and Television may not prepare or broadcast paid political advertising.

5. During general referendum campaigns, Public Radio and Television put an equal number of minutes at the disposal of the political parties supporting either one of the alternatives, in an amount not to exceed three hours in total.

Article 133. Free Air Time for the CEC

In addition to the time provided under letter "a" of point 1 of article 132 of this Code, the CEC is provided with a total of 60 minutes of free time on public radio and 60 minutes of free time on public television for voter education each calendar year beginning January 1, 2001. The allocation of free time is done in accordance with letter "a" of point 1 of article 132.

Article 134. Broadcasting Schedule

1. No later than two days after the decree of the date of the elections, the Steering Council of Public Radio and Television, based on the information on registered parties provided by the CEC, sets the time available for each party and, under the supervision of the CEC, organizes a lottery for the allocation of broadcast time to each registered party.

2. The broadcast time available to the political parties and independent candidates is between 6:00 PM and 10:00 PM each day of the electoral campaign, up to 24 hours before the beginning of the voting.

Article 135. Electoral Campaign on Private Radio and Television

1. Private radio and television cover the electoral campaign according to the principles provided in articles 4, 36 and 41 of law no. 8410, dated 30.9.1998, "On Public and Private Radio-Television in the Republic of Albania."

2. During electoral campaigns, private radio and television may transmit electoral advertisements of the political parties, which are offered to all political parties participating in the elections at their lowest rates for the requested time period. These rates must have been effective and publicized as of the day of the decree of the elections.

3. Private radio and television may not broadcast more than five minutes a day of advertisements for each political party or independent candidate, for any kind of elections.

4. The broadcast of commercial advertisements during the broadcast of electoral programs by both public and private media is prohibited.

Article 136. Complaints

Electoral subjects may present their complaints to the National Council of Radio Television (NCRT) about irregularities found in campaign coverage by public and private radio and television. The NCRT investigates the complaint and makes a decision within 24 hours about an appropriate remedy.

ELEVENTH PART. ELECTION FINANCING

Article 137. Financing the Elections

1. The state finances the holding of the elections according to articles 138 and 139 of this Code.

2. The CEC administers the funds designated for the conduct of the elections according to the rules contemplated in this Code.

Article 138. Headquarters, Budget and Staffing of the CEC

1. The headquarters of the CEC is in the capital of the Republic of Albania, Tirana.

2. The budget of the CEC constitutes a separate line in the state budget.

3. The CEC accepts donations that serve the electoral process, without infringing on its independence and authority.

4. The structure and personnel of the administration of the CEC are set by decision of the CEC.

Article 139. Funds at the Disposal of the Political Parties

1. In addition to funds provided to political parties under law no. 8580, dated 17.2.2000, "On Political Parties," political parties that are registered with the CEC according to this Code are entitled to funds from the budget of the state for the conduct of elections.

2. The funds designated for the financing of the political parties participating in the election are set by the CEC within 30 days from their approval in the Assembly. The payments are made by the Ministry of Finance after official notification by the CEC about the manner of division of these funds.

3. The funds of the budget of the state for the financing of political parties in the elections are divided as follows:

a) 10 per cent of the amount is distributed equally among the political parties registered as participants in the elections;
b) 30 per cent of the amount is distributed in an equal manner among the parties that currently have deputies in the Assembly, or, as the case may be, members of the councils of the municipalities or communes;
c) 60 per cent of the amount is distributed among them in proportion to the number of votes won on the national scale in the last elections for the Assembly or in the local elections.

4. After the conclusion of the elections, parties that fail to win more than 2.5 per cent of the votes must return the amounts distributed in advance, according to letters "b" and "c" of point 3 of this article. All funds distributed according to letters "b" and "c" of point 3 of this article are re-distributed after the conclusion of the elections among the parties that won more than 2.5 per cent of the votes, in accordance with the percentage of votes won by each of them.

TWELFTH PART. APPEALS AGAINST DECISIONS OF THE ELECTION COMMISSIONS

Article 140. Complaints

1. The decisions of a VCC may be appealed within two days of their promulgation to the ZEC or LGEC, as appropriate, which decides on the complaint within two days. An appeal against a decision of a ZEC or LGEC may be taken within two days to the district court of the location of the seat of the commission, which decides within three days. A decision of the district court may be appealed to the court of appeals within three days, which decides within five days. The decision of the court of appeals is final.

2. The decisions of a ZEC or LGEC, except for those contemplated in point 1 of this article, may be appealed within two days of their announcement to the CEC, which decides on the appeal within two days.

Article 141. Appeals to the Constitutional Court and the High Court

1. Decisions of the CEC on the final results of the elections to the Assembly and referenda, as well as decisions on their invalidation, are appealed to the Constitutional Court within three days of being announced. The Constitutional Court examines the appeals and decides within ten days.

2. Decisions of the CEC on the final results of local elections and their invalidation are appealed to the High Court within three days of being announced. The High Court examines the appeals and decides within ten days.

Article 142. Appeals against Decisions of the CEC

1. All decisions of the CEC, with the exception of those contemplated in article 141 of this Code, may be appealed to the Court of Appeals of Tirana within three days of being announced.

2. The Court of Appeals of Tirana examines the appeals and decides within five days.

3. Final decisions of the CEC not to accept a request for a general referendum may be appealed to the Court of Appeals of Tirana within five days of being announced. The Court of Appeals decides within ten days. Its decision is final.

Article 143. Appeals about Voters' Lists

1. Every voter who has not been registered in the voters' lists according to the procedure provided in chapter II of the fourth part of this Code may apply to the district court no later than 30 days before the election. The court decides within two days.

2. Within two days of being announced, the decision of the district court may be appealed to the court of appeals, which decides within three days. The decision of the Court of Appeals is final.

Article 144. Deadlines

All deadlines provided in this part apply only during the time period from the day the date of the elections is announced until three days after the announcement of the election results by the CEC.

THIRTEENTH PART. RESPONSIBILITIES AND SANCTIONS

Article 145. Responsibility of Persons Charged with the Election Administration

The members of the election commissions and employees of the public administration in the service of these commissions have criminal and administrative liability for violations of the provisions of this Code according to the legislation in force.

Article 146. Voting More Than Once

Voting in the same elections more than once constitutes a criminal infraction and is punishable by fine or up to three months of imprisonment.

Article 147. Abandoning Duty by Members of Election Commissions

Abandoning duty, without lawful causes, by the members of the election commissions constitutes a criminal infraction, and is punishable by fine or from between six months to two years of imprisonment.

Article 148. Administrative Penalties

1. A violation of the provisions of this Code by members of the commissions or by persons charged with duty according to this Code, if it does not constitute a criminal offense, is punishable by a fine of between 3,000 and 90,000 lek.

2. A violation of the rules provided in this Code by public and private radio and television constitutes an administrative infraction and is punishable by a fine of between 100,000 and 500,000 lek.

3. Other violations of the provisions of this Code, when they do not constitute a criminal offense, are punishable by a fine of between 1,000 and 2,500 lek.

4. Penalties for violations under point 1 and 2 of this article are given by the CEC. Penalties for violations under point 3 of this article are given by all election commissions.

FOURTEENTH PART. RETENTION OF RECORDS

Article 149. Retention of Records

1. No records of a VCC, LGEC, ZEC or any other electoral commission may be destroyed without the prior consent of the CEC.

2. All records of a VCC or any other commission established by a LGEC or ZEC are given to the LGEC or ZEC in the manner and at the time established by the CEC.

3. The LGEC or ZEC retains a copy of:
   a) the documentation of candidates and political parties taking part in the election;
   b) the list of names and addresses of all members of a VCC and other commissions;
   c) the list of voting centers;
   ç) the voters' lists for the electoral units;
   d) the names and addresses for all members of the LGEC or ZEC;
   dh) the map of the electoral unit showing the boundaries of all polling units;
   e) a written description of all electoral unit boundaries;
   ë) the decree setting the date of the elections, official election notices issued by the LGEC or ZEC, the announcement of results for each voting center and the final declaration of results; and
   f) a statement of the costs incurred for the administration of the elections.

4. The original documents referred to in point 3 of this article are forwarded to the CEC within three months of the declaration of the election results. The CEC retains one copy and within twelve months after the official declaration of the election results by the CEC forwards the

original documents to the Central State Archives in the manner required by it within 12 months after the declaration of the final results of the elections.

5. Immediately following the declaration of results by the LGEC or ZEC, the commission forwards to the CEC in the manner directed by it all sealed ballot boxes containing official records, the seal of the commissions, ballots used at the election and unused ballots.

6. On receipt of all ballot boxes and unused ballots, and after the time allotted for appeals pursuant to point 5 of article 113 of this Code, the CEC opens all ballot boxes, removes all official records, including tabulations and ballot account statements, and forwards them to the Central State Archives in the manner required by the archives. All ballots and ballot stubs then are destroyed by fire under the supervision of the CEC.

FIFTEENTH PART. TRANSITIONAL AND FINAL PROVISIONS

Article 150. Mandate of Members of the CEC and Financial Effects

Article 17 of this Code may not be not interpreted to affect the validity of the appointments of the CEC members made before the effective date of this Code. The mandate of members of the CEC appointed before the effective date of this Code, as well as the financial effects connected with the organization and operation of the CEC, begins from the moment this Code enters into force.

Article 151. First Meeting of the CEC

The President of the Republic calls the first meeting of the CEC by decree within 15 days from the effective date of this Code, at which the chairman of the CEC is elected in accordance with article 27 of this Code.

Article 152. Local Elections of the Year 2000

1. The mandate of the mayors of municipalities and communes and local councilors elected in the year 1996 expires with the first meeting of the local council elected in the year 2000 in the respective municipality or commune, which takes place no later than 20 days from the end of the elections.

2. The local elections of the year 2000 are held no later than November 1, 2000.

3. For the local elections of the year 2000, the voting centers open at 7 AM. and close at 6 PM.

Article 153. LGECs and VCCs for the Local Elections of the Year 2000

1. Notwithstanding point 1 of article 38 and point 1 of article 43, for the local elections of the year 2000, the LGEC and VCC shall consist of the chairman, vice chairman and up to five members appointed respectively by the CEC and the LGEC on the proposal of the seven political parties that won the most votes nationwide in the local elections of 1996.

2. The members of the commissions shall meet all the requirements contemplated in this Code.

3. The CEC (LGEC) appoints the chairman and vice chairman of the LGEC (VCC) on the basis of proposals made by the LGEC (VCC). The candidates for chairman and vice chairman of the LGEC (VCC) are proposed by the two political parties that won the most votes nationwide in the local elections of 1996.

4. For purposes of the application of this article the number of votes won nationwide by coalitions of parties is divided equally between the parties of the coalition, except when there is an agreement about this between them.

Article 154. Preparation of the First National Registry of Voters

1. For the local elections of the year 2000, the Council of Ministers, through the organs of local government and the offices of civil status, prepares the preliminary National Registry of Voters and delivers it to the Directorate of Registration of Voters of the CEC no later than August 25, 2000.

2. The CEC sends to each LGEC, no later than August 28, 2000, a copy of the preliminary voters' lists for the respective electoral unit drawn from the National Registry of Voters. The provisions of chapter II of the fourth part are followed, to the extent possible, for these elections, with the following exceptions:

a) The period for the revision of the voters' lists ends 17 days before the date of the elections, and after this the LGEC forwards the revised voters' list to the CEC;
b) After approving, the CEC sends the final voters' lists to the LGEC drawn from the National Registry of Voters no later than seven days before the date of the elections.

3. Until the creation of the National Registry of Civil Status, the CEC prepares the voters' lists for subsequent elections on the basis of the voters' lists of the preceding elections, which are updated by the offices of civil status.

The provisions of Chapter II of the Fourth Part of this Code are also applied, by analogy, for these elections.

Article 155. Voting with an Identification Document

For the local elections of the year 2000, voters who have not been provided with a voter card may vote with a document of identification with a photograph issued by the offices of civil status, according to the instructions issued by the CEC.

Article 156. CEC Informational Programming

1. After the entry of this law into effect, the Steering Council of Public Radio and Television sets aside four hours of free television and radio broadcast time for CEC informational programming, which informs the public about voter registration, the issuance of the voter card and the provisions of this Code.

2. The four hours of free time are used prior to the setting of the date of the elections. They are not part of the time provided to the CEC during the election period.

Article 157. The First Electoral Zone Boundary Commission

1. The first Electoral Zone Boundary Commission is created and functions in accordance with articles 68 through 73 of this Code, except for the following:

a) The Commission uses the National Registry of Voters as certified by the CEC for the local government elections of the year 2000.
b) The Commission is formed no later than September 1, 2000.
c) The final report to the Assembly is submitted no later than January 15, 2001.
d) The law on electoral zones is approved by the Assembly no later than February 28, 2001.

2. If the Assembly has not approved the law on electoral zones within the term contemplated in point 1 of this article, the President of the Republic establishes the electoral zone boundaries in accordance with the final report of the Electoral Zone Boundary Commission. The boundaries established according to this point remain in effect until their next review in accordance with article 68 of this Code.

Article 158. The ZECs and VCCs for the Elections of the Year 2001

1. Notwithstanding point 1 of article 32 and point 1 of article 43, for the elections to the Assembly of the year 2001, the ZEC and the VCC shall consist of the chairman, vice chairman and up to five members appointed by the VCC and the ZEC, respectively, on the proposal of the seven political parties that won the most votes nationwide in the elections for the Assembly of the year 1997.

2. The members of these commissions shall meet all the requirements contemplated in this Code.

3. The CEC (ZEC) names the chairman and vice chairman of the ZEC (VCC) on the basis of proposals made by the ZEC (VCC). The candidates for chairman and vice chairman of the ZEC (VCC) are proposed by the two political parties that won the most votes nationwide in the elections of 1997.

4. For purposes of the application of this article, the number of votes won nationwide by coalitions of parties is divided equally between the parties of the coalition, except when there is an agreement between them about this.

Article 159. Substatutory Acts of the CEC

The CEC issues regulations and instructions for the implementation of this Code.

Article 160. Repeals

Law No. 7556, dated 4.2.1992, "On the Elections to the People's Assembly"; law no. 7573, dated 16.6.1992, "On the Elections to the Organs of Local Government"; law no. 7866, dated 6.10.1994, "On Referenda," with all their respective amendments and supplements; and any other provision that conflicts with this Code are repealed.

Article 161. Effective Date

This Code enters into force 15 days after its publication in the Official Journal.

VICE CHAIRMAN

Namik Dokle

ASSEMBLY LAW

No. 8780, dated May 03, 2001

On some additions and changes to the law No. 8609, dated 08.05.2000, "The Election Code of the Republic of Albania"

Pursuant to articles 81 and 83 point 1 of the Constitution, upon the proposal of a group of deputies,

THE ASSEMBLY OF THE REPUBLIC OF ALBANIA DECIDED:

The following additions and changes shall be made to the Law No. 8609, date 08. 05. 2000 "The Election Code of the Republic of Albania":

Article 1.

After provision 33 of article 2, provision 34 with the following content is added:

34. "The final result of the elections" is the result declared by the CEC which includes:

a) The result of voting for candidates for deputies, mayors and chairs of communes who are elected directly in the respective electoral unit,
d) The number of seats won by each political party or coalition, after the calculation provided in articles 66 and 75 of this Code,
e) The result of the voting in referenda, according to the provisions of part eight of this Code.

Article 2.

Article 34 changes as follows:

The members of ZEC are discharged by the CEC when they do not accomplish their duties anticipated in this Code and in the normative acts of the CEC, as well as for the same reasons which lead to the discharge of members of CEC.

Article 3.

Article 40 is changes as follows:

The members of LGEC are discharged by the CEC when they do not accomplish their duties anticipated in this code and in the normative acts of the CEC, as well as for the same reasons which lead to the discharge of members of CEC.

Article 4.

Two paragraphs with the following content are added after the first paragraph of article 56:

When the voter notes that he is not registered in the voter list of the electoral zone of his residence, after the deadline set in the first paragraph of this article has expired, he may address to the court until 24 hours before the election day, to request his registration in that list, in order to exercise the right to vote on the date set for the elections.

The voter is obliged to submit to the court the birth certificate issued by the civil registry, the certificate issued by the respective local government unit of his residency and the certificate from the ZEC, or LGEC as the case may be, stating that the voter is not registered in the voter list of the zone where the elections will be held.

Article 5.

In the first sentence of paragraph one of article 80, instead of the word "CEC", the word "VCC" is placed.

Article 6.

Paragraph 3 of article 87 changes as follows:

For the elections to the Assembly, the voter votes with two separate ballot papers of different colors, one for the candidates running directly in the zone and the other for the political parties and coalitions running in those elections. The ballot paper for the election subjects is the same for all election zones.

Article 7.

After paragraph 5 of article 97, paragraphs 6 and 7 with the following content are added:

6. After the voter receives the ballot paper, he is marked on the left hand with a special ink from one of the VCC members, for the purpose of avoiding voting more than once.

7. When a voter goes to the VCC and he is not registered in the final voter lists, but is provided with a court decision which provides for him to vote in that election zone, then the commission records him with a special number in a separate register. Procedures and the ways of registration for these voters are defined through a CEC instruction.

Article 8.

Article 155 of the Election Code changes as follows:

For the 2000 local government elections and the 2001 general elections, voters who are not provided with the

voter card, may vote with a picture identification document issued by the civil registry office, according to the CEC instructions.

Article 9.
This law comes to force 15 days after publication in "Fletore Zyrtare".

SPEAKER
SKËNDER GJINUSHI

Federation of

BOSNIA AND HERZEGOVINA

UNIFIED ELECTORAL CODE OF BOSNIA AND HERZEGOVINA

Note: This translation is based on on the local language version printed in the "Official Gazette" of Bosnia and Herzegovina, 23/01, 19.09.2001

PREAMBLE

In accordance with Article II 1, Article IV 1., 2. and 4.a. and the Article V 1.a of the Constitution of Bosnia and Herzegovina and the Article V of the Annex 3. (Agreement on Elections) Of General Framework Agreement for Peace in Bosnia and Herzegovina for the purposes of promoting the free, fair and democratic elections and to ensure the achievement of democratic goals, the Parliamentary Assembly of Bosnia and Herzegovina on the session of the House of Representatives held on 21 August 2001 and on the session of the House of People held on 23 August 2001 adopted the Election Law of Bosnia and Herzegovina.

CHAPTER 1. GENERAL PROVISIONS

Article 1.1.

This law shall regulate the election of the members and the delegates of the Parliamentary Assembly of Bosnia and Herzegovina and of the members of the Presidency of Bosnia and Herzegovina and shall stipulate the principles governing the elections at all levels of authority in Bosnia and Herzegovina.

Article 1.2.

The cost and expense for the conduct of the elections shall be provided for in the budgets of the institutions of Bosnia and Herzegovina and international obligations of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, the Republika Srpska, the District of Brcko, the cantons, the cities and the municipalities, depending on the level for which the elections are conducted.

Article 1.3.

The election of members of all bodies of authority shall be made on the basis of general and equal voting rights by direct and secret ballots, unless otherwise stipulated by this law.

Article 1.4.

Each citizen of Bosnia and Herzegovina who has attained eighteen (18) years of age shall have the right to vote and to be elected (hereinafter, right to vote) pursuant to this law.

To exercise his or her right to vote, a citizen must be registered as a voter, pursuant to this law.

A person can be registered in the Central Voters Register for only one municipality.

Article 1.5.

All citizens of Bosnia and Herzegovina who have the right to vote shall have the right to register and to vote in person in the municipality where they have their permanent place of residence.

A citizen of Bosnia and Herzegovina who temporarily resides abroad and has the right to vote, shall have the right to register and to vote in person or by mail, for the municipality where the person had a permanent place of residence prior to his or her departure abroad, provided he or she is registered as a permanent resident in that municipality at the moment of his or her application for registration. The proof of residence shall rest upon the applicant. If the proof of residence is not attached to the application, this application will be rejected.

A citizen of Bosnia and Herzegovina who holds dual citizenship pursuant to Article 1(7)(d) of the Constitution, shall have the right to register and to vote, only if Bosnia and Herzegovina is the country of his or her permanent residence.

Article 1.6.

No person who is serving a sentence imposed by the International Tribunal for the former Yugoslavia, and no person who is under indictment by the Tribunal and who has failed to comply with an order to appear before the Tribunal, may register to vote or stand as a candidate (the candidate for the purpose of this Law refers to persons of both genders) or hold any appointive, elective or other public office in the territory of Bosnia and Herzegovina.

As long as any political party or coalition maintains such a person in a political party position or function as established in the previous paragraph, that party or coalition shall be deemed ineligible to participate in the elections.

Article 1.7.

No person who is serving a sentence imposed by a Court of Bosnia and Herzegovina, a Court of the Republika

Srpska or a Court of the Federation of Bosnia and Herzegovina and the Court of the District of Brcko or has failed to comply with an order to appear before a Court of Bosnia and Herzegovina, a Court of the Republika Srpska or a Court of the Federation of Bosnia and Herzegovina and the Court of the District of Brcko for serious violations of humanitarian law where the International Criminal Tribunal for the Former Yugoslavia has reviewed the file prior to arrest and found that it meets international legal standards may register to vote or stand as a candidate or hold any appointive, elective or other public office in the territory of Bosnia and Herzegovina.

Article 1.8.
Judges of regular and Constitutional courts, prosecutors and their deputies, attorneys and their deputies holding public office, Ombudsmen and their deputies, members of the Human Rights Courts/Chambers/Councils, members of police and armed forces, including, but not limited to, the Finance Police, Judicial Police, State Border Service, and members of internal security and intelligence agencies, and diplomatic and consular representatives of Bosnia and Herzegovina abroad, may stand as a candidate for public elected office only if they resign from their position.

It is incompatible to hold at the same time more than two (2) public directly or indirectly elected offices. It is also incompatible to hold at the same time one directly or indirectly elected office and one position in an executive body of authority. It is also incompatible to hold more than one position in an executive body of authority.

A person may not hold public elected office in Bosnia and Herzegovina and at the same time hold any public elected or politically appointed office in another country. A person holding any elective or politically appointed office in another country shall be obliged to relinquish, within forty-eight (48) hours after the verification of his or her mandate in Bosnia and Herzegovina, one of the two (2) offices he or she holds. A person who holds any public elected office in Bosnia and Herzegovina and is elected to or appointed to a politically appointed office in another country, shall be obliged to relinquish his or her mandate in Bosnia and Herzegovina, within forty-eight (48) hours after the election or appointment in another country.

For the purpose of this article, an executive office notably includes the Presidency of Bosnia and Herzegovina, the Council of Ministers of Bosnia and Herzegovina, the President and Vice President of the Federation of Bosnia and Herzegovina, the President and Vice President of the Republika Srpska, the government of the Federation of Bosnia and Herzegovina including the Prime Minister, the government of the Republika Srpska including the Prime Minister, the government of the District of Brcko, the President of the Canton, the Cantonal government, the Mayor of a city, the Deputy Mayor of a city, the city government, the Mayor of a municipality, the Deputy Mayor of a municipality, the Mayor's cabinet, and other executive functions as defined by law.

Article 1.9.
A mandate belongs to the elected office holder and not to the political party, coalition or list of independent candidates which nominated him or her on the candidates list. The mandate cannot be terminated except where prescribed by law.

Article 1.10.
The term of office of an elected member of a body of authority at all levels shall terminate before the expiration of the mandate for which he or she was elected if:

1. he or she resigns;
2. he or she dies;
3. under a valid court decision he or she has been sentenced to a prison term of six (6) months or longer;
4. under a valid court decision he or she has been deprived of the ability to engage in business activities (declared mentally incompetent);
5. he or she is elected or appointed to an office which is incompatible with the office of an elected member of a certain body as stipulated by law;
6. for a period of at least two (2) years, he or she has ceased to be registered to vote in the electoral unit from which he or she was elected; or
7. for a reason stipulated by law that he or she loses the right to be elected.

The mandate of an elected member of a body of authority at any level shall terminate on the day when one of the reasons for termination established by law occurs. The competent body shall, no later than three (3) days after the reason for termination of the mandate has occurred or become known, confirm the termination of the mandate. If the member resigns, the resignation shall be completed on a form produced by the Election Commission of Bosnia and Herzegovina.

Article 1.11.
Candidates of all political parties, coalitions, lists of independent candidates as well as independent candidates and other participants in the election process shall have

full freedom to carry out activities during the election campaign in the whole territory of Bosnia and Herzegovina. Competent authorities shall ensure that no obstacles impede freedom of movement of candidates, supporters and voters during the entire electoral process.

No person may be arrested or detained during the period starting sixty (60) days prior to election day and on the day of election for investigation or prosecution of serious violations of international humanitarian law unless: (1) the person has been indicted by the International Criminal Tribunal for the Former Yugoslavia (ICTY); or (2) the person has failed to comply with an order to appear before a Court of Bosnia and Herzegovina, a Court of the Republika Srpska, a Court of the Federation of Bosnia and Herzegovina and a court of the District of Brcko for serious violations of humanitarian law where the International Criminal Tribunal for the Former Yugoslavia has reviewed the file prior to arrest and found that it meets international legal standards.

Article 1.12.
Competent bodies at all levels of authority shall not discriminate against a person because of his or her affiliation to a political party or coalition, or because of his or her support for an independent candidate or a list of independent candidates.

Article 1.13.
The application for certification to participate in the elections shall include a statement signed by the President of a political party, coalition or the independent candidate(s) stating that the activities of the political party, coalition or the independent candidate(s) will comply with the General Framework Agreement for Peace in Bosnia and Herzegovina.

Article 1.14.
The elections at all levels of authority in Bosnia and Herzegovina shall be held on the first Saturday in October unless that date conflicts with observance of a religious holiday of one of the constituent peoples of Bosnia and Herzegovina. Any election that cannot be held on the first Saturday in October because of a conflict with a religious holiday shall be scheduled by the Election Commission of Bosnia and Herzegovina for the Saturday closest to the first Saturday in October, which does not conflict with a religious holiday.

At least one hundred and seventy (170) days prior to the holding of an election, the Election Commission of Bosnia and Herzegovina shall notify all competent authorities at all levels when an election shall be conducted, unless otherwise provided by Chapter 13 of this law.

The Election Commission of Bosnia and Herzegovina shall publish the dates of the elections for all levels of authority in the "Official Gazette of Bosnia and Herzegovina," Entity official gazettes, "Official Gazette of the District of Brcko" and in the media.

CHAPTER 2. COMPETENT AUTHORITIES RESPONSIBLE FOR THE CONDUCT OF ELECTIONS

Article 2.1.
The competent authorities responsible for the conduct of elections are the election commissions and the Polling Station Committees.

The election commissions and the Polling Station Committees shall be independent and impartial in their work. No member of an election commission or a Polling Station Committee shall participate in the decision of a case in which the member and/or a close family member has a personal or financial interest or other conflict of interest, which may raise doubt as to the ability of the member to act impartially. A "close family member" is defined in Article 14.7 of this law.

All bodies of authority at all levels, officials in Bosnia and Herzegovina and Embassies and Consulate Offices of Bosnia and Herzegovina shall be obliged to assist the competent authorities responsible for the conduct of elections.

Article 2.2.
Members of election commissions and Polling Station Committees shall be persons eligible to vote.

Members of election commissions and Polling Station Committees shall be persons with appropriate expertise and experience in the administration of elections.

The Election Commission of Bosnia and Herzegovina shall determine what the required qualifications are for members of election commissions and Polling Station Committees established in the previous paragraph.

Article 2.3.
No person can be appointed as a member of an election commission or Polling Station Committee who:

1. is not eligible to stand as a candidate in accordance with Articles 1.6 and 1.7 of this law;

2. is a member of the highest executive political body of a political party or coalition: a president, deputy president, the general secretary, secretary or members of the executive board or the central committee;
3. holds an elected mandate or is a member of an executive body of authority except as provided for in Article 2.12 of this law;
4. stands as a candidate for the elections at any level of authority; or
5. has been sanctioned for a serious violation of the electoral laws or regulations where the person was found to be personally responsible for the violation, in the previous four (4) years, starting from the day the decision became final.

The Election Commission of Bosnia and Herzegovina shall decide if the severity of the violation and the personal responsibility of the individual as stated in paragraph 5 of this article prohibits the person from being a member of an election commission or a Polling Station Committee.

Article 2.4.
Except as provided for in Article 2.12 of this law, the election commission members shall be appointed for a period of five (5) years and members may only be appointed to the same election commission for two (2) consecutive terms of office, unless otherwise specified by this law.

Polling Station Committee members shall be appointed for each election.

Article 2.5.
Except in the case regulated by Article 18.1 of this law, the Election Commission of Bosnia and Herzegovina shall consist of seven (7) members: two (2) Croats, two (2) Bosniacs, two (2) Serbs, and one (1) other member. The nominees for the Election Commission of Bosnia and Herzegovina shall be jointly nominated by the members of the Commission for the Appointment of Judges of the Court of Bosnia and Herzegovina and members of the Election Commission of Bosnia and Herzegovina (under the joint name the Commission for Selection and Nomination). The Election Commission of Bosnia and Herzegovina nominees shall be legal experts with experience in the administration of elections and/or electoral experts.

The Commission for Selection and Nomination shall meet in its full composition for the purpose of decision making on issues of appointments regulated by this Law. In accordance with the provisions of this Law, the announcement and nomination procedure shall follow the Rules of Procedures established by the Election Commission of Bosnia and Herzegovina. A decision on the appointment of nominees for the election Commission of Bosnia and Herzegovina shall be made by two third (2/3) majority vote.

In accordance with its procedures, the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina shall elect members of the Election Commission of Bosnia and Herzegovina from the list of nominees. If this list is not submitted to the House of Representatives thirty (30) days prior to the expiration of the mandates of the members of the Election Commission of Bosnia and Herzegovina, then the House of Representatives of Bosnia and Herzegovina shall nominate and elect the members of the Election Commission of Bosnia and Herzegovina.

In the event a member of the Election Commission of Bosnia and Herzegovina cannot perform his/her duties as established in Article 2.15 of this law the Election Commission of Bosnia and Herzegovina shall notify the House of Representatives. The House of Representatives of Bosnia and Herzegovina shall in this case appoint a new member who is of the same Constituent Peoples including others as the previous member. A new member shall be appointed from the list of nominees submitted by the Commission for Selection and Nomination of Bosnia and Herzegovina.

Article 2.6.
The President of the Election Commission of Bosnia and Herzegovina shall be elected from amongst its members. One Croat, one Bosniac, one Serb and the other member of the Election Commission of Bosnia and Herzegovina shall each serve as the President for one fifteen (15) month rotation in a five (5) year period.

Article 2.7.
The Election Commission of Bosnia and Herzegovina shall establish Regulations which regulates its work including the election of its President.

Article 2.8.
Members of the Election Commission of Bosnia and Herzegovina shall have immunity and shall not be held accountable in criminal or civil proceedings in the course of the work of the Election Commission of Bosnia and Herzegovina. The House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina may

revoke the immunity of a member of the Election Commission of Bosnia and Herzegovina after receiving a recommendation of removal of immunity by the Election Commission of Bosnia and Herzegovina.

Article 2.9.

The Election Commission of Bosnia and Herzegovina is an independent body, which derives its authority from and reports directly to, the Parliamentary Assembly of Bosnia and Herzegovina. The Commission shall:

1. co-ordinate, oversee and regulate the lawful operation of all election commissions and Polling Station Committees in accordance with this law;
2. issue administrative Regulations for the implementation of this law;
3. propose a budget for the Election Commission of Bosnia and Herzegovina and the Secretariat and report on its spending;
4. be responsible for establishment, accuracy and maintenance of the Central Voters Register for the territory of Bosnia and Herzegovina;
5. certify the participation of political parties, coalitions, lists of independent candidates and independent candidates for all levels of elections in Bosnia and Herzegovina;
6. verify and certify the lists of candidates for all levels of elections in Bosnia and Herzegovina;
7. be responsible for the timely printing, distribution and security of ballots and forms for all levels of elections in Bosnia and Herzegovina;
8. define the contents and the form of the ballot for all levels of elections in Bosnia and Herzegovina;
9. verify, certify and publish election results for all levels of elections in Bosnia and Herzegovina;
10. issue certificates to persons who receive mandates;
11. notify an election commission or Polling Station Committee that it does not comply with or violates a provision of this law and order the remedial action required to be taken by the competent body;
12. publicize all Rules of Procedure, Regulations and election results, voter information and all other information necessary for the implementation of this law and all electoral laws, in the Official Gazettes and the media, both inside and outside Bosnia and Herzegovina as appropriate;
13. conduct all election activities for the elections for the members of the Presidency of Bosnia and Herzegovina and the members of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina;
14. review the termination of a mandate of an elected official by the competent body of authority at all levels in order to ensure that the elected official's mandate was terminated in accordance with law and in the case where a member resigns that it is of his or her own volition;
15. report annually to the Parliamentary Assembly of Bosnia and Herzegovina on the state of electoral administration in Bosnia and Herzegovina, the implementation of this law and any proposed amendments to this law; and
16. perform all other duties as authorised by law.

Article 2.10.

The Election Commission of Bosnia and Herzegovina may annul elections in an electoral unit or at an individual Polling Station if it is established that irregularities occurred, during the voting or counting of ballots, which may affect the election results.

Article 2.11.

The Election Commission of Bosnia and Herzegovina shall establish a Secretariat to carry out its professional, administrative and operational duties. The Election Commission of Bosnia and Herzegovina Secretariat shall also carry out the professional, administrative and operational duties for the Election Complaints and Appeals Council and the Appeal Council. The Election Commission of Bosnia and Herzegovina Secretariat shall have a General Secretary who is appointed by the Election Commission of Bosnia and Herzegovina.

Article 2.12.

A Municipal Election Commission shall consist of between three (3) or five (5) members.

The Election Commission of Bosnia and Herzegovina shall determine the number of the Municipal Election Commission members in accordance with the number of the registered voters and the size of a municipality.

Other criteria may be used by the Election Commission of Bosnia & Hercegovina to determine the number of Municipal Election Commission members.

The member of the Municipal Election Commission can be: the president of a regular Court, the Secretary of the Municipal Council/Municipal Assembly, persons professionally employed in Municipal administration and other persons if they meet the conditions established in the Article 2.2 of this Law, and they do not have the obstacles from the Article 2.3 of this Law.

The members of the Municipal Election Commission shall be appointed by the Municipal Council/Municipal Assembly, subject to the approval of the Election Commission of Bosnia and Herzegovina.

Amongst the members of the Municipal Election Commission from the previous paragraph the Municipal Council/Assembly shall appoint the President, subject to the approval of the Election Commission of Bosnia and Herzegovina.

Article 2.13.

The Municipal Election Commission shall:

1. ensure that all candidates lists for a Municipal Council/Municipal Assembly are made in accordance with the law, and forward them to the Election Commission of Bosnia and Herzegovina for its approval;
2. monitor the work of competent municipal bodies for the administration of the elections, including the process of voter registration;
3. designate Polling Stations in the territory of the municipality for voting on all levels of authority in Bosnia and Herzegovina;
4. appoint and train the members of the Polling Station Committees;
5. ensure the security of, and deliver to the Polling Station Committees the polling material for voting at all levels of the elections in Bosnia and Herzegovina;
6. as directed by the Election Commission of Bosnia and Herzegovina notify voters of information necessary for the administration of elections;
7. be responsible for the technical arrangements at the Polling Station and any other technical preparations for the elections;
8. be responsible for the proper conduct of the counting of ballots at Polling Stations and municipal counting centres;
9. compile the results of elections from all Polling Stations in the municipality, separately for each body for which elections were administered and forward the results to the Election Commission of Bosnia and Herzegovina; and
10. perform all other tasks as authorised by law and by the Regulations of the Election Commission of Bosnia and Herzegovina.

Article 2.14.

The composition of an election commission or Polling Station Committee should be multiethnic, reflecting the population of the constituent peoples including others bearing in mind the most recent national Census at the electoral unit for which it is formed.

If the election commission or Polling Station Committee is not composed in accordance with the previous paragraph, the Election Commission of Bosnia and Herzegovina shall annul the appointment of the members and inform the appointing body. The appointing body shall within seven (7) days of the decision of the Election Commission of Bosnia and Herzegovina reappoint the body in compliance with the criteria established in the previous paragraph.

If the election commission or Polling Station Committee is not properly constituted again, the Election Commission of Bosnia and Herzegovina shall appoint the members of the election commission or Polling Station Committee in accordance with paragraph 1 of this article.

Article 2.15.

In the event a member of an election commission resigns, dies, becomes incapacitated, is removed from the commission or cannot be a member of a election commission or Polling Station Committee as established in Article 2.3 of this law, the new member of the body shall be appointed in the same manner that the previous member was appointed. The term of appointment shall expire when the previous member's appointment would have expired.

Article 2.16.

If a member of an election commission has a prolonged absence without a valid reason, obstructs the work of the commission or violates this law or regulations, the election commission may recommend to the appointing body the removal of the member by a two-thirds (2/3) vote of the total number of members of the election commission. For the purposes of this article the appointing body for the Municipal Election Commissions is the Election Commission of Bosnia and Herzegovina.

Article 2.17.

Except as established by Regulations of the Election Commission of Bosnia and Herzegovina, all election commission meetings shall be public. The election commissions shall ensure that the public is notified of their meetings in a timely manner.

Article 2.18.

Election commissions and Polling Station Committees, except for the Election Commission of Bosnia and Herzegovina, shall make decisions by a simple majority of

the total number of members, except as otherwise stipulated by this law.

Except as otherwise provided by this law, the Election Commission of Bosnia and Herzegovina shall make a decision by a two-thirds (2/3) vote of the total number of the members. If a decision cannot be reached by a two-thirds (2/3) vote of the total number of members at the first meeting, then at the second meeting a majority of the members shall make the decision.

Article 2.19.
The Polling Station Committee shall consist of a President and of two (2) or four (4) members. The President and the members of the Polling Station Committee shall have deputies. The appointment of the members of the Polling Station Committee and their deputies shall be made by the Municipal Election Commission no later than fifteen (15) days prior to the date of the election. If the Municipal Election Commission does not appoint the members of the Polling Station Committee and their deputies in accordance with this article, then the Election Commission of Bosnia and Herzegovina shall appoint the members of the Polling Station Committee and their deputies.

The President shall manage and be responsible for the lawful work of the Polling Station Committee.

Article 2.20.
The Polling Station Committee shall directly manage the conduct of the Polling Station, ensure the regularity and secrecy of the ballot and record the election results at the Polling Station.

The President of the Polling Station Committee shall ensure that the voting process at a Polling Station proceeds without impediments, in accordance with Chapters 5 and 7 of this law.

Article 2.21.
Entity Election Commissions shall be created by Entity law in accordance with this law. Their competencies shall be determined by the Election Commission of Bosnia and Herzegovina in accordance with this law.

The manner of election and the composition of all other election commissions shall be determined by Entity law and in accordance with the provisions of this law.

CHAPTER 3. VOTERS REGISTER

Article 3.1.
A citizen of Bosnia and Herzegovina, aged eighteen (18) or older, exercises his or her right to vote based on his or her registration into the Central Voters Register. Each person shall apply for registration personally. No person may apply for registration on behalf of another person.

The Central Voters Register shall not contain the name of a person who under a valid decision of a competent authority has been deprived of his or her ability to engage in business activities.

The Election Commission of Bosnia and Herzegovina shall keep and manage the Central Voters Register for the entire territory of Bosnia and Herzegovina.

The Central Voters Register shall include the names and information about all citizens of Bosnia and Herzegovina who have the right to vote and who have registered to vote. From the data contained in the Central Voters Register, a Municipal Voters Register shall be established for each municipality which contains the names and information about all voters who have registered to vote in person or by absentee ballot for that municipality.

The Election Commission of Bosnia and Herzegovina may define Voters Registers for other electoral units for which specific elections are conducted, based on the data contained in the Central Voters Register.

The competent municipal body shall be responsible for the proper registration of voters residing within the territory of that municipality, and the accuracy and validity of data provided for additions to, changes and deletions from the Central Voters Register.

The Election Commission of Bosnia and Herzegovina shall be responsible for the registration of voters residing outside the territory of Bosnia and Herzegovina, and the accuracy and validity of data provided for additions to, changes and deletions from the Central Voters Register.

The Central Voters Register, Municipal Voters Registers shall be public documents.

Article 3.2.
In each municipality, the competent municipal body, in co-ordination with the Municipal Election Commission, shall establish one or more voter registration offices in public buildings or other locations designated for that purpose, and shall arrange for and train appropriate staff members

or other persons as voter registrars, who shall be authorized to conduct voter registration activities.

Offices where master evidence files are prepared and maintained may be used as registration offices, as may other offices generally accessible to the public. A registration office may not be located in a place of worship, any building owned by or occupied by a political party, any building that has been used as a place of torture or abuse or premises in which alcohol is served and consumed.

All voter registrars shall conduct the process of voter registration in accordance with this law, and in the manner prescribed in Regulations of the Election Commission of Bosnia and Herzegovina.

A person who has the right to vote under this law shall be advised of his or her voting rights and may register to vote, update his or her voter registration information, or apply to change his or her voting option at a Voter Registration Center in the municipality in which he or she is currently residing, regardless of the municipality for which he or she seeks to register.

Article 3.3.
For the purpose of this law, permanent residence is either the citizen's residence according to the most recent national Census, or the municipality where a citizen is registered as a permanent resident in accordance with law.

Article 3.4.
A citizen of Bosnia and Herzegovina who has the right to vote, shall register for the municipality in which he or she has a permanent place of residence, except as otherwise permitted under this law.

A citizen of Bosnia and Herzegovina who has the right to vote under this law and is temporarily residing abroad shall register for the municipality where he or she had permanent residence immediately prior to his or her departure for abroad, provided he or she is registered as a permanent resident in that municipality at the moment of his or her application for registration.

Article 3.5.
The data entered into the Central Voters Register for citizens of Bosnia and Herzegovina who have the right to vote shall be: last and first name, date of birth, national identification number, name of the municipality and settlement where this person has permanent or current residence, the name of the municipality for which this person is registered as a voter, and serial number under which the voter is registered.

Article 3.6.
An application to register to vote for the first time, or an application for a change in a person's voting option as established in Articles 1.5 and 3.4 of this law, must be submitted by the applicant personally.

The Election Commission of Bosnia and Herzegovina shall regulate the methods and procedures by which the accuracy of data in the official records maintained by the competent authorities in Bosnia and Herzegovina and documents submitted for persons requesting to be entered into the Central Voters Register may be verified, and shall take appropriate action regarding additions, corrections or deletion of data from the Central Voters Register, based on its decision or a decision of the Election Complaints and Appeals Council, or at any time the Election Commission of Bosnia and Herzegovina determines that there is reason to question the validity or accuracy of the information or documentation submitted in an application, or as necessary to maintain the integrity of the Central Voters Register in compliance with this law.

Article 3.7.
No citizen of Bosnia and Herzegovina shall forfeit any right or entitlement because he or she has registered as a voter, or because his or her registration to vote for a municipality is not the one in which he or she currently resides.

No person shall be required to present any document issued to him or her by a competent municipal body relative to registration or voting for any other purpose except as is necessary for the purpose of voter registration, confirmation of registration or voting.

Article 3.8.
The competent municipal bodies which keep the master evidence files are obliged to provide information on dead persons who were over eighteen (18) years of age and who immediately prior to their death resided in the municipality, to the competent municipal body.

The competent municipal bodies which keep the master evidence files are obliged, upon comparison of the birth records and the records of residency of persons currently residing in the municipality, to provide information on persons who have reached eighteen (18) years of age to the competent municipal body. The Election Commission of Bosnia and Herzegovina shall regulate the methods and

procedures for informing persons who have reached 18 years of age about the procedures of voter registration.

The police body which keeps residency evidence is obliged to provide the competent municipal body with information on all persons who have reached eighteen (18) years of age and have registered their residence on the territory of that municipality, as well as information about such persons who have cancelled their residency in that municipality.

The competent court shall be obliged to notify the competent municipal body of a valid court decision by which a person has been deprived of his or her ability to engage in business activities.

Article 3.9.

A member of the military, who has the right to vote under this law, shall register to vote, update his or her registration information, or apply to change the municipality for which he or she will vote, at the competent municipal body.

A member of the military, who has registered to vote in accordance with this law, may vote in an Absentee Polling Station in the municipality in which he or she is based. A member of the military may apply to receive his or her ballot at an Absentee Polling Station in the municipality in which he or she is scheduled to be posted or transferred between the date of registration and polling day, if he or she produces documentary proof of the scheduled posting or transfer at the time of registration.

If a member of the military produces documentary proof at the time of registration of a scheduled discharge between the date of registration and the first polling day, he or she may apply to receive his or her ballot at an Absentee Polling Station in the municipality in which he or she intends to cast a ballot.

Article 3.10.

A person who is omitted from the Central Voters Register or who believes his or her voter information is incorrect, may file a complaint with the Municipal Election Commission requesting inclusion on the Central Voters Register or correction of the voter's information in accordance with Chapter six (6) of this law.

Any citizen shall have the right to inspect the Central Voters Register and submit a complaint about invalid or inaccurate entries into the Central Voters Register in accordance with Chapter 6 of this law.

Article 3.11.

The Election Commission of Bosnia and Herzegovina shall establish in its Regulations the method and procedure for entering of voters into the Central Voters Register who:

1. apply for registration for the first time, but whose names are not on the most recent national Census;
2. reside and submit an application for registration from outside the territory of Bosnia and Herzegovina, including procedures for their registration by mail;
3. are homebound due to old age, illness or disability;
4. are prisoners or are confined to institutions and have the right to vote;
5. are citizens younger than eighteen (18) years but above an age defined by the Election Commission of Bosnia and Herzegovina which permits them to register, but not to be listed in the excerpt of eligible voters on election day. Articles referring to citizens above eighteen (18) years of age in this law will be applied to those having reached the age of registration, except for the Articles on voting right; and
6. are citizens of Bosnia and Herzegovina and will attain eighteen (18) years of age after the deadline for registering to vote, but by election day.

Article 3.12.

The Election Commission of Bosnia and Herzegovina shall establish in its Regulations the content, manner of keeping, manner of correction, amendment, closing, copying and display of the Central Voters Register, and in particular, the manner in which additions, amendments and deletions shall be made based on information provided by the competent municipal bodies responsible for the registration of voters under Article 3.1 paragraph 6 of this law.

The Election Commission of Bosnia and Herzegovina, relevant to Regulations established pursuant to the previous paragraph, shall regulate the method of entering voters into the Central Voters Register in those cases where the documentation from the master evidence files has been destroyed, damaged or removed from the municipalities.

The Election Commission of Bosnia and Herzegovina shall establish the method and procedure for checking the accuracy of data in the master evidence files maintained by the competent municipal bodies and documents submitted by persons requesting to be entered into the Central Voters Register, shall define the proof of evidence

necessary to establish a person's permanent or current place of residence and the deadline by which a voter must have registered to vote in order to vote in a particular election, and shall prescribe the manner of informing persons who have attained eighteen (18) years of age about the voter registration procedure.

Article 3.13.
In order to be eligible to vote in the forthcoming election, a citizen of Bosnia and Herzegovina who has the right to vote under this law and is a refugee or temporarily residing abroad may register to vote by mail provided that he or she completes and submits an application form to the Election Commission of Bosnia and Herzegovina. This application must be received prior to the deadline established by the Election Commission of Bosnia and Herzegovina. The application form and relevant instructions shall be designed by the Election Commission of Bosnia and Herzegovina. The completed application must be accompanied by applicant's proof of identity as prescribed by this law and must be signed by the applicant.

A citizen of Bosnia and Herzegovina who has previously registered to vote by mail is required to confirm his or her registration for each election by submitting a confirmation form to the Election Commission of Bosnia and Herzegovina. The Election Commission of Bosnia and Herzegovina shall regulate the content of the form and the manner of distribution.

A citizen of Bosnia and Herzegovina who has registered to vote by mail and who returns to Bosnia and Herzegovina shall apply to update his or her registration record at the competent municipal body within the municipality to which this person has returned. If this person has returned to Bosnia and Herzegovina prior to the deadline by which a person must be registered to vote in the next election, he or she shall be assigned to the appropriate Polling Station and added to the excerpt of the Central Voters Register for that Polling Station. If this person has returned to Bosnia and Herzegovina after the deadline by which he or she must be registered to vote in the next election, this person shall be allowed to vote by a tendered ballot either at a Polling Station within the municipality in which he or she is registered to vote or at any other Polling Station specifically designated for this purpose.

CHAPTER 4. CERTIFICATION AND CANDIDACY FOR THE ELECTIONS

Article 4.1.
In order to participate in the elections political parties, independent candidates, coalitions and lists of independent candidates shall certify their eligibility with the Election Commission of Bosnia and Herzegovina.

Article 4.2.
In order to be certified for the elections for all bodies of authority at all levels in Bosnia and Herzegovina, an independent candidate or a candidate on a political party, list of independent candidates or a coalition's candidates list shall meet the following requirements:

1. the candidate must be registered to vote for the municipality within the boundaries of the electoral unit in which he or she is standing for office; and
2. the candidate may only run for office in one electoral unit at any level of authority and may appear only on one political party, coalition or list of independent candidates.

For the purpose of Chapters 9, 10 and 11 of this law, the electoral unit shall be the multi-member constituency.

Article 4.3.
In order to participate in the elections, a political party must be registered with the competent authority in either Entity, in accordance with the law. The application for certific ation must be accompanied by evidence that the political party is registered with the competent authority. The political party must apply for certification under the same name that it registered with the competent authority.

Article 4.4.
The application for certification of a political party or independent candidate must include a list setting out the name, original signature, and National Identity number of each registered voter who supports the application of the political party or independent candidate.

The signature form shall be prescribed by the Election Commission of Bosnia and Herzegovina. These forms shall be pre-printed forms and shall contain, a space for the name of the political party or independent candidate, and sequential serial numbers. Political parties and independent candidates shall only collect signatures on the forms assigned to them by the election commission of Bosnia and Herzegovina. Other forms submitted by a political party or independent candidate shall not be accepted.

The signature form shall also include the name, original signature and National Identity number of the person(s) who are responsible for collecting the supporter's signatures.

In order to be certified for participation in the elections, a political party must present to the Election Commission of Bosnia and Herzegovina its application for participation in the elections, which contains at least:

1. three thousand (3,000) signatures of registered voters for the elections for the members of the Presidency of Bosnia and Herzegovina;
2. three thousand (3,000) signatures of registered voters for the elections for the members of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina;
3. two thousand (2,000) signatures of registered voters for the elections for the members of the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina or for the members of the National Assembly of the Republika Srpska;
4. five hundred (500) signatures of registered voters for elections for the delegates of the Cantonal Assemblies of the Federation of Bosnia-Herzegovina;
5. one hundred (100) signatures of registered voters for the elections for the Municipal Council/Assembly and for the Mayor in a municipality when the Mayor is directly elected in which the number of registered voters in the Central Voters Register in the previous elections did not exceed ten thousand (10,000) voters, or two hundred (200) signatures for the election in the municipality in which this number exceeded ten thousand (10,000) registered voters.

Article 4.5.

Except for the elections for the members of the Presidency of Bosnia and Herzegovina, a political party shall be exempt from the signature requirement established in Article 4.4 of this law if a member of this political party holds a mandate in the same body that the political party applies to certify to stand for office,.

For the purposes of this article the political party shall submit a signed statement from the elected official that he or she was a member of that political party at the time that he or she received the mandate and that he or she is still a member of that party together with the confirmation form.

Article 4.6.

A political party shall submit its application for certification to the competent authority no later than one-hundred and forty (140) days before the date of the elections.

The Election Commission of Bosnia and Herzegovina shall certify the application of a political party for participation in the elections if the application meets the requirements as established by this law.

If the Election Commission of Bosnia and Herzegovina identifies incorrect or incomplete information, it shall notify the applicant thereof, who shall be bound to correct the information within two (2) days. Upon the expiration of this deadline, the Election Commission of Bosnia and Herzegovina shall decide whether or not to certify or reject the application for participation in the elections.

If the Election Commission of Bosnia and Herzegovina rejects the application, the applicant shall have the right to request the Election Commission of Bosnia and Herzegovina to reconsider the decision within two (2) days. The Election Commission of Bosnia and Herzegovina shall make a decision within three (3) days.

Article 4.7.

If two (2) political parties have identical names or names that are so similar that it could cause confusion or mislead a voter, the Election Commission of Bosnia and Herzegovina shall determine which party has the right to use the name for the purposes of the elections, taking into account the date each party registered with the competent court.

Article 4.8.

In order to be certified for the elections, an independent candidate must present his or her application for participation in the elections to the Election Commission of Bosnia and Herzegovina containing at least:

1. one thousand five hundred (1,500) signatures of registered voters for the elections for the members of the Presidency of Bosnia and Herzegovina;
2. one thousand and five hundred (1,500) signatures of registered voters for the members of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina;
3. one thousand (1,000) signatures of registered voters for the elections for the members of the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina or members of the National Assembly of the Republika Srpska;

4. two hundred and fifty (250) signatures of registered voters for the elections for the delegates of the Cantonal Assemblies of the Federation of Bosnia and Herzegovina; or
5. one hundred (100) signatures of registered voters for the elections for the Municipal Council/Assembly and for the Mayor in the municipality when the Mayor is directly elected.

Article 4.9.
Except for the signature requirement established for the election for the members of the Presidency of Bosnia, an independent candidate who holds a mandate in the same body that he or she is standing for office shall be exempt from the signature requirement established in Article 4.8 of this law.

Article 4.10.
An independent candidate shall submit his or her application for candidacy no later than one hundred and forty (140) days prior to the election and it shall contain: the name and surname, address, national identification number, date and signature of the independent candidate.

The Election Commission of Bosnia and Herzegovina shall certify the application of an independent candidate for participation in the elections if the application meets the requirements as established by this law.

The Election Commission of Bosnia and Herzegovina shall examine within two (2) days whether the application was submitted in accordance with this law and certify, reject or request the candidate to correct his or her application.

If the Election Commission of Bosnia and Herzegovina identifies incorrect or incomplete information, it shall notify the applicant thereof, who shall be bound to correct the information within two (2) days. Upon the expiration of this deadline, the Election Commission of Bosnia and Herzegovina shall decide whether or not to certify or reject the application for participation in the elections.

If the Election Commission of Bosnia and Herzegovina rejects the application, the applicant shall have the right to request the Election Commission of Bosnia and Herzegovina to reconsider the decision within two (2) days. The Election Commission of Bosnia and Herzegovina shall make a decision within three (3) days.

An independent candidate may not at the same time stand for office as an independent candidate in more than one electoral unit or run for office on a political party, list of independent candidates or coalition's candidates list.

An independent candidate may not withdraw his or her candidacy before the certification of the election results.

Article 4.11.
In order to be certified for the elections a political party or independent candidate must present signatures of support as established in Articles 4.4 and 4.8 of this law. One voter may support only one political party or independent candidate on the signature of support form. The Election Commission of Bosnia and Herzegovina shall regulate how the signatures of support shall be checked and verified.

Article 4.12.
Two (2) or more certified political parties that choose to form a coalition must submit an application for certification under one name to the Election Commission of Bosnia and Herzegovina. If the name of a coalition is identical to or so similar to a political party or coalition's name that it could cause confusion or mislead a voter, the Election Commission of Bosnia and Herzegovina shall determine who has the right to use the name for the purposes of the elections.

A coalition shall submit its application for certification no later than one hundred and ten (110) days before the date of the elections.

The Election Commission of Bosnia and Herzegovina shall certify the application of a coalition for participation in the elections if it meets the requirements as established by this law.

If the Election Commission of Bosnia and Herzegovina identifies incorrect or incomplete information, it shall notify the applic ant thereof, who shall correct the information within two (2) days. Upon the expiration of this deadline, the Election Commission of Bosnia and Herzegovina shall decide whether or not to certify or reject the application for participation in the elections.

If the Election Commission of Bosnia and Herzegovina rejects the application, the applicant shall have the right to request the Election Commission of Bosnia and Herzegovina to reconsider the decision within two (2) days. The Election Commission of Bosnia and Herzegovina shall make a decision within three (3) days.

Article 4.13.
A political party that is a member of a coalition cannot participate as a member of another coalition or as a separate political party in the same electoral unit.

A coalition shall have the status of a political party in the electoral process from the day the coalition application for certification is submitted to until the election results are certified. A political party that is a member of a coalition, may not withdraw from the certified coalition until the election results are certified.

Article 4.14.
A coalition may keep its previous certified coalition name only if it consists of the same political parties that comprised the certified coalition in the previous election.

Article 4.15.
For the Municipal Council/Assembly and the Cantonal Assembly elections two (2) or more certified independent candidates may join together and submit a single candidates list under one name. The list of independent candidates shall submit its application for certification no later than one hundred and ten (110) days before the date of the elections.

The Election Commission of Bosnia and Herzegovina shall certify the list of independent candidates' application for participation in the elections if it meets the requirements as established by this law.

If the Election Commission of Bosnia and Herzegovina identifies incorrect or incomplete information, it shall notify the applicant thereof, who shall correct the information within two (2) days. Upon the expiration of this deadline, the Election Commission of Bosnia and Herzegovina shall decide whether or not to certify or reject the application for participation in the elections.

If the Election Commission of Bosnia and Herzegovina rejects the application, the applicant shall have the right to request the Election Commission of Bosnia and Herzegovina to reconsider the decision within two (2) days. The Election Commission of Bosnia and Herzegovina shall make a decision within three (3) days.

Article 4.16.
A political party or independent candidate shall enclose government stamps with its application for certification in the amount determined by the Election Commission of Bosnia and Herzegovina for every election. The Certification fee shall be refunded if a political party or independent candidate wins at least one mandate in the elections or if the application is rejected. For the purposes of this article a mandate won by a coalition or independent candidates list shall be deemed to have been won by each individual political party in the coalition or each individual independent candidate on the independent candidates list, regardless of which party in the coalition or which independent candidate on the list of independent candidates actually received the mandate.

Article 4.17.
A political party, coalition, independent candidate or list of independent candidates shall enclose all the necessary documentation and information as established by this law with each application in order to certify its participation in the elections.

Article 4.18.
The certified political party, coalition or list of independent candidates shall submit to the Election Commission of Bosnia and Herzegovina the candidates lists for the election of representatives to the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina and the candidate(s) for the election of the Members of the Presidency of Bosnia and Herzegovina.

Candidates lists for elections for all other levels of authority shall be submitted by the political party, coalition or list of independent candidates to the competent election commission in the electoral unit where the political party, coalition or list of independent candidates are certified to stand for office. After the competent election commission verifies that the candidates list was submitted in accordance with law, the election commission shall submit the candidates list to the Election Commission of Bosnia and Herzegovina for certification.

Article 4.19.
The certified political party or coalition shall submit a separate candidates list for each electoral unit.

For the municipal and cantonal elections the number of candidates on the candidates list of the political party, coalition or list of independent candidates may be ten percent (10%) higher than the number of mandates that are to be allocated.

For the multi-member constituencies established in Chapters 9, 10 and 11 of this law the number of candidates on the candidates list of a political party or coalition may be two (2) higher than the number of mandates that are to be allocated in that multi-member constituency.

Every candidates list shall include candidates of male and female gender. The minority gender candidates shall be distributed on the candidates list in the following manner. At least one (1) minority gender candidate amongst the first two (2) candidates, two (2) minority gender candidates amongst the first five (5) candidates, and three (3) minority gender candidates amongst the first eight (8) candidates et seq. The number of minority gender candidates shall be at least equal to the total number of candidates on the list, divided by three (3) rounded up to the closest integer.

The candidates list shall contain the name, surname , address of permanent residence, national identification number and signature of each candidate, signature of the president of the political party or presidents of the political parties in the coalition.

Article 4.20.
The name of a candidate on a political party, coalition or independent candidates list may not be withdrawn after the candidates list is certified by the Election Commission of Bosnia and Herzegovina. If the candidate is incapacitated or rejects the mandate after the election results are certified by the Election Commission of Bosnia and Herzegovina, the name of the candidate shall be removed from the candidates list and the mandate shall be allocated in accordance with Article 9.11, except for lists in cantons and municipalities whic h shall be allocated in accordance with Article 12.5. The candidate, or in the event that the candidate is incapacitated, his or her representative must submit the rejection of the mandate in writing to the Election Commission of Bosnia and Herzegovina. A candidate may not withdraw his or her candidacy before the certification of the election results.

Article 4.21.
Political parties, lists of independent candidates and coalition's candidates lists must be submitted to the competent election commission referenced in Article 4.18 of this law no later than ninety-five (95) days prior to the elections.

The competent election commission referenced in Article 4.18 of this law shall submit to the Election Commission of Bosnia and Herzegovina the political party, the independent candidates lists and the coalition's candidates list no later than eighty-five (85) days prior to the elections.

No later than twenty (20) days after a candidates list has been submitted to it, the Election Commission of Bosnia and Herzegovina shall review the candidates list and shall certify or reject candidates on the list. The Election Commission of Bosnia & Hercegovina shall notify the political party, coalition or list of independent candidates of any rejected individual candidates. A political party, coalition, or list of independent candidates shall have five (5) days to correct a candidates list by replacing candidates or providing further documentation if requested by the Election Commission of Bosnia and Herzegovina.

If the Election Commission of Bosnia and Herzegovina further rejects any individual candidates on the candidates list, the political party, coalition or independent candidates list shall have the right to request, within two (2) days of the rejection, the Election Commission of Bosnia and Herzegovina to reconsider the decision. The Election Commission of Bosnia and Herzegovina shall make a decision within three (3) days.

From the expiration of the deadline for submission of the candidates lists until the mandate of the body expires, the political party, coalition or list of independent candidates may not amend the candidates list.

Article 4.22.
The Election Commission of Bosnia and Herzegovina shall keep the record of the applications for certification for participation in the elections.

Article 4.23.
After the certification of the submitted candidates lists the Election Commission of Bosnia and Herzegovina shall publish a list of candidates with the names of the certified political parties, coalitions, independent candidates and lists of independent candidates for each election in the sequence of the lottery number resulting from the lottery established in Article 5.15 of this law. The lists of candidates shall be published no later than forty-five (45) days before the election day in the official gazettes. The candidates lists shall also be posted at the Polling Stations and published in the media.

Article 4.24.
Each political party and coalition certified to submit candidates for the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina, or the National Assembly of the Republika Srpska shall submit a list of candidates for compensatory mandates to the Election Commission of Bosnia and Hercegovina. Such list shall be submitted for each of the bodies listed above for which the political party or coalition is certified.

The list of candidates for compensatory mandates shall include only the names of candidates already included on the regular candidates lists submitted by the political party or coalition for one or more multi-member constituencies. Candidates on a list of candidates for compensatory mandates may be from the list of any multi-member constituency within the same entity and at the same electoral level. Lists of candidates for compensatory mandates shall comply with paragraph four of Article 4.19.

Lists of candidates for compensatory mandates shall not be published on the ballot, but shall only be used for purposes of awarding compensatory mandates pursuant to Articles 9.8, 10.6, and 11.6. The lists shall be published by the Election Commission of Bosnia and Herzegovina in the Official Gazette of Bosnia and Herzegovina.

CHAPTER 5. CONDUCT OF ELECTIONS

Article 5.1.
Voting shall be conducted at Polling Stations, unless provided otherwise by this law.

The Polling Stations shall be designated by the Municipal Election Commission no later than fifteen (15) days before the election day. The Municipal Election Commission, immediately after designating the Polling Stations, shall submit a list of the locations of the Polling Stations to the Election Commission of Bosnia and Herzegovina. The Election Commission of Bosnia and Herzegovina may change the location of a Polling Station if it determines that the location is not an appropriate location for polling.

A Polling Station may not be located in a place of worship, a government building, a building which is owned by or is the seat of a political party, or a building that has been used as a place of torture or abuse, or premises in which alcohol is served and consumed.

Each Polling Station shall be designated by a serial number.

The Municipal Election Commission shall publicise, no later than fifteen (15) days before the election day, which Polling Stations have been designated for voting and where the voters will cast their votes.

Article 5.2.
A Polling Station shall be designated in accordance with the number of voters, which should not be greater than one thousand (1000), taking into consideration the distance of voters from the Polling Station.

The room designated for polling shall have special space which ensures the secrecy of ballot.

The Municipal Election Commission shall ensure, in a timely manner, that the premises designated to be a Polling Station are prepared and open during the time specified for the voting.

For the purposes of this law, "Polling Station and surrounding area" shall include the area within fifty (50) metres of the entrance of a building in which a Polling Station is located.

Article 5.3.

The Municipal Election Commission, as directed by the Election Commission of Bosnia and Herzegovina, shall deliver, no later than twelve (12) hours prior to the opening of polling stations on election day, the polling material to the Polling Station Committee, including the required number of ballot boxes, the required number of ballots, the required number of candidates lists, the excerpt from the Central Voters Register for a specific Polling Station, and the form of the Polling Station committee Poll Book.

The Polling Station Committee shall be responsible for security of the polling material from its receipt until the Polling Station Committee has completed all its duties after the close of the Polling Station, and polling materials have been delivered to the Municipal Election Commission, in accordance with this law.

On the day prior to the election day, the Polling Station Committee shall determine whether the electoral material has been received for the specific Polling Station as complete and in an orderly condition and whether polling can commence.

If the conditions from the previous paragraph have not been met, the Polling Station Committee shall inform the Municipal Election Commission, which is bound to correct and remove all noticed shortcomings brought to its attention related to the delivery of the election material.

Article 5.4.
The Election Commission of Bosnia and Herzegovina shall provide to the Polling Station Committee a sufficient number of ballots, which shall include a number of extra ballots in addition to the number of ballots needed for voters of that Polling Station according to the excerpt from the Central Voters Register. The manner in which all ballots issued to a Polling Station are accounted for shall

be defined in Regulations issued by the Election Commission of Bosnia and Herzegovina.

The number of ballots received and distributed to Polling Stations shall be verified by the competent Municipal Election Commission in accordance with Regulations issued by the Election Commission of Bosnia and Herzegovina.

The Election Commission of Bosnia and Herzegovina shall issue Regulations for the control of ballots.

Article 5.5.
All members of the Polling Station Committee or their deputies must attend the entire process of voting, including establishment of voting results.

Article 5.6.
The President of a Polling Station Committee, together with the other members of the Polling Station Committee, shall take care of order at the Polling Station and the surrounding area. If order at a Polling Station is breached, the President of a Polling Station Committee may require assistance by the police. Voting shall be suspended while police are present at the Polling Station.

The President of a Polling Station Committee may expel from the Polling Station and surrounding area any person disrupting order at the Polling Station. Any expulsion from the Polling Station shall be recorded in the Polling Station Poll Book. The Polling Station Committee shall decide on expulsion of an observer accredited under Chapter 16 of this law.

It is not allowed to carry weapons or dangerous objects at the Polling Station and surrounding area, except for police officers in cases referred to in paragraph 1 of this article.

It is not allowed to bring to the Polling Station and the surrounding area political insignia and symbols.

Article 5.7.
A Poll Book shall be kept during the voting process. The Poll Book is a written document in which information related to voting and other events occurring at the Polling Station and the surrounding area, from the opening of the Polling Station until the establishing of the voting results, is recorded. The form of the Poll Book shall be regulated by the Election Commission of Bosnia and Herzegovina. The following information shall be recorded in the Poll Book:

1. a list of all election material and the quantities thereof delivered to the Polling Station;
2. a list of all accredited observers at the Polling Station;
3. observations on all important events occurring at the Polling Station; and
4. all information required by this law to be recorded in the Poll Book.

A member of the Polling Station Committee, a voter or an accredited observer may enter his or her opinion or objections to the voting process in the Poll Book and sign it personally. If the person has not signed the Poll Book personally then his or her opinion or objections will not be considered.

Article 5.8.
Before the polls open, and in the presence of accredited observers, the Polling Station Committee in the composition as foreseen in the Article 5.5 of this law shall:

1. display the empty ballot boxes and seal them;
2. count and record on the appropriate forms the total number of voters for the Polling Station based on the excerpt from the Central Voters Register; and
3. count and record on the appropriate forms the total number of all ballots received by the Polling Station.

Article 5.9.
Voting shall last continuously during the day commencing at 0700 hours and ending at 1900 hours. If there is a disturbance of the order, the President of the Polling Station Committee may interrupt the polling until order is restored. The reasons and causes of the interruption of polling shall be entered into the Poll Book of the Polling Station Committee.

The Polling Station shall close at 1900 hours. Voters who are in line at the Polling Station at the time of closing shall be allowed to cast their vote.

If the polling was interrupted because of the disturbance of order for three (3) hours or less, the polling shall be prolonged for the period of the interruption, which shall be decided by the President of the Polling Station Committee. If the interruption is more than three (3) hours, then the Municipal Election Commission shall decide the length of time for which polling shall be prolonged.

If the Polling Station is not opened on time, the voting in that Polling Station may be extended by the length of time which the delay lasted if the delay is three (3) hours or less. If the delay is more than three (3) hours, then the Municipal Election Commission shall decide the length of time for which voting shall be extended.

Article 5.10.
The Election Commission of Bosnia and Herzegovina and the competent authorities responsible for the conduct of elections shall ensure that the voting shall be secret and shall be conducted in person, by the way of a ballot.

Article 5.11.
Members of the Polling Station Committee shall explain to the voter the manner of polling and ensure secrecy of the voting.

Members of the Polling Station Committee shall not exert influence on the decision of the voter.

Article 5.12.
A voter shall cast his or her ballot at the Polling Station where he or she is entered into the excerpt from the Central Voters Register.

If a voter has the right to vote in accordance with this law, for his or her 1991 municipality, the voter may vote at an absentee Polling Station. The president or a member of the Polling Station Committee shall determine the identity of the voter on the basis of a valid identification document.

A valid identification document, in terms of the preceding paragraph, shall be one of the following which includes a photograph: identification card; passport; driver's license; military identification card; a valid identification document issued by a host country; or a refugee card issued by a host government or other international agency.

If a voter has changed his or her name, he or she shall be obliged to present a certificate of name change issued by the competent body, in addition to one of the above stated identification documents.

Article 5.13.
A member of the Polling Station Committee shall be obliged to identify the voter, shall mark his or her name and surname in the excerpt from the Central Voters Register, the voter shall sign the excerpt from the Central Voters Register and a member of the Polling Station Committee shall issue the appropriate ballot(s).

Article 5.14.
The Election Commission of Bosnia and Herzegovina shall determine the form of the ballot for elections at all levels of authority, including the Bosnia and Herzegovina, Entity, the District of Brcko, canton, and municipal levels.

The ballot shall allow a voter to vote for only one of the following options:

1. an independent candidate, if there are any; or
2. a political party, coalition, or independent candidates list, if there are any; or
3. within one list of candidates of one political party, coalition, or list of independent candidates, the opportunity to mark one or more candidates on the one list chosen by the voter. Where a voter has validly marked one or more candidates on one list, the list shall be considered to have received one valid vote for the purpose of allocating mandates.

A voter may cast his or her vote only as provided in this article.

Article 5.15.
A ballot shall contain only the following elements:

1. date of the election;
2. name of the body for which election is being made;
3. names of political parties, coalitions, lists of independent candidates and independent candidates in the sequence specified in the collective list based on the lottery conducted to determine their order on the ballot, and names of all the candidates; and
4. instructions on the manner of using and marking the ballot.

A lottery number shall be drawn for each political party, coalition, list of independent candidates and independent candidate to determine their order on the ballot. The lottery number shall be used for the political party or coalition at every level of elections in which this political party or coalition appears on the ballot. The Election Commission of Bosnia and Herzegovina shall publicise the location, date, and time at which the lottery for ballot order shall be held. Representatives of political parties, coalitions, lists of independent candidates, independent candidates, and other accredited observers may attend the lottery.

Article 5.16.
A voter shall vote in a special place which ensures the secrecy of the voting.

Article 5.17.
A ballot shall be invalid if:

1. it is not completed or is completed in such a way that it is not possible to reliably ascertain for which political party, coalition, independent candidate, list of independent candidates a voter has cast his or her vote; or
2. names of candidates have been added in writing; or

3. more than one political party, coalition, or independent candidate or list of independent candidates has been marked; or
4. the voter can be identified based on markings added by the voter to the ballot, such as a signature; or
5. the voter marks the ballot in a manner other than as provided by Article 5.14.

Article 5.18.
If a voter cannot be found on the excerpt from the Central Voters Register because the voter registered to vote out of country and has returned to vote in person in Bosnia and Herzegovina, the voter's name will be added to a special form that consists of all the categories of data as the excerpt of the Central Voters Register. The voter will sign the excerpt of the Central Voters Register, and the voter will have the right to vote by tendered ballot in accordance with the other provisions of this law.

The voter's identification documentation shall be retained until the voter returns the tendered ballot in the sealed envelope. The voter's ballot will be placed in a special envelope by the voter, on which is written information from which the voter's right to vote can be verified, and which shall be sealed before being placed by the voter in the ballot box. After the close of the polling and after opening the ballot boxes in accordance with this law, the Polling Station Committee shall count the number of tendered ballots found in the ballot box and record the number in the Poll Book and shall package and forward all sealed envelopes to the Municipal Election Commission.

The Municipal Election Commission shall forward the packages of sealed envelopes from each Polling Station in the municipality to the Election Commission of Bosnia and Herzegovina. The Election Commission of Bosnia and Herzegovina shall confirm that the voter is registered to vote out of country and the voter's right to vote before the envelope is opened and the ballot is counted. If it cannot be confirmed that the voter is registered to vote out of country and has the right to vote, then the envelope shall not be opened or counted.

Article 5.19.
Upon request of voters who are blind, illiterate or bodily incapacitated, the President of the Polling Station Committee shall approve the procedure wherein another person, selected by the voter concerned, may assist the voter in signing the excerpt from the Central Voters Register, and casting his or her ballot.

The helping person may not be a member of the Polling Station Committee, an accredited observer, or an observer of a political party, coalition, list of independent candidate or independent candidate.

The person helping the voter shall print his or her name and sign the excerpt from the Central Voters Register next to the name of the voter whom he or she assisted. The person helping the voter does not need to be a registered voter.

A person may, in terms of Paragraphs 1 and 2 of this article, help only one voter.

Article 5.20.
In the event that a ballot is spoiled in the course of voting, the Polling Station Committee shall issue a new ballot to the voter and place the spoiled one in a special envelope marked "spoiled ballots".

Article 5.21.
A citizen of Bosnia and Herzegovina who has the right to vote and is abroad shall have the right to vote by mail. The Election Commission of Bosnia and Herzegovina shall regulate the manner and procedure of voting by citizens by mail.

The Election Commission of Bosnia and Herzegovina shall establish Regulations for voting by citizens of Bosnia and Herzegovina who have the right to vote and are homebound due to old age, illness or disability, or are prisoners or confined to institutions.

Article 5.22.
The Election Commission of Bosnia and Herzegovina shall establish Regulations for counting ballots and establishing the voting results for ballots cast by voters who have voted by tendered ballots, absentee ballots, ballots cast by prisoners or voters confined to institutions, and homebound voters unable to come to the Polling Station due to age, illness or disability, and ballots cast by mail.

All other ballots shall be counted at the Polling Stations, except where the Election Commission of Bosnia and Herzegovina determines that ballots should be counted at one or more centralised counting centres. The Election Commission of Bosnia and Herzegovina shall establish Regulations for counting ballots and establishing the results at a centralised counting centre. The voting results at a centralised counting centre shall be posted at the counting centre so that the results can be publicly viewed.

The Election Commission of Bosnia and Herzegovina shall appoint a director of the Centralised Counting Centre and three deputies. The director and deputies shall be from different constituent peoples of Bosnia and Herzegovina and one shall be a representative of Others. The director and deputies shall be persons experienced in electoral matters and shall not be active members of any political party.

Ballots shall be counted in a manner that would not violate the secrecy of the vote.

Article 5.23.
When ballots are counted at the Polling Station, after completion of the voting process and closure of the Polling Station, the Polling Station Committee shall start establishing the voting results.

The Polling Station Committee shall count first unused and spoiled ballots and put them into separate packages to be sealed.

The Polling Station Committee shall then count separately, the number of voters who signed the excerpts from the Central Voters Register, the number of voters who signed the special form described in Article 5.18 of this law, and the total number of voters who appeared at the Polling Station to vote, and shall record this information on the appropriate forms. The Polling Station Committee shall then open ballot boxes one by one, and count the total number of tendered ballot envelopes, if applicable, and the total number of regular ballots contained in the ballot box. The Polling Station Committee shall then count the number of valid votes cast for each political party, coalition, list of independent candidates, independent candidate, and the number of votes for each candidate on a candidates' list, and the number of invalid ballots.

Article 5.24.
After the close of an absentee Polling Station, the Polling Station Committee shall classify the ballots according to municipalities for which the voters voted, and forward them to the competent Election Commissions. The Election Commission of Bosnia and Herzegovina shall regulate the manner and procedure of classifying the ballots according to the Municipalities as well as their forwarding to the competent Election Commissions.

Article 5.25.
Except in the case in which the Election Commission of Bosnia and Herzegovina determines that the count shall be fully or partly conducted in counting centres in accordance with Article 5.22 paragraph 2 of this law, the following information shall be recorded on the appropriate forms by the Polling Station Committee after the close of the Polling Station and the counting procedures have been completed:

1. the total number of all ballots cast;
2. the total number of valid votes cast for each political party, coalition, list of independent candidates and independent candidate;
3. the total number of votes for each individual candidate on a candidates list;
4. the total number of invalid ballots, stating separately the number of ballots that are invalid because they are blank and the number of ballots that are invalid due to markings;
5. the total number of spoiled ballots;
6. the total number of tendered ballots contained in the ballot box if appropriate; and
7. the total number of unused ballots.

The Polling Station Poll Book and the appropriate forms shall be signed by all members of the Polling Station Committee. If a member refuses to sign, then the President or one of the signing members shall record this and the reason the member will not sign.

Article 5.26.
After the establishment of the voting results, a Polling Station Committee shall forward immediately to the competent Municipal Election Commission, and no later than twelve (12) hours after the close of the Polling Station, the Polling Station Poll Book, the excerpt from the Central Voters Register, all the special forms described in Article 5.18 of this law, all tendered ballots, valid ballots, invalid ballots, separately unused and spoiled ballots, and all other forms required by the Election Commission of Bosnia and Herzegovina. The President of the Polling Station Committee shall retain a copy of the report of results.

The President of the Polling Station Committee shall post the voting results at the Polling Station so that the results can be publicly viewed.

The Polling Station Committee shall deliver all remaining election materials to the Municipal Election Commission.

Article 5.27.
On the receipt of all the election related documents and materials from the Polling Station Committees, the Municipal Election Commission shall establish a consolidated summary of the results of voting within the

area of the municipality for the bodies at all levels of authority at which the elections were conducted and shall make a report accordingly, which shall be submitted to the Election Commission of Bosnia and Herzegovina within twenty-four (24) hours after closing of the polls.

The consolidated summary of results for the municipality shall contain the same information as required under Article 5.25 of this law. A copy of the consolidated summary of results shall be retained by the Municipal Election Commission, and shall be distributed to the other electoral bodies as defined in Regulations of the Election Commission of Bosnia and Herzegovina.

The Municipal Election Commission shall post the consolidated summary of the results so that the consolidated summary can be publicly viewed.

Article 5.28.
While establishing the election results for the bodies at each level of authority, the Election Commission of Bosnia and Herzegovina shall take into account a ballot cast by mail by a voter abroad, provided the ballot is delivered to the Election Commission of Bosnia and Herzegovina by postal authorities by a time and date to be determined by the Election Commission in its regulations. In order to be acceptable, the ballots are to be postmarked by election day.

By mail ballots that are not delivered in compliance with the previous paragraph shall not be counted.

In order for a timely delivered by mail ballot to be counted, it must be returned by a voter who has been determined to be properly registered to vote by mail, sealed in the ballot envelope to ensure secrecy of the person's vote, and accompanied by a copy of an identific ation document described in Article 5.12 of this law.

Article 5.29.
The Election Commission of Bosnia and Herzegovina shall establish Regulations for the validation of the election results.

The Election Commission of Bosnia and Herzegovina shall establish, within a period of time as determined by its Regulations, the election results for the bodies at all levels of authority.

The Election Commission of Bosnia and Herzegovina shall provide in its Regulations the order of establishing the election results for the bodies of authority at every level, the time lines for the establishment of the election results, the manner of making the detailed tabulation of results available to the public and announcing the election results. The detailed tabulation of election results, without violating the secrecy of the vote required by Article 5.10, shall include results at the polling station level.

Article 5.30.
After the announcement of the election results by the Election Commission of Bosnia and Herzegovina, a Municipal Election Commission, a certified political party, coalition, list of independent candidates, or independent candidate may request that a recount of ballots be conducted by the Election Commission of Bosnia and Herzegovina in specified electoral units in which the political party, coalition, list of independent candidates, or independent candidate stood for election. An accredited observer may request that a recount of ballots be conducted by the Election Commission of Bosnia and Herzegovina in a Polling Station at which the observer observed. A certified political party, coalition, list of independent candidates, independent candidate, or observer may also request that a recount of ballots be conducted by the Election Commission of Bosnia and Herzegovina of absentee ballots, ballots cast outside Bosnia and Herzegovina or tendered ballots.

A group of fifty (50) or more voters who voted at the same Polling Station may request that a recount of ballots be conducted by the Election Commission of Bosnia and Herzegovina in the Polling Station at which they voted.

A Municipal Election Commission may request that a recount of ballots be conducted by the Election Commission of Bosnia and Herzegovina in a Polling Station in its municipality.

The Election Commission of Bosnia and Herzegovina shall consider a request for recount if the request meets each of the following requirements:

1. the request is in writing and signed by the accredited observer, group of fifty (50) or more voters who voted at the same Polling Station, independent candidate, president of the political party, leaders of the list of independent candidates, any of the presidents of political parties which formed a coalition or a majority of the members of the Municipal Election Commission;
2. the request states with specificity the facts which justify a recount, including the specific articles of this law which were disregarded or violated;
3. the request states with specificity the approximate number of ballots believed to have been affected;

4. the request states how the results would have been affected by the violation of this law, and
5. the request is presented to the Election Commission of Bosnia and Herzegovina within three (3) days of the date the Election Commission of Bosnia and Herzegovina announced the election results.

The Election Commission of Bosnia and Herzegovina may order a recount, on its own initiative, even if no request for recount has been made under paragraph 1 of this article or if the request for recount has been deemed invalid under paragraph 3 of this article.

The Election Commission of Bosnia and Herzegovina shall order a recount if it is established that this law was violated and the violation affected the allocation of mandates.

Article 5.31.
In the event the Election Commission of Bosnia and Herzegovina orders a recount of the ballots, it shall specify the ballots which shall be the subject of the recount and the dates, locations, and procedures for the recount. Candidates of the political parties, coalitions, lists of independent candidates and independent candidates appearing on the ballot for which a recount is being conducted, and other accredited observers may be present for the recount.

Article 5.32.
After completion of a recount of ballots, the Election Commission of Bosnia and Herzegovina shall establish the election results for the bodies of authority at all levels.

CHAPTER 6. PROTECTION OF THE ELECTORAL RIGHT

Article 6.1.
The protection of the electoral right is secured by the election commissions, the Election Complaints and Appeals Council and the Appellate Division of the Court of Bosnia and Herzegovina.

Article 6.2.
Any individual, political party or coalition who has a legal interest, or whose right established by this law was violated, can file a complaint with the competent authority no later than three (3) days after the violation occurred, except as otherwise provided by law.

Article 6.3.
The complaint shall be filed in writing. It shall contain a brief description of the violation and evidence that confirms the allegations of the complaint. The complaint also must be signed by the complainant. If the complainant is a political party or a coalition, it shall be signed by the President or the authorised representative of the political party or the coalition.

The complaint shall be sent to all parties who are named. The parties named in the complaint shall have the opportunity to respond in writing within forty-eight (48) hours after receiving the complaint. The authorised bodies may order a hearing of the parties.

The Election Commission of Bosnia and Herzegovina shall establish Rules of Procedure for adjudicating complaints filed with any election commission.

Article 6.4.
The Municipal Election Commission shall have first instance competence in all matters in its municipality that are not expressly allocated to the Election Complaints and Appeals Council pursuant to Article 6.6.

It shall adjudicate the complaint and make a decision no later than forty-eight (48) hours from the expiration of the deadline referred to in Article 6.3 paragraph 2 of this law. It shall immediately notify the complainant and the other parties of the decision.

It shall reject a complaint filed by a person who is not entitled to do so under Article 6.2 of this law or a complaint which is not submitted in a timely manner.

Article 6.5.
Municipal Election Commissions may order corrective actions to be taken to remedy complaints as established in Articles 6.4 of this law, which shall include but are not limited to the adding or deleting a voter(s) name from the Central Voters Register, removing an individual from the voter registration staff or Polling Station Committee, correcting its own decision or a decision of a lower level body or ordering an individual or party to halt activities that are in violation of this law.

Article 6.6.
The Election Complaints and Appeals Council is a body established by this law, which shall have first instance competence on:

1. violations of the Rules of Conduct as established in Chapter 7 of this law, excluding violations of

Chapter 7 of this law that occur at Polling Stations, and
2. violations of the rules established in Chapter 15 of this law.

The Election Complaints and Appeals Council shall be competent to adjudicate appeals from decisions of the election commissions other than the Election Commission of Bosnia and Herzegovina.

If a complaint or appeal is submitted to the Election Complaints and Appeals Council and it is not within its competence, then the Election Complaints and Appeals Council shall refer the complaint or appeal to the Election Commission of Bosnia and Herzegovina or the competent Municipal Election Commission.

If a complaint or appeal is manifestly ill founded, the Election Complaints and Appeals Council may refuse to hear the complaint or appeal by a vote of at least three (3) members.

Article 6.7.
The decisions of all election commissions may be appealed to the Election Commission of Bosnia and Herzegovina, except when violations have been alleged of the Rules of Conduct established under Chapter 7 of this law that occur at the Polling Station. These decisions shall be appealed to the Election Complaints and Appeals Council pursuant to

Article 6.6.
An appeal shall be submitted no later than forty-eight (48) hours upon the receipt of the decision. Rules established in article 6.3 of this law for complaints are also applicable to all appeals.

When adjudicating an appeal the Election Commission of Bosnia and Herzegovina and the Election Complaints and Appeals Council may proceed on the facts established or conduct hearings. The Election Commission of Bosnia and Herzegovina and the Election Complaints and Appeals Council may allow parties to present additional evidence or base their decisions on the written record of the lower commissions.

When a complaint that alleges violations of the Rules of Conduct established in Chapter 7 of this law or violations of the rules established in Chapter 15 of this law is filed directly with the Election Commission of Bosnia and Herzegovina, the Election Commission of Bosnia and Herzegovina shall refer the complaint to either the Election Complaints and Appeals Council or the competent Municipal Election Commission.

Article 6.8.
The Election Complaints and Appeals Council shall consist of five (5) members: one Croat member, one Bosniac member, one Serb member, one representative of Others and a member from the Election Commission of Bosnia and Herzegovina. Except in the case regulated by Article 18.2 of this law, the members of the Election Complaints and Appeals Council shall be selected by the Election Commission of Bosnia and Herzegovina from amongst judges or legal experts with the appropriate expertise and experience in the administration of elections. The President of the Election Complaints and Appeals Council shall be selected by the Election Commission of Bosnia and Herzegovina from amongst its members.

The President of the Election Complaints and Appeals Council may not also at the same time be the President of the Election Commission of Bosnia and Herzegovina. The President of the Election Complaints and Appeals Council may not participate when the Election Commission of Bosnia and Herzegovina reviews a decision of the Election Complaints and Appeals Council.

Members of the Election Complaints and Appeals Council shall be elected for a five (5) year term and may not be elected more than twice consecutively.

Article 2.1 paragraph 2 and Article 2.8 shall apply to the members of the Election Complaints and Appeals Council. However, the Election Commission of Bosnia and Herzegovina shall have the authority to revoke the immunity of a member of the Election Complaints and Appeals Council.

Article 6.9.
The Election Complaints and Appeals Council shall have the authority to prohibit an individual from working in a Polling Station, Voter Registration Centre, or Municipal Election Commission or other election commission established in Article 2.21 of this law.

The Election Complaints and Appeals Council shall have the authority to impose the following penalties subject to the approval of the Election Commission of Bosnia and Herzegovina:
1. fines not to exceed ten thousand (10,000) convertible marks;
2. removal of a candidate from a candidates list when it is determined that the candidate was personally responsible for the violation; and
3. de-certification of a political party, coalition, list of independent candidates or independent candidate(s).

The Election Complaints and Appeals Council shall set forth the legal and factual basis for its decision in a written decision and shall notify all interested parties. Decisions of the Election Complaints and Appeals Council shall be published and the decisions shall be final and binding except as provided for in Article 6.6 of this law.

The Election Complaints and Appeals Council shall regulate, in its Rules of Procedure, the manner of decision making, adopting and publishing of its decisions. These Rules of Procedure shall be adopted by consensus of the Council subject to the approval of the Election Commission of Bosnia and Herzegovina.

Article 6.10.
The Election Commission of Bosnia and Herzegovina shall have the authority when deciding complaints or appeals to order remedial action to be taken by an election commission, a Voter Registration Centre or a Polling Station Committee. The Election Commission of Bosnia and Herzegovina shall also have the authority to impose the following penalties:

1. fines not to exceed ten thousand (10,000) convertible marks;
2. removal of a candidate from a candidates list when it is determined that the candidate was personally responsible for the violation;
3. de-certification of a political party, coalition, list of independent candidates or independent candidate(s); and
4. prohibit an individual from working in a Polling Station, Voter Registration Centre, or Municipal Election Commission or other election commission established in Article 2.21 of this law.

Article 6.11.
If an election commission or the Election Complaints and Appeals Council believes that a criminal act has been committed concerning the electoral process, it shall report the act to the competent Public Prosecutor, in accordance with the laws of the Entities and the District of Brcko.

When submitting the report, the election commission or the Election Complaints and Appeals Council shall also refer to the evidence that is known to it, as well as undertake the necessary measures to preserve the traces of the alleged criminal act, objects with regards to which or by the means of which the alleged criminal act has been committed and other evidence.

Article 6.12.
The Appellate Division of the Court of Bosnia and Herzegovina shall be competent to hear appeals from a decision of the Election Commission of Bosnia and Herzegovina or the Election Complaints and Appeals Council. An appeal must be submitted to the Appellate Division of the Court of Bosnia and Herzegovina no later than five (5) days after a decision is made by the Election Commission of Bosnia and Herzegovina or by the Election Complaints and Appeals Council.

CHAPTER 7. RULES OF CONDUCT FOR POLITICAL PARTIES, COALITIONS, LISTS OF INDEPENDENT CANDIDATES AND INDEPENDENT CANDIDATES

Article 7.1.
Political parties, coalitions, lists of independent candidates and independent candidates have the right to:

1. conduct the election campaign in a peaceful environment;
2. organise and hold public meetings in which they can freely express their positions in order to gain support from the voters; and
3. publish and distribute placards, posters and other materials related to the election campaign.

For the purposes of public meetings as stated in sub-paragraph (2) of the previous paragraph, permits from the competent body shall not be required, but the organiser shall notify the competent body responsible for public order and peace twenty-four (24) hours prior to holding such an event.

Article 7.2.
The competent bodies are obliged to ensure equitable treatment of political parties, coalitions, lists of independent candidates and independent candidates in their requests to use public places and public facilities for campaign purposes, including holding meetings, display of notices, placards, and posters and other materials which have such purpose.

It is forbidden to remove, cover, destroy or alter any printed notice, placard, poster or other materials, which are in accordance with the law and are used for the purpose of election campaigning by political parties, coalitions, list of independent candidates, or independent candidates.

Competent bodies shall not allow political parties, coalitions, list of independent candidates and independent candidates to display notices, placards and posters, or to

place their names or slogans related to the election campaign in or on government buildings, on or above public roads, and on traffic signs.

Article 7.3.

Candidates and supporters of political parties, lists of independent candidates, and coalitions, as well as independent candidates and their supporters, and election administration officials are not allowed to:

1. carry or display weapons at political meetings, Polling Stations and the surrounding area, or during any gatherings related to the activities of political parties, coalitions, list of independent candidates and independent candidates in the election process;
2. disturb gatherings of other political parties, coalitions and independent candidates, as well as to incite others to conduct such activities;
3. prevent journalists from carrying out their duties, in accordance with the rights of their profession and the election rules;
4. promise any financial reward with the purpose of gaining support of voters, or to threaten supporters of other political parties, coalitions, list of independent candidates or independent candidates;
5. induce a person to vote who does not have the legal right to vote;
6. induce a person to vote more than once in the same election, or to vote in the name of another person; or
7. use language which could provoke or incite someone to violence or spread hatred, or to publish or use pictures, symbols or any other materials that could have such effect.

Impersonating any political party, coalition, list of independent candidates or independent candidate is prohibited.

Article 7.4.

Commencing twenty-four (24) hours prior to opening of the Polling Stations, and until they close, political parties, coalitions, list of independent candidates and independent candidates are prohibited from engaging in public political activity, which includes but is not limited to:

1. holding meetings for the purpose of election campaigning;
2. presenting at the Polling Station and the surrounding area, any kind of materials for the purpose of influencing voters;
3. making use of the local or international media for the purposes of influencing voters; and
4. using megaphones or other public address systems for the purpose of influencing voters
5. any activity that interferes with or obstructs the election process.

CHAPTER 8. PRESIDENCY OF BOSNIA AND HERZEGOVINA

Article 8.1.

The members of the Presidency of Bosnia and Herzegovina directly elected from the territory of the Federation of Bosnia and Herzegovina – one Bosniak and one Croat shall be elected by voters registered to vote for the Federation of Bosnia and Herzegovina. A voter registered to vote in the Federation may vote for either the Bosniac or Croat Member of the Presidency, but not for both. The Bosniak and Croat member that gets the highest number of votes among candidates from the same constituent people shall be elected.

The member of the Presidency of Bosnia and Herzegovina that shall be directly elected from the territory of RS - one Serb shall be elected by voters registered to vote in the Republika Srpska. Candidate who gets the highest number of votes shall be elected.

The mandate for the members of the Presidency of Bosnia and Herzegovina shall be four (4) years.

Article 8.2.

The "ticket", for the purposes of this chapter, shall consist of the name of the candidate for the member of the Presidency.

Article 8.3.

The Chair of the Presidency of Bosnia and Herzegovina shall be changed every eight (8) months by the principles of rotation among the members of the Presidency.

Article 8.4.

If a Member of the Presidency vacates his or her office for any reason, or is unable to permanently or temporary carry out his or her functions due to incapacitation, then the Member's replacement for the Presidency shall succeed to the office of Presidency held by the Member in accordance with the Law on Filling a Vacant Position of the Presidency of Bosnia and Herzegovina during the mandate (Official Gazette BiH No:21/00).

Article 8.5.

A Member of the Presidency who misses one-third (1/3) of the regularly scheduled meetings of the Presidency, over

a period of twelve (12) months, shall be deemed to have resigned.

Article 8.6.
Mandate of a new member of the Presidency shall be completed when the mandate of the replaced member would be completed. The new Member of the Presidency shall assume the rights, duties, and responsibilities of the Member of the Presidency he or she succeeds to, including Chairmanship of sessions of the Presidency.

Article 8.7.
It shall require a decision of the Constitutional Court of Bosnia and Herzegovina to determine that a Member of the Presidency is unable to permanently carry out his or her functions due to incapacitation.

Article 8.8.
The Constitutional Court of Bosnia and Herzegovina may decide that a Member of the Presidency is unable to carry out his or her functions due to temporary incapacitation.

In the event that a Member of the Presidency is unable to carry out his or her functions due to temporary incapacitation, as determined under paragraph 1 of this article, then the Member's replacement shall assume the rights, duties, and responsibilities of the incapacitated Member of the Presidency until a decision is made by the Constitutional Court of Bosnia and Herzegovina that this Member is no longer temporarily incapacitated.

CHAPTER 9. PARLIAMENTARY ASSEMBLY OF BOSNIA AND HERZEGOVINA

Subchapter A. House Of Peoples Of The Parliamentary Assembly Of Bosnia And Herzegovina

Article 9.1.
The way of election of the delegates to the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina is regulated in the provision of the Article 18.16.

Subchapter B. House Of Representatives Of The Parliamentary Assembly Of Bosnia And Herzegovina

Article 9.2.
The House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina shall consist of forty-two (42) members, twenty-eight (28) of whom shall be directly elected by voters registered to vote for the territory of the Federation of Bosnia and Herzegovina, and fourteen (14) of whom shall be directly elected by voters registered to vote for the territory of the Republika Srpska. The mandate of members of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina shall be four (4) years.

Of the twenty-eight (28) members who shall be directly elected by voters registered to vote for the territory of the Federation of Bosnia and Herzegovina, twenty-one (21) shall be elected from multi-member constituencies under the proportional representation formula set forth in Article 9.6 of this law, and seven (7) shall be compensatory mandates elected from the territory of the Federation as a whole according to Article 9.7 of this law.

Of the fourteen (14) members who shall be directly elected by voters registered to vote for the territory of the Republika Srpska, nine (9) shall be elected from multi-member constituencies under the proportional representation formula set forth in Article 9.6 of this law, and five (5) shall be compensatory mandates elected from the territory of the Republika Srpska as a whole according to Article 9.7 of this law.

A voter shall have one ballot for the proportional representation mandates in the multi-member constituency for which the voter is registered.

Article 9.3.
The twenty-one (21) mandates from five (5) multi-member constituencies for the House of Representatives for the Parliamentary Assembly of Bosnia and Herzegovina, from the territory of the Federation of Bosnia and Herzegovina, are as follows:
Constituency 1 consists of Cantons 1 and 10, and shall elect three (3) members.

Constituency 2 consists of Cantons 7 and 8, and shall elect three (3) members.

Constituency 3 consists of Cantons 5 and 9, and shall elect four (4) members.

Constituency 4 consists of Cantons 4 and 6, and shall elect six (6) me mbers.

Constituency 5 consists of Cantons 2 and 3, and Brcko District, and shall elect five (5) members.

Article 9.4.
The nine (9) mandates from three (3) multi-member constituencies for the House of Representatives for the Parliamentary Assembly of Bosnia and Herzegovina, from the territory of the Republika Srpska, are as follows:

Constituency 1 consists of the municipalities of Bosanska Krupa/Krupa na Uni, Bosanski Novi/Novi Grad, Bosanska Dubica/Kozarska Dubica, Prijedor, Bosanska Gradiška/Gradiška, Laktaši, Srbac, Prnjavor, Bosanski Petrovac/Petrovac, Sanski Most/Srpski Sanski Most, Banja Luka, Celinac, Drvar/Srpski Drvar, Kljuc/Ribnik, Mrkonjic Grad, Jajce/Jezero, Skender Vakuf/Kneževo, Kotor Varoš, Šipovo, Kupres/Srpski Kupres and Kostajnica, and shall elect three (3) me mbers.

Constituency 2 consists of the municipalities of Derventa, Bosanski Brod/Srpski Brod, Odžak/Vukosavlje, Bosanski Šamac/Šamac, Orašje/Srpsko Orašje, Modrica, Gradacac/ Pelagicevo, Bijeljina, Doboj, Gracanica/Petrovo, Lopare, Ugljevik and Teslic, and Brcko District and shall elect three (3) me mbers.

Constituency 3 consists of the municipalities of Kalesija/Osmaci, Zvornik, Šekovici, Vlasenica, Bratunac, Srebrenica, Sokolac, Han Pijesak, Ilidža/Srpska Ilidža, Stari Grad Sarajevo/Srpski Stari Grad, Novo Sarajevo/Srpsko Novo Sarajevo, Trnovo (RS), Pale (RS), Rogatica, Višegrad, Mostar/Srpski Mostar, Nevesinje, Kalinovik, Gacko, Foca/Srbinje, Goražde/Srpsko Goražde, Cajnice, Rudo, Stolac/Berkovici, Ljubinje, Bileca, Trebinje and Milici, and shall elect three (3) me mbers.

Article 9.5.
Political parties, coalitions, and independent candidates, certified in accordance with Chapter 4 of this law, may stand for election in a constituency.

Every independent candidate for a constituency mandate shall run with a deputy on a single ticket. The deputy shall have no authority or power except where the deputy succeeds to the mandate of the elected candidate as provided in Article 9.10 of this law.

Article 9.6.
Mandates are allocated in each constituency in the following manner: For each political party and coalition, the total number of valid votes received by that political party or coalition shall be divided by 1, 3, 5, 7, 9, 11, et seq., as long as necessary for the allocation in question. The numbers resulting from this series of divisions shall be the "quotients". The number of votes for an independent candidates is the quotient for that candidate. The quotients shall be arranged in order from the highest quotient to the lowest quotient. Mandates shall be distributed, in order, to the highest quotient until all the constituency mandates for the body have been distributed.

Political parties, coalitions, lists of independent candidates and independent candidates cannot participate in the allocation of mandates if they do not win more than 3% of the total number of valid ballots in an electoral unit.

Article 9.7.
Compensatory mandates shall be allocated in the following manner:

Only political parties and coalitions may take part in the distribution of compensatory mandates. First, the total number of mandates for the legislative body to be allocated for the territory of the respective Entity, reduced by the number of mandates won by independent candidates, is distributed according to the formula set forth in Article 9.6 of this law.

From the number of mandates a list of a political party or coalition has won according to this procedure, the number of mandates won by the same party or coalition, according to the procedure set forth in Article 9.6 of this law, is deducted. The remaining number is the number of compensatory mandates the list wins.

If a political party or coalition receives a negative number of mandates according to the procedure in the previous paragraph, the political party or coalition keeps the mandates won in the constituencies, but does not receive any compensatory mandates. In case one or more lists get a negative number of mandates, the mandates to be distributed according to the procedure of this article is decreased correspondingly to preserve the correct number of mandates in the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina elected from the territory of the respective Entity.

Article 9.8.
Compensatory mandates won by a political party or coalition according to Article 9.7 of this law are allocated one by one to unelected candidates on the political party or coalition's list of candidates for compensatory mandates, beginning at the top of the list, until all mandates are distributed or until the list is exhausted.

Article 9.9.
If a tie occurs because the quotients are identical in the distribution according to Articles 9.6, 9.7, and 9.8 of this law, the mandate shall be allocated on the basis of the drawing of a lot.

Mandates won by a list shall be distributed first amongst candidates on the list who individually received at least five

percent (5%) of the total number of valid votes received by that list, these mandates being awarded in the order of the highest number of votes to the lowest number of votes. If there are still mandates to be distributed to a list and the candidates remaining are those who received less than five percent (5%) of the total valid votes received by that list, then distribution of the mandates among the remaining candidates from the list will be done according to their order on the list.

If a political party or coalition does not have enough eligible candidates on the list to fill seats allocated to it, the mandate shall be transferred to the party or coalition's list in another constituency according to the procedure set forth in Article 9.8 of this law.

Article 9.10.
If an elected independent candidate's mandate terminates in accordance with the provisions of Article 1.10 of this law, then the independent candidate's deputy shall succeed to the mandate held by the independent candidate. The deputy shall complete the mandate of the independent candidate and shall assume the rights, duties, and responsibilities of the independent candidate. If the deputy is unable to accept or complete the mandate for any of the reasons set forth in Article 1.10 of this law, then the mandate shall remain vacant until the next regularly scheduled elections.

Article 9.11.
If an elected political party or coalition candidate's mandate terminates in accordance with the provisions of Article 1.10 of this law, then the mandate shall be given to the next candidate from the same constituency list in accordance with Article 9.9 paragraph 2 of this law. A vacancy in a compensatory mandate shall be filled from the party's compensatory mandate list.

If there are no more candidates on the same constituency list, then the mandate shall be given to the same political party or coalition's list in another constituency in accordance with Article 9.9 paragraph 3 of this law. If there are no more candidates remaining on any list for the political party or coalition, then the mandate shall remain vacant until the next regularly scheduled elections.

Article 9.12.
The constituencies and the number of mandates allocated to each constituency established in this chapter shall be reviewed every four (4) years by the Parliamentary Assembly of Bosnia and Herzegovina to ensure that they are drawn, bearing in mind geographical constraints, in a manner that complies with democratic principles, notably proportionality between the number of mandates and the number of registered voters.

CHAPTER 10. PARLIAMENT OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

Subchapter A. House Of Representatives Of The Parliament Of The Federation Of Bosnia And Herzegovina

Article 10.1.
The House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina shall consist of one hundred forty (140) members, directly elected by voters registered to vote for the territory of the Federation of Bosnia and Herzegovina. The mandate of members of the House of Representatives of the Federation of Bosnia and Herzegovina shall be four (4) years.

A certain number of members shall be elected from multi-member constituencies under the proportional representation formula set forth in Article 9.6 of this law. There shall be compensatory mandates from the territory of the Federation of Bosnia and Herzegovina as a whole according to Article 9.7 of this law. The House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina shall determine, based solely on the guidelines set forth in Article 10.2 of this law, what shall be the number of mandates and boundaries for multi-member constituencies and the number of compensatory mandates.

A voter shall have one ballot for the proportional representation ma ndates in the multi-member constituency for which the voter is registered. This ballot shall also count for the allocation of compensatory mandates under Article 10.5 of this law.

Article 10.2.
The House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina shall determine, based solely on the guidelines set forth in this article, the number of mandates and boundaries for multi-member constituencies and the number of compensatory mandates.

Of the one hundred and forty (140) mandates for the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina, between twenty-three percent (23%) and twenty-seven percent (27%) shall be compensatory mandates. The remaining mandates shall be allocated in multi-member constituencies.

There shall be a minimum of ten (10) multi-member constituencies. A multi-member constituency shall have a

minimum of four (4) members and a maximum of fifteen (15) members. The Brcko District shall be included in one of the multi-member constituencies.

The number of mandates for a constituency shall be determined as follows: The number of registered voters for the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina, as determined by the Election Commission of Bosnia and Herzegovina, shall be divided by the total number of constituency mandates to be allocated. The number of registered voters for a constituency shall be divided by the quotient resulting from the previous division to determine the number of mandates to which the constituency is entitled. Mandates which cannot be allocated based on whole numbers shall be allocated to constituencies on the basis of the highest remainders.

Article 10.3.
Political parties, coalitions, and independent candidates, certified in accordance with Chapter 4 of this law, may stand for election in a constituency.

Every independent candidate for a constituency mandate shall run with a deputy on a single ticket. The deputy shall have no authority or power except where the deputy succeeds to the mandate of the elected candidate as provided in Article 9.10 of this law.

Article 10.4.
Mandates are allocated in each multi-member constituency under the formula set forth in Article 9.6 of this law.

Article 10.5.
Compensatory mandates shall be allocated under the formula set forth in Article 9.7 of this law.

Article 10.6.
A compensatory mandate won by a political party or coalition according to Article 10.5 of this law is allocated one by one to unelected candidates on the political party or coalition's list of candidates for compensatory mandates, beginning at the top of the list, until all mandates are distributed or until the list is exhausted.

Article 10.7.
If a tie occurs because the quotients are identical in the distribution according to Articles 10.4, 10.5, and 10.6 of this law, the mandate shall be allocated on the basis of the drawing of a lot.

Mandates won by a list shall be distributed amongst candidates on the list in the manner set forth in Article 9.9 paragraph 2 of this law.

If a political party or coalition does not have enough candidates on the list to fill seats allocated to it, the mandate shall be transferred to the political party or coalition's list in another constituency according to the procedure set forth in Article 9.8 of this law.

Article 10.8.
If an elected independent candidate's mandate terminates in accordance with the provisions of Article 1.10 of this law, then the vacancy shall be addressed in the manner set forth in Article 9.10 of this law.

If a political party or coalition candidate's mandate terminates in accordance with the provisions of Article 1.10 of this law, then the mandate shall be addressed in the manner set forth in Article 9.11 of this law.

Article 10.9.
The constituencies and the number of mandates allocated to each constituency established in this chapter shall be reviewed every four (4) years by the Parliament of the Federation of Bosnia and Herzegovina to ensure that they are drawn, bearing in mind geographical constraints, in a manner that complies with democratic principles, notably proportionality between the number of mandates and the number of registered voters.

CHAPTER 11. NATIONAL ASSEMBLY OF THE REPUBLIKA SRPSKA

Article 11.1.
The National Assembly of the Republika Srpska shall consist of eighty-three (83) members, who shall be directly elected by voters registered to vote for the Republika Srpska. A certain number of members shall be elected from multi-member constituencies under the proportional representation formula set forth in Article 9.6 of this law. There shall be compensatory mandates from the Republika Srpska as a whole according to Article 9.7 of this law. The National Assembly of the Republika Srpska shall determine, based solely on the guidelines set forth in Article 11.2 of this law, what shall be the number of mandates and boundaries for multi-member constituencies and the number of compensatory mandates.

A voter shall have one ballot for the proportional representation ma ndates in the multi-member constituency for which the voter is registered.

The mandate of members of the National Assembly of the Republika Srpska shall be four (4) years.

Article 11.2.
The National Assembly of the Republika Srpska shall determine, based solely on the guidelines set forth in this article, the number of mandates and boundaries for multi-member constituencies and the number of compensatory ma ndates.

Of the eighty-three (83) mandates for the National Assembly, between twenty-three percent (23%) and twenty-seven percent (27%) shall be compensatory mandates. The remaining mandates shall be allocated in multi-member constituencies.

There shall be a minimum of six (6) multi-member constituencies. A multi-member constituency shall have a minimum of four (4) members and a maximum of fifteen (15) members. The Brcko District shall be included in one of the multi-member constituencies.

The number of mandates for a constituency shall be determined as follows: The number of registered voters for the Republika Srpska, as determined by the Election Commission of Bosnia and Herzegovina, shall be divided by the total number of constituency mandates to be allocated. The number of registered voters for a constituency shall be divided by the quotient resulting from the previous division to determine the number of mandates to which the constituency is entitled. Mandates which cannot be allocated based on whole numbers shall be allocated to constituencies on the basis of the highest remainders.

Article 11.3.
Political parties, coalitions, and independent candidates, certified in accordance with Chapter 4 of this law, may stand for election in a constituency.

Every independent candidate for a constituency mandate shall run with a deputy on a single ticket. The deputy shall have no authority or power except where the deputy succeeds to the mandate of the elected candidate as provided in Article 9.10 of this law.

Article 11.4.
Mandates are allocated in each constituency under the formula set forth in Article 9.6 of this law.

Article 11.5.
Compensatory mandates shall be allocated under the formula set forth in Article 9.7 of this law.

Article 11.6.
A compensatory mandate won by a political party or coalition according to Article 11.5 of this law is allocated one by one to unelected candidates on the political party or coalition's list of candidates for compensatory mandates, beginning at the top of the list, until all mandates are distributed or until the list is exhausted.

Article 11.7.
If a tie occurs because the quotients are identical in the distribution according to Articles 11.4, 11.5, and 11.6 of this law, the mandate shall be allocated on the basis of the drawing of a lot.

Mandates won by a list shall be distributed amongst candidates on the list in the manner set forth in Article 9.9 paragraph 2 of this law.

If a political party or coalition does not have enough candidates on the list to fill mandates allocated to it, the mandate shall be transferred to the political party or coalition's list in another constituency according to the procedure set forth in Article 9.8 of this law.

Article 11.8.
If an elected independent candidate's mandate terminates in accordance with the provisions of Article 1.10 of this law, then the vacancy shall be addressed in the manner set forth in Article 9.10 of this law.

If a political party or coalition candidate's mandate terminates in accordance with the provisions of Article 1.10 of this law, then the mandate shall be addressed in the manner set forth in Article 9.11 of this law.

Article 11.9.
The constituencies and the number of mandates allocated to each constituency established in this chapter shall be reviewed every four (4) years by the National Assembly of the Republika Srpska to ensure that they are drawn, bearing in mind geographical constraints, in a manner that complies with democratic principles, notably proportionality between the number of mandates and the number of registered voters.

CHAPTER 12. CANTONAL ASSEMBLIES, MUNICIPAL COUNCILS/ASSEMBLIES, AND CITY COUNCILS/ASSEMBLIES

Article 12.1.
Mandates for Cantonal Assemblies and Municipal Councils/Assemblies and City Councils/Assemblies shall

be allocated under the proportional representation system set forth in Article 12.5 of this law.

Article 12.2.
The number of members of a Municipal Council/Assembly shall be as follows:

1. A municipality with a number of registered voters less than eight thousand (8,000), shall have between eleven (11) and seventeen (17) members.
2. A municipality with a number of registered voters between eight thousand (8,000) and twenty thousand (20,000), shall have between seventeen (17) and twenty-five (25) members.
3. A municipality with a number of registered voters more than twenty thousand (20,000), shall have between twenty-five (25) and thirty-one (31) members.

Article 12.3.
The number of members of a Cantonal Assembly shall be as follows:

1. A canton with a number of registered voters less than seventy-five thousand (75,000), shall have between twenty (20) and twenty-five (25) members.
2. A canton with a number of registered voters between seventy-five thousand (75,000) and two hundred thousand (200,000), shall have between twenty-five (25) and thirty (30) members.
3. A canton with a number of registered voters more than two hundred thousand (200,000), shall have between thirty (30) and thirty-five (35) members.

Article 12.4.
A political party, coalition, independent candidate, or list of independent candidates, certified by the Election Commission of Bosnia and Herzegovina, may stand for election for mandates allocated under this chapter.

Article 12.5.
Allocation of mandates for the Cantonal Assembly and the Municipal Council/Assembly shall be conducted in accordance with Article 9.6 of this law.

If a political party, coalition, or list of independent candidates is distributed mandates equal to the number of candidates on its list and there are still mandates to be distributed, then the remaining quotients of that political party, coalition, or list of independent candidates shall be ignored in distributing the remaining mandates. If an independent candidate wins a mandate, then the remaining quotients of that independent candidate shall be ignored in distributing the remaining mandates.

If a tie occurs because the quotients are identical, the mandate shall be allocated on the basis of the drawing of a lot.

Mandates won by a list shall be distributed first amongst candidates on the list who individually received at least five percent (5%) of the total number of valid votes received by that list, these mandates being awarded in the order of the highest number of votes to the lowest number of votes. If there are still mandates to be distributed to a list and the candidates remaining are those who received less than five percent (5%) of the total valid votes received by that list, then distribution of the mandates among the remaining candidates from the list will be done according to their order on the list.

Article 12.6.
If the mandate of a candidate from the list of a political party, coalition, or independent candidates terminates in accordance with Article 1.10 of this law, then the mandate shall pass to the next candidate as set forth in Article 12.5 paragraph 4 of this law. If the mandate of an independent candidate who did not stand on a list of independent candidates terminates in accordance with Article 1.10 of this law, then the mandate shall remain vacant.

Article 12.7.
The Mayor may either be elected by an indirect election by the Municipal Council/Assembly or by a direct election by the registered voters in that municipality. If the Entity laws stipulate that there shall be a direct election of the Mayor then the election shall be conducted in accordance with paragraph two of this article. If the Entity laws stipulate that the election of the Mayor shall be elected indirectly by the Municipal Council/Assembly then the election shall be conducted in accordance with paragraph 3 of this article. If the Entity laws do not stipulate how the Mayor shall be elected then the Mayor shall be elected by an indirect election as established in paragraph 3 of this law.

If the Mayor is directly elected then the Election Commission of Bosnia and Herzegovina shall determine the form of the ballot.

If the Mayor is indirectly elected then he or she shall be elected by a majority vote of the total number of members of the Municipal Council/Assembly. Each member of the Municipal Council/Assembly may nominate a candidate for the position of the. In the event a candidate does not receive a majority vote of the total number of members, a

second election shall be conducted. If no candidate receives a majority of votes of the total number of members, a third election shall be conducted. The member that receives the most votes in the third election shall be elected. In the event that there is a tie, the youngest of the tied candidates shall be elected Mayor.

In the event that the indirectly elected Mayor resigns, dies or is removed by the Municipal Council/Assembly, the Municipal Council/Assembly shall elect a new Mayor in accordance with paragraph 3 of this article.

Article 12.8.
The President of the Canton shall be elected by the Cantonal Assembly by a majority vote of the total number of members of the Cantonal Assembly.

Article 12.9.
Cantons 6 and 7 which have a special regime shall be exempt from articles 12.8 of this law that pertains to the election of the President of the Canton.

Article 12.10.
The members of the City Council/Assembly shall be elected by the Municipal Councils/Assemblies which form the City.

Mandates for the City Council/Assembly shall be allocated to candidate lists according to the system of proportional representation of political parties, coalitions, lists of independent candidates or groups of members as set forth in Article 12.5 of this law. Distribution of mandates amongst the candidates from the same list shall be done according to the order on the list of candidates for this election.

Each City Council/Assembly shall elect a Mayor and a President of the City Council/Assembly as set forth in Article 12.7 paragraph 3 of this law.

Article 12.11.
The mandate of the Municipal Councils/Assemb lies and the Cantonal Assemblies shall be for four (4) years.

The elections of the Municipal Councils/Assemblies and the Cantonal Assemblies shall take place on the same day.

Article 12.12.
The election of the members of the City Council/Assembly shall take place as soon as the Municipal Councils/Assemblies convenes after the elections for the Municipal Councils/Assemblies.

Article 12.13.
When officials managing Administrative bodies in the Municipal, Cantonal and City executive bodies are appointed by the Mayor or President of the Canton, or when the Municipal or City Executive Board is elected by the Municipal or City Assembly, the composition of the population of the municipality, canton or city shall be taken into consideration.

CHAPTER 13. REPEATED, POSTPONED, AND EARLY ELECTIONS

Article 13.1.
Repeated elections shall be conducted using the same candidate lists and the same excerpts from the Central Voters Register which were used in the annulled elections and shall be conducted on a date determined by the Election Commission of Bosnia and Herzegovina which shall be no later than fourteen (14) days from the day of annulling the elections.

Article 13.2.
Postponed elections shall be conducted if, in an electoral unit or at a Polling Station, the voting did not take place on the day designated for voting.

Postponed elections shall be scheduled by the Election Commission of Bosnia and Herzegovina.

Postponed elections shall, as a rule, be conducted within seven (7) days, and no later than thirty (30) days, from the day designated for voting in the regular elections.

Article 13.3.
In the event an elected body is dissolved, in accordance with the relevant Constitution, the Election Commission of Bosnia and Herzegovina shall conduct early elections in the manner and through the procedure stipulated in this law for the conduct of regular elections.

The mandate for a body elected in early elections shall terminate on the date the dissolved body for which the early elections were held would have terminated had the body not been dissolved.

Article 13.4.
The Election Commission of Bosnia and Herzegovina shall establish any deadlines that are necessary to hold elections under this chapter.

CHAPTER 14. CAMPAIGN FINANCE

Article 14.1.

A political party, coalition, list of independent candidates and independent candidate that participates in the elections for bodies of authority at all levels in Bosnia and Herzegovina shall be obliged to file with the Election Commission of Bosnia and Herzegovina, at the time of submission of the application for certification to participate in the elections a financial report for the period beginning three months prior to the date of submission. In addition, no later than thirty (30) days after the Election Commission of Bosnia and Herzegovina publishes the election results, a financial report shall be submitted to the Election Commission of Bosnia and Herzegovina for the period beginning on the day of submission of the application for certific ation until the certification of the results. These reports shall contain the following:

1. All cash at hand;
2. All income and disbursements based on: memberships; contributions from abroad; contributions from individual and legal entities; contributions in the form of goods and servic es (hereinafter referred to as "in-kind contributions"); returns on its own assets and entrepreneurial activities; credits; loans; donations; rebates; refunds; other operating expenditures; and other sources for the reporting period as determined by the Election Commission of Bosnia and Herzegovina;
3. Identification of the person or source of any payment and in-kind contribution, as well as the identification of a person who received that payment, in excess of one hundred (100) convertible marks, together with the date and amount of any such receipt;
4. The total amount of all account payables, and total amount of disbursements in the following categories: direct costs for political campaign; operating expenses; costs associated with the entrepreneurial activity, and other costs; and
5. The amount and nature of outstanding debts and obligations owed by or to the person who files a report and where such debts and obligations are settled for less than their reported amount or value, a statement as to the circumstances and conditions under which such debts or obligations were extinguished.

Article 14.2.

The Election Commission of Bosnia and Herzegovina shall issue Regulations in order to implement this chapter, whereby it shall specify in detail the content, form, manner and other details of reporting.

All persons who are required to file reports must also file such additional reports as required by the Election Commission of Bosnia and Herzegovina or by the Law on Party Financing.

Article 14.3.

Every political party, coalition or list of independent candidates, shall appoint a competent person who shall be in charge for filing reports and record-keeping, and who shall be authorized to receive communications from the Election Commission of Bosnia and Herzegovina.

Those who file reports shall inform the Election Commission of Bosnia and Herzegovina about appointing the competent person referred to in paragraph 1 of this article within three (3) days of his or her appointment, and must file the amendments within three (3) days, of any changes to his or her status.

The competent person shall sign each such report and shall be responsible for keeping records that support the reports, and must make such reports available to the Election Commission of Bosnia and Herzegovina upon request.

Article 14.4.

An independent candidate shall be directly responsible for filing reports with the Election Commission of Bosnia and Herzegovina.

Article 14.5.

The Election Commission of Bosnia and Herzegovina shall make all reports available to the public, and shall take appropriate actions to ensure that all citizens have easy access to information contained within the reports.

Article 14.6.

The Election Commission of Bosnia and Herzegovina shall have the authority to investigate instances of non-compliance with the provisions of this chapter, and may order individuals to answer written questions, to provide documentary and other evidence, and to provide testimony in connection with any investigation that the Election Commission of Bosnia and Herzegovina may initiate. The Election Commission of Bosnia and Herzegovina may initiate investigation or take appropriate implementing actions, on its own initiative or in response to a complaint filed by a person.

The Election Commission of Bosnia and Herzegovina shall have jurisdiction with respect to enforcing this chapter, and shall have power to make determinations that a political party, coalition, list of independent candidates or an independent candidate, or any other person has violated provisions of this chapter, and it shall have power to assess civil penalties against any political party, coalition, list of independent candidates or independent candidate for non-compliance with the mentioned provisions, or to take appropriate administrative action within its general authority under this law.

Before assessing a civil penalty or taking administrative action, the Election Commission of Bosnia and Herzegovina shall seek to achieve voluntary compliance with the political party, coalition, list of independent candidates or independent candidate determined to be in violation.

Article 14.7.

Every candidate standing for elected office at the level of Bosnia and Herzegovina or the Entity level shall be obliged, no later than fifteen (15) days from the day of accepting candidacy for the elections, to submit to the Election Commission of Bosnia and Herzegovina, on a special form, a signed statement on his or her total property situation, containing:

1. current income and sources of income, including all incomes, wages, profit from property, contributions as defined in Article 14.1 of this law, account receivables and other incomes realised in Bosnia and Herzegovina and abroad for a period of the past twelve (12) months;
2. property, including money, bank accounts, business documentation, shares, securities, bonds, real property, personal property, occupancy right and other property and possessions which exceed five thousand (5,000) convertible marks, in Bosnia and Herzegovina and abroad; and
3. disbursements and other liabilities, including all debts, liabilities, promissory notes, loans and guarantees of such liabilities in Bosnia and Herzegovina and abroad.

The statement should include the property situation of the candidates and close members of his or her family: spouse, children and members of the family household whom it is the candidate's legal obligation to sustain.

Article 14.8.

All candidates elected at all levels of authority except the level of Bosnia and Herzegovina and the Entity level shall be obliged to submit to the Election Commission of Bosnia and Herzegovina, within thirty (30) days from the verification of mandates, a signed statement of their property situation referred to in Article 14.7 of this law on a special form.

Article 14.9.

The Election Commission of Bosnia and Herzegovina shall make the forms containing the statements on total property situation available to the public. The Election Commission of Bosnia and Herzegovina shall not be responsible for objections or complaints regarding the information contained in the forms.

The Election Commission of Bosnia and Herzegovina shall issue an instruction regulating in detail the design and the manner of filling in forms from Articles 14.7 and 14.8 of this law.

Article 14.10.

The Election Commission of Bosnia and Herzegovina shall announce, ninety (90) days before the election, the number of voters entered on the Central Voters Register for each electoral race. No political party, coalition, list of independent candidates or independent candidate shall, based on the number of voters announced by the Election Commission of Bosnia and Herzegovina, spend more than one (1) convertible mark per voter in each electoral race for the purposes of the election campaign.

For the purpose of applying the previous paragraph, each of the following is an electoral race: a municipality election, a canton election, the election for a multi-member constituency of the National Assembly of the Republika Srpska, the election for the President and Vice President of the Republika Srpska, the election for a multi-member constituency of the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina, the election for a multi-member constituency of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, and the election for the members of the Presidency of Bosnia and Herzegovina from each entity.

CHAPTER 15. MEDIA

Article 15.1.

During the sixty (60) days prior to election day, for the competent authorities at all levels in Bosnia and Herzegovina, broadcast media shall equitably and fairly present political parties, coalitions, lists of independent

candidates and independent candidates and provide information about the issues related to the campaign and the electoral process.

Competent authorities at all levels shall ensure impartiality in their relation toward the media during the electoral campaign.

Article 15.2.
All public broadcast media shall provide, during the thirty (30) days prior to election day, free broadcast time for direct access by political parties, coalitions, list of independent candidates and independent candidates, subject to Regulations of the Election Commission of Bosnia and Herzegovina. The Regulations of the Election Commission of Bosnia and Herzegovina shall determine the amount of broadcast time allocated to the political parties, coalitions, lists of independent candidates and independent candidates, the time period and duration of the broadcasts, and the geographic regions to which the broadcasts shall be transmitted.

Article 15.3.
All broadcast media shall broadcast statements and information by the Election Commission of Bosnia and Herzegovina free of charge for the purpose of informing voters about all aspects of the electoral process as set forth by the Election Commission of Bosnia and Herzegovina.

Article 15.4.
All paid political advertisements on broadcast media are prohibited.

Article 15.5.
No media coverage of any political campaign activity shall take place in the whole territory of Bosnia and Herzegovina during the period beginning twenty-four (24) hours prior to the opening of the Polling Stations.

The campaign silence period shall continue until the close of Polling Stations.

Article 15.6.
Results of public opinion research related to the voting and elections shall not be released during the period beginning seventy-two (72) hours prior to the opening of Polling Stations and until the close of polling.

Article 15.7.
The competent media regulatory body that is responsible for the implementation of laws and regulations concerning the media shall have jurisdiction over all election related media violations as provided for in this law and any other media regulatory law. The media regulatory body may refer a matter to the Election Complaints and Appeals Council when it is alleged that there has been a violation of this chapter.

CHAPTER 16. ELECTION OBSERVERS

Article 16.1.
Representatives of international observers, associations of citizens, political parties, coalitions, lists of independent candidates and independent candidates (hereinafter "observers") may observe all electoral activities in Bosnia and Herzegovina provided that they are accredited in accordance with this law.

Observers shall have access to relevant documents and public election commission meetings, shall be free to contact any person at any time during the entire period of the electoral process, and shall have access to all Voter Registration Centres, Polling Stations, Counting Centres, and other relevant locations as specified by the Election Commission of Bosnia & Hercegovina

Article 16.2.
Observers shall be impartial and politically neutral while observing electoral activities. Observers shall not in any way interfere with electoral activities and they shall respect the secrecy of the ballot. An observer may have only two (2) representatives at the same time at a public election commission meeting, Voter Registration Centre, Counting Centre, Polling Station, or any other relevant location, as specified by the Election Commission of Bosnia & Hercegovina.

Observers, while observing electoral activities, shall wear official accreditation identification and an observer shall not wear or carry any insignia or mark that identifies him or her with a particular political party, coalition, list of independent candidates or independent candidate.

Article 16.3.
The Election Commission of Bosnia and Herzegovina shall accredit and issue accreditation identification for International Observers. The Election Commission of Bosnia and Herzegovina shall establish Regulations in order to determine the criteria and the application process for the accreditation of international observers.

Article 16.4.
The Election Commission of Bosnia and Herzegovina shall accredit and issue accreditation identification to associations of citizens. The Election Commission of Bosnia and Herzegovina shall establish Regulations in order to determine the criteria for accreditation of the associations of citizens and the distribution of accreditation identification. The application for accreditation shall include:

1. a signed statement by the authorised person of the association of citizens that the association is not established or sponsored by or engaged in any activities on behalf of a registered political party, coalition, list of independent candidates or independent candidate; and
2. the names and national identification numbers of the nominated observers.

Article 16.5.
The competent election commission shall accredit a registered political party, coalition, list of independent candidates or independent candidate to act as observers in the electoral unit in which the political party, coalition, list of independent candidates or independent candidate has registered to stand for office.

The Election Commission of Bosnia and Herzegovina shall accredit observers who will observe the work of the Election Commission of Bosnia and Herzegovina and the Central Counting Centre(s).

Entity and Cantonal Election Commissions shall accredit observers who will observe the work of their commissions.

A Municipal Election Commission shall accredit observers who will observe the work of the Municipal Election Commission, Voter Registration Centres, Polling Stations, and any other relevant location in its jurisdiction.

The political party, coalition, list of independent candidates or independent candidate shall submit the names and national identification numbers of the nominated observers to the competent election commission.

Article 16.6.
The Election Commission of Bosnia and Herzegovina shall establish Regulations concerning the accreditation identification's design, and the manner that it is to be used by the observer.

Article 16.7.
The final deadline for submission of an application for accreditation of observers shall be established by the Election Commission of Bosnia and Herzegovina.

Article 16.8.
An observer who has been denied accreditation by a Municipal, Cantonal, or Entity Election Commission may submit a complaint with the Election Commission of Bosnia and Herzegovina.

Article 16.9.
An observer may submit a complaint of any violation of this law to the competent election commission, Polling Station Committee or the Election Complaints and Appeals Council.

CHAPTER 17. BRCKO DISTRICT

Article 17.1.
This law shall stipulate the principles governing the elections in the Brcko District.

Article 17.2.
A citizen of Bosnia and Herzegovina who is registered to vote for the Brcko District shall have the right to vote:

1. for the Members of the Presidency of Bosnia and Herzegovina and the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina by casting the appropriate ballot in the Entity for which the voter is a citizen;
2. in the elections of the Entity of which the voter is a citizen; and
3. in District elections for the District Assembly and any other District electoral offices.

Article 17.3.
The cost and expense for the conduct of elections in the Brcko District shall be provided for in the budget of the institutions of Bosnia and Herzegovina and international obligations of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, the Republika Srpska and the Brcko District, depending on the level for which the elections are conducted.

Article 17.4.
For the purpose of this law, the Brcko District Election Commission shall have the same functions, duties and responsibilities as the Municipal Election Commissions, in accordance with this law.

Article 17.5.
For the purpose of this law, the election of the Brcko District Assembly shall be conducted in accordance with the provisions regulating the election of the Municipal Councils/Assemblies, except for Article 12.7, paragraph 2 of this law.

CHAPTER 18. TRANSITIONAL AND FINAL PROVISIONS

Article 18.1.
Until the High Representative's mandate terminates or he or she so decides, the Election Commission of Bosnia and Herzegovina shall consist of four (4) members from Bosnia and Herzegovina representing each of the constituent peoples including others and three (3) members selected from the International Community.

The nominees from Bosnia and Herzegovina for the Election Commission of Bosnia and Herzegovina shall be jointly nominated by the me mbers of the Commission for nomination of Judges of the Court of Bosnia and Herzegovina and international members of the Election Commission of Bosnia and Herzegovina (under the joint name the Provisional Commission for Nomination). The nominees for the Election Commission of Bosnia and Herzegovina shall be legal experts with experience in the administration of elections and/or electoral experts.

The Provisional Commission for Nomination shall meet in its full composition for the purpose of decision making on the nomination of members of the first Election Commission of Bosnia and Herzegovina. The procedure of nomination shall be conducted in accordance with the Rules of Procedure that is being used by the Commission for the nomination of Judges of the Court of Bosnia and Herzegovina, as applicable and to the extent possible. The list of nominees shall be finally approved by the High Representative.

In accordance with its procedure the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina shall appoint the members of the Election Commission of Bosnia and Herzegovina from the list of nominees.

If the members of the Election Commission from Bosnia and Herzegovina have not been appointed by 15 September 2001 the High Representative shall appoint the members from Bosnia and Herzegovina.

The international members of the Election Commission of Bosnia and Herzegovina shall be appointed by the High Representative.

Article 18.2.
Until the High Representative's mandate terminates or he or she so decides, the members of the Election Complaints and Appeals Council shall be appointed by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina in consultations (with consent of) with the High Representatives.

Article 18.3.
Upon its appointment, the Election Commission of Bosnia and Herzegovina shall assume immediate jurisdiction over past elections conducted under the Rules and Regulations of the Provisional Election Commission and the elected mandates awarded pursuant to those Rules.

Except for Chapter 15, the Election Commission of Bosnia and Herzegovina shall have full authority to enforce the appropriate provisions of the Rules and Regulations of the Provisional Election Commission governing the municipal elections in 2000. This law shall not govern the matters addressed in Chapter 15 of the Rules and Regulations of the Provisional Election Commission and the Election Commission of Bosnia and Herzegovina shall have no jurisdiction over such matters.

The Election Commission of Bosnia and Herzegovina shall also have full authority to enforce the appropriate provisions of Rules and Regulations of the Provisional Election Commission, which regulated the general elections held in the year 2000 and the presidential elections held in 1998.

Article 18.4.
The initial basis of the Central Voters Register shall be the voters register for the entire territory of Bosnia and Herzegovina which was used by the Provisional Election Commission at the time this law goes into full force and effect The Election Commission of Bosnia and Herzegovina shall coordinate with the Provisional Election Commission and the Organization for Security and Cooperation in Europe to obtain the voters register which was last used by the Provisional Election Commission. Persons already registered in the voters register which was last used by the Provisional Election Commission do not have to register again in order to exercise their rights as a voter, except where the person has moved, changed his or her name, asks for a correction to be made to the data contained in the Central Voters Register, or chooses to

change the municipality for which he or she wants to be registered, in accordance with this law.

Article 18.5.
For the first elections conducted under the jurisdiction of this law, Articles 4.5 and 4.9 do not apply.

Article 18.6.
Article 4.14 applies to coalitions which previously registered to participate in any election supervised by the Provisional Election Commission.

Article 18.7.
Article 5.25 of the Provisional Election Commission Rules and Regulations as published on 10 August 1998 shall apply to the rotation of the members of the Presidency of Bosnia and Herzegovina elected on 12/13 September 1998, until the elections are conducted in 2002 for the Members of the Presidency to Bosnia and Herzegovina.

Article 18.8.
Until otherwise decided by the High Representative or the Parliamentary of Bosnia and Herzegovina pursuant to paragraph seven of this article, a citizen of Bosnia and Herzegovina who is a displaced person and has the right to vote, shall have the right to register and to vote in person or absentee for the municipality in which the person had his or her permanent place of residence according to the last Census conducted by the State of Bosnia and Herzegovina, except in the case where the person can provide proof of a change of his or her permanent residence in accordance with the law, in the period from the last Census conducted by the State of Bosnia and Herzegovina until that person acquired status as a displaced person, or in person for the municipality of his or her current residence, under the condition that he or she became a resident of that municipality at least six (6) months prior to the election day.

A citizen of Bosnia and Herzegovina who is a displaced person and has the right to vote under this article, shall register depending on the voting option this person chooses, for the municipality where he or she had a permanent place of residence according to the last Census conducted by the State of Bosnia and Herzegovina, except in the case where this person can provide proof of a change of his or her permanent residence in accordance with the law, in the period from the last Census conducted by the State of Bosnia and Herzegovina until this person acquired status as a displaced person, or for the municipality where this person has current residence and provides proof that he or she has registered as a current resident at least six (6) months prior to the election day.

The citizen of Bosnia and Herzegovina who is occupying a house or an apartment for which s/he does not have an ownership or occupancy right, while an enforcement document is issued by a competent court or administrative authority on the restitution of a house or an apartment, or CRPC decision , has no right to vote in the place of current domicile, until s/he abandons real-estate property owned by other, and may register to vote only in the municipality where s/he had the permanent residence in accordance to the last Census in Bosnia and Herzegovina.

Current residence, for the purpose of this article, is the municipality where a displaced citizen of Bosnia and Herzegovina has temporary residence, until conditions are met for his or her return to the municipality where he or she had permanent residence according to the last Census conducted by the State of Bosnia and Herzegovina.

Until otherwise decided by the High Representative or the Parliamentary of Bosnia and Herzegovina pursuant to paragraph seven of this article, a citizen of Bosnia and Herzegovina who is a refugee and who has the right to vote shall have the right to register and to vote in person or by mail for the municipality in which the person had his or her permanent place of residence according to the last Census conducted by the State of Bosnia and Herzegovina, except in the case where the person can provide proof of a change of his or her permanent residence in accordance with the law, in the period from the last Census conducted by the State of Bosnia and Herzegovina until that person acquired refugee status.

A citizen of Bosnia and Herzegovina who has refugee status and has the right to vote under this article, shall register for the municipality where he or she had a permanent place of residence according to the last Census conducted by the State of Bosnia and Herzegovina, except in the case where he or she can provide proof of a change of his or her permanent residence in accordance with the law, in the period from the last Census conducted by the State of Bosnia and Herzegovina until that person acquired refugee status.

The special rights to register and to vote provided to displaced persons and refugees in this article shall expire on a day determined by the High Representative. If the High Representative does not so decide before his or her mandate terminates, then the special rights to displaced and refugee voters shall continue until so decided by the Parliamentary Assembly of Bosnia and Herzegovina.

The following factors should be considered before deciding on the expiration of the special rights to vote granted to displaced persons and refugees:

1. Status of implementation of property laws;
2. Number of persons registered as displaced persons;
3. Factors establishing sustainability of return which include safety of returnees, access to education and services, non-discrimination in employment and labor relations and functioning of the judicial system.

Article 18.9.

No person may stand as a candidate, hold an elected mandate or an appointed office, who fails to vacate real estate property which is owned by a refugee or displaced person, or fails to leave an apartment where a refugee or displaced person has an occupancy right, or failed to leave an apartment, which is under the administration of the municipal administrative authority responsible for housing or responsible body of the RS Ministry of Refugees and Displaced Persons for use as alternative accommodation, within a deadline specified by:

1. an administrative decision;
2. an enforcement decision issued pursuant to a Commission for Real Property Claims of Displaced Persons and Refugees (CRPC) certificate; or
3. a court decision whereby the property is to be returned to the owner or when the said decision is in favor of the request for the return of possession of an apartment to the occupancy right holder.

No person may stand as a candidate, hold an elected mandate or an appointed office, who fails to vacate real estate property which is owned by a refugee or displaced person, or fails to leave an apartment where a refugee or displaced person has an occupancy right, within 120 days of the filing with the competent administrative body of a request for enforcement of a CRPC certificate which confirms the ownership or occupancy right of that displaced person or refugee. In no case will a person be in violation of this article unless he or she has received 30 days notice by the election commission of Bosnia and Herzegovina of the existence of a request for an enforcement decision of a CRPC certificate.

Article 18.10.

The Election Commission of Bosnia and Herzegovina may allow political parties that registered for the municipal elections in 2000 to supplement their candidates list with additional names. Supplemental lists shall be submitted pursuant to rules and regulations adopted by the Election Commission of Bosnia and Herzegovina.

Article 18.11.

The Entities shall bring their laws and regulations in compliance with this law within forty-five (45) days after the entering into force of this law.

Pursuant to Article 6.3 of this law, the Election Commission of Bosnia and Herzegovina and the Election Complaints and Appeals Council shall adopt regulations and procedures necessary for the conduct of elections within sixty (60) days after the bodies are constituted, and which shall be published in the Official Gazette of Bosnia and Herzegovina and the official gazettes of the Entities.

Article 18.12.

The provisions regulating the election of the President and the Vice President of the Republika Srpska, President and Vice President of the Federation of Bosnia and Herzegovina, and the election of the delegates to the House of Peoples of the Parliament of the Federation of Bosnia and Herzegovina, shall be adopted by Parliamentary Assembly of Bosnia and Herzegovina, after completion of harmonisation of the entity constitutions with the Constitution of Bosnia and Herzegovina, pursuant to the Decision of the Constitutional Court of BiH.

Pending adoption of the provisions of the paragraph 1. of this article, respective provisions of the Rules and Regulations of the Provisional Election Commission shall apply ("Official Gazette of BiH", no: 15/98 and 20/98)."

Article 18.13.

If the Entities fail to establish multi-member constituencies, according to Article 18.11 of this law, by December 31, 2001 the following multi-member constituencies shall be used for elections held in 2002:

One hundred and five (105) mandates shall be allocated from among the following twelve (12) multi-member constituencies for House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina:

Constituency 1 consists of Canton 1.

Constituency 2 consists of Canton 2, part of Canton 3 (Gradacac, Gracanica, Doboj-East) and voters from Brcko District who have registered to vote for to the Federation of Bosnia and Herzegovina.

Constituency 3 consists of part of Canton 3 (Lukavac, Srebrenik, Tuzla, Celic).

Constituency 4 consists of part of Canton 3 (Teocak, Banovici, Zivinice, Kalesija, Sapna and Kladanj).

Constituency 5 consists of part of Canton 4 (Doboj-South, Tesanj, Maglaj, Zepce, Zavidovici, Zenica and Usora).

Constituency 6 consists of part of Canton 4 (Kakanj, Vares, Olovo, Visoko and Breza).

Constituency 7 consists of Canton 5 and part of Canton 9 (Novi Grad-Sarajevo, Ilidza, Hadzici and Trnovo).

Constituency 8 consists of Canton 6.

Constituency 9 consists of Canton 7.

Constituency 10 consists of Canton 8.

Constituency 11 consists of part of canton 9 (Ilijas, Vogosca, Centar-Sarajevo, Stari Grad-Sarajevo, Novo Sarajevo).

Constituency 12 consists of Canton 10.

Sixty-two (62) mandates from six (6) multi-member constituencies for National Assembly of Republika Srpska shall be allocated according to the following:

Constituency 1 consists of municipalities Bosanska Krupa/Krupa na Uni, Bosanski Novi/Novi Grad, Bosanska Dubica/Kozarska Dubica, Prijedor, Bosanska Gradiska/Gradiska, Laktasi, Srbac, Prnjavor, Sanski Most/Srpski Sanski Most, and Kostajnica.

Constituency 2 consists of municipalities Bosanski Petrovac/Petrovac, Banja Luka, Celinac, Drvar/Srpski Drvar, Kljuc/Ribnik, Mrkonjic Grad, Jajce/Jezero, Skender Vakuf/Knezevo, Kotor Varos, Sipovo, and Kupres/Srpski Kupres.

Constituency 3 consists of municipalities Derventa, Bosanski Brod/Srpski Brod, Odzak/Vukosavlje, Modrica, Doboj, Gracanica/Petrovo, and Teslic.

Constituency 4 consists of municipalities Bosanski Samac/Samac, Orasje/Srpsko Orasje, Gradacac/ Pelagicevo, Bijeljina, Lopare, Ugljevik, and voters from Brcko District who have registered to vote for the Republika Srpska.

Constituency 5 consists of municipalities Kalesija/Osmaci, Zvornik, Sekovici, Vlasenica, Bratunac, Srebrenica, Sokolac, Han Pijesak, Ilidza/Srpska Ilidza, Stari Grad/Srpski Stari Grad, Novo Sarajevo/Srpsko Novo Sarajevo, Trnovo (RS) , Pale (RS), Rogatica, and Milici.

Constituency 6 consists of municipalities Vi[egrad, Mostar/Srpski Mostar, Nevesinje, Kalinovik, Gacko, Foca/Srbinje, Gorazde/Srpsko Gorazde, Cajnice, Rudo, Stolac/Berkovici, Ljubinje, Bileca, and Trebinje.

Article 18.14.
The Parliamentary Assembly of Bosnia and Herzegovina shall conduct a review of financial penalties and expenses limitations established by this Law at least every four (4) years and determine whether they are in compliance with the economic and financial situation in Bosnia and Herzegovina.

Article 18.15.
Financial penalties established by this Law are income of the budget of the Institutions of Bosnia and Herzegovina.

Article 18.16.
Until the final regulation of the procedure for the election of the delegates to the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina, their election shall be conducted in accordance with the Constitution of Bosnia & Herzegovina.

Article 18.17.
This Election Law shall enter into force eight (8) days after its publication in the Official Gazette of Bosnia and Herzegovina. This Election Law shall also be published in the Official Gazettes of the Entities and the Official Gazette of the District of Brcko.

Republic of

BULGARIA

ELECTIONS OF MEMBERS OF PARLIAMENT ACT
PROMULGATED STATE GAZETTE No. 37/13.04.2001

CHAPTER 1

Article 1.
This Act shall define the terms and conditions for the election of Members of Parliament, as well as the terms and conditions for filling in seats made vacant before the expiry of the term of office in the event of termination of powers of Members of Parliament.

Article 2.
Elections shall be held on the basis of general, equal and direct suffrage by the secret ballot.

Article 3.
(1) All Bulgarian citizens above the age of 18 as of the election day inclusive, except for those under legal disability or persons serving imprisonment sentences, shall have the right to elect Members of Parliament.

(2) All Bulgarian citizens above the age of 21 as of the election day inclusive and without any other citizenship, except for those under legal disability or persons serving imprisonment sentences, shall have the right to be elected as Members of Parliament.

Article 4.
(1) Each voter shall be entitled to one vote.

(2) The vote of each voter shall be equal to the vote of any other voter.

Article 5.
(1) Elections shall be held on a non-working day for the whole country.

(2) Elections shall be scheduled by the President of the Republic not later than 60 days prior to the election day.

(3) The President of the Republic shall endorse the specimens of the ballot papers and promulgate them in The State Gazette not later than 55 days prior to the election day.

Article 6.
(1) Elections shall be held on the basis of the proportional representation system with election tickets of parties, coalitions and independent candidates registered in multi-seat constituencies.

(2) The D'Ondt method shall be applied to the allocation of seats among parties and coalitions at a nationwide level.

(3) The parties and coalitions which have carried at least four per cent of the valid votes at the nationwide level, as well as the independent candidates who have carried at least as many votes as the constituency quota shall participate in the allocation of seats.

Article 7.
(1) The Council of Ministers and the regional and municipal administration in cooperation with the election committee shall carry out the organisational and technical preparation for the elections.

(2) The costs for the preparation and holding of the elections, except for the production costs of voting ballots, shall be borne by the state budget in accordance with the accounts drawn up in consultation with the Central Election Committee.

(3) Any applications, petitions and other certificates under this Act shall be exempted from government charges or fees.

CHAPTER 2

Article 8.
The following election committees shall be established for holding elections:

1. Central Election Committee – one for the whole country. This Committee shall be appointed to serve until the termination of the powers of the National Assembly;
2. Constituency Election Committees – one for each constituency;
3. District Election Committees – one for each election district.

Article 9.
(1) The Central Election Committee shall be appointed by a Decree of the President of the Republic within the time limits under Art. 5, para 2 upon consultation with the parliamentary parties and coalitions. It shall consist of up to 25 members and include a Chairperson, Deputy Chairpersons, and a Secretary.

(2) No party or coalition shall have a majority in the Central election Committee through its representatives therein. The Chairperson and the Secretary shall belong to different political parties and coalitions.

Article 10.
(1) Members of the Central Election Committee shall be persons with university degrees and the majority shall belong to the legal profession. Bulgarian citizens eligible under Art. 3, para 2 shall be appointed members of the Central Election Committee.

(2) No member of the Central Election Committee may be a Member of Parliament or candidate for Member of Parliament, a judge in the Supreme Administrative Court, a serviceman in the Armed Forces or an officer in the Ministry of the Interior while serving in this capacity.

Article 11.
Members of the Central Election Committee shall receive remuneration as determined by the President of the Republic.

Article 12.
(1) The Central Election Committee shall appoint Constituency Election Committees at the proposal of Regional Governors as consulted with parliamentary parties and coalitions not later than 45 days prior to the election day. Other parties or coalitions may also join the consultations. Parliamentary political forces shall be entitled to have representatives in each Constituency Election Committee.

(2) Regional Governors shall submit their proposals not later than 50 days prior to the election day.

(3) Failing to submit a proposal within the time limits under para 2, Regional Governors shall send the minutes taken at the consultations and the written proposals or objections of the parties or coalitions to the Central Election Committee forthwith.

Article 13.
A Constituency Election Committee shall consist of a Chairperson, two Deputy Chairpersons, a Secretary and members. The total membership shall be as follows:

1. For constituencies with up to nine seats inclusive – from 11 to 13 members;
2. For constituencies with ten or more seats – from 15 to 17 members.

Article 14.
A District Election Committee shall consist of a Chairperson, a Deputy Chairperson, a Secretary and members. The total membership shall be as follows:

1. For districts with up to 300 voters inclusive – up to seven members;
2. For districts with over 300 voters – up to nine members.

Article 15.
The remuneration of Constituency and District Election Committees shall be determined by the Central Election Committee.

Article 16.
The Central Election Committee and Constituency Election Committees shall have seals.

Article 17.
Expert working groups may be established at the Central Election Committee and the Constituency Election Committees. The remuneration of experts shall be determined by the Central Election Committee.

Article 18.
(1) Constituency Election Committees shall appoint District Election Committees at the proposal of Mayors as consulted with parliamentary parties and coalitions not later than 25 days prior to the election day. Other parties or coalitions may also join the consultations. Parliamentary political forces shall be entitled to have representatives in each District Election Committee.

(2) Mayors shall submit their proposals not later than 30 days prior to the election day.

(3) Failing to submit a proposal within the time limits under para 2, Mayors shall send the minutes taken at the consultations and the written proposals or objections of the parties or coalitions to the Constituency Election Committee forthwith.

(4) Failing to appoint the District Election Committees within the time limits under para 1, Constituency Election Committees shall send the whole documentation to the Central Election Committee forthwith. The latter shall appoint the District Election Committees.

Article 19.
(1) The proposals of parties and coalitions on the appointment of election committees shall include a list of

substitutes, where the nominees are incapable of performing their functions on a long-term basis.

(2) Substitution shall take effect: for the Central Election Committee upon a Decree of the President of the Republic; for Constituency Election Committees upon a decision of the Central Election Committee; and for District Election Committees upon a decision of the Constituency Election Committee.

Article 20.

(1) Persons eligible under Art. 3, para 2 shall be appointed members of the Constituency and District Election Committees.

(2) Parties and coalitions shall nominate their representatives in writing.

(3) No Regional Governor or Deputy Regional Governor, Mayor or Deputy Mayor or person under Art. 10, para 2 may become members of Constituency and District Election Committees.

(4) No party or coalition may have a majority in a Constituency or District Election Committee with its representatives. The Chairperson and the Secretary shall belong to different parties and coalitions.

Article 21.

(1) Election committee members shall be deemed officials within the meaning of the Criminal Code, while discharging their duties.

(2) Election committee members shall be entitled to unpaid leave or paid annual leave at their choice for the time they need to serve in the respective committee. The duration of the leave shall be recognised for social security and health insurance purposes.

(3) The social security and health insurance payments for members of the Central Election Committee and Constituency Election Committees shall be covered by their employers in pursuance of the Mandatory Social Security Code, the Health Insurance Act and the Protection against Unemployment and Employment Encouragement Act from the time of their appointment to the respective committee to the completion of their service there.

(4) The members of the Central Election Committee and Constituency Election Committees who are registered as unemployed shall receive also compensation under Chapter Four, Section III of the Protection against Unemployment and Employment Encouragement Act from the time of their appointment to the respective committee to the completion of their service there.

(5) Election committee members may not wear the distinction signs of parties, coalitions or initiative committees or engage in canvassing, while discharging their duties.

Article 22.

(1) The meetings of election committees shall be legitimate when attended by more than a half of their members.

(2) The decisions of an election committee shall be signed by the Chairperson and the Secretary. Where either of them is absent, the decision shall be signed by a Deputy Chairperson.

(3) Minutes shall be taken at the meetings of election committees and they shall be signed as set out in para 2.

(4) Canvassers may attend the meetings of Constituency Election Committees. Their statements, opinions and objections shall be put on the record.

Article 23.

(1) The Central Election Committee shall:

1. monitor the implementation of this Act within the territory of the country and at the diplomatic missions abroad;
2. provide methodological guidance to and supervise the activities of Constituency and District Election Committees;
3. support a web site on the Internet to publish decisions, methodological instructions, estimated and final results of the elections and other documents and data;
4. set out the terms and conditions for Bulgarian citizens to vote abroad not later than 50 days prior to the election day;
5. appoint Constituency Election Committees and District Election Committees where the Constituency Election Committee has failed to appoint them within the prescribed time limits;
6. register parties and coalitions to run the elections, determine their election ballots and issue certificates;
7. hear petitions against decisions and actions of Constituency Election Committees, issue a final decision thereon within three days and announce it forthwith;

8. set out the terms and conditions for participation of observers not later than 50 days prior to the election day and issue certificates to them;
9. approve and promulgate in The State Gazette the methodology for determining the number of seats in the constituencies and the results of the election not later than 55 days prior to the election day;
10. determine the number of seats in the multi-seat constituencies on the basis of a uniform representation rate for the whole country in accordance with the number of the population;
11. set out the terms and conditions for the competitive bidding for the computer processing of the results of the election not later than 54 days prior to the election day;
12. assign the computer processing of the results of the election to the winner in the competitive bidding not later than 40 days prior to the election day;
13. issue methodological guidance to the Constituency and District Election Committees with regard to the implementation of this Act;
14. set out the terms and conditions for conducting opinion polls on the election day not later than 20 days prior to the election day;
15. announce the results of the elections and issue certificates to the Members of Parliament elected on the basis of the proportional representation system;
16. promulgate the results of the elections in The State Gazette immediately after they are announced;
17. set out the procedure for verifying double voting and assign its application to a team of experts;
18. make the results of the verification under subpara 17 available to the parties concerned and seize the prosecutor's offices in the event of established double voting;
19. provide the results of the voting by election districts for the whole country on a magnetic carrier to the participants in the elections and publish them in the Internet;
20. publish the results of the election by election districts for the whole country in a special bulletin and on a magnetic carrier not later than 40 days after the election day;
21. submit a copy of the records of the District and Constituency Election Committees to the State Archive Stock.

(2) The decisions of the Central Election Committee shall be communicated by means of publication in a bulletin of the Bulgarian News Agency.

(3) The decisions of the Central Election Committee under para 1, subparas 5, 6, 8, 12 and 14 shall be subject to appeal before the Supreme Administrative Court within three days of their communication. The Court shall issue a final judgement within three days.

Article 24.

(1) The Constituency Election Committee shall:

1. monitor the implementation of this Act within the territory of the multi-seat constituency;
2. appoint District Election Committees;
3. monitor and supervise the drawing up and announcement of election rolls, the establishment of election districts, the printing of ballots and the issuance of certificates for voting elsewhere;
4. monitor the creation of conditions for physically handicapped persons to vote;
5. approve the numbering of election districts;
6. register election tickets of parties, coalitions and independent candidates and announce them in public;
7. register canvassers of candidates running for Parliament;
8. verify the signatures gathered in support of independent candidates;
9. submit the details of registered candidates for verification by the Committee under Art. 4, para 1 of the Access Act to the Documents of the Former State Security Service and the Former Intelligence Service of the General Staff immediately after the registration is completed;
10. communicate the results of the verification under subpara 9 to the leadership of political parties and coalitions and the initiative committees for the nomination of independent candidates;
11. provide District Election Committees with ballot boxes, voting ballots and envelopes, forms for records, transcripts and blueprints, while supervising their storage, distribution among districts and transportation;
12. hear petitions against decisions and actions of District Election Committees and issue a final decision thereon forthwith;
13. establish the voting results in the constituency;
14. announce the elected independent candidates and issue certificates to them;
15. submit the district records, the constituency records and other papers to the Central Election Committee.

(2) The decisions of Constituency Election Committees shall be announced at a generally accessible place in the buildings where they are located.

(3) The decisions of Constituency Election Committees under para 1, subparas 2, 6, 7 and 8 shall be subject to appeal before the Central Election Committee within three days of their announcement. The latter shall issue a decision within three days and announce it forthwith, whereby such decision shall be final.

Article 25.

(1) District Election Committees shall:

1. monitor the implementation of this Act within the voting premises and in the area of the election district;
2. assist the arrangement of the voting premises as required by law and with a view to ensuring the access of physically handicapped persons;
3. ensure the free and calm conduct of voting in the election district;
4. count the votes, draw up the records of the results of the voting in the election district and submit the records to the Constituency Election Committees within 24 hours after the end of voting;
5. submit the other papers and materials to the municipal administration within the time limits under subpara 4;
6. hear petitions and rule on them forthwith;
7. announce the results of the voting in public.

(2) The instructions of the Chairperson of the District Election Committee shall be binding on all citizens at the voting premises. Such instructions may be repealed at a decision of the District Election Committee.

CHAPTER 3

Article 26.

(1) Election rolls shall be drawn up by the municipal administrations in the communities where the population registrar is kept and signed by the Mayor of the municipality or the Mayor of the mayoralty or the Proxy Mayor and the Secretary of the municipality. In cities divided into wards, election rolls shall be signed by the Mayor and the Secretary of the ward.

(2) Each voter shall be entered into one single election roll.

Article 27.

(1) Election rolls shall be compiled for each election district separately. They shall be printed on the basis of the National Population registrar by the Civil Registration and Administrative Services Department at the Ministry of Regional Development and Public Works.

(2) Election rolls shall be drawn up on the basis of permanent addresses.

(3) Election rolls shall specify alphabetically the full name of the voter, his or her personal identification number, the permanent address or the current address specified by the voter where the current address does not coincide with the permanent one, and the type and number of identity document, and a Notes column shall be added.

(4) Rolls shall include all Bulgarian citizens eligible under Art. 3, para 1.

(5) Where the name of the community, street, housing area or number of housing building was changed during the preceding six months, the roll shall feature also the old name or number.

Article 28.

(1) The names of disenfranchised or deceased citizens as of the election day shall be deleted from election rolls.

(2) The names of citizens who have moved abroad at least two months before the election day and have not returned until the submission of the rolls to the District Election Committees shall be deleted.

(3) The deletion under para 2 shall be done at an application of the persons who have left the country or officially in accordance with the data made available by the Ministry of the Interior from the applications for issuing Bulgarian identity documents.

(4) The names of citizens who have the right to vote at the respective district but have been missed in the election rolls shall be added thereto.

(5) The adding of names shall be done by the bodies under Art. 26, para 1 pending the submission of rolls to District Election Committees at the request of the voter given in writing or on the election day by the District Committee at the request of the voter and upon presentation of an identity document.

(6) Where the persons under para 2 return to the country after the completion of the election roll, they shall be entered in pursuance of paras 4 and 5.

(7) Persons who have served their imprisonment sentence or are no longer under legal disability shall be entered into the election rolls upon presentation of the respective document to the municipality, ward or mayoralty.

(8) Any refusal to delete or add a name may be appealed before the District Court within two days. The Court shall hear the petition in public, while summonsing the petitioner and the bodies under Art. 26, para 1, within two days and issue a final judgement which shall be announced forthwith.

(9) Any refusal by a District Election Committee to add a name under para 5 may be appealed before the Constituency Election Committee which shall issue a decision on the petition forthwith.

Article 29.

(1) Election rolls shall be announced by the bodies under Art. 26, para 1 not later than 40 days prior to the election day at visible places within the territory of the respective election district. These rolls shall not feature the personal identification numbers and the numbers of the identity documents of the voters.

(2) At the places where the election rolls are announced, the respective District Election Committee shall announce the findings of the report under Art. 6, para 2, subparas 1, 5 and 7 of the Access Act to the Documents of the Former State Security Service and the Former Intelligence Service of the General Staff on the registered candidates within five days after the registration is completed;

Article 30.

(1) Conscripts in the Armed Forces shall be entered into the election rolls of the election district which is the closest to their military unit.

(2) The list of the persons under para 1 shall be drawn up and signed by the commander of the unit and it shall be sent to the Mayor of the municipality or the ward or the mayoralty for entering into the election rolls not later than 45 days prior to the election day.

(3) The bodies under Art. 26, para 1 at the permanent address of such persons shall be advised of their entering into the rolls so that to delete them from the respective election rolls.

(4) The Ministry of Defence shall provide the Civil Registration and Administrative Services Department at the Ministry of Regional Development and Public Works with information about the location of conscripts as of the election day for the purposes of entering them into the election rolls under para 1.

Article 31.

(1) Conscripts who are on leave and stay in the community of their permanent address on the election date shall be entered into the election roll of their district in case their names have been deleted there.

(2) When allowing the leave under para 1, the commander of the unit shall immediately advise the Mayor of the municipality or the ward or the mayoralty at the location of the military unit to delete the conscript from the election roll under Art. 30, para 1.

(3) Where conscripts are transferred to the military unit after the submission of the list under Art. 30, para 2 but prior to the submission of the rolls under Art. 30, para 1 to the District Election Committees, such conscripts shall be entered into the election rolls of the districts under Art. 30, para 1. In such cases, the commander of the units from which the conscripts have been transferred shall immediately advise the Mayor of the municipality or the ward or the mayoralty at the location of this military unit to delete such persons from the election rolls there.

Article 32.

(1) Any voter may request the elimination of incomplete or wrong data on the election roll with an application given in writing to the Mayor of the municipality or the ward or the mayoralty.

(2) The respective administration shall accept applications not later than seven days prior to the election day.

(3) The Mayor of the municipality or the ward or the mayoralty shall examine the application within two days and issue a substantiated decision thereon, announcing it in public forthwith.

(4) Any person concerned may appeal against the decision before the District Court within two days. The Court shall examine the petition in public, while summonsing the petitioner and the Mayor, within two days and issue a final judgement which shall be announced forthwith.

Article 33.

(1) The election rolls at health establishments, recreational facilities, homes for aged people or others or on vessels sailing under the Bulgarian flag shall be drawn up by the head of the establishment or facility or home or by the captain of the vessel respectively.

(2) The head of the establishment or facility or home or the captain of the vessel shall advise the bodies under Art. 26, para 1 of the persons included on the rolls so that to delete them from the election rolls at their permanent address.

Article 34.
Heads of prisons shall draw up the rolls of arrested persons who are nor serving an enforceable sentence.

Article 35.
(1) Bulgarian expatriates who are in the country on the election day may vote at the place of their permanent address. Where such persons have been deleted from the election rolls prior to their submission to District Election Committees, they shall be re-entered into the rolls by the bodies under Art. 26, para 1.

(2) Where the persons under para 1 have arrived to the country not earlier than 24 hours prior to the submission of the election roll to the District Election Committee, they shall be entered into the election roll by the District Election Committee upon presentation of an identity document certifying their arrival to the country within the said time limits.

Article 36.
(1) The bodies under Art. 26, para 1 shall issue certificate for voting elsewhere in one single copy to voters who have stated in advance that they will not vote in the district at their permanent address.

(2) Certificates shall be issued not later than 10 days prior to the election day.

(3) Persons who have received certificates shall be deleted from the election roll.

(4) Certificates shall be recorded into a special register.

(5) Holders of certificates for voting elsewhere shall be entered into an additional election roll signed by the Chairperson and the Secretary of the District Election Committee at the place of their stay on the election day. The certificates for voting elsewhere shall be attached to this roll.

(6) Holders of certificates for voting elsewhere shall be entitled to vote at the place of their permanent address. The Committee shall enter such voters into the additional roll to which the certificates under para 1 shall be attached.

(7) Voters whose current and permanent address are located in different communities may request to be entered into the election roll at their current address not later than 14 days prior to the election day.

(8) The request under para 7 shall be given in writing before the bodies under Art. 26, para 1 at the place of the current address of the person. After the entry, they shall officially advise the bodies under Art. 26, para 1 at the place of the permanent address of the person not later than seven days prior to the election day so that to delete the name from the roll at the permanent address.

Article 37.
(1) Election rolls for voting abroad shall be drawn up by the heads of diplomatic missions on the basis of personal statements expressing the will to vote not later than the election day.

(2) Voters who have not been entered into the election roll prior to the election day shall be entered into the roll by the District Election Committee.

Article 38.
(1) Any adjustments of election rolls shall be announced forthwith.

(2) Any deletion from the election rolls shall be made automatically prior to their printing or by means of a horizontal line so that to leave the deleted name legible where the deletion is done after the printing of the rolls.

CHAPTER 4

Article 39.
(1) For the purposes of holding elections, the territory of the country shall be divided into 31 multi-seat constituencies, including three constituencies in the city of Sofia and two constituencies in the city of Plovdiv. The other constituencies shall coincide with the boundaries of administrative regions.

(2) The President of the Republic shall determine the names, boundaries and numbering of constituencies not later than 55 days prior to the election day.

(3) The Central Election Committee shall determine the number of seats for each constituency on the basis of a uniform representation rate for the country depending on the number of the population not later than 50 days prior to the election day, while applying the largest residual method.

Article 40.
(1) Voting and counting of votes shall be conducted by election districts.

(2) Mayors of municipalities shall issue orders to establish the election districts within the territory of the municipality not later than 55 days prior to the election day and propose their numbering to the Constituency Election Committees.

(3) The order of the Mayor shall be announced in public. It shall be subject to appeal before the Regional Governor within three days and the Regional Governor shall issue the final decision within three days.

Article 41.
(1) Any election district may include up to 1,000 voters.

(2) Communities shall have as many districts as the times the number 1,000 is included in the number of voters. Additional districts may be established in the case of a residual.

(3) Where communities are territorially separate, the Mayor of the municipality may establish election districts with at least 20 voters.

(4) Election districts in cities divided into wards shall follow the ward boundaries.

(5) At health establishments, recreational facilities, homes for aged people and others and vessels sailing under the Bulgarian flag abroad, election districts shall be established provided that at least 20 voters are present there.

(6) Election districts under para 5 shall be established by the heads of the establishments or facilities or homes or the captains of the vessels.

(7) Arrested persons who are not serving an enforceable sentence may vote in prison where it is possible for an election district to be established in pursuance of the requirements under para 5.

(8) Heads of Bulgarian diplomatic missions abroad shall establish election districts provided that at least 20 voters have personally stated their will to vote.

Article 42.
Captains of vessels sailing under the Bulgarian flag and leaving the country prior to 7 p.m. on the day preceding the election day shall receive voting papers and materials from the District Election Committee at the location of the vessel.

CHAPTER 5

Article 43.
(1) Candidates to run the elections shall be nominated by parties or coalitions or by initiative committees nominating independent candidates.

(2) Candidates for Parliament nominated by parties and coalitions shall be arranged on election tickets by multi-seat constituencies. Each independent candidate shall have an independent ticket.

(3) Election tickets of parties and coalitions shall be arranged and proposed for registration by their central leadership.

(4) Coalitions shall run the elections with a common election ticket in each multi-seat constituency. Parties participating in the coalition may not run the elections with independent tickets.

(5) The number of candidates on an election ticket may not exceed double the number of seats in the multi-seat constituency.

Article 44.
(1) Any candidate for Parliament may be proposed for registration by one single party or coalition in not more than two multi-seat constituencies.

(2) Where a candidate has been registered by more than one party or coalition, the earliest registration shall be valid.

(3) Where a candidate under para 1 has been registered in more than two constituencies, the earliest two registrations shall be valid.

(4) An independent candidate may be proposed for registration by one single initiative committee and in one single multi-seat constituency.

(5) Where an independent candidate has been registered in more than one constituency, the earliest registration shall be valid.

(6) Constituency Election Committees shall advise the Central Election Committee of the registrations within 24 hours after the expiration of the deadline for registration.

(7) The Central Election Committee shall ascertain and declare invalid the registrations violating paras 2, 3 and 5. It shall announce its decision within three days and advise the Constituency Election Committee and the respective

candidates, parties and coalitions and initiative committees forthwith.

Article 45.

(1) Election tickets shall be registered by Constituency Election Committees into a separate register upon presentation of the following documents:

1. nomination by the central leadership of the party or coalition or initiative committee;
2. statements by the candidates that they agree to be registered by the parties or coalitions or initiative committees which have nominated them;
3. statements by the candidates that they comply with the requirements under Art. 3, para 2, specifying their permanent address and personal identification number.

(2) Election tickets shall be registered at Constituency Election Committees not later than 30 days prior to the election day.

Article 46.

(1) Independent candidates for Parliament may be registered in only one multi-seat constituency, where the candidate has been supported by the necessary number of voters with permanent address within the territory of the constituency as follows:

1. in constituencies with up to four seats inclusive – 1,100 voters;
2. in constituencies with five seats – 1,200 voters;
3. in constituencies with six seats – 1,300 voters;
4. in constituencies with seven seats – 1,400 voters;
5. in constituencies with eight seats – 1,500 voters;
6. in constituencies with nine seats – 1,600 voters;
7. in constituencies with ten seats – 1,700 voters;
8. in constituencies with eleven seats – 1,800 voters;
9. in constituencies with twelve seats – 1,900 voters;
10. in constituencies with thirteen or more seats – 2,000 voters.

(2) Independent candidates may not be put on the election tickets of parties and coalitions.

(3) Initiative committees for the nomination of independent candidates consisting of three to seven voters with permanent addresses within the territory of the constituency shall be established. Initiative committees shall be registered with the Constituency Election Committee. Each voter may participate in one single initiative committee.

(4) Any voter supporting the nomination of an independent candidate shall certify his or her support with his or her own signature before a member of the initiative committee. Such voter shall specify also his or her name, personal identification number and permanent address.

(5) Members of initiative committees under para 4 shall be liable within the meaning of the Criminal Code for the authenticity of the signatures given in their presence.

(6) The list of signatures shall be submitted to the Constituency Election Committee not later than 27 days prior to the election day.

Article 47.

(1) Within 24 days prior to the election day, the Constituency Election Committee shall establish the results of the signature lists under Art. 46 and advise the Central Election Committee forthwith.

(2) Where a Constituency Election Committee or the Central Election Committee establishes that an independent candidate has not been supported by the required number of voters, the registration shall be cancelled at a decision which shall be communicated to the initiative committee forthwith. Where the decision has been made by the Central Election Committee, it shall communicate the decision to the Constituency Election Committee forthwith.

Article 48.

(1) Where the requirements under this Act have not been observed, the Constituency Election Committee shall refuse to register candidates, election tickets and initiative committees, giving the reasons thereof in writing and communicating its decision forthwith.

(2) Any refusal under para 1 shall be subject to appeal before the Central Election Committee within three days of its communication.

(3) In the event of refused registration or declared invalidity of the registration of a candidate on the election ticket of a party or coalition, the latter may propose for registration another candidate not later than ten days after the date of the refusal or the statement on the invalidity but not later than seven days prior to the election day.

(4) Where a candidate on the registered election ticket of a party or coalition dies or is incapable of running the elections on a long-term basis, the party or coalition may nominate another candidate in pursuance of the provisions of para 3.

(5) Parties and coalitions may request that the registration of a person on their election ticket be cancelled on grounds of evidence of collaboration with the former state security service. In such cases, parties and coalitions may nominate another candidate not later than seven days prior to the election day.

Article 49.

(1) Parties may run the elections on their own or in coalition with other parties and coalitions.

(2) Any party and coalition may run the elections only in one single coalition in all constituencies.

Article 50.

(1) Only parties and coalitions registered with the Central Election Committee may run the elections.

(2) The central leaderships of parties and coalitions shall submit applications for registration not later than 46 days prior to the election day, specifying the preferred basic and reserve colour of the ballot, as well as the full name of acronym to be printed on the ballot.

(3) Parties shall attach the following documents to the application:

1. a certified copy of the court decision of the Sofia City Court on the registration of the party updated as of the date of scheduling the elections, as well as a copy of The State Gazette issue where the court decision is promulgated;
2. specimens of the signatures of the persons representing the party and a specimen of the seal.

(4) Coalitions shall attach the following documents to the application:

1. the documents under para 3 for each of the parties participating in the coalition;
2. the decision on the establishment of the coalition signed by the persons representing the parties, specimens of the signatures of the persons representing the coalition and a specimen of the seal of the coalition, if any.

(5) Where the coalition includes another coalition, the latter shall present the documents under para 4. The documents under para 3 shall be presented for the other parties in the coalition, as well as the decision on its establishment.

(6) The Central Election Committee shall send the list of the registered parties and coalitions to the Constituency Election Committees.

Article 51.

Each candidate for Parliament may have canvassers to assist him or her and to represent his or her interests before government institutions, non-governmental organisations and election committees.

Article 52.

(1) Candidates for parliament holding positions in the public administration shall interrupt their service upon their registration and get unpaid leave or annual paid leave at their choice for the period from the registration to the announcement of the results of the election inclusive.

(2) The leave shall be recognised for social security and health insurance purposes.

(3) Where the registration is cancelled, the leave under para 1 shall be discontinued as of the date of cancellation. Where the cancellation is repealed, the leave shall be deemed to be uninterrupted.

(4) Elected candidates, working in central government or municipal institutions, enterprises or companies with central government or municipal interest exceeding 50 per cent or organisations, shall be entitled to return to their previous positions upon termination of their powers or, where the position is closed, to occupy another equivalent position at the same central government or municipal institution, enterprise or company with central government or municipal interest exceeding 50 per cent or organisation or at another one with their consent.

(5) Where the previous position of the elected candidate is occupied by another person, the employment relationship with the other person shall be terminated without serving any notice.

(6) The provisions under para 1 shall not apply to Ministers and the Prime Minister. Their powers shall continue also after their registration as candidates for Parliament.

Article 53.

(1) During the election campaign, registered candidates for parliament and canvassers may not be arrested or held criminally liable except for cases of existing grave offences.

(2) Candidates for Parliament and canvassers shall be deemed officials within the meaning of the Criminal Code from the time of registration of election tickets to the announcement of the results of the election.

(3) Where the registration of a candidate for Parliament is cancelled, the rights and obligations under paras 1 and 2

shall be terminated as of the date of the cancellation. The cancellation shall be valid for the candidate's canvassers as well.

CHAPTER 6

Article 54.
The election campaign shall start 30 days prior to the election day and end 24 hours prior to the election day.

Article 55.
(1) Citizens, parties and coalitions, initiative committees, candidates and their canvassers shall be free to canvass orally or in writing at election meetings and in the mass media.

(2) The election canvassing shall be conducted in the official language.

(3) Election meetings shall be held in public. The organisers and the bodies of the Ministry of the Interior shall be responsible for maintaining order at the meetings.

(4) Civil servants in the central and municipal public administration, servicemen in the Armed Forces, employees of the Ministry of the Interior, judges, prosecutors and investigating officers, as well as persons holding elective positions in trade union organisations may not engage in canvassing.

(5) The Minister of Defence, together with the Central Election Committee, shall determine the terms and conditions for conscripts to become aware of the programs of parties, coalitions and candidates. No canvassing shall be allowed in military units. Commanders of military units shall provide conscripts with free access to the press, radio and television in their leisure time, as well as during their garrison leaves, and access to other election events in the community where the garrison is located.

Article 56.
Independent candidates and parties and coalitions registered to run the elections shall be entitled to equal access to the sources of information needed for the purposes of the election campaign.

Article 57.
(1) The editor-in-chief of a daily newspaper or a periodical which has published a material infringing upon the rights and good name of a candidate shall publish the response in the earliest following issue.

(2) The response shall be published at the same place and the same font.

(3) The response shall be published free of charge up to the size of the material to which it replies.

Article 58.
(1) During the election campaign, candidates, parties and coalitions and initiative committees may prepare and disseminate posters, advertisements, appeals and other canvassing materials. Each canvassing material shall bear the name on behalf of which it is issued.

(2) Canvassing materials shall be put at places specified by the Mayor or, when they are put out on buildings and fences, with the consent of the property owner or manager.

(3) The use of public transport for canvassing purposes shall be prohibited.

(4) The use of canvassing materials which threaten the life and health of citizens, private, municipal or state-owned property and the traffic safety or materials infringing upon good morals, the dignity and good name of candidates shall be prohibited.

(5) The destruction of canvassing materials put in accordance with the requirements of this Act shall be prohibited until the end of the election day.

(6) Mayors of municipalities, wards or mayoralties or Proxy Mayors shall remove or seize the canvassing materials put in violation of this Act at a decision of the Constituency Election Committee and, if needed, with the assistance of the bodies of the Ministry of the Interior. On the election day, such materials may be removed also at a decision of the District Election Committee.

Article 59.
(1) No canvassing shall be allowed from 24 hours prior to the election day to 8 p.m. on the election day.

(2) No findings of opinion polls in connection with the elections may be announced during the time set out in para 1.

(3) On the election day, opinion polls may be conducted outside the buildings where election districts are located through interviewing people who have already voted at the exit provided that the poll does not impede the voting process. The findings of such exit polls may be announced after 7 p.m.

Article 60.
(1) The election programs of radio and TV operators shall start 30 days prior to the election day and end 24 hours prior to the election day.

(2) The Bulgarian National Television and the Bulgarian National radio shall cover the election campaign in the form of introductory and final statements, special news and debates.

(3) The use of the programs of the Bulgarian National Television and the Bulgarian National Radio for the purposes of the election campaign shall not be allowed beyond the time allotted for the forms under para 2.

(4) The management of the Bulgarian National Television and the Bulgarian National Radio shall observe the principles of equal treatment and objective coverage in covering the events of parties, coalitions and candidates for Parliament in their news programs.

(5) The teams, forms and topics of the debates shall be specified jointly by the General Directors of the Bulgarian National Television and the Bulgarian National Radio and authorised representatives of the parties and coalitions, while taking into account their parliamentary representation. These conditions shall be subject to approval by the Central Election Committee not later than 31 days prior to the election day.

Article 61.
In the election campaign on the Bulgarian National Television and the Bulgarian National Radio there shall be prohibited the use of elements of commercial advertising or the participation of candidates and representatives of parties and coalitions in commercials.

Article 62.
The sequence of presentation of parties and coalitions at the time of the statements, news and debates shall be announced by the Central Election Committee upon casting lots in the presence of representatives of the parties and coalitions not later than 31 days prior to the election day.

Article 63.
The election campaign on the Bulgarian National Television and the Bulgarian National Radio shall start and end with five-minute statements by the candidates or representatives of parties and coalitions.

Article 64.
(1) The Bulgarian National Television and the Bulgarian National Radio shall cover the election campaign of parties and coalitions in special news.

(2) The total duration of the special news for the whole election campaign period shall reach up to 120 minutes for the Bulgarian National Television and the Bulgarian National Radio each but not more than five minutes a day.

Article 65.
(1) The Bulgarian National Television and the Bulgarian National Radio shall offer the candidates for Parliament and the representatives of parties and coalitions TV and radio time for three debates with duration of up to 180 minutes.

(2) Parliamentary parties and coalitions shall be allotted at least a half of the tome under para 1, while the rest of the time shall be allotted to the other parties and coalitions.

(3) Debates may be conducted with the simultaneous participation of candidates for parliament and representatives of all parties and coalitions registered to run the elections.

Article 66.
(1) Initiative committees and independent candidates, as well as parties and coalitions shall use regional radio and TV centres during the election campaign period under the terms and conditions laid down for the Bulgarian National Television and the Bulgarian National Radio.

(2) Regional radio and TV centres shall offer up to two hours of radio and TV time for debates of candidates and representatives of parties and coalitions.

(3) The terms and conditions for participation in the debates shall be established by lasting lots not later than 31 days prior to the election day. The heads of regional radio and TV centres, together with representatives of the parties, coalitions and initiative committees, shall specify the teams, forms and conditions for these broadcasts and also the topics of the debates.

Article 67.
(1) The other radio and TV operators, including cable TV channels, may offer time for election campaign coverage under the same terms and conditions and at the same prices to independent candidates, parties and coalitions.

(2) The owners of the radio and TV operators under para 1 or their representatives shall announce the terms and conditions for election campaign coverage in writing.

(3) The terms and conditions under para 2 shall be submitted to the Central Election Committee for radio and TV operators with national coverage or to the Constituency Election Committees for radio and TV operators with regional and local coverage not later than 10 days prior to the beginning of election campaign broadcasts.

Article 68.
Parties, coalitions and initiative committees shall pay for the election campaign broadcasts on the Bulgarian National Television and the Bulgarian National Radio at prices established by the Council of Ministers not later than 40 days of the election day. Payment shall be effected before the broadcasting of the program.

Article 69.
Where the broadcast has infringed upon the rights and good name of a candidate, the latter shall have the right to response in pursuance of Art. 18 of the Radio and Television Act. The request may be submitted to the respective radio or TV operator within 24 hours after the time of the broadcasting.

Article 70.
(1) Where radio and TV operators violate the rules for the conduct of the election campaign, petitions may be served within 24 hours after the time of the broadcasting.

(2) Petitions shall be served to:
1. the Central Election Committee, where the license of operators has national coverage;
2. the Constituency Election Committee at the principal office of business of the operator, where the latter has regional or local coverage.

(3) Where the petition has been served to a committee which is not competent on the issue, this committee shall refer it to the relevant committee forthwith and advise the petitioner thereof.

(4) The competent Constituency Election Committee shall examine the petition within 24 hours and issue a decision which will be final.

Article 71.
(1) The election campaign shall be financed through own resources of the independent candidates and the parties and coalitions, as well as through gifts donated by individuals and legal entities.

(2) The gifts under para 1 may not exceed BGL 10,000 per individual and BGL 30,000 per legal entity.

(3) The financing of the election campaign by legal entities in which the central government or municipal interest exceeds 50 per cent shall be prohibited.

(4) The financing of the election campaign by foreign individuals or legal entities or by joint ventures in which the foreign interest exceeds 25 per cent shall be prohibited.

Article 72.
The total financing under Art. 71, para 1 may not exceed:
1. BGL 1,000,000 for parties;
2. BGL 2,000,000 for coalitions;
3. BGL 200,000 for initiative committees.

Article 73.
Within a month after the election day, parties, coalitions and initiative committees shall report the funds raised and spent during the election campaign to the National Accounts Office.

CHAPTER 7

Article 74.
(1) The voting for parties and coalitions shall be performed with colour ballots in blue, red, green or orange or white ballots with up to three colour stripes, whereby the combination of the colours of the national flag or identical combinations of certain colours shall be prohibited.

(2) The ballot shall specify the number of the constituency, the name of the party of coalition, as well as the names of the persons on the election ticket. The names shall be arranged on the ticket and numbered successively.

(3) Parties or coalitions shall run the elections with colour ballots or white ballots with colour stripes in accordance with the registration with the Central Election Committee.

(4) Parties and coalitions shall be entitled to receive the same ballot which they used in previous elections.

(5) Where two or more parties apply for the same ballot, the latter shall be given to the party or coalition which has used such ballot on its own or in coalition in two or more parliamentary elections. Where all participants in a coalition that ran the previous parliamentary elections with a common ballot give their consent in writing with the ballot to be given to one of them, the ballot shall go to such participant. If there is no such party or coalition, the party or coalition with the earliest application shall be entitled to get the ballot.

(6) Where two or more parties or coalitions apply for the same ballot, the latter shall be given to the party or coalition which has used such ballot on its own or in coalition in more parliamentary elections. If they have run the same number of elections, the party or coalition with the earliest application shall be entitled to get the ballot.

Article 75.

(1) Independent candidates shall be voted for with white ballots. The ballots shall specify the number of the constituency, the words "independent candidate" and the name of the candidate.

(2) Where two or more candidates with the same name have been registered in the constituency, the ballot shall feature the words "independent candidate No. …". The District Election Committee shall determine the number by casting lots in the presence of the independent candidates or their canvassers.

Article 76.

(1) Parties and coalitions shall pay the production costs of the ballots they use to run the elections. The number of the ballots printed shall be equal to the number of voters in the country plus ten per cent.

(2) Initiative committees and independent candidates for Parliament shall pay the production costs of the ballots which the candidates use to run the elections, The number of ballot printed for each independent candidate shall be equal to the number of voters in the multi-seat constituency plus ten percent.

(3) The Council of Ministers shall announce the production costs of the ballots not later than 45 days prior to the election day.

(4) Parties and coalitions shall provide the Central Election Committee with a bank document on the transfer of the amount under para 1 to the account of the Council of Ministers not later than 31 days prior to the election day.

(5) Initiative committees or independent candidates shall provide the Constituency Election Committee with a bank document on the transfer of the amount under para 2 to the account of the Council of Ministers not later than 31 days prior to the election day. Constituency Committees shall advise the Central Election Committee of the transfer forthwith.

(6) Where a party or coalition fails to present a bank document on the transfer under para 4, the Central Election Committee shall cancel the registration and the election tickets registered thereof and advise all Constituency Election Committees forthwith.

(7) Where an initiative committee of an independent candidate it has nominated fails to present a bank document on the transfer under para 5, the Constituency Election Committee shall cancel the registration of the initiative committee and the independent candidate and advise the Central Election Committees forthwith.

Article 77.

(1) In the course of the voting process, ballots shall be put into opaque envelopes.

(2) The ballots of parties and coalitions and of independent candidates shall be of the same size.

Article 78.

(1) The voting shall take place by the election districts at special voting premises.

(2) Not later than 20 days prior to the election day, Mayors of municipalities shall send the list of addresses of election districts to the Constituency Election Committees.

Article 79.

(1) No canvassing materials of parties, coalitions and independent candidates may be placed on the voting premises or at a distance of less than 50 metres from the entrance of the building where the voting premises are located over the period from 24 hours prior to the election day to the end of voting.

(2) Where the District Election Committee finds out materials under para 1, it shall remove them immediately and, if needed, with the assistance of the Mayor or the Proxy Mayor and the bodies of the Ministry of the Interior.

Article 80.

(1) Prior to the election day, the District Election Committee shall receive from the municipal administration and the Constituency Election Committee:

1. ballot boxes;
2. voting ballots and envelopes;
3. election rolls;
4. forms of district records;
5. forms of transcripts and blueprints of district records;
6. other auxiliary and technical materials.

(2) The Chairperson of the District Election Committee and the Mayor of the municipality, ward or mayoralty and

an authorised representative of the Constituency Election Committee shall sign a statement of delivery of the papers and materials.

(3) The Chairperson of the District Election Committee shall become responsible for the keeping of the papers and materials after the statement of delivery is signed.

Article 81.

(1) Specimens of the voting ballots shall be placed in front of the voting premises.

(2) Voting booths shall be installed on the voting premises so that to ensure the secret ballot. Booths shall enable physically handicapped persons to vote.

(3) After the premises are prepared for the voting process, they shall be sealed with a paper strip bearing the signatures of the members of the District Election Committee present.

(4) Servicemen of the Ministry of the Interior shall guard the voting premises from the outside.

Article 82.

(1) The Chairperson of District Election Committee shall break the seal of the voting premises and open the election day at 6 a.m., where more than a half of the committee members are present. In the case of absence of quorum, the Constituency Election Committee shall be informed.

(2) Where a sufficient number of members of the District Election Committee fail to appear within an hour, the Constituency Election Committee shall involve the necessary number of alternate members.

(3) Where the Chairperson of the District Election Committee is absent, the Constituency Election Committee shall appoint the Deputy Chairperson as Chairperson and a member of the District Election Committee as a Deputy Chairperson. Where the Deputy Chairperson or the Secretary of the District Election Committee is absent, the Constituency Election Committee shall appoint a member of the District Election Committee as a Deputy Chairperson or a Secretary.

(4) Where the Chairperson, the Deputy Chairperson and the Secretary of the District Election Committee are absent, the Constituency Election Committee shall complete the membership of the District Election Committee and appoint a Chairperson, a Deputy Chairperson and a Secretary from among the members and the alternates.

(5) The Central Election Committee, at the proposal of the Constituency Election Committee, may allow the beginning of voting in some districts at 5 a.m.

Article 83.

(1) Candidates, canvassers, representatives of parties, coalitions and initiative committees, observers, journalists and voters may attend the opening of the election day on the voting premises.

(2) The Chairperson of the District Election Committee shall verify the availability of the papers and materials under Art. 80, para 1. The ballot box shall be checked whether it is in proper condition and whether it is empty. After the inspection, the box shall be closed and sealed with paper strips signed by the committee members present.

(3) The Chairperson shall announce the election day open.

Article 84.

(1) Canvassers, representatives of parties, coalitions and initiative committees, observers and journalists may attend the voting process on the voting premises.

(2) The committee members, canvassers and observers shall check from time to time the availability of sufficient number of ballots for each election ticket in the voting booths when there is no voter inside.

(3) The distribution of envelopes and ballots in advance shall be prohibited.

Article 85.

(1) Voters shall prove their identity with the identity card or personal (green) passport.

(2) Conscripts shall prove their identity with their military card.

(3) Voters abroad shall prove their identity with the (overseas) passport.

(4) Sailors on ships shall prove their identity with sailor's passports.

Article 86.

(1) The Chairperson or an authorised committee member shall compare the details in the identity document to the election roll and allow the voter to cast his or her vote.

(2) Where any discrepancy is observed between the personal identification numbers as indicated in the identity document and the election roll, the personal identification

number as indicated in the identity document shall be entered into the Notes column of the election roll.

(3) Holders of certificates for voting elsewhere shall submit the certificates to the Committee which shall check the details therein and attach them to the additional election roll. The certificates shall be integral parts of the roll.

Article 87.

(1) Voters shall receive an empty voting envelope from a member of the District Election Committee and go to the voting booth to vote. Only one voter may be in the booth at any time.

(2) Voter shall cast their votes by:

1. putting the selected election ticket into the envelope and closing it;
2. going out of the booth and dropping the envelope into the ballot box;
3. signing the election roll.

(3) Having cast their votes, voters shall get their identity documents back and leave the voting premises.

Article 88.

(1) Votes shall be cast personally.

(2) Where the voter is a physically handicapped person and is unable to perform the required voting actions on his or her own, the Chairperson of the Committee may allow an accompanying person designated by the voter to help the latter. Where the decision of the Chairperson is challenged by a member of the Committee, the dispute shall be finally resolved by the District Election Committee. In such cases, the Committee shall specify the name and personal identification number of the accompanying person in the Notes column of the election roll. Where the physical handicap prevents the voter from signing personally, a committee member shall write a cross in the signature column and specify the case in the records.

(3) No person shall be allowed to accompany more than two voters.

(4) No committee member may accompany a voter.

(5) No persons other than voters casting their vote shall be allowed to stay at a distance of less than three metres from the voting booths when a voter is inside.

(6) No voting outside the voting premises shall be allowed.

(7) Voters shall be prohibited to take envelopes and ballots outside.

(8) The taking of ballot boxes outside the voting premises during the voting process and the counting of votes shall be prohibited.

Article 89.

(1) Where the ballot box is filled with envelopes, its opening shall be sealed with a paper strip signed by the committee members so that to prevent the insertion of any further envelopes. The full box shall remain on the table.

(2) The Chairperson shall check whether the second box is in proper condition and whether it is empty. The box shall be closed and sealed with paper strips signed by the committee members present and the voting shall continue.

Article 90.

(1) Voters shall cast their votes until 7 p.m. Where voters who have not voted yet are still in front of the voting premises at 7 p.m., the voting process shall continue until they exercise their right to vote but not later than 8 p.m.

(2) The District Election Committee may interrupt the voting process where material breaches of the election process are observed. The voting process shall continue after their elimination. The decision on the interruption of the voting process shall be communicated immediately to the Central Election Committee through the Constituency Election Committee.

(3) If it is necessary to restore public order and at a decision of the District Election Committee, the Chairperson may seek the assistance of the Mayor or the Proxy Mayor and the bodies of the Ministry of the Interior.

(4) Persons whose behaviour infringes upon good morals or persons carrying objects threatening the life and health of citizens shall not be allowed to enter voting premises.

(5) No armed persons shall be allowed to enter the voting premises except for the cases under para 3.

CHAPTER 8

Article 91.

(1) Voters shall cast their votes until 7 p.m. Where voters who have not voted yet are still in front of the voting premises at 7 p.m., the voting process shall continue until they exercise their right to vote but not later than 8 p.m.

(2) The District Election Committee may interrupt the voting process where material breaches of the election process are observed. The voting process shall continue after their elimination. The decision on the interruption of the voting process shall be communicated immediately to the Central Election Committee through the Constituency Election Committee.

(3) If it is necessary to restore public order and at a decision of the District Election Committee, the Chairperson may seek the assistance of the Mayor or the Proxy Mayor and the bodies of the Ministry of the Interior.

(4) Persons whose behaviour infringes upon good morals or persons carrying objects threatening the life and health of citizens shall not be allowed to enter voting premises.

(5) No armed persons shall be allowed to enter the voting premises except for the cases under para 3.

Article 92.
The District Election Committee shall establish the results of the vote and reflect them into the district records.

Article 93.
The opening of the ballot boxes and the establishment of the results of the voting may be attended by candidates, canvassers, representatives of parties, coalitions and initiative committees, observers and journalists.

Article 94.
District records shall be drawn up in triplicate on three-layered carbon copy paper. Each counterpart shall include a sheet with separate pages. Before the records are filled in, a blueprint of identical form and contents shall be drawn up.

Article 95.
(1) District records shall be signed by all committee members after their drawing up. After the signing, the Chairperson shall announce the results of the voting.

(2) Any amendments to the records after their signing may be made prior to the announcement of the results of the voting. Amendments shall be countersigned by all committee members and the word "amendment" shall be written next to them. Obvious mistakes shall be subject to amendment after the results are announced as well.

(3) No committee member may refuse to sign the records. The refusal of a committee member to sign the records shall be specified therein. A member who disagrees with the contents of the records shall sign them with a dissenting opinion.

(4) Where objective obstacles prevent a committee member to sign the records, this is specified therein, together with the reasons.

(5) The failure of a committee member to sign the records shall not render the records invalid.

(6) A transcript from the records shall be put at a visible place in front of the voting premises.

(7) Candidates, canvassers, representatives of parties, coalitions and initiative committees and observers shall be enti sons present;

(8) The opening tled to receive transcripts from the records.

Article 96.
Before the ballot box is opened, the following data shall be entered into the records:

1. details of the election district, including the names of the committee members and the names of the other per hour of the election day and the closing of the voting process;
2. the number of votes on the main election roll;
3. the number of voters on the additional election roll;
4. the number of voters who have cast their votes in accordance with the number of signatures put on the election rolls;
5. the number of certificates for voting elsewhere.

Article 97.
(1) In the course of the establishment of the results of the voting:

1. one envelope shall correspond to one vote which may be valid or invalid;
2. the vote shall be valid only where the content of the envelope unambiguously expresses the will of the voter;
3. the number of voters who have cast their votes shall be equal to the number of envelopes found in the ballot boxes.

(2) An envelope containing one or more ballots of the approved format for the same election ticket shall correspond to one valid vote.

(3) The vote under para 2 shall be valid also in any of the following cases:

1. the envelope contains items which are not ballots of the approved format;

2. there are deviations in the ballots due to defects or mistakes in their production;
3. the ballots contain signs, words or names given in the voter's own hand or there are mechanical damages, stains or deletions.

(4) An envelope which does not contain ballots of the approved format or an envelope containing ballots of the approved format for different election tickers shall correspond to one invalid vote.

(5) Ballots found in the ballot boxes without envelopes shall not be counted in the establishment of the results of the election. These ballots shall be inscribed with the words "without any envelope" and packed separately.

Article 98.

(1) All items except for the blueprints shall be removed from the table before the opening of the ballot box.

(2) Only one member designated by the Committee shall have access to the envelopes and ballots under the monitoring and supervision of the other members.

(3) The ballot box shall be opened and the envelopes shall be taken out one by one, put with the front side down and counted.

(4) Where a second ballot box has been used in the voting process, it shall be opened after the envelopes from the first box are finished and the taking out and counting of envelopes shall continue.

(5) After the envelopes are counted, they shall be opened one by one and their contents shall be taken out.

(6) Envelopes and ballots shall be arranged in piles as follows:

1. a pile of envelopes which do not contain ballots of the approved format, including empty envelopes;
2. a pile of envelopes containing ballots of the approved format for different election tickets; these ballots are cancelled by writing the word "cancelled" thereon and put back into the envelope;
3. piles of ballots for election tickets from the envelopes under Art. 97, para 2; where the envelope contains two or more ballots of the approved format for the same election ticket, one of them is put on the pile of the respective ticket, while the other ballots are cancelled by writing the word "cancelled" thereon and put back into the envelope;
4. a pile of the envelopes under Art. 97, para 2.

(7) Where a dispute arises in connection with the content of an envelope, the case shall be described on the records.

Article 99.

(1) The District Election Committee shall count the number of votes cast in the election district.

(2) The number of votes for each election ticket shall be equal to the number of ballots in the respective pile under Art. 98, para 6, subpara 3.

(3) The number of invalid votes shall be equal to the sum total of the envelopes under Art. 98, para 6, subparas 1 and 2.

(4) The total number of valid votes shall be equal to the number under Art. 98, para 6, subpara 4.

Article 100.

The following details shall be entered consecutively into the records of the District Election Committee:

1. the number of envelopes found in the ballot boxes;
2. the votes cast for each election ticket;
3. the total number of valid votes;
4. the number of invalid votes;
5. the number of requests, objections and petitions and the decisions made thereon.

Article 101.

The counterparts of the records for the Constituency Election Committee and the Central Election Committee shall be delivered by the Chairperson or the Deputy Chairperson, the Secretary and a committee member to the Constituency Election Committee. The other papers and materials shall be delivered to the municipal administration.

Article 102.

(1) The Constituency Election Committee shall accept and verify the district records.

(2) Where the Constituency Election Committee finds out obvious mistakes in the district records, the latter shall be referred back to the District Election Committee for amendment.

(3) Upon accepting the district records, the Constituency Election Committee shall issue and sign a receipt specifying the numerical information in the records. The members of the District Election Committee shall put the receipt next to the transcripts from the district records.

Article 103.

(1) On the basis of the information from the district records, the Constituency Election Committee shall report

the results of the voting in the multi-seat constituency and drawn up the constituency records.

(2) Constituency records shall be drawn up in duplicate on two-layered carbon copy paper. Each counterpart shall include a sheet with separate pages. Before the constituency records are filled in, a blueprint of identical form and contents shall be drawn up.

(3) The votes from the vessels where election districts have been established shall be added to the voted in the multi-seat election constituency under Art. 42.

(4) The votes from abroad for the parties and coalitions and the independent candidates shall be added to the voted in the multi-seat election constituencies in accordance with the methodology set out in Art. 23, para 1, subpara 9.

Article 104.
(1) Constituency records shall be signed by all committee members.

(2) After the signing, the Chairperson shall announce the elected independent candidates and the results of the voting for the election tickets of parties and coalitions.

(3) Where obvious mistakes are found out, amendments may be made in the constituency records. Amendments shall be countersigned by all committee members and the word "amendment" shall be written next to them.

(4) No member of the Constituency Election Committee may refuse to sign the records. A member who disagrees with the contents of the records shall sign them with a dissenting opinion.

(5) Where objective obstacles prevent a committee member to sign the records, this is specified therein, together with the reasons.

(6) The failure of a committee member to sign the records shall not render the records invalid.

(7) A transcript from the records shall be put at a visible place in front of the buildings where the Constituency Election Committee is located.

(8) Candidates, canvassers, representatives of parties, coalitions and initiative committees and observers shall be entitled to receive transcripts from the constituency records.

Article 105.
Constituency Election Committees shall create data bases through computer processing of district records in the constituencies and the cabled records from abroad and the vessels sailing under the Bulgarian flag.

Article 106.
(1) The Chairperson or the Deputy Chairperson, the Secretary and a member of the Constituency Election Committee shall submit the first counterpart of the constituency records, the first counterparts of the district records and copies of the receipts under Art. 102, para 3 to the Central Election Committee not later than 48 hours after reception of district records.

(2) After verification of the papers under para 1, the Central Election Committee shall issue a receipt to the Constituency Election Committee.

(3) The papers and materials of the Constituency Election Committee, except for those to be submitted to the Central Election Committee, shall be delivered to the administration of the region where the Committee is located.

(4) Regional administrations shall keep the election papers and materials until the next elections.

(5) The election papers and materials from the voting abroad shall be submitted to the Central Election Committee, while those from the voting on vessels sailing under the Bulgarian flag shall be submitted to the municipality under Art. 42. These papers and materials shall be kept in pursuance of the provisions of para 4.

Article 107.
The Central Election Committee shall determine the total number of seats for each party and coalition in proportion to the valid votes cast for them in the whole country and abroad on the basis of the D'Ondt method, while observing the methodology under Art. 23, para 1, subpara 9.

Article 108.
(1) Only parties and coalitions which have carried at least four per cent of the valid votes in the whole country and abroad may participate in the allocation of seats at the nationwide level.

(2) The number of seats to be allocated among the parties and coalitions under para 1 shall be equal to the number of Members of Parliament minus the number of elected independent candidates.

Article 109.
The seats shall be allocated among the election tickets of parties and coalitions in the multi-seat constituencies, while observing the methodology under Art. 23, para 1, subpara 9.

Article 110.
(1) Where a candidate for Parliament nominated by a party or coalition has been elected in two multi-seat constituencies, such candidate shall state in writing before the Central Election Committee which ticket he or she would like to remain elected on within one day of becoming aware of this fact.

(2) In the cases under para 1, the Central Election Committee shall announce the first non-elected candidate on the ticket which the candidate for Parliament has abandoned to have been elected.

Article 111.
The Central Election Committee shall announce the results of the voting as follows:

1. the votes cast and the allocation of seats among parties, coalitions and independent candidates – not later than four days after the election day;
2. the names of the elected Members of Parliament – not later than seven days after the election day.

Article 112.
Candidates for Parliament and the central leaderships of the parties and coalitions which have run the elections may challenge the legitimacy of the election through the bodies under Art. 150, para 1 of the Constitution of the Republic of Bulgaria before the Constitutional Court within 14 days after the announcement of the results by the Central Election Committee.

Article 113.
(1) The Central Election Committee shall create a database through computer processing of constituency records and cabled records.

(2) The data in the database under para 1 shall be collated to the data bases of Constituency Election Committees. In the case of discrepancies or obvious mistakes, the Central Election Committee shall make a decision on each specific case and update the database.

(3) The results of the election on the basis of the proportional representation system shall be determined in accordance with the updated database.

(4) Where the discrepancies or mistakes under para 2 may change the result in the election of an independent candidate as Member of Parliament, the Central Election Committee shall communicate them to the candidates, parties and coalitions concerned.

(5) The bulletin of the Central Election Committee shall be published in accordance with the updated database.

(6) The updated database of the Central Election Committee on a magnetic carrier shall be submitted to the President of the Republic, the Council of Ministers, the parties, coalitions and independent candidates who have run the elections, sociological agencies, libraries, universities, the Bulgarian Academy of Sciences and other institutions.

(7) The database under para 6 may not be changed or distributed without the permission of the Central Election Committee.

CHAPTER 9

Article 114.
The early termination of powers of Members of parliament shall be carried out in pursuance of the provisions of Art. 72 of the Constitution of the Republic of Bulgaria.

Article 115.
(1) In the case of early termination of the powers of a Member of Parliament, the Central Election Committee shall announce the next candidate on the respective ticket as a Member of Parliament.

(2) A Member of Parliament elected as a Minister shall be replaced by the next candidate on the list during the time of performing the duties of a Minister.

(3) Where no more candidates have been registered on the election ticket or where the early termination of powers refers to a Member of Parliament elected as an independent candidate, the seat shall remain vacant until the end of the term of office of the National Assembly.

CHAPTER 10

Article 116.
(1) Whoever violates the provisions of this Act shall be punished with a fine ranging from BGL 50 to BGL 2,000 provided that the violation does not constitute an offence.

(2) Any official committing wilfully a violation under para 1 shall be punished with a fine ranging from BGL 500 to BGL 5,000.

Article 117.
The Chairpersons of the Central Election Committee and Constituency Election Committees shall draw up the statements of findings on the violations at a decision of the respective Committee within three days after reception of the report or petition on the violation.

Article 118.
Regional Governors at the place of commitment of the violation shall issue penalty statements within three days after reception of the file. Where the penalty instrument is issued against the Regional Governor, the penalty statement shall be issued by the Minister of Public Administration.

Article 119.
The establishment of violations, the drawing up of statements of findings and the issuance and attack of penalty statements shall comply with the requirements of the Administrative Violations and Penalties Act and the Supreme Administrative Court Act.

§ 1. Within the meaning of this Act:
1) "Identity document" means:
   a) identity card;
   b) personal (green) passport;
   c) military card of a conscript;
   d) (overseas) passport of a citizen staying abroad on the election day;
   e) sailor's passport of a citizen on a vessel sailing under the Bulgarian flag on the election day;
2) "Political forces" means parties and coalitions;
3) "Coalition" means an election coalition;
4) "Parliamentary parties and coalitions" means those parties and coalitions which carried at least four per cent of the valid votes at the nationwide level at the previous elections and have had sufficient number of Members of Parliament to have a parliamentary faction throughout the term of office of the previous National Assembly;
5) "Observers" means:
   a) representatives of foreign parliaments, the OSCE, foreign parties and movements, as well as persons designated by the parties and coalitions running the elections and invited through the Ministry of Foreign Affairs;
   b) authorised representatives of Bulgarian non-governmental organisations;
6) "Constituency quota" means the quotient of the division of the number of the valid votes cast in the multi-seat constituency by the number of seats allocated to the constituency; where the quotient is not a whole number, the constituency quota is the whole number nearest to that quotient.

§ 2. The Central Election Committee for the elections for the 39th National Assembly shall be the Central Local Election Committee.

§ 3. This Act hereby repeals:
1) The Election of Members of Parliament, Municipal Councillors and Mayors Act (Promulgated, SG, No. 69 of 1991; Amended, Nos. 70, 76 and 98 of 1991; partially repealed with the Local Elections Act, SG, No. 66 of 1995 concerning the election of municipal councillor and mayors, No. 22 of 1997 – Judgement No. 4 of the Constitutional Court of 1997; Amended, No. 24 of 2000);
2) The People's Representatives and People's Councillors Act (Promulgated, SG, No. 32 of 1977; Amended, No. 72 of 1981, Nos. 27 and 87 of 1986, No. 77 of 1991);
3) The Resolution of the Grand National Assembly dated 21 August 1991 on the Access to the National Media during Election Campaigns (SG, No. 71 of 1991);
4) Decree No. 1979 on the Storage of Election Materials (SG, No. 103 of 1976).

§ 4. The provisions of the Public Procurement Act (Promulgated, SG, No. 56 of 1999; Amended, Nos. 92 and 97 of 2000) concerning the time limits prescribed therein shall not apply to the competitive bidding for the computer processing of the results of the election and the production and printing of ballots.

§ 5. The following amendments shall be introduced to the Civil Registration Act (Promulgated, SG, No. 67 of 1999; Amended, No. 28 of 2001):
1) In Art. 95, para 1, the words "or the bodies under Art, 1, para 2 of the Bulgarian Identity Documents Act" shall be inserted after the words "the municipal administration";
2) Para 3 shall be inserted in Art. 114 with the following wording:
   "(3) The bodies under Art. 1, para 2 of the Bulgarian Identity Documents Act shall communicate the details of the stated permanent

addresses to the ESGRAON registration system within five days.";

3) A new § 6? shall be inserted with the following wording:
"§ 6. The address registration recorded in the personal (green) passport shall be deemed to be the permanent address of citizens who have not specified their permanent address under Art. 95."

§ 6. Prior to the registration of the election tickets with the Constituency Election Committees, the central leaderships of parties and coalitions may request the committees under Art. 4, para 1 and Arty. 4d of the Access Act to the Documents of the Former State Security Service and the Former Intelligence Service of the General Staff to check the persons who have given their consent in writing to be nominated on their election tickets. The check shall be conducted within seven days of the request.

§ 7. This Act shall become effective as from its promulgation in The State Gazette.

This Act was adopted by the 38th National Assembly on 9 April 2001 and the official seal of the National Assembly was affixed hereto.

President of the National Assembly:

Yordan Sokolo

PRESIDENTIAL ELECTIONS ACT
PROMULGATED STATE GAZETTE No 82/04.10.1991;

Amended SG No. 98/1991, 44/1996, 59/1998

Article 1
This Act defines the procedure whereby the President and the Vice President of the Republic shall be elected.

Article 2
(1) The elections of President and Vice President shall be conducted simultaneously and throughout the country on the same non-workday.

(2) The President and the Vice President shall be elected on the same list of candidates.

Article 2 (a)
The organization and technical preparation of the elections shall be carried out by the Council of Ministers, the District Governors and the mayors.

Article 3
(1) Candidates for President and Vice President may be nominated by the political parties and party coalitions through the persons representing them, or by no fewer than 15,000 voters through an nomination committee.

(2) To be eligible to nominate candidates for President and Vice President, a party or party coalition must meet the requirements of the Political Parties Act, the requirements of the present Act and of the Election of Members of National Assembly, Municipal Councillors and Mayors Act.

(3) To nominate candidates for President and Vice President, voters must form a nomination committee of 5 to 7 voters, which shall register with the Central Elections Commission.

Article 4
Candidates for President and Vice President must meet the requirements of Articles 93 to 95 of the Constitution of the Republic of Bulgaria.

Article 5
No later than fifty days before election day, the National Assembly shall elect a 21-member Central Elections Commission to conduct the presidential elections. The membership and the leadership of the Central Elections Commission shall reflect the basic ratio of parties and coalitions represented in the National Assembly.

Article 6
(1) The candidates for President and Vice President shall be entered by the Central Elections Commission in a special register upon presentation of the following documents:

1. Nomination by the national leadership of the respective party or party coalition, which shall set forth the candidate's full name, date of birth, residence and address, or by the nomination committee of voters with the candidate's full name, date of birth, residence and address, and an enclosed list of names, addresses, IDs and signatures of no fewer than 15,000 voters;
2. Affidavit to the effect that the candidate has resided in the country for the past five years;
3. The candidate's statement of acceptance regarding the nomination;
4. Bank document for deposit paid pursuant to Article 6a.

(2) Candidates for President and Vice President shall be registered no later than thirty-five days before election day.

(3) The Central Elections Commission shall register the candidates of parties, party coalitions and nomination committees, as well as the number of the ballot-paper for the respective list of candidates. Ballot- papers shall be white.

(4) The number of the ballot-paper of the individual lists shall be determined by the Central Elections Committee by means of drawing lots, after their registration.

(5) The documents submitted pursuant to paragraph (1) shall be filed by sequence numbers. The sequence of submission shall determine the sequence of entry in the register of the Central Elections Commission.

Article 6 (a)
(1) Upon putting forward a nomination for President and Vice President the parties, political coalitions and the nomination committees shall deposit to an account with the Bulgarian National Bank election non-interest-bearing deposit to the amount of 250,000 Leva.

(2) After announcement of the final election results by decision of the Central Elections Commission the deposits shall be reimbursed to the political parties, party coalitions and nomination committees the candidates of which have received not less than 1 percent of the valid votes.

Article 7

(1) In cases of inconsistency with the requirements of the Constitution and of this Act, the Central Elections Commission shall issue a substantiated refusal to register the candidate. The nominating body shall be notified forthwith of such refusal.

(2) The nominating body concerned shall be free to appeal before the Supreme Court against such refusal of the Central Elections Commission as under the foregoing Paragraph 1 within three days of receiving notice thereof. The Supreme Court shall issue a final ruling within three days.

Article 8

No later than twenty-five days before election day, the Central Elections Commission shall publish the lists of candidates with their full names, dates of birth, and residence, and the nominating party, party coalition or nomination committee in State Gazette.

Article 9

Voting shall be effected by white ballot-papers in conformity with a sample approved by the Central Elections Commission. A ballot-paper shall set forth:

1. The number of the ballot-paper determined by the Central Elections Commission by means of drawing lots;
2. The name of the political party or party coalition, or the inscription "инициативен комитет" [nomination committee], which have registered the respective list;
3. The full names of the candidates for President and Vice President.

Article 10

The election campaign shall open on the date that the names of the candidates shall be published in State Gazette and shall close twenty-four hours before election day.

Article 10 (a)

The elections for President and Vice President shall be conducted on the basis of voter registries.

Article 10 (b)

(1) Voter registries shall be compiled by the municipal administrations at the municipalities or mayor offices where population registrars are kept, they shall be printed on the grounds of centralized data bases and signed by the mayor and the secretary of the municipality, and respectively by the mayor and if an appointed secretary exists - by him.

(2) The lists of army conscripts shall be compiled at the respective military unit under the supervision of the commander who shall sign and send them to the municipal administration or mayor office on whose territory the military unit is located no later than thirty-five days before election day.

(3) Generals (admirals), officers, NCOs and hired civilian employees of the Armed Forces of the Republic of Bulgaria shall be entered into the voter registries at the place of their residence according to their address registration as per the election day.

(4) Bulgarian citizens with permanent or temporary residence abroad shall be entered in voter registries compiled by the diplomatic and consular missions of the Republic of Bulgaria, after they have stated their desire to take part in the elections by statement in writing containing the following data: full name, place and date of birth, ID number, series and number of passport for travel abroad. The voters may cast their vote after presentation of passport for travel abroad.

Article 10 (c)

(1) Voter registries shall be compiled for each voting section separately.

(2) The voter registries shall include the names of the voters who have address registration on the territory of the respective municipality or mayoralty at least two months prior to the elections day. Voters who have changed their address registration after the abovesaid term shall be entered in the voter registry at their former address registration. Entered shall be also the names of citizens who are franchised as on the election day.

(3) A voter registry shall list in alphabetical order the three names, address and Unique Citizens Code Number (ID number) of each voter. Should in the course of the last six months prior to the elections day changes occur in the name of the settlement, the street, the quarter, the housing complex or in their numbers, the voter registry shall also list their former names or numbers.

(4) Each voter shall be entered into only one voter registry.

(5) The names of persons who by election day have been disfranchised or have deceased shall be deleted from the voter registries.

Article 10 (d)

(1) A voter changing his or her place of residence for more than ten days during the period from making the registry public to election day, may request the municipal administration or mayor office where he or she has been entered into the voter registry to be issued a licence to vote elswhere. Licences for voting elsewhere shall be signed by the mayor or an official authorized thereby.

(2) A voter who has received a licence to vote elsewhere shall be deleted from the registry where he or she has been originally entered and shall be entered by the Sectional Elections Commission at the place of the temporary sojourn on election day into a separate list signed by the chairman and the secretary of the Commission. The entry shall be effected on the basis of the licence to vote elsewhere and personal passport for this country, and for army conscripts - of military ID book.

(3) Licences to vote elsewhere may not be issued on election day.

(4) Municipal administrations and mayor offices shall keep a special register of the licences issued. Recipients of such licences shall depose an affidavit that they shall vote at only one place.

Article 10 (e)

(1) Registries of voters shall be made public by municipal administrations and mayor offices at least thirty days prior to election day.

(2) Municipal administrations or mayor offices shall submit copies of the prepared voter registries at the request of political parties or nomination committees, having nominated President and Vice President against payment.

Article 10 (f)

(1) Any voter may request an amendment or adjustment of the voter registry through entry or deletion of a voter, or elimination of other mistakes or omissions in the list of voters.

(2) The request as per paragraph (1) shall be submitted in writing to the mayor or a person authorized thereby not later than 7 days before the elections day. The mayor or the person authorized thereby shall consider the request within 2 days and take a substantiated decision which shall be notified forthwith to the applicant and also notified at a public place.

(3) Within three days of the decision or upon the expiry of the term as per paragraph (2), any interested person may appeal the decision before the district court of law. The court shall consier the appeal at an open sitting within 2 days of receipt thereof and shall summon the claimant, the mayor or a person authorized thereby, and shall issue a ruling to be announced immediately. The ruling of the court shall be final.

(4) The adjustments and amendments to the registries of voters shall be subject to immediate announcement.

Article 10 (g)

The originals of the voter registries and the other election papers shall be kept by the municipal administration until the next elections.

Article 10 (h)

Voter registries in hospitals, maternity wards, sanatoria, rest and recreation facilities, homes for aged persons and others, as well as on board of vessels sailing under the Bulgarian flag shall be compiled by the head of the respective facility or the captain of the vessel on the basis of identity documents (passports). The head of the facility or the captain of the vessel shall notify the municipal administration or mayor office of their permanent places of residence about the entry into the registry there in order to delete them from the respective registries at the places of their permanent residence. New arrivals at such institutions on election day shall not be entered in their voter registry and shall not vote.

Article 10 (k)

(1) One election section shall include up to 1,000 citizens. In settlements with more than 1,000 citizens shall be formed as many sections as the times the number of 1,000 is contained in the number of citizens. Where the remaining number exceeds or equals 500 citizens a separate section shall be formed, and where the remaining number is less than 500 citizens the voters shall be distributed to the neighbouring sections.

(2) As an exception the mayors of municipalities may, by proposal of the regional elections commissions, form election sections with less than 500 citizens, but not less than 30 voters.

Article 10 (l)

(1) For the purpose of holding elections the following shall be formed:

1. Central Elections Commission;
2. Regional elections commissions;
3. Section elections commissions.

(2) Persons included as members of the elections commissions shall be relieved of their official duties for the time necessary for work at the respective commissions. They shall be entitled to unpaid official leave for such period of time, which shall be recognized as length of service in their specialty with the same employer, or should they request so - they may use their due annual paid leave. The remuneration of members of the Central Elections Commission shall be determined by the National Assembly, and that of members of other elections commissions - by the Central Elections Commission.

(3) Regional elections commissions shall be appointed by the Central Elections Commission not later than 45 days prior to the elections day, by proposal of district governors and in consulation with representatives for the respective election region, authorized by the national leaderships of political parties and coalitions represented in the National Assembly, which have registered lists of candidates for President and Vice President. Where no agreement has been reached the district governors shall propose to the Central Elections Commission membership of the regional elections commissions in compliance with the representation of the political parties and coalitions in the National Assembly.

(4) Section elections commissions shall be appointed not later than 35 days prior to the election day, by proposal of mayors of municipalities in consultation with the local leaderships of political parties and coalitions represented in the National Assembly. Where no agreement has been reached, mayors of municipalities shall propose to regional elections commissions membership of the section elections commissions in compliance with the representation of political parties and coalitions in the National Assembly.

(5) By proposal of the representatives of the political parties and coalitions under paragraphs (3) and (4) as members of the regional and section elections commissions may also be nominated representatives of extra-Parliamentary political parties and coalitions, as well as non-party members.

Article 10 (m)

(1) A regional elections commission shall comprise a Chairman, two Deputy Chairmen, a secretary and 3 to 7 members. The majority of the members of the regional elections commission should be lawyers, if possible.

(2) A section elections commission shall comprise a Chairman, Deputy Chairman, a secretary and up to 4 members.

(3) In the course of determining the membership and leadership of regional and section elections commissions the basic ratio shall be retained as between political parties and coalitions represented in the National Assembly.

Article 10 (n)

(1) The Central Elections Commission shall:

1. supervise the implementation of this Act, and shall exercise methodological management of the operations of regional and section elections commissions, and shall consider appeals against acts and actions of regional elections commissions. It shall announce final decisions thereon within 3 days and notify such decisions;
2. set forth the terms and procedures for participation in the elections of observers from this country and from abroad, and shall provide them with the respective document;
3. set forth by decision the terms and conditions for conducting election campaign in the national and local mass media;
4. supervise the conducting of the election campaign in the national mass media;
5. register observers of the candidates for President and Vice President and issue certificates thereto according to an established specimen;
6. assign by competitive tender the computer processing of data from the elections and the issue of bulletin with elections results;
7. determine the number of ballot-papers by drawing lots.

(2) (Amended, SG No 59/1998) Decisions of the Central Elections Commission shall be subject to appeal before the Supreme Administrative Court within 3 days following their notification. The Court shall consider the appeal within 3 days of the receipt thereof at an open sitting, and shall summon the appellant, the Central Elections Committee and the parties concerned. The decision of the court shall be final.

(3) The regional elections commissions:

1. supervise the implementation of this Act on the territory of the election region and exercise control over actions of their section elections commissions, as well as over the timely and proper formation of election sections;
2. supervise the timely compilation and announcement of voter registries, as well as the issue of licences for voting elsewhere;
3. consider appeals against decisions and actions of the section elections commissions and announce their decisions within 3 days time period;
4. submit to the Central Elections Commission the protocols from section elections commissions;
5. control the conduct of the election campaign in local mass media.

(4) Decisions of the regional elections commissions shall be subject to appeal before the Central Elections Commission within 3 days of the announcement thereof. The Central Elections Commission shall consider the appeal within 3 days of its receipt and make decision, which shall be final and notified forthwith.

(5) Section elections commissions:
1. prepare, organize and ensure the free and peaceful voting at election sections;
2. count the ballot-papers, prepare in compliance with a specimen the protocols for voting results and submit them to the respective regional elections commission within 24 hours following the completion of voting;
3. consider appeals and decide on them forthwith.

(6) On elections day the instructions of the Chairman of the section elections commission shall be mandatory for all persons within the elections premises. These instructions may be repealed by decision of the section elections committee.

(7) The protocols of the respective election commission shall be signed by all members of the commission on each and every page. Any member of the commission who does not agree with the contents of the protocol shall sign it by stating dissenting opinion which shall be entered in the protocol. Where for some objective reasons a member of the commission is prevented from signing the protocol, that should be explicitly indicated together with the reasons thereof. The failure of a member of the commission to sign the protocol for some personal, political or other reasons shall not invalidate it.

Article 11

Throughout the election campaign, candidates shall receive equal coverage in the news programmes of the national mass media.

Article 11 (a)

(1) The election campaign shall start and end with adresses of the candidates for President and Vice President broadcasted by the Bulgarian National Television and the Bulgarian National Radio, whereas the sequence of adresses shall be determined by drawing lots according to procedure specified by the Central Elections Commission.

(2) The Bulgarian National Television and the Bulgarian National Radio shall prepare blocks of speeches of not less than two but not more than six pairs of candidates per day. The candidates on the lists for President and Vice President shall have seven minutes for their addresses at the start of the campaign and five minutes at the end of the campaign.

(3) The Bulgarian National Television and the Bulgarian National Radio shall provide for disputes television and radio broadcast time of 120 minutes once per week. The topics for disputes shall be specified in consultation between the observers of the lists of candidates for President and Vice President registered for participation in the elections by the political parties and coalitions represented in the National Assembly. The consultations shall be organized by the General Directors of the Bulgarian National Television and the Bulgarian National Radio.

(4) Half of the time for disputes under paragraph (3) shall be distributed between the lists for President and Vice President registered by the political parties and coalitions represented in the National Assembly, pro rata to their representation. The other half of the time under paragraph (3) shall be distributed in equal parts to the lists for President and Vice President registered by political parties and coalitions which are not represented in the National Assembly or by nomination committees, but not more than five minutes per list of candidates.

(5) The order of presentation in the disputes broadcasted by the Bulgarian National Television and the Bulgarian National Radio shall be set by drawing lots.

(6) The teams and the conditions for realization of the disputes shall be determined jointly by the General Directors of the Bulgarian National Television and the Bulgarian National Radio and the observers for the lists of

candidates for President and Vice President registered for participation in the elections.

(7) The regional television centers, the regional radio stations, the municipal and local radio broadcasting units shall provide up to two hours of television and radio broadcasting time per week for pre-election broadcasts.

(8) The Bulgarian National Television and the Bulgarian National Radio, the regional television and radio centers and the private television and radio stations shall include in their information broadcasts reports about processions, meetings, concerts and other events organized by parties, coalitions and independent candidates, in compliance with the principle of equality in respect of duration, time and variable sequence of broadcasts.

Article 11 (b)

(1) The regional television centers, the regional radio stations, the local and municipal radio broadcasting units shall provide up to two hours television and radio broadcasting time for disputes.

(2) The topics for the disputes, the order for their realization and the participation of the candidates shall be set according to the provisions of Article 11a.

(3) Entitled to participation in television and radio disputes shall be the candidates for President, Vice President and their observers, within the time period they are entitled to.

Article 11 (c)

(1) In case a second round of elections is to be held, the candidates shall be entitled to make addresses by broadcasts of the Bulgarian National Television and the Bulgarian National Radio on the last day of the election campaign between the two rounds, within a time limit of 10 minutes, whereas the sequence of addresses shall be determined by drawing lots by procedure set forth by the Central Elections Commission.

(2) By mutual agreement throughout the period between the two rounds, within the specified broadcast time by the Bulgarian National Television and the Bulgarian National Radio, the candidates may hold disputes of duration up to 90 minutes. The topic of the dispute and the order of its realization shall be pursuant to the provisions of Article 11a.

(3) The events under paragraphs (1) and (2) shall not be paid by the candidates.

Article 11 (d)

(1) The participation in the pre-election disputes on the Bulgarian National Television and the Bulgarian National Radio shall be paid prior to broadcasting and according to tariffs specified by the Council of Ministers.

(2) The addresses of the candidates shall be free of charge.

(3) The television and radio stations and the cable television operators owned by natural and legal persons may provide broadcast time for the election campaign of the candidates at equal prices announced in advance.

(4) Foreign radio stations broadcating from the territory of the Republic of Bulgaria shall not provide broadcasting time for election campaign.

Article 11 (e)

(1) In case of violations of the order for conducting the election campaign by the Bulgarian National Television and the Bulgarian National Radio the candidates concerned may file claims with the Central Elections Commission. The claims shall be considered provided they have been submitted within 24 hours of the respective broadcast.

(2) In case of violations of the order for conducting the election campaign by the regional television centers, radio stations, municipal and local radio units, the candidates concerned may file claims with the regional election commission. The claims shall be considered provided they have been submitted within 24 hours of the respective broadcast.

(3) Decisions of the election commissions in respect of paragraphs (1) and (2) shall be mandatory for the mass media.

Article 11 (f)

(1) For the purpose of holding elections for President and Vice Pesident the territory of this country shall be divided into 31 election regions, coinciding with the election regions for the last elections of people's deputies.

(2) The voting and calculation of votes shall be effected by election sections to be formed by order of the mayor of the respective municipality not later than 45 days prior to the election day.

(3) The regional elections commissions shall set the numbers of election sections in compliance with the uniform numbers of sections determined by decision of

the Central Elections Commission not later than 30 days prior to the elections day.

(4) The election sections at diplomatic and consular missions of the Republic of Bulgaria shall be formed by the heads thereof not later than 14 days prior to the elections day, provided at least 30 voters have stated their desire to take part in the elections pursuant to Article 10b, paragraph (4).

Article 12

(1) The total amount used to finance the election campaign of each list of candidates may not exceed 2,000,000 levs.

(2) Candidates for President and Vice President shall be free to receive campaign contributions of up to 50,000 levs each. No foreign State, nor any foreign natural or corporate person, nor any state-owned enterprise or joint venture shall finance a candidate's election campaign.

(3) Some 50 percent of the funds provided by the budget for financing the election campaign shall be allocated in equal parts among the candidates of parties and coalitions which are represented in the National Assembly and have nominated their own candidates or joint candidates with another political party or coalition. The candidates nominated by parties, coalitions and nomination committees may receive short-term interest-free loans from the remaining funds of the budget allocated for financing of the election campaign. The amounts shall be provided upon presentation of bank guarantee. The candidates for President and Vice President who have obtained less than 1 percent of the valid votes in the elections shall reimburse the amounts received. The procedure for providing and reimbursement of funds shall be specified by the Council of Ministers.

Article 13

Should a registered candidate be incapacitated by death or grave illness, he may be replaced by another candidate not later than 7 days before election day. Articles 3 to 7 shall apply accordingly.

Article 14

The act of voting shall be recorded in the voter's passport with the text "Voted for President" and the date of election day.

Article 15

(1) The results of the first round of balloting shall be announced by the Central Elections Commission immediately after their determination and no later than forty-eight hours after the election day has been declared closed.

(2) If none of the candidates succeed in gaining a victory, the Central Elections Commission shall announce the two leading candidates from the lists which have won the highest number of votes and shall hold a second round of the elections within the time provided by Article 93, Paragraph (4) of the Constitution.

(3) The election campaign pursuant to the foregoing Paragraph (2) shall open upon the announcement of the candidates and shall close twenty-four hours before the day of the second round.

Article 16

(1) Should any of the leading candidates decline to enter the second round, the latter shall be contested by the candidates from the runner-up list established by the Central Elections Commission.

(2) Should any of the leading candidates be incapacitated by death or grave illness, the Central Elections Commission shall postpone the election and shall set a new date 14 days after the original date set for the second round. The national leadership of the respective party or party coalition shall be free to register a new candidate pursuant to the procedure under Article 3 hereof within three days from the ruling of the Central Elections Commission.

Article 17

(1) The final results of the election for President and Vice President shall be announced by the Central Elections Commission within three days as of the date of the second round and shall be proclaimed in State Gazette within seven days as of the same.

(2) The results shall be announced by lists for all of the candidates. In the case of a second round election, the results of the first round of balloting shall be announced as well.

Article 18

The President and the Vice President elect shall be sworn in pursuant to Article 76, Paragraph (2) of the Constitution of the Republic of Bulgaria three days prior to the expiry of the mandate of the acting President and Vice President. They shall take office on the day of expiry of the mandate of the acting President and Vice President.

Article 18 (a)
(1) Persons who violate the established order for conducting the election campaign shall be penalized by fine of 10,000 to 100,000 Leva.

(2) Persons who violate the provisions of this Act on financing the election campaign and the accounting of funds shall be penalized by fine of 50,000 to 100,000 Leva.

Article 18 (b)
The acts for ascertainment of administrative violations shall be prepared by the mayors or the chairmen of election commissions.

Article 18 (c)
(1) The penal rulings shall be issued by the district governors.

(2) The penal rulings on acts for ascertainment of violations in conducting the election campaign in the Bulgarian National Television, the Bulgarian National Radio, as well as on acts for ascertained violations in respect of Article 19, shall be issued by the Sofia district governor.

(3) The ascertainment of violations, the elaboration of acts, the issuing and appealing of penal rulings shall be pursuant to the terms and procedure of the Administrative Violations and Penalties Act.

Article 19
Within a month as of the date of the election, all the candidates for President and Vice President shall make a statement before the National Assembly of the sources of finance and the expenses for their election campaign.

§ 1. The samples of documents and ballot papers required for the holding of elections under this Act shall be approved by the Central Elections Commission on proposal by of the Council of Ministers, and shall be promulgated in the State Gazette.

§ 2. The relevant provisions of the Election of Members of National Assembly, Municipal Councillors and Mayors Act shall apply to any matter not settled by this Act.

§ 3. This Act is hereby referred for enforcement to the Council of Ministers and to the Central Elections Commission for the Presidential Elections.

This Act was submitted to a vote and duly adopted by the Grand National Assembly on September 17, 1991, and the State Seal was affixed hereto.

Acting Chairman of the Grand National Assembly: Ivan Gloushkov

Note: The amendments and adjustments have been introduced with the Amendment Act to the Presidential Elections Act (SG No 82/1991) which was submitted to a vote and duly adopted by the 36th National Assembly on November 27th, 1991, and the State Seal was affixed hereto, and the Amendment Act to the Presidential Elections Act (SG No 44/1996) which was submitted to a vote and duly adopted by the 37th National Assembly on May 9th, 1996, and the State Seal was affixed hereto.

CZECH REPUBLIC

ACT NO 247 ON ELECTIONS TO THE PARLIAMENT OF THE CZECH REPUBLIC AND ON AMENDMENTS OF CERTAIN OTHER ACTS

PART ONE: ELECTIONS TO THE PARLIAMENT OF THE CZECH REPUBLIC

Chapter 1. General Provisions

Article 1.

(1) Elections to the Parliament of the Czech Republic shall be held by secret ballot, based on a universal, equal, and direct right to vote. The Chamber of Delegates of the Czech Republic shall be elected on the principle of proportional representation. The Senate of the Czech Republic shall be elected on the principle of majority vote.

(2) Each and every citizen of the Czech Republic (hereinafter "Citizen") who has attained the age of eighteen years no later than on the second day of the elections shall qualify to vote.

Article 2.

Citizen shall be prevented from exercising his/her right to vote if:

a) his/her personal liberty is restricted by law on the grounds of public health.[1])
b) he/she is incapacitated for the performance of all legal acts.[2])

Article 3. Electoral Wards

Votes for members of Parliament of the Czech Republic shall be cast within existing electoral wards as established in accordance with a separate Act.[3])

Article 4.

Voters shall be registered in permanent registers of voters (hereinafter "Permanent Electoral Roll"), or, as the case may be, in specific registers of voters unable to vote locally (hereinafter "Register of Persons Unable to Vote Locally"). No voter shall be on more than one of the above registers.

Article 5 Permanent Electoral Roll

The Permanent Electoral Roll shall be kept in accordance with a separate Act.[4])

Article 6. Register of Persons Unable to Vote Locally [*note of the translator*]

(1) The Register of Persons Unable to Vote Locally shall be kept by each municipality - [the country's smallest geo-political unit and the most basic form of local government, which in may correspond to the country's administrative subdivisions, and the authorities of which may be empowered to exercise powers of the State administration if so stipulated by law]. In the country's capital, Prague, and in certain statutory towns, that are divided into geo-political/administrative subdivisions, such as municipal districts, [neighbourhoods,] and/or municipal parts [which are part of the municipality and may assume its functions, and in some cases cover the area of an administrative district], the Register of Persons Unable to Vote Locally shall be kept by each relevant municipal district, [neighbourhood,] or municipal part (hereinafter "Municipality"). In the Register of Persons Unable to Vote Locally, Municipalities shall list voters whose place of permanent residence is outside their jurisdiction [5]), and who:

a) are not permanently residing within the Czech Republic;
b) are doing a compulsory military service or some alternative civilian service within the area of their jurisdiction;
c) are staying in the local hospital, maternity home, sanatorium, residential-home, rest home, or any other facility or establishment of a similar character operating and located in the respective local area;
d) have been taken into custody by the police, and committed to a detention centre/prison situated in the respective local area;
e) vote in the respective area thanks to a non-local voting permit entitling them to do so (see Article 30, Paragraph 2 below).

(2) Into the Register of Persons Unable to Vote Locally, local authorities [in villages], municipal authorities [in towns and statutory towns], municipal district authorities in Prague municipal districts or neighbourhood authorities in Prague neighbourhoods, municipal district/part authorities in statutory towns divided into geo-political

[1] Article 5, Paragraph 2, Letter (b), and Article 9, Paragraph 4, etter (a) of Act No. 20/1966 Sb., on the Protection of the Public Health, in he reading of Act of the Czech National Council No. 548/1991 Sb.
[2] Article 10, and Article 855 of the Civil Code.
[3] Article 8 of Act No. 152/1994 Sb., on Elections to Local Authority Councils and Boards, and on Amendments to Certain Other Acts.
[4] Article 10, and Article 11 of Act No. 152/1994 Sb.
[5] Act No. 135/1982 Sb., on Reporting and Registering the Citizens' Address.

subdivisions (hereinafter "Local Authorities") shall list the voters as specified in the above-mentioned Paragraph 1, Letter (b) based on information provided by the chief officer in command of the relevant military unit, and voters as specified in the above-mentioned Paragraph 1, Letters (c) and (d) based on information provided by the administration of the respective institution, establishment or facility. Such information shall be passed onto the Local Authorities no later than seven days prior to the beginning of polling, and shall be updated if and when necessary.

(3) The chief officer in command of the relevant military unit, and the administration of the respective institution, facility, or establishment, working with Local Authorities that are in charge of keeping the local Register of Persons Unable to Vote Locally, shall send the Local Authorities in the Municipality where the voter in question has been entered on the Permanent Electoral Roll information, confirming that the said voter has been reported for entry into the Register of Persons Unable to Vote Locally.

Article 7. [*note of the translator*]

(1) The Central Election Board shall be in charge of conducting elections to the Parliament of the Czech Republic.

(2) For the purpose of elections to the Chamber of Delegates (a) regional election boards shall be established [in the constituencies - namely,] in each electoral region while the country' capital, Prague, shall be considered to be a separate electoral region; (b) district election boards shall be established [within district electoral areas - namely,] in each country's administrative district and in each of Prague polling districts, the specifically defined boundaries of which shall be delineated by Annex 1 which shall be integral part of this Act.

(3) For the purpose of elections to the Senate, divisional election boards shall be established [in the constituencies - namely] in each electoral division.

(4) Ward election boards shall be established in electoral wards.

Article 8.

(1) Every voter may become a member of an election board unless the said voter has been denied the right to vote. No candidate for a seat in the Parliament of the Czech Republic shall be a member of an election board.

(2) Regional, district, divisional, and ward election boards shall consist of representatives delegated by a political party, political movement (hereinafter "Political Party"), and their coalition, each submitting a separate list of their candidates for registration to stand for election to the Chamber of Delegates, or each applying separately for the registration of their candidate to stand for election to the Senate. Should a list of candidates be submitted, or should the registration of a candidatebe applied for by more Political Parties joined in a coalition, the right to delegate election board members and their stand-ins shall belong to the joint coalition, and not to the individual Political Parties of which the said coalition consists. Names and surnames of the party/coalition representatives and their stand-ins, along with their full addresses shall be communicated by the Political Parties or the coalitions to the person calling the election board to its first session. Should a list of candidates be rejected by a regional election board or the Central Election Board, or should a Political Party or a coalition retract from its list of candidates, the representation of the said Political Party or coalition on any election board shall cease to exist. Should a divisional election board or the Central Election Board reject an application for registration of a candidate, or should such an application be retracted by a Political Party or coalition, the representation of the said Political Party or coalition on any election board shall cease to exist. Should a member of an election board fall ill, have more urgent commitments, or should a member's office become vacant, the chairman of the respective election board shall summon the first stand-in as delegated by the Political Party or coalition whose representatives is being replaced. The stand-in shall become a member of the election board upon taking an oath (see below, Paragraph 3 of this Article). Upon the stand-in's becoming a regular member of the election board, the membership of the representative first in office shall cease to exist.

(3) Members of election boards shall assume their office upon taking an oath. The oath of a member of an election board shall be as follows: "I swear on my honour to perform the rights and duties of my office in an unbiased and assiduous manner, observing the Constitution, laws and other legal statutes of the Czech Republic." A member of an election board shall be considered to have taken the oath upon signing the oath in writing.

Article 9.

(1) An election board shall form a quorum when fifty per cent or more of its members are present. The passing of a resolution shall require the consent of an absolute majority of the members present. In case of parity of votes, a proposal shall be deemed to be rejected.

(2) At its first session, the Central Election Board, and regional, district, divisional, and ward election boards shall choose their chairman and vice-chairman from among their members by drawing lots. The chairman and the vice-chairman of an election board shall not be representatives of the same Political Party or coalition. The drawing of lots shall be conducted by the secretary of the election board in question.

(3) Should the chairman of an election board retire from office, lots shall be drawn to choose a replacement. In such cases, the vice-chairman of the election board shall not be eligible to be selected as chairman. Should the vice-chairman of an election board retire from office, the above procedure shall also apply.

Article 10.

(1) The secretary of the Central Election Board shall be appointed and/or recalled by the Government. Secretaries of regional and divisional election boards shall be appointed and/or recalled by the Minister of the Interior. Secretaries of district election boards shall be appointed and/or recalled by the head of the respective district State administration office, however, in Prague and in the cities of Brno, Ostrava, and Plzeå, secretaries of district election boards shall be appointed and/or recalled by the mayor of each city. Secretaries of ward election boards shall be appointed and/or recalled by the chairman of the local council or the mayor of the respective Municipality; in Prague, and in certain statutory towns divided into geo-political subdivisions, secretaries of ward election boards shall be appointed and/or recalled by the chairman of the local council of the municipal district or municipal part in question (hereinafter "Mayor"). Secretaries shall be appointed no later than twenty days prior to the day on which the election boards shall have been incorporated pursuant to this Act.

(2) A secretary shall be a member of the election board who shall have a voice, but not a vote on the board, and who may submit proposals to the election board. Secretaries shall take an, the wording and procedure of administration of which have been specified in Article 8, Paragraph 3 abovementioned.

(3) Should a secretary cease to perform the rights and duties of his/her office, a new secretary shall be appointed to the election board no later than two days hereafter.

Article 11.

For the purpose of vote computations, the Central Election Board, and regional, district, divisional, and ward election boards shall set up a special body, a counting team, consisting of vote counters and analysts, that shall be manned by specialists assigned to this task by the Czech Bureau of Statistics. In addition to the counting team, the Central Election Board shall establish a secretariat from among designated employees of the Ministry of the Interior. The secretariat shall be assigned with organization-related and administrative tasks, and shall assist the Central Election Board in meeting the obligations arising from its office. Members of counting teams operating within election boards, and members of the staff of the Central Election Board secretariat shall take an oath, the wording and procedure of administration of which have been specified in Article 8, Paragraph 3 above.

Article 12. The Central Election Board

(1) Each Political Party and/or each coalition that submits for registration a list of its candidates for the elections to the Chamber of Delegates shall have the right to be represented on the Central Election Board. Up to two party/coalition representatives and two stand-ins may be proposed to the Minister of the Interior no later than sixty days prior to the first election day to the Chamber of Delegates.

(2) If the delegated representatives (Paragraph 1 of this Article) meet the requirements stipulated by the provisions of the above Article 8, Paragraph 1 herein, the Minister of the Interior shall appoint them members of the Central Election Board, and shall grant them membership card.

(3) Upon the proposal of a Political Party or coalition to dismiss its delegated representative, the Minister of the Interior shall recall the member of the Central Election Board, and appoint a stand-in to the vacant office. Should there be no stand-in available, the Minister shall appoint a new member of the Central Election Board based on the proposal of the Political Party or coalition in question.

(4) The term of office of the Central Election Board shall have expired on the day on which a new Central Election Board in charge of the following elections to the Chamber of Delegates shall be constituted.

(5) The Central Election Board shall be called to its first session by the Minister of the Interior so that the session shall commence no later than the third day following the final date stipulated in Paragraph 1 of this Article.

(6) The Central Election Board shall:

a) ensure that electoral laws and statutes are observed;
b) decide in the instance of complaints against procedures taken by regional and divisional election

boards, and in the instance of appeals against decisions taken by such election boards. A decision delivered by the Central Election Board shall be binding on any election board;

c) compute, scrutinize, ascertain, and declare election results;
d) convey the election returns/results to the respective Chamber of the Parliament of the Czech Republic;
e) issue Confirmation of Election to candidates who were elected;
f) perform further duties and obligations arising from this Act and other applicable laws and statutes.

Article 13. Ward Election Board

(1) According to the number of voters in an electoral ward, the Mayor shall determine thte lowest permitted number of officers who need to be on the ward election board so that the ward election board has no less than five members. However, wards where the electorate does not exceed three hundred voters shall be an exception; the election board of such wards may consist of three members and a secretary.

(2) Each Political Party and coalition which has duly registered its list of candidates running for a seat in the Chamber of Delegates in the electoral region within which the respective electoral ward is located, and each Political Party or coalition which has duly registered its candidate running for a seat in the Senate in the electoral division within which the respective ward is located shall have the right to delegate one representative and one stand-in of his/her to be on the ward election board. The ward election board member and the stand-in shall be delegated no later than thirty days prior to the day of the elections. Should an insufficient number of board members be delegated through th above prosedure, the Mayor shall appoint additional members so that the total number of members of the ward election board complies with the provisions stipulated in Paragraph 1 of this Article.

(3) The ward election board shall be called to its first session by the Mayor so that the session shall commence no later than the twenty-first day prior to the day of the elections.

(4) The ward election board shall:

a) conduct the polling, supervise whether ballots are cast appropriately, and make efforts to maintain order in the polling station;
b) count the votes cast, and draft a record of the polling process and the vote count. The record shall, without delay, be transmitted to the (bb) district district election board in the case of election to the Chamber of Delegates, and (bc) divisional election board in the case of election to the Senate;
c) deposit all other election-related papers and documents to the Local Authorities for safe-keeping.

Article 14. The Day of the Elections

(1) The President of the Republic shall call the elections to the Parliament of the Czech Republic no later than ninety days before the elections are held. The call of the elections shall be published in 'Sb¡rka z kon…', a collection of laws. The day on which the decision to call the elections is published in the 'Sb¡rka z kon…', the collection of laws, shall be considered to be the day on which the elections were called.

(2) Two days shall be dedicated to the elections to the Parliament of the Czech Republic. On the first election day, polling stations shall open at 14:00 hours and close at 22:00 hours. On the second election day, polling stations shall open at 07:00 hours and close at 14:00 hours. Should it be necessary for reasons of particular local circumstances, the Mayor of the Municipality in question may modify the polling hours, and decide that the polling station open as early as 12:00 hours on the first election day, and 05:00 hours on the second election day.

Article 15. Sources of Public Information

(1) Each Municipality shall issue a decree informing the voters of the time and place of the elections to be held in the respective Municipality. This decree shall be issued no later than fifteen days prior to the day of the elections, and advertised in a manner usual in the Municipality in question. Should a Municipality be divided into two or more electoral wards, the decree shall provide information on which sections or parts of the Municipality shall belong to which of the wards, and the decree shall be made public within the area of each of the wards.

(2) Local Authorities shall also notify the electorate of their obligation to prove their identity and show evidence that they are Citizens of the Czech Republic, and shall furnish further pieces of information required for a smooth process of polling.

Article 16. The Election Campaign

(1) For the purposes of an election campaign, on the sixteenth day prior to the day of the elections, the Mayor may allocate a space suitable for election campaign posters and campaigning advertisements. Such campaign allowance of space shall accommodate the right to equality of Political

of Political Parties and coalitions nominating their candidates to stand for election to the Chamber of Delegates or to the Senate, or, as the case may be, of independent candidates standing for election to the Senate.

(2) Integrity and honesty shall be the rules governing election campaigning and canvassing, and false information shall not be distributed to the public concerning either candidate nor the Political Parties nor coalitions that nominate the candidates in their list of candidates.

(3) From the sixteenth day prior to the day of the elections, until the forty-eighth hour prior to the opening of elections, Political Parties and coalitions nominating candidates to stand for elections to the Chamber of Delegates shall be allotted a total of fourteen hours of air time on broadcasting channels on Czech Radio, and fourteen hours of air time on broadcasting channels on Czech Television for the purpose of their election campaign. The broadcasting time shall be allotted free of charge and apportioned evenly among the Political Parties and coalitions involved. The time and hour when each Political Party and coalition shall be on air shall be determined by drawing lots. Liability and answerability for the contents of the television and radio programmes broadcasted shall rest with the Political Party and coalition that is canvassing.

(4) Neither any local radio station nor any public address system shall be used for the purposes of any Political Party, coalition, and independent candidate canvassing.

(5) In the course of the last forty-eight hours prior to the opening of elections and on the election days, any campaigning and canvassing in favour of Political Parties, coalitions and candidates shall be prohibited; in buildings in which ward election boards have their headquarters, and in their immediate vicinity, no facts that may cause prejudice of a Political Party, coalition or candidate shall be made public whether in words, writing, or in the form of a sound or picture. Election forecasts resulting from public-opinion polls shall not be published after the seventh day preceding the day of the elections. During the elections, no public preference research shall be made in the building in which the polling station has been located.

(6) Members of any election board and members of the staff of any election board special team shall be prohibited from disclosing any information in connection with the polling process and/or partial voting results until the board's record of the election outcome has been signed.

(7) No results of any election preference research shall be released throughout the course of the voting until the closing of polling stations.

Article 17. Polling Station

(1) A polling station shall be furnished with a regular ballot-box, a portable ballot-box, a sufficient amount of ballot-papers, pens and pencils, copies of extracts from the Permanent Electoral Roll, copies of extracts from the Register of Persons Unable to Vote Locally, and a copy of this Act which shall be made available to voters for inspection should they so request.

(2) To afford privacy and secrecy for the voters to express their preferences in the ballots, polling stations shall be furnished with voting booths. Depending on the size of the electorate in the ward in question, the Mayor of the respective Municipality shall determine how many enclosures shall be installed. Nobody shall accompany a voter inside the voting booth, including any member of the ward election board, except as otherwise provided for in this Act.

(3) A national flag shall be hoisted on the building in which a polling station is located, and a large national emblem shall, with due regard, decorate the polling station.[6])

(4) Before the polling station opens, the chairman of the ward election board shall be obliged to examine whether the polling station is furnished as stipulated by the provisions of the foregoing paragraphs, and, witnessed by the other members of the board, shall seal the regular ballot-box and the portable ballot-box. Both the regular and portable ballot-boxes shall be scrutinized and emptied before sealing.

(5) After the polling station has closed on the first day of the election, the chairman of the ward election board shall have the ballot-box and, if applicable, the portable ballot-box sealed so that ballots can neither be inserted nor taken out. He shall also make sure that other election-related documents are safeguarded. Before the polling station opens on the second day of the election, the chairman of the ward election board shall examine whether seals are in an intact, or untampered with, condition and remove the seals.

[6] Act of the Czech National Council No. 3/1993 Sb., on National Symbols of the Czech Republic.

Article 18. Opening of Elections, Beginning of Voting

Having completed the inspection pursuant to Article 17, Paragraph 4 above, he chairman of the ward election board shall declare the elections open. Thechairman of the ward election board followed by the other members of the board shall have the right to cast the vote as the first voter.

Article 19. Voting Principles

(1) A voter shall cast his/her vote in person. No voting by proxy shall be admissible.

(2) Upon entering, voters shall approach the ward election board first, and then cast their vote when their turn comes, one by one, as they entered the polling station.

(3) Having entered the polling station, a voter shall prove his/her identity and produce evidence that he/she is a Citizen of the Czech Republic.[7]) After the voter's registration has been checked and an entry into the relevant extract from the Permanent Electoral Roll or the Register of Persons Unable to Vote Locally made, from a board official, the voter shall receive an empty opaque envelope which shall be under an official seal, and which shall be of identical size, colour and paper quality (hereinafter "Formal Envelope"). Upon request by a voter, the ward election board shall supply the voter with additional ballot-papers should one or more be missing, or replace a ballot should it be crossed out or otherwise marked.

(4) Should a voter fail to prove his/her identity or the fact that he/she is a Citizen of the Czech Republic[7]), the voter shall not be allowed to vote.

(5) Having left a voting booth, a voter shall cast his/her vote in front of the ward election board by inserting the Formal Envelope into the ballot-box. A voter who fails to enter the voting booth prior to casting the vote shall be disqualified by the election board from voting.

(6) A voter who is incapable of marking the ballot by his/her own forces because of a bodily handicap, or because he/she is not able to read or write shall have the right to be accompanied to a voting booth by another voter who will mark and insert the ballot into the Formal Envelope for him/her. Such service shall not be rendered by any member of the ward election board.

(7) For material, and especially health-related reasons, a voter shall have the right to ask the Local Authorities, and on the day of the elections, the ward election board, for permission to vote outside the polling station. In such a case, the ward election board shall send to the voter two of its members with a portable ballot-box, a Formal Envelope, and ballots. During voting, the board officials shall ensure that the principles of a secret ballot be observed.

Article 20. Order in Polling Stations and their Immediate Vicinity

The chairman of the ward election board shall be responsible for order in the polling station and its near vicinity. His/her directions to enforce order that will allow for a dignified course of polling shall be binding on every party present.

Article 21. Suspension of Voting

Should circumstances make the voting impossible to commence, continue, or end, the ward election board, upon agreement with the regional election board or with the divisional election board, shall have the right to adjourn the commencement of voting to a later hour, or to extend polling hours. If and when the voting is interrupted, the ward election board shall deposit election-related documents in safe-keeping, and seal a regular ballot-box and, as the case may be, a portable ballot box so that ballots can neither be inserted nor taken out. When voting is resumed, witnessed by other members of the ward election board the chairman shall examine whether seals are in an intact, or untampered with, condition, and shall remove them. The circumstances that had a bearing upon the interruption of voting shall be stated by the board in its report.

Article 22. End of Voting

When the polling hours have elapsed, the polling station shall close. However, voters waiting to cast their vote both inside and outside of the polling station, shall be allowed to do so in spite of the fact that the closing hour has passed. Only then shall the chairman of the ward election board declare the voting closed.

Article 23.

Members of election boards of a superior authority, members of their counting teams, members of the staff of the Central Election Board secretariat, and persons authorized by the Central Election Board shall have the right to be present on the premises where the ward election board has

[7] Article 20 of Act No. 40/1993 Sb., on Citizenship of the Czech Republic.

election board has been in the process of the vote counting.

Chapter 2. Elections To The Chamber Of Delegates

Article 24.

The Chamber of Delegates shall consist of two hundred Delegates who shall be elected for a four-year term.[8])

Article 25.

Each and every voter who has reached twenty-one years of age no later than on the second day of the election may be elected a Delegate in the Chamber of Delegates provided the voter is not prohibited from exercising his/her right to vote at the time of the elections, on the election days, with the exception of those prevented from exercising their right to vote by reasons specified in Article 2, Letter (a) hereinbefore.

Article 26.

For the purpose of elections to the Chamber of Delegates, the territory of the Czech Republic shall be divided into constituencies - electoral regions in which the elections shall be held on the principle of proportional representation.

Article 27. Electoral Regions

Boundaries of electoral regions, shall be drawn up in line with boundaries of geo-political divisions of the Czech Republic - regions, as recognized on the day of the call of the elections. The metropolitan region of Prague, the capital of the Czech Republic, shall be a separate electoral region.

Article 28. Regional Election Board

(1) Each Political Party or coalition that has filed its list of candidates for registration may delegate no more than two representatives and two stand-ins to be member of the regional election board in the electoral region where the party/coalition registering was filed. The regional election board members and their stand-ins shall be delegated no later than sixty days prior to the day of the elections.

(2) The regional election board shall be called to its first session by the Minister of the Interrior so that the session shall commence no later than the third day following the final date as stipulated in the foregoing Paragraph 1 of this Article.

(3) The regional election board shall:

a) ensure that electoral laws and statutes are observed;
b) decide in the instance of complaints against procedures taken by district election boards, and in the instance of appeals against decisions taken by the election boards. A decision delivered by the regional election board shall be binding on such election boards;
c) review and register lists of candidates filed for registration in their respective electoral regions;
d) count the voting results, and ascertain the outcome of the vote in the respective electoral region;
e) deposit election files to the Ministry of the Interior for safe- keeping;
f) perform further duties and obligations arising from this Act and other applicable laws and statutes as well as assignments which it shall be committed to discharge by the Central Election Board.

Article 29. District Election Board

(1) Each Political Party or coalition which has duly registered its list of candidates may delegate one member and one stand-in to represent the party/coalition on a district election board in a district within the region where its list of candidates has been registered. The district election board member and his/her stand-in shall be delegated no later than thirty days prior to the day of the election. The district election board shall be called into its first session by the head of the district State administration office, and in the cities of Prague, Brno, Ostrava, and Plzeå by the Mayor of each city so that the session shall be commenced no later than on the third day following the final date stipulated in the preceding clause.

(2) The district election board shall:

a) ensure that electoral laws and statutes are observed;
b) decide in the instance of complaints against procedures taken by ward election boards, and in the instance of appeals against decisions taken by ward election boards. A decision delivered by the district election board shall be binding on such election boards;
c) supervise its vote counters totalling the vote count received in electoral wards;
d) have the right to request that ward election boards provide further data and explanations should any doubt arise, and either correct apparent errors after approval by the ward election board concerned or, in less routine cases, ask the ward election board to call a new session and rectify the deficiencies discovered;

[8] Article 16, Paragraph 1 of the Constitution of the Czech Republic

e) deliver the aggregate number of the vote count received in electoral wards falling within its district electoral area to the respective regional election board;
f) perform further duties and obligations arising from this Act and other applicable laws and statutes as well as assignments which it shall be committed to discharge by the regional election board.

Article 30. Non-Local Voting Permit

(1) A qualified voter who is unable to vote in the electoral ward where he/she is registered in the Permanent Electoral Roll shall have the right to request that Local Authorities warrant a non-local voting permit to him/her. Having issued the non-local voting permit to the voter, the Local Authorities shall make a note in the Permanent Electoral Roll, and in an extract from the Permanent Electoral Roll which shall be distributed for use by the ward election board to which the said voter pertains.

(2) Before the day of the elections, the non-local voting permit shall entitle the voter, who intends to participate in the election to the Chamber of Delegates, to become registered in the Register of Persons Unable to Vote Locally (see Article 6 above) of an electoral ward other than the one where the voter has permanent registration, or to register himself/herself in any extract from the Register of Persons Unable to Vote Locally on the actual day of the election.

Article 31. List of Candidates

(1) Lists of candidates running for a seat in the Chamber of Delegates may be proposed by coalitions, or by Political Parties provided their party activities have not been suspended.[9]) No later than sixty days prior to the day of the elections, two identical copies of the list of candidates shall be submitted for registration by a party/coalition authorized agent to a secretary of the regional election board in the electoral region to be represented by the Party or coalition in the Chamber of Delegates.

(2) A list of candidates shall include:
a) the title of the Political Party coalition;
b) names and surnames of the candidates, their birth registration number, date of birth, occupation, and place of permanent residence;
c) the candidate'a ballot position, indicated on the list of candidates in Arabic numerals.

(3) In addition, to the data specified by the foregoing Paragraph 2 of this Article, the list of candidates shall include an indication by the Political Party or coalition, of the political affiliation of each candidate or, if applicable, of the fact that a candidate has not been a member of any political party and stands on the party list as a non-affiliated candidate. When the sixtieth day prior to the day of elections has elapsed, no further candidates shall be added to the lists of candidates nor shall the position of the candidates on any such list be altered.

(4) In Appendix to its list of candidates, the Political Party or coalition shall name its agent, a person authorized to act on behalf of the Political Party or coalition, and two other persons who may become the agents' stand-ins. The name, surname, and full address of the agent and the two stand-ins shall be given. No candidate shall have the right to act as a party/coalition agent or the agent's stand-in. Actionsof the agent on behalf of the Political Party or coalition in matters related to the elections shall be binding in such Political Party or coalition. The regional election board shall be notified by the Political Party or coalition should a stand-in replace the agentin the office.

(5) Should the secretary of the regional election board find out that a list of candidates or its Appendices fails to meet the requirements specified by the provisions of this Article in the foregoing Paragraphs 2, 3, and 4, and Paragraph 7 below, he/she shall notify the agent of the Political Party or coalition who submitted the list of candidates/Appendices in question. The agent shall have the right to remove such deficiencies prior to the final date defined in Paragraph 1 of this Article. The agent of the Political Party or coalition shall receive acknowledgement by the secretary, confirmed that the list of candidates has been filed.

(6) The greatest number of candidates that a Political Party or coalition shall be allowed to nominate in the party-compiled list of candidates contesting constituency seats in each single electoral region shall be defined by Annex 2 which shall be integral part of this Act.

(7) Enclosed with the list of candidates must be a statement, signed in ink by a candidate therein listed, declaring that the said candidate has approved of his/her nomination, and that approval to be listed on any other list of candidates has not been given by the undersigned candidate, and that no fact disqualifying the undersigned candidate from eligibility to be elected is known to him/her.

[9] Act No. 424/1991 Sb., on Affiliating with Political Parties and Associating with Political Movements, as worded by later legislation (full reading – No. 118/1994 Sb.)

(8) Should a Political Party run for seats in the Chamber of Delegates as part of a joint coalition, it may not run for election as a separate, individual entity. A coalition shall have the right to compete for the constituency seats in each electoral region provided the structure of the coalition remains unchanged.

Article 32. Review of Lists of Candidates by Regional Election Board

(1) The regional election board shall complete a review of the lists of candidates that have been filed no later than on the fifty-fifth day prior to the day of the elections.

(2) The regional election board shall remove any candidate:

a) whose statement pursuant to Article 31, Paragraph 7 above has not been enclosed;
b) who has been listed on several lists of candidates filed by several different Political Parties or their coalitions. However, the candidate shall be removed only from such list/lists of candidates with which the candidate's statement pursuant to Article 31, Paragraph 7 above has not been enclosed; should a candidate have signed statements to be attached to several different lists of candidates, the candidate shall be removed from all the lists of candidates on which he/she has been listed;
c) who shall be in excess of the greatest number of candidates permitted to be nominated pursuant to Article 31, Paragraph 6 above;
d) who fails to be eligible to be elected (see Article 25 above);
e) whose data fail to furnish the entire set of information required by the provisions of Article 31, Paragraph 2, Letter (b) hereinbefore.

(3) The regional election board shall reject a list of candidates if filed at variance with Article 31, Paragraph 1 hereinbefore; or if lacking in the due essentials required by the provisions of Article; or if the Appendix to the list of candidates provided for in Article 31, Paragraph 4 herein be missing. Any Political Party or coalition may appeal against the decision of the regional election board to reject its list of candidates to the Central Election Board. Such an appeal shall be lodged with the Central Election Board by the Political Party or coalition no later than twenty-four hours following the receipt of the decision. The decision rendered by the Central Election Board shall then be binding on the regional election board.

(4) After each list of candidates has been scrutinized, the chairman of the regional election board shall without any delay forward the Central Election Board one copy of the list of candidates, along with candidates' statements approving of their nomination, and a protocol on the conclusions on the review of the list of candidates. The conclusions of the review shall be forwarded by the chairman of the regional election board to each Political Party and coalition that has filed its list of candidates in the electoral region in question.

Article 33. Review of Lists of Candidates by the Central Election Board

(1) The Central Election Board shall complete a review of the lists of candidates no later than on the fiftieth day prior to the day of the elections.

(2) Should a candidate be listed on several lists of candidates, the Central Election Board shall remove the candidate from such list of candidates with which the candidate's statement pursuant to Article 31, Paragraph 7 above has not been enclosed; should a candidate have signed statements to be attached to several different lists of candidates, such candidate shall be removed from all the lists of candidates on which he/she has been listed.

(3) Should, in several different electoral regions, lists of candidates obviously submitted by the same Political Party or coalition be filed under various different party/coalition titles, the chairman shall invite the party/coalition representatives to announce one definitive party/coalition title by which the Political Party or coalition shall be recognized in each electoral region. The party/coalition title shall be announced before the session of the Central Election Board has ended, and should the representatives of the Political Party or coalition fail to do so, the title of the Political Party or coalition shall be determined by the Central Election Board.

(4) Should, in a list of candidates, the Central Election Board discover deficiencies as per Article 31, Paragraphs 1, 2, 3, and 4, it shall proceed in compliance with the provisions stipulated in the first clause of Article 32, Paragraph 3 above. The Central Election Board shall refuse each and every list of candidates filed in each and every electoral region should it be filed at variance with the provisions stipulated by Article.

(5) The Central Election Board shall draw lots to determine different numerical symbols that shall index the lists of candidates, and each Political Party and coalition that has filed a list of candidates shall be assigned a different numerical symbol by which all of its lists of candidates contesting a seat in the Chamber of Delegates shall be distinguished.

(6) Without any delay, the chairman of the Central Election Board shall send a protocol on the conclusions of the review of the lists of candidates both to the regional election boards and the Political Parties and coalitions concerned. The numerical symbols assigned to each Political Party and coalition shall be allowed enough publicity to become generally known.

Article 34. Registration of Lists of Candidates

(1) Upon receipt of the protocol on the conclusions drawn by the Central Election Board after its review of the lists of candidates filed in electoral regions, each regional election board shall register the approved lists of candidates, and notify the Political Parties and coalitions involved of the fact in writing. Registration shall be completed no later that forty-five days prior to the day of the elections. Should a list of candidates be registered by implication of the Central Election Board decision on appeal (see Article 32, Paragraph 3 above), or by implication of a court decision as per a separate law[10]) the relevant regional election board shall register the list of candidates even after the above specified final date, however, no later than on the thirtieth day prior to the day of the elections, and shall determine the numerical symbol that shall index such a list of candidates (see Article 33, Paragraph 5 above).

(2) Should, after the registration of a list of candidates ae per Paragraph 1 of this Article, the Central Election Board find out that the Political Party whose list of candidates was duly registered has been suspended or dissolved, it shall cancel its registration of the list of candidates, and notify the agent of the Political Party in question of the cancellation in writing (see Article 31, Paragraph 4 above).

(3) No further notice shall be taken of the list of candidates the registration of which has been cancelled pursuant to the provisions set forth in the foregoing Paragraph 2 of this Article.

Article 35.

(1) A separate bank account shall be established in each electoral region by the district State administration office located in the city or town where the electoral region shall have its headquarters, and specifically in the case of the Central Bohemian electoral region the bank account shall be established by the Praque minicipal authorities, and in the case of electoral regions having their headquarters in the cities Brno, Ostrava, and Plzea the bank accont shall be established by the municipal authorities if each (hereinafter "District State Administration Office in the Seat of Electoral region"). Such bank accounts shall be established no later than the day on which the regional election boards shall haven been constituted.

(2) Each Political Party or coalition whose list of candidates was duly registered in the electoral region shall deposit a security amounting to two hundred thousand KY in the bank account specified n the foregoing Paragraph 1of this Article. This deposit shall be made within three days following the notification of registration (Article 34, Paragraph 1 hereinbefore), and later than two days following the deposit, the fact shall be communicated by the Political Party or coalition to the regional election board in the electoral region where the deposit was made. The deposit shall be made by the Political Party or coalition in each electoral region in which the party/coalition list of candidates was duly registered.

(3) The printing of ballots shall not be undertaken unless the deposit, on which it is contingent, has been made, and should a Political Party fail to pay the deposit, its lists of candidates shall not be printed to become ballots.

(4) Regional election boards shall refund the deposit to each Political Party or coalition no later than one month following the declaration of the election results provided the Political Party or coalition has accrued enough votes to qualify for the first scrutiny (Article 49 hereinbelow). Deposits that shall not be refunded shall be deemed to be the receipts of the national budget.

(5) The Ministry of Finance shall lay down specific legal regulations providing for particulars in respect of the manner in which the security deposited will be refunded.

Article 36. Resignation from Nomination, Recall of Candidate

(1) A candidate may resign from his/her nomination provided the resignation statement be made in writing prior to the opening of the election. The same procedure applies should a Political Party or coalition, through the instrumentality of its agent, wish to recall a candidate whom the party/coalition has nominated. Neither the resignation statement nor the recall statement can be withdrawn. Two copies of the statement shall be delivered to either the chairman or the secretary of the relevant regional election board. Without any delay, the chairman of the regional election board shall forward one of the two copies to the chairman of the Central Election Board, and immediately thereafter, arrange for the statement to be made public in an appropriate manner in polling stations provided that he/she has received the statement no later than forty-eight

[10] Article 58 and Article 200m of Code of Civil Procedure

than forty-eight hours prior to the beginning of the election.

(2) Should such statement be made after the registration of the list of candidates in which the resigned/recalled candidate is listed, the name and other data related to the said candidate shall remain on the list of candidates unchanged. However, no account shall be taken of this person when seats shall be distributed.

Article 37.
Should a Political Party be dissolved, or should its activity be suspendedafter the registration of its list of candidates by the regional electionboard, no notice shall be taken either of the Political Party or itscandidates when Parliamentary seats are distributed after the election.

Article 38. Ballots
(1) Through the District State Administration Office in the Seat of Electoral Region, the chairman of the regional election board shall arrange for ballots to be printed. Ballots shall include the numerical symbol assigned to each set of party/coalition lists of candidates by drawing the lots (Article 33, Paragraph 5 above), the title of the Political Party or coalition, the name of each candidate as well as his/her surname, date of birth, occupation, place of permanent residence, and the candidate's ballot position indicated in Arabic numerals as well as his/her political affiliation or, if applicable, the fact that the candidate is not a member of any political party.

(2) In all electoral regions, ballots shall be printed in an identical type-face and character-size, on paper of identical quality, colour and size. Ballots shall be under the official seal of the regional election board.

(3) Through district State administration offices in the electoral region, and in case of the cities of Prague, Brno, Ostrava, and Plzeå, through municipal authorities of each city, the chairman of the regional election board shall send the ballots reproduced in the above manner to the Mayors, who subsequently shall have the ballots distributed (a) to each voter so that the electorate has received them no later than the third day prior to the day of the elections, and (b) to each ward election board so that the boards have received them on the day of the elections.

Article 39. Voting
(1) Having received a Formal Envelope and if necessary a set of ballots, a voter shall enter a voting booth (Article 17, Paragraph 2 hereinbefore) where he/she shall insert no more than one ballot into the Formal Envelope. The voter shall have the right to express his/her preference by marking the ballot prior to inserting it into the Formal Envelope so that he/she encircles the candidate's ballot position number. No more than four candidates listed on one ballot form may be indicated, and no other ballot editing can be accepted.

(2) A voter who will vote based on a non-local voting permit outside his/her registered electoral area shall be under an obligation to surrender his/her non-local voting permit to the ward election board in the polling station where he/she happens to vote. The ward election board in question shall enclose such non-local voting permit with the extract from the Register of Persons Unable to Vote Locally.

Article 40. Vote Counting by Ward Election Board
(1) After the voting has finished, the chairman of the ward election board shall arrange for the Formal Envelopes and ballots that have not been used by voters to be put under seal. But several of the unused ballots needed by the ward election board for the counting of votes (see Article 42, Paragraph 3 below) shall not be sealed. Then, the chairman shall have the regular ballot-box opened. Should certain voters have required the use of a portable ballot-box, and should the ward election board have used it, the portable ballot-box shall be opened, and the contents emptied shall be added to the contents of the regular ballot- box.

(2) The ward election board shall remove the Formal Envelopes containing ballots from ballot-boxes, count the number of Formal Envelopes found, and compare the number arrived at with records entered into extracts from both the Permanent Electoral Roll and the Register of Persons Unable to Vote Locally. No envelopes other than the Formal Envelopes shall be admitted by the ward election board.

(3) Having emptied Formal Envelopes, the ward election board shall sort the ballots by Political Parties and coalitions voted for, and separately add up the votes cast for each Political Party and coalition, ruling out those ballots that fail to comply with the legal requirements. Further on, the number of voters who have chosen one and the same Political Party or coalition, and who have exercised their right to express their candidate preferences shall be totalled separately for each Political Party and coalition, and the number of the preferential votes cast for each individual candidate on the party/coalition ballot shall then be summed up separately for each Political Party or coalition.

(4) Each member of the ward election board shall have the right to see the contents of any ballot-paper. The regularity of vote counting shall be supervised by the chairman of the ward election board.

Article 41. Validity versus Invalidity of Ballots/Votes

(1) Ballots on which the names of candidates have been crossed out, altered, or to which names of additional candidates have been added shall be deemed valid and cast in favour of the Political Party or coalition designated on such ballots. Such ballot modification shall not be taken into account. Should a voter have expressed his/her preference by indicating more than four candidates on a party/coalition ballot, the ballot shall be deemed cast in favour of the Political Party or coalition in question as a vote choosing the party/coalition 'straight ticket', and the preferential votes on the ballot shall be disregarded.

(2) Choice expressed on ballot-papers other than those having the legitimate prescribed printed ballot form shall be deemed invalid. Should more than one ballot be found in a Formal Envelope, each choosing a different Political Party or coalition, all such ballots shall be deemed to be invalid votes. Should more than one ballot choosing the same Political Party or coalition be found in a Formal Envelope, all such ballots shall be deemed to be one valid vote cast in favour of the Political Party or coalition chosen; moreover, should preferential votes be indicated on one ballot out of several ballots electing the Political Party or coalition, the ballot shall be taken into account, or as appropriate, should there be a ballot indicating a larger number of preferences than the others among the ballots showing preferential vote, this ballot shall be taken into account provided the number of preferences indicated shall not exceed a total of four; should several of the ballots cast in favour of the same Political Party or coalition return equally high number of preferential votes, however, in favour of different candidates, no such preferential vote shall be taken into account.

Article 42. Vote Count Report by Ward Election Board

(1) Each of election board shall prepare two identical copies of a report of the polling process and the vote count received in its electoral ward. The report shall be signed by members of the ward election board, and should any of the ward election board members deny such signature, reasons for such denial shall be given.

(2) The report of the polling process and the vote count received in the electoral ward drafted by each ward election board shall include:

a) the hour of both the beginning and the end of voting, and of any interruption of voting if applicable;

b) the total electorate in the electoral ward – number of voters registered in the ward extract from the Permanent Electoral Roll and in the ward extract from the Register of Persons Unable to Vote Locally;
c) the number of voters to whom Formal Envelopes were handed over;
d) the number of Formal Envelopes that have been turned in;
e) the number, according to each Political Party and coalition, of valid votes cast in favor of a party/coalition list of candidates, and the aggregate of valid votes cast regardless of the political choice;
f) the number, according to each Political Party and coalition, of voters choosing the same Political Party or coalition who have used the right to express their candidate preferences;
g) the total number, according to each Political Party and coalition, of valid preferential votes cast for each party/coalition candidate;
h) a brief account of the subject matter of notifications and complaints submitted to the ward election board, and decisions rendered by the ward election board accompanied by a brief substantiation thereof.

Article 43. Conclusion of Ward Election Board Operation

(1) After the votes have been counted, and after the report of the polling process and the vote count has been singed by the ward election board, its chairman shall report the vote count, and without any delay forward one copy of the report to its district election board. Then he/she shall wait for the district election board to direct him/herto discontinue the board operations.

(2) Should any chairman of the ward election board fail to meet the obligations arising from the provisions stipulated by the foregoing Parapagh 1 of this Article within twenty-four hours after the end of voting in spite of having been requested to do so by the district election board, the district election board may compute the vote count received in the other electoral wards, and communicate the outcome of the vote in its district electoral area to the relevant regional election board. After the final date stipulated, and after the district election board members have signed the report (Article 45 herein below), no vote count that may arrive shall be taken into account.

(3) The ward election board shall seal the ballots and Formal Envelopes cast, and the ward extracts from Permanent Electoral Rolls/Registers of Persons Unable to Vote Locally, and deposit them, along with the other election-related documents, with the Local Authorities for safe-keeping.

Article 44. Vote Totalling by District Election Board

(1) Each district election board shall total the votes cast within its district electoral area based on reports of the polling process and the vote count received from individual ward election boards in the district.

(2) No persons other than members of the Central Election Board, along with members of its counting team and secretariat staff, members of the relevant regional election board, along with members of its counting team, and persons authorized by the Central Election Board shall have the right to be present on the premises where the district election board has been in the process of the vote counting.

Article 45. District Election Board Report

(1) Each district election board shall prepare two identical copies of the report of the vote count received in its district electoral area. The report shall be signed by each and every member of the district election board. Should any of the district election board members deny such signature, reasons for such denial shall be given.

(2) The report of the vote count received in the district electoral area drafted by each district election board shall include:

a) the number of electoral wards in the district electoral area in question, and the number of ward election boards that have delivered the vote count;
b) the total electorate in the district electoral area - the number of persons registered in relevant extracts from Permanent Electoral Rolls and relevant extracts from Registers of Persons Unable to Vote Locally within the district in question;
c) the number of voters to whom Formal Envelopes were handed over;
d) the number of Formal Envelopes that have been turned in;
d) the number, according to each Political Party and coalition, of valid votes cast in favour of a party/coalition list of candidates, and the aggregate of valid votes cast regardless of the political choice;
e) the number, according to each Political Party and coalition, of voters choosing the same Political Party or coalition who have used the right to express their candidate preferences;
f) the total number, according to each Political Party and coalition, of valid preferential votes cast for each party/coalition candidate;
h) a brief account of the subject matter of notifications and complaints submitted to the district election board, and decisions rendered by the district election board accompanied by a brief substantiation thereof.

(3) After both of the two identical copies of the report of the vote count received in the district electoral area have been signed, the chairman of the district election board shall forward one copy of the report to its regional election board without delay, and shall wait for the regional election board to direct him/her to discontinue the board operations. The remaining election-related documents shall be sent by the chairman to the relevant district State administration office for safe-keeping. In the capital of the Czech Republic, Prague, such election-related documents shall be deposited for safe-keeping with municipal district authorities or with neighbourhood authorities, and in the cities of Brno, Ostrava, and Plzeå with municipal authorities of each city.

Article 46. Vote Computing by Regional Election Board

(1) Each regional election board shall count the votes cast within its electoral region, ascertaining the outcome of the vote in the electoral region, based on reports of the polling process and vote count received from individual district election boards in its electoral region.

(2) No persons other than members of the Central Election Board, members of its counting team and secretariat staff, and persons authorized by the Central Election Board shall have the right to be present on the premises where the regional election board has been in the process of computing the votes and ascertaining the voting results.

Article 47. Regional Election Board Report

(1) Each regional election board shall prepare two identical copies of the report of the polling outcome within its electoral region. The report shall be signed by each member of the regional election board. Should any of the regional election board members deny such signature, reasons for such denial shall be given.

(2) The report of the polling outcome in the electoral region drafted by each regional election board shall include:

a) the number of electoral wards in the electoral region in question, and the number of ward election boards that have delivered the vote count;
b) the total constituency in the electoral region - the total number of persons registered in relevant extracts from Permanent Electoral Rolls and relevant extracts from Registers of Persons Unable to Vote Locally within the electoral region in question;
c) the number of voters to whom Formal Envelopes were handed over;
d) the number of Formal Envelopes that have been turned in;
e) the number, according to each Political Party and coalition, of valid votes cast in favour of a party/coalition list of candidates, and the aggregate of valid votes cast regardless of the political choice;
f) the number, according to each Political Party an coalition, of voters choosing the same Political Party or coalition who have used the right to express their candidate preferences;
g) the total number, according to each Political Party and coalition, of valid preferential votes cast for each party/coalition candidate;
h) a brief account of the subject matter of notifications and complaints submitted to the regional election board, and decisions rendered by the regional election board accompanied by a brief substantiation thereof.

(3) After both of the two identical copies of the report of the polling outcome in the electoral region have been signed, the chairman of the regional election board shall forward one copy of the report to the Central Election Board without delay, and shall wait for the Central Election Board to direct him/her to discontinue the board operations. The remaining election-related documents shall be sent by the chairman to the Ministry of the Interior to be deposited in safe-keeping.

Article 48. Apportionment of Representative Seats among Electoral Regions [*note of the translator*]

(1) The Central Election Board shall review the reports of regional election boards, and according to the data reported, shall sum up all valid votes cast within all electoral regions for all party/coalition lists of candidates. Such total popular vote shall be divided by the prescribed number of Delegates in the Chamber of Delegates. The figure obtained in the above manner, rounded off to the nearest whole number, shall define [the average proportion of the of the population in the Czech Republic to be represented by one legislative seat -] the national electoral quota.

(2) The total vote in the electoral region shall then be divided by the national electoral quota, and as many legislative seats shall be allocated to the electoral region as many times the full national electoral quota is contained in the region's total vote count. The same procedure shall be repeated until legislative seats have been allocated for all electoral regions.

(3) If after the above procedure, several seats in the Chamber of Delegates remain to be apportioned, the seats that were not allocated by full national electoral quotas shall subsequently be allocated to electoral regions with the largest remainder of votes after the quota has been subtracted from each region's total vote for each seat it was allocated. The legislative seats shall be allocated sequentially to the electoral regions with the largest remainder until all the seats in the Chamber of Delegates have been apportioned among electoral regions. Should there be several electoral regions with equally highest remainder, lots shall be drawn to determine the winning region.

Article 49. Qualification of Political Parties and Coalitions for the First Scrutiny

(1) The Central Election Board shall calculate the total popular vote won by each distinct Political Party and coalition.

(2) Additionally, the Central Election Board shall calculate:
a) which Political Party or Political Parties out of the competing opponents has/have obtained less than five per cent out of the total popular vote;
b) which coalition or coalitions in which two Political Parties are joined has/have polled less than seven per cent out of the total popular vote;
c) which coalition or coalitions in which three Political Parties are joined has/have received less than nine per cent out of the total popular vote;
d) which coalition or coalitions in which four and more Political Parties are joined has/have accrued less than eleven per cent out of the total popular vote.

(3) In the course of the subsequent scrutinies and the resulting distribution of legislative seats among Political Parties and coalitions, no further account shall be taken of either the above Political Parties/coalitions or the votes such Political Parties and/or coalitions accrued.

(4) Should the Central Election Board discover that the vote percentage limit entitling the competing entities to qualify for the first scrutiny has not been achieved by at least two coalitions, or one coalition and one Political Party, or two Political Parties, it shall decrease:

a) the qualifying percentage limit from five per cent down to four per cent in case of Political Parties;
b) the qualifying percentage limit from seven per cent down to six per cent in case of coalitions defined by Paragraph 2, Letter (b);
c) the qualifying percentage limit from nine per cent down to eight per cent in case of coalitions defined by Paragraph 2, Letter (c);
d) the qualifying percentage limit from eleven per cent down to ten per cent in case of coalitions defined by Paragraph 2, Letter (d).

Should such decreases fail to allow for a sufficient number of competing entities to qualify for the first scrutiny pursuant to the provisions of this Paragraph, the Central Election Board shall decrease the qualifying percentage limit by one more per cent.

(5) The first scrutiny shall be instrumental in the conversion of votes to political representation in each electoral region.

Article 50. First Scrutiny [*note of the translator*]

(1) The aggregate number of votes accrued in an electoral region by all the Political Parties and coalitions which have qualified for the first scrutiny shall be divided by the total number of representative seats allocated for such electoral region, plus one; the number arrived at by means of the aforementioned formula, and rounded off to the nearest whole number, shall define [the average number of votes required in the region for a party/coalition to win one of the representative seats allocated to that region -] the regional vote quota.

(2) The total vote that the Political Party or coalition accrued in the electoral region shall be divided by the regional vote quota, and a seat shall be awarded to the Political Party or coalition as many times as the party/coalition total contains the full regional vote quota.

(3) If in the above manner, one seat is distributed in excess of the number of representative seats allocated to the electoral region, the seat that is awarded in excess of the limit shall be subtracted from the seats assigned to the Political Party or coalition with the smallest remainder of votes after the quota has been subtracted from each party's/coalition's total vote for each seat it is awarded in the electoral region. Should there be several Political Parties or coalitions with equally smallest remainder, then the seat shall be subtracted from the seats awarded to the Political Party or coalition which has accrued the smallest number of votes in the electoral region; should there be more Political Parties or coalitions with equally smallest party/coalition totals, then lots shall be drawn to determine the losing Political Party or coalition.

(4) The seats that a Political Party or coalition wins shall be allocated to its candidates in the order in which they appear on the party/coalition list. Should, however, one tenth or more voters out of the total number of voters choosing the same Political Party or coalition in the electoral region have exercised the right to a preferential vote, the candidate who received the number of preferential votes which equals or exceeds ten per cent of the total vote obtained in the electoral region by the Political Party or coalition the candidate represents shall be awarded a seat first. If a Political Party or coalition is entitled to more than one seat, and if more than one candidate of that Political Party or coalition complies with the provisions of the foregoing clause, seats shall be awarded to such candidates sequentially according to the total of preferential votes they polled, the formula being the higher the number of preferential votes received, the first in turn to be awarded the seat. If the number of preferential votes polled by the candidates who represent one Political Party or coalition, and who comply with the above provisions is equal, the candidates' positions as they appear on the party list shall then be determining.

(5) Should a Political Party or coalition have nominated fewer candidates than the total number of seats the Political Party or coalition has secured in the first scrutiny, the Political Party or coalition shall be entitled only to so many seats as it has nominated candidates.

(6) The chairman of the Central Election Board shall declare the first scrutiny closed, and communicate its outcome to the representatives of the Political Parties or coalitions which have qualified for the first scrutiny.

Article 51. Second Scrutiny [*note of the translator*]

(1) The legislative seats that remain to be distributed shall be allocated by the Central Election Board in the second scrutiny. All the votes remaining of each party's/coalition's vote after the first scrutiny shall be transferred to the second scrutiny as well as the total vote accrued by Political Parties and coalitions that failed to receive any seat in the first scrutiny.

(2) No later than twelve hours following the conclusion of the first scrutiny, chairmen of Political Parties, and/or persons authorized to act on behalf of coalitions shall tender their lists of candidates who will contest a legislative seat in the second scrutiny to the chairman of the Central Election Board. The number of candidates listed in the lists of candidates nominated for the second scrutiny shall not be limited, however. Political Parties and coalitions shall have the right to list only those candidates who had already been nominated to run for election in one of the electoral regions and who failed to secure a legislative seat in the first scrutiny. After the lists of candidates contesting a legislative seat in the second scrutiny have been delivered to the board, neither may the candidates be substituted, nor their position on the list be altered. Should the chairmen of Political Parties, and/or the persons authorized by coalitions fail to deliver their list of candidates within the above defined period of time, the Central Election Board shall select the candidates for the second scrutiny for them according to the number of preferential votes each particular candidate of the party/coalition in default accrued.

(3) In the second scrutiny, the Central Election Board shall add up all the party/coalition votes remaining from the first scrutiny. The total thus obtained shall be divided by the number of legislative seats yet to be distributed, plus one. The number arrived at by the aforementioned formula, and rounded to the nearest whole number, shall define [the average number of votes required for a party/coalition to win one of the representative seats yet to be allocated in the second scrutiny -] the country vote quota. Each Political Party or coalition shall then be awarded as many seats as many times the full country vote quota shall be contained in the sum of the remaining party/coalition vote transferred from the first scrutiny.

(4) If after the above procedure, several seats still remain undistributed, the seats that were won by full country vote quotas shall subsequently be awarded to Political Parties and coalitions with the largest remainder of votes after the quota has been subtracted from each party's/ coalition's total of remaining votes for each seat it was awarded in the second scrutiny pursuant to Paragraph 3 of this Article. The legislative seats shall be awarded sequentially to the Political Parties and coalitions with the largest remainder until all the remaining seats have been assigned. Should there be several Political Parties or/and coalitions with equally highest remainder of remaining votes, a legislative seat shall be awarded to the Political Party or coalition with the largest total of remaining votes transferred from the first scrutiny to the second scrutiny. If such vote remainder totals is equally highest in the case of several Political Parties or coalitions, a representative seat shall be awarded to the Political Party or coalition which has accrued the highest popular vote of these competitors; should the total popular vote accrued by several Political Parties and/or coalitions be equally highest, lots shall be drawn to decide. The procedure hereinbefore described shall apply should a Political Party or coalition have nominated a smaller number of candidates for the second scrutiny than the number of representative seats awarded to such party or coalition.

(5) If in the above manner, one seat was distributed in excess of the number of representative seats to be distributed in the second scrutiny, the seat that was awarded in excess of the limit shall be subtracted from the seats assigned to the Political Party or coalition with the smallest remainder of votes after the quota has been subtracted from each party's/coalition's total of remaining votes for each seat it was awarded in the second scrutiny. Should there be several Political Parties or coalitions with equally smallest remainder of remaining votes, then the seat shall be subtracted from the seats awarded to the Political Party or coalition which has accrued the smallest total popular vote of these competitors; should there be more Political Parties or coalitions with equally smallest party/coalition totals, then lots shall be drawn to determine the losing Political Party or coalition.

(6) The seats that a Political Party or coalition wins shall be allocated to its candidates in the order in which they appear on the party/coalition-compiled list of candidates for the second scrutiny.

(7) Candidates who have succeeded in securing a legislative seat in neither the first scrutiny nor the second scrutiny shall become stand-ins.

Article 52. Central Election Board Report and Declaration of Election Results

(1) Following the conclusion of the seat distribution process of the first and the second scrutiny, the Central Election Board shall prepare its report of the final result of the election. The report of the Central Election Board shall be signed by its members, and should any of the Central Election Board members deny his/her signature, reasons for such denial shall be given.

(2) The Central Election Board report of the final result of the election shall include:

(a) the total number of persons registered in extracts from Permanent Electoral Rolls and in extracts from Registers of Persons Unable to Vote Locally;
(b) the total number of voters to whom Formal Envelopes were handed over;
(c) separate numbers for the total vote obtained by each and every party/coalition-compiled list of candidates in each and every electoral region;
(d) names and surnames of candidates who, in the first scrutiny, were elected Delegates out of the party/coalition candidate-column on each list of candidates, along with conclusions of preferential voting; and names and surnames of candidates elected Delegates in the second scrutiny as well as the names and surnames of candidates who have become stand-ins.

(3) Immediately after the signature of the report of the election results has been signed, the Central Election Board shall declare the final election results. Indicative data defined in Paragraph 2, Letters (a), (b), and (c) may also be announced.

Article 53. Confirmation of Election

No later than one month following the declaration of the results of the elections, the Central Election Board shall issue a Confirmation of Election to the Delegate-elects, authenticating their election to a seat in the Chamber of Delegates.

Article 54. Filling Vacancies by Stand-Ins

(1) If a mandate of a Delegate ceases to exist, and his/her seat becomes vacant, a stand-in shall fill the vacancy who was nominated for election by the same Political Party or coalition as the Delegate first in office, and who was on the list of candidates registered in the same electoral region as the Delegate first in office. The said stand-in who is next in succession according to the election results after the first scrutiny shall assume the office, and should there be no such stand-in, the stand-in who is next in succession according to the position in which he/she appears on the party/coalition list of candidates for the second scrutiny shall assume the office.

(2) Should there be no stand-in from the Political Party or coalition whose seat has become vacant, the seat shall remain vacant until the electoral term has expired.

(3) If a Political Party is dissolved, no stand-in shall fill the vacancy, and the seat shall remain vacant until the electoral term has expired.

(4) No later than the fifteenth day following the day on which the mandate of a Delegate ceased to exist, the Chamber of Delegates shall pronounce the stand-in to assume the office of the Delegate first elected, and deliver the Certificate of Election to this new Delegate, affirming him/her in office and stating the date as of which the Delegate is in office.

(5) If activities of a Political Party are suspended, for the duration of the suspension no vacancies in seats held by the party shall be filled by stand-ins.

Article 55.

Should the Chamber of Delegates be dissolved, the periods of time defined inArticle 12, Paragraph 1, Article 13, Paragraphs 2 and 3, Article 14, Paragraph 1, Article 28, Paragraph 1, Article 29, Paragraph 1, and Article 31, Paragraphs 1 and 3 shall be abridged by one third. Periods of time defined in Article 32, Paragraph 1, Article 33, Paragraphs 1, and Article 34, Paragraph 1 shall be abridged by twenty days.

Chapter 3. Elections To The Senate

Article 56.

The Senate shall consist of eighty-one Senators who shall be elected for a six-year term. One-third of the Senators shall be elected every other year.[11])

Article 57.

Each and every voter who has reached forty years of age no later than on the second day of the election may be elected a Senator provided the voter is not prohibited from exercising his/her right to vote at the time of the elections, on the election days, with the exception of those prevented from exercising their right to vote by reasons specified in Article 2, Letter (a) hereinbefore.

Article 58.

In the Czech Republic, elections to the Senate shall be held on the principle of majority vote in electoral divisions.

Article 59.

(1) For the purpose of elections to the Senate the territory of the Czech Republic shall be divided into eighty-one constituencies - electoral divisions, each returning one Senator. Boundaries of the electoral divisions shall be de-

[11] Article 16, Paragraph 2 of the Constitution of the Czech Republic

delineated by Annex 3 which shall be integral part of this Act.

(2) Should, the population in any electoral division either decrease or increase by fifteen per cent compared to the average number of inhabitants represented in the Czech Republic by one constituency seat, the boundaries of electoral divisions shall be revised. This revision shall not take effect in years other than those in which elections to the Senate have been called.

Article 60. Divisional Election Board

(1) Each Political Party or coalition that has failed the registration of its candidate, or each independent candidate whose registration has been filed may delegate no more than two representatives and two stand-ins to be members of the divisional election board in the electoral division in which the registration of the candidate has been filed. The divisional election board members and their stand-ins shall be delegated no later than sixty days prior to the day of the elections.

(2) The divisional election board shall consist of no fewer than ten members. Should an insufficient number of board members be delegated, additional members to the required board complement shall be appointed by the head of the district State administration office in the place where the particular electoral division has its seat, and in the cities of Prague, Brno, Ostrava, Plzea by the Mayor of the respective city. The additional members shall be appointed no later than fifty-eight days prior to the day of the elections.

(3) The divisional election board shall be called into its first session by the head of the district State administration office in each place where the electoral division has its seat, and in the city of Prague, Brno, Ostrava, and Plzea by the Mayor of each city so that the session shall commence no later than on the third day following the final date stipulated in the preceding Paragraph 1 of this Article.

(4) The divisional election board shall:

a) ensure that electoral laws and statutes are observed;
b) decide in the instance of complaints against procedures taken by ward election boards, and in the instance of appeals against decisions taken by the election boards. A decision delivered by the divisional election board shall be binding on the ward election board;
c) register candidates contesting a seat in the Senate;
d) compute and ascertain the results of the election in its electoral division, and report the results to the Central Election Board;
e) deposit election-related files for safe-keeping with the district State administration office located in the place where the electoral division has its seat, or as the case may be, with the municipal authorities should the electoral division have its seat in the city of Prague, Brno, Ostrava, or Plzeå (hereinafter "District State Administration Office In the Seat of Electoral Division");
f) perform further duties and obligations arising from this Act and other applicable laws and statutes as well as assignments which it shall be committed to discharge by the Central Election Board.

Article 61. Application for Candidate's Registration

(1) Candidates contesting a seat in the Senate may be nominated by Political Parties and coalitions that shall file their proposal for registration by the party/coalition authorized agent. An independent candidate shall apply for registration by himself/herself. Any Political Party and/or coalition may file an application for registration of no more than one candidate in each electoral division. Should a Political Party have filed the application for registration of its candidate as a constituent of one joint coalition, it may not file another registration application as constituent of another coalition or as a separate entity.

(2) A candidate may stand for election in no more than one electoral division.

(3) No later than sixty days prior to the day of the elections, two identical copies of the registration application shall be submitted to the divisional election board secretary in the electoral division to be represented by the party/coalition nominee, or by the independent candidate to the Senate.

(4) The registration application shall include:

a) the name and surname of the candidate, his/her birth registration number, date of birth, place of permanent residence, occupation, and evidence supporting the fact that the candidate is a Citizen of the Czech Republic[7]);
b) the title of the Political Party or coalition applying for registration of its candidate, along with a signature attached by a party/coalition statutory body, or an information that the applicant is running for election as an independent candidate;
c) information as to whether the candidate is politically affiliated, and if so then his/her party affiliation;
d) the identification number and [seat] of the electoral division in undersigned candidate intends to compete for a representative seat;

e) a statement, signed in ink by the candidate, declaring that the undersigned candidate has approved of his/her nomination, and that no approval to be registered as a candidate in any other electoral division has been given to him/her, and that no fact disqualifying the undersigned candidate from eligibility to be elected is known to him/her. The undersigned candidate shall also indicate his/her party affiliation or, as the case may be, the fact that he/she is non-party;
f) should a candidate be nominated for registration by a Political Party or coalition, in an Appendix enclosed with the candidate's registration application, the Political Party or coalition shall name its agent, a person authorized to act on behalf of the Political Party or coalition, and two other persons who may become the agent's stand-ins. The name, surname, and the full address of the agent and the two stand-ins shall be given. No candidate shall have the right to act as the party/coalition agent or the agent's stand-in. Acts of the agent on behalf of the Political Party or coalition in matters related to the elections shall be binding on the Political Party or coalition. The divisional election board shall be notified by the Political Party or coalition should a stand-in replace the agent in the office.

(5) Should the secretary of the divisional election board find out that a registration application fails to meet the requirements specified by the provisions o this Article in Paragraph 4 above and Paragraph 6 below, he/she shall notify the agent of the Political Party of coalition, or the independent candidate in question. Before the final date stipulated in Paragraph 3 of this Article, the party/coalition agent or/and the independent candidate may remove such deficiencies. On the request of the party/coalition agent and/or the independent candidate, the secretary shall produce confirmation that the application for registration has been filed.

(6) Enclosed with the application for registration of an independent candidate shall be a petition in support of the candidate. This petition must be signed by no fewer than one thousand voters qualified to vote in the electoral division where the candidate is contesting the constituency seat. Persons signing the petition shall furnish their name, surname, birth registration number, and address. A signature under such petition may not be withdrawn.

Article 62. Review of Applications for Candidate Registration by Divisional Election Boards

(1) The divisional election board shall complete a review of all the applications for registration that have been filed no later than on the fifty-fifth day prior to the day of the elections.

(2) The divisional election board shall reject any application for registration should:
a) the nominated candidate fail to be eligible to be elected (see Article 57 hereinbefore);
b) the application for registration contain incorrect and/or incomplete data;
c) the independent candidate applying fail to produce a petition with signatures in his/her favour, or should the petition contain incorrect or/and incomplete pieces of information or forged signatures.

(3) Any candidate may appeal against the decision of the divisional election board to reject his/her application for registration to the Central Election Board. Such an appeal shall be lodged with the Central Election Board by the candidate no later that twenty-four hours following the receipt of the decision, and the Central Election Board shall have no more than two days to render a decision on such appeal.

Article 63. Review of Applications for Candidate Registration by the Central Election Board

(1) No later than on the fifty-first day prior to the day of the elections, each divisional election board shall deliver to the Central Election Board a complete roll of candidates applying for registration in its electoral division.

(2) The Central Election Board shall complete its review of the applications for registration no later than on the forty-ninth day prior to the day of the elections.

(3) The Central Election Board shall reject an application for candidate's registration on the grounds specified in Article 62, Paragraph 2 hereinbefore. Should one candidate be proposed for registration in more than one electoral division, the Central Election Board shall reject all such applications proposing to register the candidate in question.

(4) The chairman of the Central Election Board shall send a protocol on the conclusions of the applications review without delay to divisional election boards, and to each candidate that has applied for the registration.

Article 64. Candidate's Registration

(1) After the receipt of the Central Election Board's protocol on the conclusions on the review of applications for candidate's registration, no later that forty-five days prior to the day of the elections, each divisional election board shall register each candidate whose application has been duly filed in its electoral division, draw lots in order that numerical symbols denominating candidates' ballots may be determined, and notify the independent candidates and/or party/coalition authorized agents about such facts in writing. Should a candidate be registered by implication of the Central Election Board decision on appeal (see Article 62, Paragraph 3 above), or by implication of a court decision as per a separate law 10), the relevant divisional election board shall register the candidate even after the above specified final date, however, no later than on the thirtieth day prior to the day of the elections, and subsequently, shall assign each of these candidates the numerical symbol which shall index the candidate's ballot. For the purpose of assigning a numerical symbol to the candidates, lots shall be drawn as well, and the result shall be communicated in writing to the respective independent candidate and/or agent acting on behalf of the Political Party and/or coalition.

(2) No ballots shall be reproduced for any candidate unless the candidate has been duly registered.

(3) Should, subsequent to registration of a candidate, the Political Party which applied for his/her registration be forced to suspend its activities or be dissolved, the candidate shall be deemed an independent candidate who then shall not be under obligation to produce any petition retroactively.

Article 65.

(1) In each electoral division, the District State Administration Office In the Seat of Electoral Division shall be established a separate bank account. This bank account shall be established no later than the day on which the divisional election board in the electoral division shall have been constituted.

(2) Each entity that has failed an application for registration of a candidate shall deposit a security amounting to twenty thousand KY in the bank account specified in the foregoing Paragraph 1 of this Article. This deposit shall be made within three days following the notification of the candidate's registration (Article 64, Paragraph 1 hereinbefore), and the entity shall inform the relevant divisional election board about the fact no later than two days after the deposit has been made.

(3) The printing of ballots shall not be undertaken unless the deposit, on which it is contingent, has been made.

(4) Divisional election boards shall refund the deposit to the depositors no later than one month following the declaration of the election results provided the candidate for whom the deposit was made has accrued no less than six per cent of the total vote in the electoral division. Deposits that shall not be refunded shall be deemed to be receipts of the national budget.

(5) The Ministry of Finance shall lay down specific legal regulations providing for particulars in respect of the manner in which the security deposited will be refunded.

Article 66. Resignation from Nomination, Recall of Nominee

(1) Any candidate may resign from his/her nomination provided the resignation statement be made in writing prior to the opening of the election. The same procedure applies should a Political Party or coalition, through the instrumentality of its agent, wish to recall the candidate whom the party/coalition has nominated.

(2) Two copies of this statement shall be delivered to either the chairman or the secretary of the relevant divisional election board. Neither the resignation statement nor the recall statement can be withdrawn.

(3) The chairman of the divisional election board shall forward one of the two copies to the chairman of the Central Election Board without delay, and immediately thereafter, arrange for the statement to be made public in an appropriate manner in polling stations provided that he/she has received the statement no later than forty-eight hours prior to the beginning of the election.

(4) Should a resignation/recall statement be made after the distribution of ballots among voters has taken place, no account shall be taken of votes cast in favour of the candidate who has resigned or has been recalled when the vote count is computed.

Article 67. Ballots

(1) Through District State Administration Office In the Seat of Electoral Division, the chairman of each divisional election board shall arrange for ballots to be printed.

(2) Ballots shall include the name of the candidate as well as his/her surname, date of birth, occupation, place of permanent residence, and the title of the Political Party or coalition which has nominated the candidate, or information that the candidate in question is running for election as an independent candidate. Each registered candidate

candidate shall have a separate ballot which shall be indexed by the numerical symbol assigned to him/her by drawing the lots. An identification number of the respective electoral division shall be printed at the head of the ballot as well as the candidate's party affiliation or where applicable the fact that the candidate is non-party.

(3) In all electoral divisions, ballots shall be printed in an identical type-face and character-size, on paper of identical quality, colour and size. Ballots shall be under the official seal of the Central Election Board.

(4) Through District State Administration Office In the Seat of Electoral Division, the chairmen of divisional election boards shall send the ballots reproduced in the above manner to Mayors who subsequently shall have the ballots distributed (a) to each voter so that the electorate has received them no later than on the third day prior to the day of the elections, and (b) to each ward election board so that the boards have received them before voting commences.

Article 68. Voting

Having received a Formal Envelope and if necessary a set of ballots, a voter shall enter a voting booth (Article 17, Paragraph 2 hereinbefore) where he/she shall insert no more than one ballot into the Formal Envelope. Such ballot shall not be edited in any manner whatsoever.

Article 69. Vote Counting by Ward Election Board

(1) After voting has finished, the chairman of the ward election board shall arrange for the Formal Envelopes and ballots that have not been used by voters to be put under seal. Then, he/she shall have the regular ballot-box opened. Should certain voters have required the use of a portable ballot-box, and should the ward election board have used it, the portable ballot-box shall be opened, and the contents emptied shall be added to the contents of the regular ballot-box.

(2) The ward election board shall remove the Formal Envelopes containing ballots from ballot-boxes, count the number of Formal Envelopes found, and compare the number arrived at with records entered into extracts from both the Permanent Electoral Roll and Register of Persons Unable to Vote Locally. No envelopes other than the Formal Envelopes shall be admitted by the ward election board. Ballots found in the ballot-box bare of the Formal Envelope shall also be invalidated.

(3) Having emptied the Formal Envelopes, the ward election board shall sort the ballots with the distinct candi-candidates, and add up the votes cast in favour of each candidate separately.

(4) Each member of the ward election board shall have the right to see the contents of any ballot. The regularity of vote counting shall be supervised by the chairman of the ward election board.

Article 70. Validity versus Invalidity of Ballots/Votes

(1) Ballots to which various marks and/or editing have been added by voters shall be deemed to be valid and cast in favour of the candidate chosen by the ballot.

(2) Choice expressed by ballots other than those having the legitimate prescribed printed form of a ballot shall be deemed invalid. Ballots that have been torn in two or more pieces shall also be deemed invalid. Should more than one ballot be found in a Formal Envelope, each choosing a different candidate, all such ballots shall be deemed to be invalid votes. Should more than one ballot choosing the same candidate be found in a Formal Envelope, all such ballots shall be deemed to be one vote cast in favour of the candidate.

(3) Validity/invalidity of a ballot shall be ultimately decided upon by the ward election board.

Article 71. Vote Count Report by Ward Election Board

(1) Each ward election board shall prepare two identical copies of a report of the polling process and the vote count received in its electoral ward. The report shall be signed by members of the ward election board, and should any of the ward election board members deny such signature, reasons for such denial shall be given.

(2) The report of the polling process and the vote count received in the electoral ward drafted by each ward election board shall include:

a) the hour of both the beginning and the end of voting, and of any interruption of voting if applicable;

b) the total electorate in the electoral ward - the number of persons registered in the ward extract from the Permanent Electoral Roll and in the ward extract from the Register of Persons Unable to Vote Locally;
c) the number of voters to whom Formal Envelopes were handed over;
d) the number of Formal Envelopes that have been turned in;
e) the number of valid votes cast in favour of each individual candidate, and the aggregate of valid votes cast regardless of the candidate choice;

f) a brief account of the subject matter of notifications and complaints submitted to the ward election board, and decisions rendered by the ward election board accompanied by a brief substantiation thereof.

Article 72. Conclusion of Ward Election Board Operation

(1) After the votes have been counted, and after the report of the polling process and the vote count has been signed by the ward election board, its chairman shall relate the vote count to superior authorities, and forward one copy of the report to the divisional election board without delay. Then he/she shall wait for the divisional election board to direct him/her to discontinue the board operations.

(2) Should any chairman of the ward election board fail to meet the obligations arising from the provisions stipulated by the foregoing Paragraph 1 of this Article within twenty-four hours after the end of voting in spite of having been requested to do so by the divisional election board, the divisional election board may compute the vote count received in the other electoral wards. After the stipulated final date, and after the divisional election board members have signed the report (Article 74 hereinafter), no vote count that may arrive shall be taken into account.

(3) The ward election board shall seal the ballots and Formal Envelopes cast, and the ward extracts from the Permanent Electoral Roll/Register of Persons Unable to Vote Locally, and deposit them, along with the other election-related documents, with the Local Authorities for safe- keeping.

Article 73. Vote Computing by Divisional Election Board

(1) Each divisional election board shall compute the votes cast within its electoral division, ascertaining voting results in the electoral division, based on reports of the polling process and the vote count received from individual ward election boards.

(2) No persons other than members of the Central Election Board, along with members of its counting team and secretariat staff, and persons authorized by the Central Election Board shall have the right to be present on the premises where the divisional election board and its counting team have been in the process of computing the votes and ascertaining the voting results.

Article 74. Divisional Election Board Report

(1) Each divisional election board shall prepare a report of the polling outcome within its electoral division. Members of the divisional election board shall sign the report, and should any of the divisional election board members deny such signature, reasons for such denial shall be given.

(2) The report of the polling outcome in the electoral division drafted by each divisional election board shall include:

a) the number of ward election boards in the electoral division in question;
b) the number of ward election boards that have delivered the vote count;
c) the total constituency in the electoral division - the total number of persons registered in relevant extracts from Permanent Electoral Rolls and relevant extracts from Registers of Persons Unable to Vote Locally within the electoral division in question;
d) the number of voters to whom Formal Envelopes were handed over;
e) the number of Formal Envelopes that have been turned in;
f) the number of valid votes cast in favour of each individual candidate, and the aggregate of valid votes cast regardless of the candidate choice;
g) the rate of electoral participation in the electoral division, the total percentage being rounded and correct to two decimal places;
h) a list, ranking the candidates according to the total vote each of the candidates accrued, and data on the winning candidate;
i) a brief account of the subject matter of notifications and complaints submitted to the divisional election board, and a record of decisions rendered by the divisional election board.

(3) Each divisional election board shall scrutinize the election reports delivered by ward election boards, and based on the vote count from electoral wards shall ascertain the vote percentage each candidate accrued out of the total popular vote returned in its electoral division. According to the figure rounded and correct to two decimal places, the divisional election board shall compile a list in which the competing candidates shall be arranged in descending order. Should the vote percentage won by several candidates be equally high, the number of valid votes cast in favour of the candidate shall be decisive; should, however, the total vote accrued by several candidates be also equally high, the position of the candidate in the final list shall then be determined by drawing lots.

(4) After the report of the polling outcome in the electoral division has been signed, the chairman of the divisional election board shall dispatch its copy immediately via a technical device capable of transmitting information to the Central Election Board counting team. Immediately thereafter, the chairman shall forward the original paper copy of the report, along with its attachments to the Central Election Board, and wait for the Central Election Board to direct him/her to discontinue the board operations. The other election-related documents shall be deposited with the District State Administration Office In the Seat of Electoral Division for safe-keeping.

Article 75.

The candidate who secures an absolute majority of the popular vote shall be declared the winner.

Article 76.

(1) Should no candidate secure the amount of votes required for his/her election (Article 75 hereinbefore), the divisional election board shall make a note of this electoral deadlock in its report of the polling outcome, and notify the Central Election Board. The divisional election board shall arrange for the second round of elections to be held on the sixth day following the day on which the voting in the first round of elections ended.

(2) In each electoral division in which the second round of elections shall take place, only the two strongest candidates who accrued the highest and the second highest number of votes in the first round shall stand for election, however, if several candidates received equally highest number of votes in the first round, all such candidates shall qualify for the second ballot.

(3) For the ballot printing procedure, provisions of Article 67, Paragraphs 1, 2, and 3 hereinbefore shall apply. Through District State Administration Office In the Seat of Electoral Division, chairmen of divisional election boards shall send the ballots to Mayors who subsequently shall have the ballots distributed to ward election boards before the voting commences. Voters shall receive ballots in the polling stations on the very day of the election.

(4) The candidate who secures a majority of the popular vote if there are two competitors, or a plurality if there are more than two competitors shall be declared winner. Should both/all the candidates accumulate equivalent numbers of votes, the winning candidate shall be decided by drawing lots.

(5) Provisions stipulated in this Act that are applicable for the elections to the Senate shall have due pertinence to the second round of elections to the Senate.

Article 77. Declaration of Election Results

Based on the reports of the results of the elections prepared by divisionalelection boards, the Central Election Board shall declare the final results of the elections to the Senate.

Article 78. Confirmation of Election

No later than one month following the declaration of the results of the elections, the Central Election Board shall issue a Confirmation of Election to the Senator-elects, authenticating their election to a seat in the Senate.

Article 79. Special Elections

If no Senator be elected in an electoral division as a consequence of a court ruling to nullify the election, or due to grave deficiencies in the electoral procedure, the President of the Republic shall call new, special elections to be held in the electoral division. Final dates and time allowances defined in this Act may be shortened accordingly.

Article 80. By-Elections

(1) Should the mandate of a Senator cease to exist during the Senator's electoral term for any reason, the President of the Republic shall call by-elections to fill such a vacancy. The by-elections shall be held in the electoral division the constituency mandate of which the Senator first elected was conferred with. The President shall determine the day of the by-election so that it shall be held no later than ninety days following the day on which the mandate of the Senator ceased to exist.

(2) By-elections shall be governed by the provisions stipulated in this Act, and wherein periods of time defined by Article 13, Paragraphs 2 and 3, Article 14, Paragraph 1, Article 60, Paragraphs 1 and 2, and Article 61, Paragraph 3 may be abridged by no more than one third. Periods of time defined by Article 62, Paragraph 1, Article 63, Paragraphs 1 and 2, and Article 64, Paragraph 1 may be abridged by no more than twenty days.

(3) No by-elections shall be held to fill a vacancy during the last year receding the end of the electoral term of the Senator whose mandate ceased to exist.

(4) By-elections shall choose a Senator who shall fill the vacancy which occurred after the mandate of the incumbent has ceased to exist, and who shall be in office until

until the end of the electoral term of the Senator first elected.

Chapter 4. Provisions For Organization And Facilitation Of Elections

Article 81. Provision of Prerequisites and Aids

(1) Ward election boards shall be supplied with all prerequisites required by the elections, such as polling stations and their furnishings, Formal Envelopes, and necessary personnel by the Local Authorities in whose jurisdiction the ward election boards shall be established.

(2) District election boards shall be supplied with all prerequisites and necessary personnel required by the elections by the responsible district State administration offices, and in the case of the cities of Prague, Brno, Ostrava, and Plzeå by the municipal authorities, along with the authorities of each municipal district/part.

(3) Regional election boards shall be supplied with all prerequisites and necessary personnel required by the elections by the District State Administration Office in the Seat of Electoral Region.

(4) Divisional election boards shall be supplied with all prerequisites and necessary personnel required by the elections by the District State Administration Office in the Seat of Electoral Division.

Article 82. The Right of Election Board Members to Compensation

A member of an election board shall have the right to claim compensation for his/her services provided in office. An entitlement of a member of an election board to leave of absence from employment or duty during which time remuneration is not normally affected shall be determined by specific rules and regulations governing legal relations in this field.[12])

Article 83. Rights of Candidates

(1) A candidate shall have the right to seek leave of absence of his/her employer or the person/entity with which the candidate has an analogous type of service agreement. Any candidate running for election to the Chamber of Delegates shall have the right to seek leave of absence as absence as of the day following the registration of the list of candidates by a regional election board, and any candidate running for election to the Senate shall have the right to seek leave of absence as of the day following the registration if the candidate by a divisional election board. During leave of absence from employment or duty the candidate shall not be entitled to any remuneration. All activities of the candidate whilst on leave shall be considered to be other activities in the public interest.

(2) The fact that a person is running for a Parliamentary seat shall not be detrimental to that person's employment or other similar relations. The time of leave of absence defined in the foregoing Paragraph 1 of this Article shall be considered as time spent in the discharge of duties arising from regular professional engagement.

Article 84.

Expenses incurred on bodies of the State administration, Municipalities, and election boards whilst discharging of their duties in relation to the Parliamentary elections in the Czech Republic shall be covered by the national budget.

Article 85. Government Financial Assistance in Covering Election-Related Costs

Financial assistance in covering election-related costs shall be granted only in case of elections to the Chamber of Delegates, and only to those Political Parties and coalitions which accrued enough votes to qualify for such assistance. Having verified the election of Delegates, the Chamber of Delegates shall communicate the party/coalition totals to the Ministry of Finance, and the Political Party or coalition which obtained three per cent or more out of the total number of valid votes cast shall receive from the national budget a payment of ninety KŸ per each vote it received.

Chapter 5. Judicial Review

Article 86.

A Political Party or coalition may seek a judicial review of the decision of the Central Election Board to reject its list of candidates running for election to the Chamber of Delegates, or to remove a candidate from its list of candidates. Within twenty-four hours, the Political Party or coalition may refer the matter to a court of justice, and demand that the court decide in this matter under a separate rule of law[13]).

[12] Decree of the Federal Ministry of Labour and Social Security, No.18/1991 Sb., on Other Services in the Public Interest
Article 17, of the Decree of the Government, No. 108/1994 Sb., implementing the Labour Code and Certain Other Laws

[13] Article 200m of Code of Civil Procedure.

Article 87.
An entity that applied for the registration of a candidate running for election to the Senate may to seek a judicial review of the decision of the Central Election Board to reject the application for registration. Within twenty-four hours, the said entity may refer the matter to a court of justice, and demand that the court decide in this matter under a separate rule of law.[13])

Article 88.
(1) Each Citizen may file a complaint against the issuance of Confirmation of Election to a candidate elected Delegate or to a candidate elected Senator provided the said Citizen has been on the list of voters which is pertinent to the election ward in which votes were cast for the Delegate or the Senator. The same right may be enjoyed by each Political Party or coalition which filed its list of candidates in the electoral region, or which applied for registration of a candidate. No later than ten days of the declaration of the election results by the Central Election Board, the petitioner may refer the matter to a court of justice, and demand that the court decide in this matter under a separate rule of law[14]).

(2) The opinion of the court upon which its resolution is so based shall be forwarded by the court to the Chamber of Delegates in the case that a Delegate is contested, or to the Senate in the case that a Senator is contested.

Article 89.
The Supreme Court shall be the court with jurisdiction in regard to proceedings under Articles 86, 87, and 88 above.

PART TWO: AMENDMENTS TO ACT NO. 99/1963 SB., CODE OF CIVIL PROCEDURE, AS WORDED BY LATER LEGISLATION

Article 90.
Act No. 99/1963 Sb., Code of Civil procedure, as worded by Act No. 36/1967 Sb., Act No. 158/1969 Sb., Act No. 49/1973 Sb., Act No. 20/1975 Sb., Act No.133/1982 Sb., Act No. 180/1990 Sb., Act No. 328/1991 Sb., Act No. 519/1991 Sb., Act No. 263/1992 Sb., Act of the Czech National Council No. 24/1993 Sb., Act No. 171/1993 Sb., Act No. 117/1994 Sb., Act No. 152/1994 Sb., Act No.216/1994 Sb., Act No. 84/1995 Sb., Act No. 118/1995 Sb., and Act No. 160/1995 Sb. shall hereby be amended as follows:

1.Articles 200f and 200g shall hereby be omitted, inclusive of their titles.
2.Article 200j, Paragraphs 1 and 4 shall read as follows:

"(1) Should a relevant body of State administration fail to remove deficiencies or errors from the Permanent Electoral Roll or from the Registers of Persons Unable to Vote Locally on its own initiative, the Citizen thereby affected may resort to a court with the venue jurisdiction, and motion that a decision is delivered, ruling an amendment or supplement be made to the register in question.
(4) District courts shall be the courts with the venue jurisdiction in regard to proceedings on errors and deficiencies in Permanent Electoral Rolls and Registers of Persons Unable to Vote Locally."

3. Article 200l shall be succeeded by Articles 200m and 200n which including their title and Footnote No. 34d) shall have the following wording:

"Proceedings in Respect of Election-Related Matters

Article 200 (m)

(1) If an election board specified in a separate Act 34d) as the authority endowed with powers to render a final decision, has decided to:[34d]).

a) reject a list of candidates running for election to the Chamber of Delegates, the political party, political movement or coalition which has filed the list of candidates may refer the matter to a court of justice, and motion that a decision is delivered, ruling that the list of candidates be registered;
b) remove a candidate from a list of candidates running for election to the Chamber of Delegates, the political party, political movement or coalition which has filed the list of candidates may refer the matter to a court of justice, and motion that a decision is delivered, ruling that the candidate be retained;
c) reject an application for registration of a candidate running for election to the Senate, the applicant may refer the matter to a court of justice, and motion that a decision is delivered, ruling that the candidate be registered.

[14] Article 200n of Code of Civil Procedure.

[34d] Act No. 247/1995 Sb., on Elections to the Parliament of the Czech Republic, and on Amendments to Certain Other Acts

(2) The election board in question and the petitioner shall be the parties to such proceedings.

(3) The resolution of the court shall be delivered within three days without the court calling a hearing.

(4) There is no right of appeal against the decision of the court.

Article 200 (n)

(1) A complaint against the issuance of Confirmation of Election to a candidate elected a Delegate or a Senator 34e) shall be decided by the court without the court calling a hearing no later than the tenth day of the complaint. 34e) Act No. 247/1995 Sb., on Elections to the Parliament of the Czech Republic, and on Amendments to Certain Other Acts

(2) The petitioner, the election board in question, and the Delegate or Senator whose Confirmation of Election is contested shall be the parties to such proceedings.

(3) There is no right of appeal against the decision of the court.

PART THREE: ACT NO. 152/1964 SB., ON ELECTIONS TO LOCAL AUTHORITY COUNCILS AND BOARDS, AND ON AMENDMENTS TO CERTAIN OTHER ACTS

Article 91.

Act No. 152/1994 Sb., on Elections to Local Authority Councils and Boards, and on Amendments to Certain Other Acts shall hereby be amended as follows:

Article 14, including Footnote No. 8a) shall read as follows:

Article 14
(1) The Central Election Committee shall be constituted in compliance with a separate Act[8a]).

(2) The Central Election Board shall be called into its first session by the Minister of the Interior so that the session shall commence no later than the fifty-seventh day prior to the day of elections to local authority councils and boards.".

[8a] Act No. 247/1995 Sb., on Elections to the Parliament of the Czech Republic, and on Amendments to Certain Other Acts

PART FOUR: JOINT, TRANSITORY AND FINAL PROVISIONS

Article 92. Enabling Provisions

(1) The Ministry of the Interior shall lay down legal regulations providing for:

a) the particulars with respect to duties with which Municipalities and district State administration offices shall be commissioned while
   1. making up and keeping Registers of Persons Unable to Vote Locally as well as drawing extracts from the Registers of Persons Unable to Vote Locally;
   2. providing and equipping polling stations;
   3. safe-keeping ballots and other election-related documents;
b) specimen forms of a ballot, Register of Persons Unable to Vote Locally, Confirmation of Election of a Senator/Delegate and, as the case may be, also of other election-related documents and forms;
c) particulars in respect of the interaction of State administration bodies in verifying the information stated by Political Parties and coalitions filing their lists of candidates for registration, or by independent candidates applying for their registration;
d) the rules of the proceedings of the Central Election Board;
e) the amount and other details of payment of a non-recurring compensation to which election board members shall be entitled for services provided in office. Such particulars shall be defined by the Ministry of the Interior, based on consultations with the Ministry of Labour and Social Security, and the Ministry of Finance.

(2) The Ministry of Finance shall lay down specific legal regulations providing for particulars with respect to the manner in which the security deposited will be refunded.

Article 93.

Measures for the preparation of the execution of this Act taken by the relevant bodies of the State administration already before the effectiveness of this Act shall be deemed measures taken after the effective date of this Act provided, however, that such measures have complied with the provisions of the law.

Article 94.

The first election to the Senate shall be held in each of the eighty-one electoral divisions specified in Annex 3. Sena-

Senators who represent electoral divisions No. 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31, 34, 37, 40, 43, 46, 49, 52, 55, 58, 61, 64, 67, 70, 73, 76, and 79 shall be elected for a two-year electoral term. Senators who represent electoral divisions No. 2, 5, 8, 11, 14, 17, 20, 23, 26, 29, 32, 35, 38, 41, 44, 47, 50, 53, 56, 59, 62, 65, 68, 71, 74, 77, and 80 shall be elected for a four-year electoral term, and Senators who represent the remaining electoral divisions shall be elected for a six-year electoral term.

Article 95.

(1) Should elections to the Chamber of Delegates be held on the same day as the elections to the Senate, ward election boards shall serve jointly for convenience in both the elections to the Chamber of Delegates and the elections to the Senate. In such a case, ward election boards shall not discontinue operations unless directed to do so by both its district election board and divisional election board.

(2) If one regional election board is of a different opinion to that of another regional election board, and/or if one divisional election board is of a different opinion to that of another divisional election board, then upon the request of any of the election boards, the issue shall be decided by the Central Election Board.

Article 96.

Should elections to the Chamber of Delegates and/or to the Senate be held jointly with the elections to local authority councils and boards, neither ward election boards nor district election boards shall discontinue operations unless directed to do so by each and every election board of a superior authority which shall have been established for convenience in each type of election that will then be held.

Article 97.

(1) Any reference which may appear in this Act as to numbers of population shall be construed as having referred to the numbers of population known on the first day of the first month of the year in which elections are held.

(2) The first day of the elections shall be considered to be the day of the elections referred to in this Act, except as otherwise provided for in this Act.

Article 98. Rescinding Provisions

Act of the Czech National Council No. 54/1990 Sb., on Elections to the Czech National Council, as worded by Decree of the Presidium of the Czech National Council No. 221/1990 Sb., Act of the Czech National Council No. 435/1991 Sb., Act of the Czech National Council No. 94/1992 Sb., and Act No. 117/1994 Sb.are hereby repealed.

Article 99. Effectiveness of this Act

This Act becomes effective on January 1, 1996.

ESTONIA

RIIGIKOGU ELECTION ACT

**Passed 7 June 1994,
(RT1 I 1994, 47, 784; consolidated to RT I 1998, 105, 1743),
entered into force 11 July 1994,
amended by the following Acts:
21.11.2001 entered into force 23.12.2001 - RT I 2001, 95, 588;
10.02.99 entered into force 24.02.99 - RT I 1999, 18, 298;
15.12.98 entered into force 17.01.99 - RT I 1999, 1, 1;
24.11.98 entered into force 12.03.99 - RT I 1998, 107, 1765.**

CHAPTER I. GENERAL PROVISIONS

§ 1. Bases of election system

Members of the Riigikogu shall be elected in free elections on the basis of a general, uniform and direct right to vote, by secret voting.

§ 2. General right to vote

(1) An Estonian citizen with the right to vote who has attained eighteen years of age by election day has the right to vote.

(2) An Estonian citizen with the right to vote who has attained twenty-one years of age by election day may run as a candidate for member of the Riigikogu.

(21.11.2001 entered into force 23.12.2001 - RT I 2001, 95, 588)

(3) A citizen who has been divested of his or her active legal capacity by a court shall not have the right to vote.

(4) A citizen who has been convicted by a court and is serving a sentence in a penal institution shall not participate in voting.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 2.1. (Repealed - 21.11.2001 entered into force 23.12.2001 - RT I 2001, 95, 588)

§ 3. Uniform right to vote

Every elector shall have one vote in Riigikogu elections.

§ 4. Direct right to vote

Election results shall be ascertained on the basis of the expression of will of the persons who participate directly in the elections.

§ 5. Secret voting

Voting in Riigikogu elections shall be secret.

§ 6. Holding of elections

(1) Regular Riigikogu elections shall be held on the first Sunday of March of the fourth year following the preceding Riigikogu election year.

(2) Extraordinary Riigikogu elections shall be held in the cases provided for in the Constitution.

§ 7. Declaration of elections

(1) Regular and extraordinary Riigikogu elections shall be declared by the President of the Republic by a resolution pursuant to clause 78 3) of the Constitution.

(2) Regular Riigikogu elections shall be declared by the President of the Republic not later than three months before the Riigikogu election day.

(3) Extraordinary Riigikogu elections shall be declared by the President of the Republic within three days of the date such duty arises in the cases provided for in §§ 89, 105 and 119 of the Constitution. Within the sameterm, the President of the Republic may declare extraordinary Riigikogu elections on the proposal of the Government of the Republic, upon expression of no confidence in the Government of the Republic or the Prime Minister pursuant to § 97 of the Constitution.

§ 8. Election related expenditure

(1) Expenditure for preparation and holding of Riigikogu elections shall be covered from the state budget.

(2) The election campaigns of political parties and independent candidates shall not be financed from the state or local budgets.

(17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

(3) Political parties and independent candidates shall, within one month after announcement of the election results, submit a report to the National Electoral Committee concerning expenses incurred and sources of

funds used for the election campaign. The report shall be audited pursuant to law.

(17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

§ 8.1. Restriction on election campaigning

Election campaigning is prohibited on election day.

(10.02.99 entered into force 24.02.99 - RT I 1999, 18, 298)

CHAPTER II. ELECTORAL DISTRICTS AND POLLING DIVISIONS

§ 9. Formation of electoral districts

(1) Eleven multi-mandate electoral districts shall be formed for Riigikogu elections:
Electoral district no. 1: Tallinn city districts of Haabersti, Põhja-Tallinn and Kristiine;
Electoral district no. 2: Tallinn city districts of Kesklinn, Lasnamäe and Pirita;
Electoral district no. 3: Tallinn city districts of Mustamäe and Nõmme;
Electoral district no. 4: Harjumaa (except Tallinn) and Raplamaa;
Electoral district no. 5: Hiiumaa, Läänemaa and Saaremaa;
Electoral district no. 6: Lääne-Virumaa and Ida-Virumaa;
Electoral district no. 7: Järvamaa and Viljandimaa;
Electoral district no. 8: Jõgevamaa and Tartumaa (except the city of Tartu);
Electoral district no. 9: the city of Tartu;
Electoral district no. 10: Võrumaa, Valgamaa and Põlvamaa;
Electoral district no. 11: Pärnumaa.

(Subsections (2)–(6) repealed - 27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 9.1. Distribution of mandates

(1) By its decision, the National Electoral Committee shall distribute the mandates among the electoral districts as follows:

1. the total number of Estonian citizens with the right to vote shall be divided by the number 101;
2. the number of Estonian citizens in each electoral district with the right to vote shall be divided by the number obtained as a result of the calculation pursuant to clause 1) of this subsection;
3. each electoral district shall receive mandates pursuant to the integer of the number obtained as a result of the calculation pursuant to clause 2) of this subsection;
4. mandates which are not distributed pursuant to clause 3) of this subsection shall be distributed on largest-remainder rule, based on the fractions of numbers obtained as a result of the calculation pursuant to clause 2) of this subsection.

(2) The National Electoral Committee shall distribute the mandates not later than within five days after elections are declared.

(3) In the distribution of mandates, the National Electoral Committee shall take guidance from the information of the national register which is maintained concerning Estonian citizens with the right to vote as on the first day of the month preceding declaration of elections.

(4) The Minister of Internal Affairs shall submit the information specified in subsection (3) of this section by counties, and, in Tallinn, by city districts to the National Electoral Committee, not later than on the next working day after elections are declared.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 10. Bases for formation of polling divisions

(1) In order to hold voting, each electoral district shall be divided into polling divisions which shall be formed separately in every rural municipality and city, or, in Tallinn, in every city district.

(2) (Repealed - 27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 11. Polling divisions

(1) In order to hold voting, polling divisions shall be formed in the territory of rural municipalities and cities.

(2) A rural municipality government or city government shall form polling divisions not later than on the fifty-fifth day before election day and determine the number and boundaries of polling divisions and the locations of the division committees.

(3) A county electoral committee shall determine the standard numeration of the polling divisions in the county, or in Tallinn or Tartu. The corresponding decision of the committee shall be published as public information.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

CHAPTER III. ELECTORAL COMMITTEES

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 12. Types of electoral committees

(1) The following electoral committees shall hold Riigikogu elections:

1. the National Electoral Committee;
2. the electoral committees of the counties;
3. the division committees.

(2) In Tallinn and Tartu, the functions of the county electoral committees shall be performed by the electoral committees of the city.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 13. Term of electoral committee

(1) The term of the National Electoral Committee and county electoral committees shall be four years. The members of the committee shall be appointed not later than on the tenth day before termination of authority of the current membership of the committee.

(2) The term of a division committee shall be until formation of polling divisions for the next regular elections of the Riigikogu. The members of a division committee shall be appointed not later than on the twentieth day before election day.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 14. Member of electoral committee

(1) A person who has the right to participate in voting in Riigikogu elections according to § 2 of this Act may be a member of an electoral committee.

(2) A person may be a member of one electoral committee.

(3) The authority of a member of an electoral committee shall terminate prematurely if :

1. his or her designation as an authorised representative of a candidate list;
2. his or her becoming as an authorised representative of an independent candidate;
3. his or her nomination as a candidate in Riigikogu elections;
4. entry into force of a conviction by a court against him or her;
5. his or her resignation;
6. his or her death.

(4) A person may be released from his or her duties as a member of an electoral committee by the official or body which appointed him or her either on the initiative of the official or body or on the proposal of the electoral committee.

(5) The National Electoral Committee may suspend the activity of a member of a division committee or county electoral committee who violates law. A county electoral committee may suspend the activity of a member of a division committee who violates law.

(6) A member of an electoral committee shall not campaign for or against independent candidates or candidate lists.

(7) A member of an electoral committee shall be independent in the performance of his or her duties and shall operate pursuant to law. Members of a subordinate electoral committee shall operate pursuant to the instructions of a superior electoral committee.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 15. Meetings of electoral committee

(1) The work format of an electoral committee shall be a meeting, which shall be convened by the chairman of the committee or, in his or her absence, by the deputy chairman. The committee has a quorum if at least one-half of the membership of the committee is present, including the chairman or deputy chairman. Minutes of committee meetings shall be taken.

(2) The meetings of an electoral committee shall be public.

(3) An electoral committee shall decide issues within its competence by a majority of votes in favour.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 16. Assistance to electoral committee

(1) State and local government bodies, administrative agencies and agencies are, within their competence, required to assist electoral committees in the organisation of elections.

(2) Electoral committees have the right to apply to administrative agencies in writing on issues concerning the organisation of elections.

(3) An administrative agency shall respond to the application of an electoral committee in writing within three working days after receipt of the application.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 17. Formation of National Electoral Committee

(1) The members of the National Electoral Committee shall be:

1. a judge of a court of first instance appointed by the Chief Justice of the Supreme Court;
2. a judge of a court of appeal appointed by the Chief Justice of the Supreme Court;
3. an adviser to the Legal Chancellor appointed by the Legal Chancellor;
4. an official of the State Audit Office appointed by the Auditor General;
5. a public prosecutor appointed by the Chief Public Prosecutor;
6. an official of the Chancellery of the Riigikogu appointed by the Secretary General of the Riigikogu;
7. an official of the State Chancellery appointed by the State Secretary.

(2) The Chairman, Deputy Chairman and Secretary of the National Electoral Committee shall be elected by the electoral committee from among its members at the first meeting of the committee. The first meeting of the electoral committee shall be convened by the Chairman or Deputy Chairman of the National Electoral Committee not later than on the seventh day after the beginning of the term of the committee.

(3) The appointer of a member of the National Electoral Committee to office shall appoint an alternate member for the member who, in the absence of the principal member, shall have all the rights and duties of the principal member.

(4) The Chief Justice of the Supreme Court may appoint a judge as a member of the National Electoral Committee only with the consent of the judge and after considering the opinion of the chief judge of the court.

(5) Operational and clerical support to the National Electoral Committee shall be provided by the Chancellery of the Riigikogu.

(6) The National Electoral Committee shall establish its procedure.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 18. Competence of National Electoral Committee

(1) The function of the National Electoral Committee is to ensure the uniform conduct of Riigikogu elections, instruct other electoral committees, exercise supervision over the activities thereof and perform other functions arising from this Act.

(2) By way of supervisory control, the National Electoral Committee has the right to:

1. issue precepts for the elimination of deficiencies of a decision or act of a county electoral committee or division committee;
2. suspend the performance of an act or the validity of a decision of a county electoral committee or division committee;
3. declare a decision of a county electoral committee or division committee invalid.

(3) The National Electoral Committee shall issue regulations in the cases provided for in subsection (4) of this section. The regulations of the National Electoral Committee enter into force on the date following the date of signature.

(4) By its regulation, the National Electoral Committee shall establish the following:

1. the procedure of the National Electoral Committee;
2. the procedure for the nomination and registration of candidates;
3. the standard format of candidate registration applications, the standard format of the list of candidates in an electoral district, the standard format of the national lists of candidates, the standard format consent of a candidate for his or her running as a candidate, the standard format of the personal data form of candidates;
4. the procedure for the exchange of information between electoral committees;
5. the procedure for the preparation, amendment and completion of a polling list, and the standard format of polling lists;
6. the procedure for voting in foreign states;
7. the procedure for the holding of voting and verification of voting results;
8. the standard format of a ballot paper;
9. the standard format of the records of voting results and election results;
10. the status of an observer;
11. the procedure for the verification of election results;

12. the procedure for the use of money allocated for the organisation of elections;
13. the terms for the acts of extraordinary elections to the Riigikogu.

(5) The National Electoral Committee shall adopt decisions in order to resolve individual matters within the competence of the National Electoral Committee. The chairman and secretary of the committee shall sign the decisions. A decision shall enter into force upon signature.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 19. Formation of county electoral committee

(1) A county electoral committee shall be comprised of up to thirteen members.

(2) A county secretary shall be the chairman of a county electoral committee. A county governor shall appoint the members of a county electoral committee on the proposal of the county secretary. The county governor, on the proposal of the county secretary, shall also appoint for up to four alternate members who, during the term of the committee and in the order specified by the county governor, shall replace the members of the committee whose authority is suspended or terminated.

(3) A city secretary shall be the chairman of the electoral committee of the cities of Tallinn and Tartu. A city council shall appoint the members of an electoral committee of the city on the proposal of the city secretary. The city council shall also appoint for up to four alternate members who, during the term of the committee and in the order specified by the council, shall replace the members of the committee whose authority is suspended or terminated.

(4) The deputy chairman and secretary of a county electoral committee shall be elected by the committee from among its members.

(5) Operational and clerical support to a county electoral committee shall be provided by the county government, in Tallinn and Tartu, by the city government.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 20. Competence of county electoral committee

(1) The function of a county electoral committee is to verify voting results in the county, instruct division committees, exercise supervision over the activities thereof and perform other functions arising from this Act.

(2) By way of supervisory control, a county electoral committee has the right to:

1. issue precepts for the elimination of deficiencies of a decision or act of a division committee;
2. suspend the performance of an act or the validity of a decision of a division committee;
3. declare a decision of a division committee invalid.

(3) A county electoral committee shall adopt decisions in order to resolve matters within the competence of the county electoral committee. The chairman and secretary of the committee shall sign the decisions. A decision shall enter into force upon signature.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 20.1. Formation of division committee

(1) A division committee shall be comprised of up to nine members.

(2) The local government council shall appoint the members of a division committee. The council shall also appoint for up to four alternate members who, during the term of the committee and in the order specified by the council, shall replace the members of the committee whose authority is suspended or terminated.

(3) The chairman, deputy chairman and secretary of a division committee shall be elected by the committee from among its members.

(4) Operational and clerical support to a division committee shall be provided by the rural municipality government or city government.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 20.2. Competence of division committee

(1) The function of a division committee is to hold voting, verify voting results in polling divisions and perform other functions arising from this Act.

(2) A division committee shall adopt decisions in order to resolve matters within the competence of the division committee. The chairman and secretary of the committee shall sign the decisions. A decision shall enter into force upon signature.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

CHAPTER IV. REGISTRATION OF ELECTORS

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 21. Registration of electors

(1) Estonian citizens with the right to vote (hereinafter electors) shall be registered in a national register (hereinafter register) established by the Government of the Republic.

(2) The register shall be maintained as a rural municipality register, city register and central register.

(3) Rural municipality governments and city governments are the authorised processors of rural municipality and city registers . In Tallinn, the Tallinn City Government shall organise the maintenance of the register. The Government of the Republic shall appoint the authorised processor of the central register.

(4) An elector may be entered in only one rural municipality or city register.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 22. Elector card

(1) The authorised processor of a rural municipality or city register shall send an elector card to every elector entered in the register not later than on the twenty-fifth day before election day.

(2) The following shall be entered on an elector card:
1. the given name and surname of the elector;
2. the year, month and day of birth of the elector;
3. the address of the elector;
4. the number of the polling division in which the elector is entered in the polling list;
5. the time and place of voting on advance poll days and election day.

(3) If an elector has not received an elector card in due time or the elector card contains incorrect information, the elector may address the authorised processor of the register of his or her residence with an application for inquiry or correction of errors.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 23. Polling list

(1) The authorised processor of the register shall prepare a polling list for each polling division on the basis of the information in the register.

(2) The polling list shall be signed by the rural municipality or city secretary.

(3) The polling list shall be delivered to the division committee not later than on the day before the start of advance polls.

(4) The chairman of the division committee shall sign the polling list on election day after the close of voting.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 24. Checking correctness of information and correction of errors

(1) An elector may check the correctness of data entered in the register concering himself or herself. An elector may also check the correctness of data concerning himself or herself, or concerning other electors entered in the polling list.

(2) If an elector discovers an error in the data entered in the register or polling list, he or she may submit an application to the authorised processor of the register or division committee for the error to be corrected .

(3) Errors in the register or polling list shall be promptly corrected on the basis of documents which certify that errors appear in the data entered in the register or list.

(4) If an error is corrected in the register, the authorised processor of the register shall notify the division committee of the amendments made. If an error is corrected in the polling list, the division committee shall notify the authorised processor of the register of the amendments made.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 25. Making amendments in register or to polling list

(1) An elector may apply for an amendment to be made in the register or to the list. As of the tenth day before election day until election day, amendments in the register or to the list are made only if an elector has been erroneously omitted from the register or list, or erroneously entered therein.

(2) A division committee shall forward an application for an amendment to the polling list submitted to the division committee to the authorised processor of the register, who shall promptly review it.

(3) If the authorised processor of the register makes an amendment in the register, he or she shall notify the

division committee thereof. The division committee shall make the corresponding amendment to the polling list only after the amendment in the register is made.

(4) If an elector erroneously has not been entered in the polling list but is entered in the register, the division committee shall enter him or her in the polling list.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

CHAPTER V. NOMINATION AND REGISTRATION OF CANDIDATES

§ 26. Nomination of candidates

(1) Every Estonian citizen with the right to vote who complies with the requirements provided for in § 2 of this Act may be nominated as a candidate in Riigikogu elections.

(2) Nomination shall not be restricted by the electoral district of permanent residence of a candidate.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(3) An independent candidate or candidate list may be nominated by a political party. An independent candidate may be nominated by any Estonian citizen with the right to vote, including a person who himself or herself wishes to run as a candidate in the Riigikogu elections.

(17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

(4) The Minister of Justice shall send a list of political parties to the National Electoral Committee on the next working day after elections are declared.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(5) The political parties shall, within two weeks after the date the elections are declared, submit to the National Electoral Committee information on persons who are authorised to represent them.

(6) The nomination of candidates shall commence on the day after the mandates are distributed among the electoral districts by the National Electoral Committee.

(7) Candidates shall be nominated by polling division as candidate lists or independent candidates. A political party may nominate only one candidate list in an electoral district.

(17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

(8) If a political party nominates candidates in a list with the same name in more than one electoral district, the national list of candidates shall also be presented at the nomination of candidates concurrently with the list of candidates in the electoral district.

(17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

(9) A candidate may be nominated in only one electoral district.

(10) The order of candidates in the lists shall be specified by the nominator.

(11) Information concerning independent candidates and candidate lists shall be submitted to the National Electoral Committee not later than forty-five days before election day. Information and lists shall be submitted in the standard format application established by the National Electoral Committee.

(12) Upon nomination, the following shall be appended to the standard application form for nomination of a candidate or candidate list:

(17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

1. the standard format consent of the candidate certified by his or her signature for his or her nomination and running as a candidate in the corresponding electoral district in the nominator's list or as an independent candidate;

(21.11.2001 entered into force 23.12.2001 - RT I 2001, 95, 588)

2.. the dated autographic oath of the candidate certified by his or her signature or a statement indicating to whom, in what context and when he or she previously took the oath;
3. the personal data on the candidate.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(12.1) The following personal data shall be entered on the form of a candidate:
the given name and surname, personal identification code, date of birth, place of birth, marital status, membership in a political party, education and area of specialisation together with the name of the educational institution and date of graduation, research degree, place of employment

and position, postal address and telecommunications numbers.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(12.2) The National Electoral Committee shall not disclose the personal identification code, postal address or telecommunications numbers of a candidate.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(13) (Repealed - 17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

(14) A political party shall use its officially registered name as the name of the list.

(17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

(15) The presenter of a candidate or candidate list shall deposit as security an amount the size of which shall equal two minimum salary rates for each nominated candidate in the bank account of the National Electoral Committee. The presenter of the candidate or candidate list shall, upon nomination, present a receipt proving transfer of the security to the account of the National Electoral Committee or a copy of the payment order.

(16) The security shall be returned if the candidate is elected or receives votes to the extent of at least one-half of the simple quota in the electoral district, or if the national list participates in the distribution of compensation mandates. The National Electoral Committee shall transfer unreturned security into state revenues.

§ 27. (Repealed - 17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

§ 28. Registration of candidates

(1) The National Electoral Committee shall, not later than forty days before election day, register all independent candidates and candidate lists presented for registration according to the requirements of this Act. The conformity of independent candidates and candidate lists presented for registration with the requirements of this Act shall be reviewed by the committee in the order of their presentation for registration.

(2) If, upon presentation for registration of an independent candidate or candidate list, some of the required information is omitted or contains errors, the person who accepts the application shall propose to the presenter to supplement the information or eliminate the errors. All submitted documents shall be returned. The person who submits the application or list shall sign against receipt of the returned documents. Upon re-submission of the application or list, the application or list shall be considered submitted for the first time and shall be registered as of their date of submission.

(3) If the documents are submitted on the forty-fifth day before election day before 6 p.m. and it becomes evident that all the required documents are not submitted, or the documents contain omissions, or they are not in conformity with the standard format established by the National Electoral Committee, or the submitted documents contain errors which cannot be immediately corrected, the documents shall be accepted. The person who accepts documents shall propose to submit the missing documents or data, or documents conforming with the standard format established by the National Electoral Committee, or to correct the errors. In such case, the required acts shall be performed not later than on the forty-third day before election day before 6 p.m.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(4) Upon registration, each candidate shall be assigned a registration number. Registration numbers shall begin at 101 and shall be assigned to the candidates in the order of their presentation for registration.

(5) After the registration of candidates, amendments shall not be made to candidate registration applications and candidate lists, except:

1. if a candidate declines to run as a candidate on the basis of his or her personal application within three days after registration;

   (27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

2. upon the death of a candidate;
3. if it is established that the candidate does not comply with the requirements provided for in this Act;

   (15.12.98 entered into force 17.01.99 - RT I 1999, 1, 1)

4. (Repealed - 15.12.98 entered into force 17.01.99 - RT I 1999, 1, 1)

(6) All amendments in the composition of registered candidates shall be promptly entered in the general list of candidates in the corresponding electoral district, and the general list of candidates in the electoral district shall be

reprinted and sent to all division committees of the corresponding electoral district through the county electoral committees. The previous general list of candidates shall be destroyed.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(7) If a candidate in a candidate list dies or is deleted from the candidate list in the interim between the start of advance polls and election day or on election day, the votes in favour of him or her shall be retained by that list. Votes in favour of an independent candidate who dies or is deleted from the candidate list shall not be taken into account in the verification of election results.

(8) If a candidate presented for registration is a member of an electoral committee, he or she shall be considered excluded from the membership of the committee as of the date the National Electoral Committee accepts the application for his or her registration as a candidate.

(9) A registered candidate has the right to receive documentation from the National Electoral Committee which sets out the name, registration number and electoral district number of the candidate.

§ 29. General list of candidates

(1) After the registration of candidates, the National Electoral Committee shall prepare a general list of candidates in the Riigikogu elections for each electoral district separately. The candidate lists in the same electoral district shall be entered in the general list of the electoral district by list, according to the order of their registration. The name of the political party which presents the candidates shall be indicated at the top of the candidate list. Independent candidates shall be entered in the general list after the candidate lists.

(17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

(Subsections (2)–(3) repealed – 27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 30. (Repealed - 27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

CHAPTER VI. VOTING PROCEDURE

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 31. Polling place

(1) Voting in a polling division shall be held in a polling place designated by the rural municipality government or city government. The location of a polling place shall be indicated on the elector card sent to an elector.

(2) A polling place shall have places for ballot paper distribution, voting booths and a ballot box. During advance polls, a polling place shall have a separate voting booth and ballot box for the electors who vote outside the polling division of their residence. The general list of candidates in the electoral district and the national lists of candidates shall be posted in the polling place.

(3) Election campaigning is prohibited in polling places and rooms through which electors enter the polling places.

(4) Order in the polling place shall be maintained by the division committee. The lawful oral orders of the members of the division committee are mandatory for all persons in the polling place.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 32. Voting booth

(1) A voting booth shall enable secret ballot.

(2) A voting booth shall have the general list of candidates in this electoral district, a table and a writing instrument.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 33. Ballot box

(1) Before voting opens, the division committee shall inspect and seal ballot boxes.

(2) The opening of a ballot box shall be covered. It shall be opened only for deposit of a ballot paper in the box.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 34. Ballot paper

(1) The National Electoral Committee shall establish the standard format of the ballot paper.

(2) The National Electoral Committee shall organise the preparation and delivery of ballot papers to the division committees.

(3) After the receipt of ballot papers, a division committee shall affix the seal of the division committee to the received ballot papers.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 34.1. Time of voting

(1) Voting on election day shall open at 9 a.m. and close at 8 p.m.

(2) Advance polls shall begin on the sixth day before election day and close on the fourth day before election day. On an advance poll day the polling place shall be opened for voting for at least three hours between 9 a.m. and 8 p.m. The time of advance polls shall be determined by a county electoral committee by its decision.

(3) Home voting shall be held in the cases provided for in this Act on election day.

(4) Voting in penal institutions shall be held in the cases provided for in this Act on advance poll days.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 34.2. Voting

(1) An elector shall vote in the polling division in which he or she is entered in the polling list, except in the cases provided for in §§ 344 and 346 and Chapter VI1 of this Act.

(2) In order to receive a ballot paper, an elector shall present to the division committee a valid identity and citizenship document, or a valid identity document which is issued by a government agency of Estonia and bears the photograph, the given name and surname of the person. The elector shall sign the polling list against receipt of the ballot paper.

(3) The elector shall complete the ballot paper in a voting booth.

(4) The elector shall write the registration number of one candidate in the electoral district of his or her residence in the designated space on the ballot paper.

(5) The elector shall complete a ballot paper himself or herself. If an elector, due to physical disability, is unable to complete the ballot paper himself or herself, he or she may have his or her ballot paper completed by another person, but not by a candidate in the election district of his or her residence.

(6) If an elector spoils the ballot paper, he or she has the right to receive a new ballot paper from the division committee. In such case the elector shall return the spoilt ballot paper to the division committee.

(7) After completion of the ballot paper, the elector shall fold the ballot paper and present it to a member of the division committee. The latter shall affix the seal of the division committee to the outside of the folded ballot paper.

(8) Every elector shall deposit the ballot paper in the ballot box himself or herself. If an elector, due to physical disability, is unable to deposit the ballot paper in the ballot box himself or herself, another person may do so at the request of the elector in the presence of the elector.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 34.3. Advance polls

(1) Advance polls shall be held pursuant to the procedure provided for in § 342 of this Act.

(2) An elector entered in the polling list who has attained eighteen years of age by advance poll day has the right to vote at the advance polls.

(3) At least three members of a division committee shall hold the advance polls.

(4) A member of the division committee shall mark the date of voting in the polling list concerning the electors who have voted.

(5) After the close of voting, the division committee shall seal the opening of the ballot box and the polling place. On advance poll days and the following days, after the close of voting the division committee shall place the ballot box into a room which only the members of the division committee have access to.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 34.4. Specifications for advance polls held outside polling division of residence

(1) On advance poll days (subsection 341 (2)), an elector can vote outside the polling division of his or her residence.

(2) A county electoral committee shall designate at least one polling division in every rural municipality and city where electors can vote outside the polling division of their residence. The corresponding decision of the committee shall be published as public information.

(3) An elector who wishes to vote outside the polling division of his or her residence shall present a document

provided for in subsection 342 (2) of this Act to a member of the division committee.

(4) A member of the division committee shall issue to the elector a ballot paper, two envelopes and the general list of candidates in the electoral district of the residence of an elector. An elector shall sign the list of electors voting outside the polling division of their residence against the receipt of a ballot paper.

(5) An elector shall complete a ballot paper pursuant to the provisions of subsections 342 (3)-(6) of this Act.

(6) An elector shall place the ballot paper in one of the envelopes given by a member of the division committee. The elector shall place the envelope in the other envelope given by a member of the division committee. The elector shall write his or her name, personal identification code and address on the outer envelope. The elector shall deposit the envelope in the ballot box prescribed for the ballot papers of electors who vote outside the polling division of their residence.

(7) If an elector who wishes to vote outside the polling division of his or her residence is unable to vote in the polling place located in the polling division due to his or her state of health or for another good reason, he or she may submit an application in writing to the nearest division committee designated pursuant to the procedure provided for in subsection (2) of this section concerning voting at his or her location. The elector shall sign the list of electors voting outside the polling division of their residence against the receipt of a ballot paper. Voting shall be held by at least two members of the division committee pursuant to the provisions of subsections 342 (2), (4), (5) and (6) of this Act and subsection (6) of this section.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 34.5. Calculation of votes cast during advance polls outside polling division of residence in verification of voting results

(1) A division committee shall pack the envelopes with the ballot papers of electors who voted outside the polling division of their residence by the counties, and Tallinn, and Tartu, and shall forward such envelopes to the county electoral committee of their location.

(2) A county electoral committee shall forward the envelopes with ballot papers specified in subsection (1) of this section to the corresponding county electoral committees through the National Electoral Committee not later than on the second day before election day.

(3) A county electoral committee shall forward the envelopes with ballot papers received from other county electoral committees pursuant to the procedure provided for in subsection (2) of this section to the corresponding division committees not later than on the day preceding election day.

(4) After receipt of the envelopes with ballot papers pursuant to the procedure provided for in subsection (3) of this section, the division committees shall check whether an elector has not voted in the polling division of his or her residence.

(5) If an elector has voted in the polling division of his or her residence, or if an elector has voted in several divisions outside the division of his or her residence, the division committee shall not calculate the ballot papers completed outside the division of residence in the verification of voting results. If the elector has not voted in the polling division of his or her residence, a member of the division committee shall make a notation in the polling list concerning voting at the advance polls.

(6) After performing the acts provided for in subsections (4) and (5) of this section, the division committee shall open the outer envelopes and deposit the inner envelopes with ballot papers in the ballot box used at the advance polls.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 34.6. Voting in penal institutions

(1) Voting on advance poll days in penal institutions shall be held on the basis of an application in writing of the administration of the penal institution. The administration is required to submit the application if at least one person in the penal institution who has the right to participate in voting in Riigikogu elections pursuant to § 2 of this Act has submitted the corresponding application to the administration.

(2) The administration of a penal institution shall submit the application for the holding of voting to the nearest division committee designated pursuant to the procedure provided for in subsection 342 (2) of this Act.

(3) Voting shall be held by at least two members of the division committee pursuant to the provisions of subsections 342 (2), (4), (5) and (6) and subsection 344 (6) of this Act.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 34.7. Home voting

(1) If an elector due to his or her state of health or for other good reason is unable to vote in the polling place, he or she may apply for voting at his or her home.

(2) In order to hold home voting, an elector shall submit an application in writing to the division committee of his or her residence. The division committee shall register the application.

(3) Home voting shall be held by at least two members of the division committee pursuant to the provisions of subsections 342 (2), (4), (5), (6) and (8) of this Act.

(4) Data concerning an elector who has applied for home voting shall be entered in the list of electors voting at home on the basis of the polling list of the polling division. After entering the information concerning an elector in the list of electors voting at home, a notation "hääletab kodus" [will vote at home] shall be made in the polling list of the polling division.

(5) An elector who votes at home shall sign the list of electors voting at home against the receipt of a ballot paper.

(6) The notation "hääletas kodus" [voted at home] concerning electors who voted at home shall be made in the polling list of the polling division. If an elector did not vote at home, the notation "hääletab kodus" [will vote at home] concerning the elector shall be erased.

(7) A ballot box containing the ballot papers of electors who voted at home shall be opened on election day after the close of voting. Thereafter, the seal of the division committee shall be affixed to the outside of ballot papers of electors who voted at home, and the ballot papers shall be placed among the ballot papers of electors who voted on election day.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 34.8. Voting in Estonia of electors residing in foreign states

(1) An elector residing in a foreign state who has not voted pursuant to the procedure provided for in Chapter VI1 may vote during advance polls in a polling division designated pursuant to the procedure provided for in subsection 342 (2) of this Act pursuant to the provisions of subsections 342 (2), (4), (5) and (6) and subsection 344 (6).

(2) An elector specified in subsection (1) of this section shall write his or her name, personal identification code and electoral district number on the outer envelope.

(3) In the verification of election results, the votes cast pursuant to the procedure provided for in subsection (1) of this section shall be calculated pursuant to the procedure provided for in subsections 345 (1) and (2) and subsection 355 (3) of this Act.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

CHAPTER VI.1. VOTING IN FOREIGN STATE

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 35. Preparation of voting

(1) The representation of Estonia shall publish a notice concerning the declaration of elections in a daily newspaper or other publication of the receiving state and shall indicate the address of the representation, the name of the person who holds voting, the term and procedure for the submission of an application to vote, and the term and procedure for voting. The notice shall be published after the declaration of elections, but not later than on the eighty-fifth day before election day.

(2) The head of a representation shall appoint a person who holds voting from among the officials employed in the representation.

(3) If there is no representation in a foreign state, the Government of the Republic may, by its order, appoint the honorary consulate to perform the acts provided for in this Chapter.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 35.1. Submission of application to vote

(1) An elector shall send an application to vote to the representation of Estonia in the country of his or her habitual residence by post. If the country of habitual residence of an elector does not have a representation of Estonia, the elector shall send the application to the nearest representation of Estonia.

(2) In the application, an elector permanently residing in a foreign state shall:

1. prove his or her compliance with the requirements provided for in this Act;
2. indicate his or her address in the foreign state;

3. indicate the county (or Tallinn, Tartu) which was his or her last residence in Estonia. If an elector permanently residing in a foreign state has not had a residence in Estonia, he or she shall indicate the last residence of his or her parents or grandparents in Estonia.

(3) An elector temporarily staying in a foreign state shall indicate his or her address in Estonia in addition to the data provided for in clauses (2) 1) and 2) of this section.

(4) The applications shall be received by the representation not later than on the forty-fifth day before election day.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 35.2. Sending of election documents to elector

(1) A representation shall send to the persons who sent the applications in due time and comply with the requirements of this Act not later than on the thirtieth day before election day the following:

1. a ballot paper;
2. the general list of candidates in the electoral district pursuant to the data set out in clause 351 (2) 3) or subsection 351 (3) of this Act;
3. two envelopes.

(2) If an elector permanently residing in a foreign state has indicated Tallinn as his or her last residence or the last residence of his or her parents or grandparents without specifying the city district, the general list of candidates in electoral district no. 1 shall be sent to the elector.

(3) If an elector permanently residing in a foreign state has indicated Petseri county as his or her last residence or the last residence of his or her parents or grandparents, the general list of candidates in electoral district no. 10 shall be sent to the elector.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 35.3. Voting by post

(1) An elector shall complete a ballot paper pursuant to the provisions of this Act. An elector shall place the completed ballot paper in one of the envelopes sent by the representation. The elector shall place the envelope in the other envelope sent by the representation. The elector shall write his or her name, personal identification code and number of the electoral district on the outer envelope. An elector temporarily staying in a foreign state shall also write his or her address in Estonia on the outer envelope. Thereafter the elector shall send the ballot paper to the representation.

(2) The ballot papers sent by post shall be received by the representations on the day determined by the representation which shall not be earlier than on the fifteenth day preceding election day.

(3) The costs of voting by post regarding the acts specified in subsection 351 (1) and subsection 353 (1) of this Act shall be borne by the elector.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 35.4. Voting at representation

(1) If an elector does not submit an application to vote by post within the term provided for in subsection 351 (4) of this Act, or does not send a ballot paper to the representation by the due date provided for in subsection 353 (2) of this Act, he or she may vote at the representation at a time determined by the latter.

(2) A representation shall allow voting at the representation on at least two days in the interim between fifteen days and ten days before election day.

(3) An elector shall complete a ballot paper at the representation pursuant to the provisions of this Act. Thereafter the elector shall place the completed ballot paper in an envelope. The elector shall place the envelope in another envelope. The elector shall write his or her name, personal identification code and number of the electoral district on the outer envelope. An elector temporarily staying in a foreign state shall also write his or her address in Estonia on the outer envelope.

(4) An elector voting at a representation shall sign the list of electors voting at the representation against the receipt of a ballot paper.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 35.5. Calculation of ballot papers received by representation in verification of voting results

(1) The ballot papers received by the representation shall be calculated in the verification of voting results if such ballot papers are received by the National Electoral Committee not later than on the fourth day before election day.

(2) The National Electoral Committee shall forward the received ballot papers to the county electoral committees not later than on the second day before election day.

(3) Envelopes with the ballot papers of electors permanently residing in a foreign state shall remain in a county electoral committee and they shall be opened on election day in order to verify voting results.

(4) Envelopes with the ballot papers of electors temporarily staying in a foreign state shall be forwarded to the corresponding division committees not later than on the day preceding election day.

(5) The division committees shall make a notation concerning the voting of the electors specified in subsection (4) of this section in the polling list, and shall open the outer envelope and deposit the inner envelope in the ballot box used at the advance polls. The inner envelopes shall be opened on election day in order to verify voting results.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 35.6. Voting on board ship flying national flag of Republic of Estonia and located in international waters or waters of foreign state

(1) If a ship flying the national flag of the Republic of Estonia which has electors on board is located in international waters or waters of a foreign state on advance poll days or election day, the master of the ship may submit an application to the National Election Committee to hold voting on board the ship.

(2) Voting on board the ship flying the national flag of the Republic of Estonia shall be held by the master of the ship and votes cast there shall be calculated in the verification of voting results pursuant to the provisions of subsections 354 (3) and (4) and § 355 of this Act.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

CHAPTER VII. VERIFICATION OF VOTING RESULTS AND ELECTION RESULTS

§ 36. Verification of voting results at polling division

(1) The division committee shall open the ballot boxes on election day after the close of voting. More than one-half of the membership of the division committee shall be present at the opening.

(2) Before opening the ballot boxes, the division committee shall count and cancel all ballot papers that were not issued to electors and the ballot papers returned by them. Ballot papers shall be cancelled by cutting off a corner of the ballot paper.

(3) (Repealed - 27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(4) The division committee shall, on the basis of the polling list, verify the number of electors in the polling list and the number of electors who received a ballot paper, and, on the basis of the ballot papers in the ballot boxes, verify the number of electors who participated in the voting, the number of invalid ballot papers and the number of votes in favour of independent candidates and candidate lists.

(5) A ballot paper which is not in the standard format established by the National Electoral Committee, which does not bear two seals of the division committee, onto which no candidate registration number or more than one candidate registration number is marked, which is marked with the number of a candidate who is not running in the electoral district, which is marked with a corrected candidate registration number but which is ambiguous or which is marked with an illegible candidate registration number shall be considered invalid. A ballot paper shall be considered valid if it is not completed according to the requirements but it clearly indicates and without corrections in favour of whom the elector voted. In case of doubt, the division committee shall determine the validity of the ballot paper by a vote.

(6) A standard format record shall be prepared concerning the verification of voting results. The record shall be signed by the chairman and secretary of the committee. The date and time of preparation shall be indicated in the record.

(7) After verification of voting results, the valid ballot papers which were in the ballot boxes shall be packaged separately by candidate, and invalid ballot papers, ballot papers which were not issued to electors and ballot papers returned by electors shall also be packaged. The polling division from which the ballot papers originate and the type and number of ballot papers in the packet shall be marked on the packet. The chairman of the division committee shall sign the label. The packets shall be sealed with the seal of the division committee.

(8) Ballot papers, polling lists, records, dissenting opinions of the members of the committee, petitions and complaints submitted to the committee shall be promptly delivered to the county electoral committee.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(9) Verification of voting results shall be public.

§ 36.1. Counting of votes cast at advance polls

(1) Counting of votes cast at the advance polls at a polling division shall be public. Persons who are present at the counting of votes shall follow the oral orders of the members of the division committee.

(2) A division committee shall open the ballot box used for advance polls on election day at 6 p.m. At least three members of the committee shall be present at the opening, including the deputy chairman or secretary. The votes cast at the advance polls shall be counted in a room separate from the polling place.

(3) The results of advance polls shall not be disclosed before 8 p.m.

(4) A summary shall be prepared concerning the results of advance polls which is signed by the deputy chairman or secretary of the committee. County electoral committees or the National Electoral Committee shall be notified of the results of advance polls.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 36.2. Verification of voting results at county electoral committee

(1) Verification of voting results at county electoral committees shall be public.

(2) The county electoral committees shall count the votes cast by electors permanently residing in a foreign state and prepare a record concerning voting results which is signed by the chairman and secretary of the committee. The date and time of preparation of the record shall be indicated therein.

(3) The county electoral committees shall commence counting the votes cast by the electors permanently residing in a foreign state at 6 p.m. Voting results shall not be disclosed before 8 p.m.

(4) On the basis of the records received from the division committees, the county electoral committees shall verify the number of electors entered in the lists, the number of electors who received a ballot paper, the number of electors who participated in voting, the number of invalid ballot papers and the number of votes cast in favour of independent candidates and candidate lists.

(5) A county electoral committee shall prepare a record concerning voting results in the county, in Tallinn and in Tartu which shall be signed by the chairman and secretary of the committee. The date and time of preparation of the record shall be indicated therein.

(6) The county electoral committees shall check the correctness of the information in the records of the division committees by recounting the ballot papers.

(7) If the information obtained by recounting the ballot papers is different from the information in the records of a division committee, the county electoral committee shall set out the differences and the circumstances which caused such differences in the appendix to the record.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 37. Verification of election results

(1) (Repealed - 27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(2) On the basis of the information received from all county electoral committees, the National Electoral Committee shall verify the total number of electors, the number of electors who participated in the elections, the total number of valid votes and invalid ballot papers and, by electoral district, the number of votes cast for each candidate and each list in the elections.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(3) If this Act is violated in any polling division, the National Electoral Committee may declare the elections in that polling division and all votes cast therein invalid.

(4) A simple quota shall be calculated for each electoral district, which shall be obtained by dividing the number of valid votes cast in the electoral district by the number of mandates.

(5) A candidate in favour of whom the number of votes cast exceeds or equals the simple quota shall be elected.

(6) In the lists which participate in the national distribution of compensation mandates, the candidates shall be ranked according to the number of votes received. The votes cast in favour of candidates in the same list shall be totalled. A list shall receive as many mandates as the number of times the number of votes it receives in the electoral district exceeds the simple quota. The candidates at the top of the list in favour of whom the number of votes cast is at least ten per cent of the simple quota shall be elected. In the case of an equal number of votes cast for candidates, the candidate who is further toward the top of the national list shall have priority.

(7) The final election results shall be entered in the record of the National Electoral Committee. The record shall be

signed by the chairman and secretary of the electoral committee. Dissenting opinions of the members of the committee, petitions and complaints received by the committee concerning violations of this Act which occurred during voting, the counting of votes or verification of election results shall be appended to the record.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(8) Verification of election results shall be public.

§ 38. Distribution of compensation mandates

(1) Mandates which are not distributed in the electoral districts on the basis of a simple quota shall be distributed as compensation mandates among the national lists of political parties, the candidates of which receive at least five per cent of the votes nationally, but not between fewer than two lists.

(17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

(2) A modified d'Hondt distribution method with the distribution series of 1, 20.9, 30.9, 40.9, etc. shall be used in the distribution of compensation mandates. In calculating the comparative figure of each list, as many first elements of the series shall be omitted as the number of mandates distributed to the list in the electoral district on the basis of the simple quota. In the case of equal comparative figures, the list registered first shall have priority.

(3) In every national list, the candidates who appear toward the top of the list shall receive the compensation mandate. In the distribution of mandates, the names of candidates in the list who were elected in an electoral district on the basis of a simple quota shall be omitted.

(4) No list shall receive more mandates than there are candidates in the list.

§ 39. (Repealed - 24.11.98 entered into force 12.03.99 - RT I 1998, 107, 1765)

CHAPTER VIII. FINAL PROVISIONS

§ 40. Registration of members of Riigikogu and declaration of election results

(1) The National Electoral Committee shall register the elected members of the Riigikogu by its decision not later than on the tenth day after election day.

(2) The election results are deemed to be declared on the date following publication of the decision of the National Electoral Committee in the Riigi Teataja.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 40.1. Registration of alternate members of Riigikogu and additional mandates (27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(1) The National Electoral Committee shall register, by its decision, the alternate members of the Riigikogu, proceeding from the principles provided for in subsection 38 (3) of this Act, and shall communicate the decision to the Board of the Riigikogu.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(2) The National Electoral Committee shall register, by its decision, the additional mandates distributed between the political parties and shall present the decision to the Board of the Riigikogu.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577; 17.11.98 entered into force 24.11.98 - RT I 1998, 102, 1678)

§ 41. Submission and review of petitions and complaints

(1) (Repealed - 27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(2) Petitions and complaints about the activities or decisions of a polling division committee shall be submitted to the corresponding county electoral committee, which shall review them within three working days and communicate the decision to the submitters thereof and the division committee.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(3) Complaints about the activities and decisions of a county electoral committee shall be submitted to the National Electoral Committee, which shall review the complaint within seven days and communicate the decision to the complainant and the county electoral committee.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(4) Complaints about the registration of or refusal to register nominated candidates or candidate lists shall be submitted to the National Electoral Committee, which

shall review the complaint within three working days and communicate the decision to the complainant.

(5) The petitions and complaints specified in this section shall be submitted:

1. in the case specified in subsection (4) of this section - within three days after the decision to register or to refuse to register independent candidates or candidate lists is adopted;

2. in the case specified in subsection (2) or (3) of this section - until publication of final election results.

(6) Failure to observe the procedure for submission of petitions and complaints provided for in this section shall not deprive an interested person of the right of direct recourse to the courts within the terms provided for in subsection (5) of this section. An interested person also has the right of recourse to the courts after denial of his or her petition or complaint by the corresponding registrar, or electoral committee. In such case, the terms provided for in subsection (5) of this section shall be calculated as of the date the decision to deny the petition or complaint is communicated.

(27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

§ 42. Liability for violation of this Act

(Subsections (1)–(3) repealed – 27.10.98 entered into force 13.11.98 - RT I 1998, 98/99, 1577)

(4) Administrative or criminal liability shall apply for a violation of provisions of this Act.

§ 43. Duration of term of National Electoral Committee and territorial committees

(1) The term of the National Electoral Committee established by a resolution of the Supreme Council of the Republic of Estonia of 16 April 1992 shall continue until 30 April 1996.

(2) The term of the county and Tallinn and Tartu territorial electoral committees shall continue until 30 April 1996.

§ 44. Repeal of Acts

The following are repealed:

1. the Estonian Soviet Socialist Republic Act "Concerning Elections to the Supreme Council of the Estonian Soviet Socialist Republic" (ENSV Teataja3, 1978, 42, 523);
2. the Estonian Soviet Socialist Republic Supreme Council Election Act (ENSV Teataja 1989, 36, 552);
3. the Republic of Estonia Riigikogu Election Act (RT 1992, 13, 201);
4. the Republic of Estonia Act "Concerning Changes and Amendments to the Republic of Estonia Riigikogu Election Act" (RT 1992, 28, 382).

PRESIDENT OF THE REPUBLIC ELECTION ACT, 1996

1 Riigi Teataja = State Gazette
2 Riigikogu = the parliament of Estonia
3 ENSV Teataja = ESSR Gazette

CHAPTER 1. GENERAL PROVISIONS

Article 1. Bases of election system

(1) The President of the Republic shall be elected by the Riigikogu. If the Riigikogu fails to elect the President of the Republic, an electoral body shall elect the President.

(2) A member of the Riigikogu or electoral body shall have one vote in each round of voting.

(3) The President of the Republic shall be elected by secret ballot.

Article 2. Candidate for President of the Republic

(1) An Estonian citizen by birth who has attained forty years of age may be nominated as a candidate for President of the Republic.

(2) A person who is serving as President of the Republic for a second consecutive term shall not be nominated as a candidate for President of the Republic.

Article 3. Time of election

(1) A regular election of the President of the Republic shall be held not earlier than sixty and not later than ten days before the end of the term of office of the President of the Republic.

(2) An extraordinary election of the President of the Republic by the Riigikogu shall be held within fourteen days after:

1) the date of premature termination of the powers of the President of the Republic; or
2) the date the Supreme Court declares the President of the Republic incapable of performing his or her duties for an extended period; or
3) the date the President of the Republic fails to be elected by the electoral body.

(3) the election of the President of the Republic by an electoral body shall be held within one month after the date the third round of voting is held in the Riigikogu.

Article 4. Organiser of election

The election of the President of the Republic shall be organised by the National Election Committee (hereinafter election committee).

Article 5. Election expenditure

Expenditure for organisation of the election of the President of the Republic shall be covered from the state budget.

CHAPTER 2. ORGANIZATION OF VOTING

Article 6. Chairing sitting of Riigikogu or electoral body

(1) A sitting of the Riigikogu or electoral body at which the President of the Republic is elected shall be chaired by the Chairman or Deputy Chairman of the Riigikogu.

(2) A sitting of the Riigikogu or electoral body shall not be chaired by a candidate for President of the Republic or by the Chairman or Deputy Chairman of the Riigikogu if he or she is temporarily performing the duties of the President of the Republic. If the Chairman and Deputy Chairmen of the Riigikogu are candidates for President of the Republic, the sitting of the Riigikogu or electoral body shall be chaired by the eldest member of the Riigikogu present.

Article 7. Preparation of voting

(1) Before the declaration of voting, the chairman of the election committee shall introduce the voting procedure and the procedure for verification of voting results and election results to the members of the Riigikogu or electoral body.

(2) A member of the Riigikogu or electoral body has the right to pose questions to the chairman of the election committee concerning the voting procedure and the procedure for verification of voting results and election results.

(3) The election committee shall inspect and seal the ballot box.

(4) Voting shall be declared by the chair of the sitting.

Article 8. Ballot

(1) The names of the candidates shall be entered on the ballot in alphabetical order.

(2) The standard format of the ballot shall be established by the election committee.

Article 9. Voting procedure

(1) The election committee shall give a ballot and an envelope bearing the seal of the election committee to the members of the Riigikogu or electoral body. The ballot shall be given on the basis of a list upon presentation of identification. The member of the Riigikogu or electoral body shall sign against receipt of the ballot.

(2) The ballot shall be completed in a voting booth. The member of the Riigikogu or electoral body shall mark the ballot with a cross in the space beside the name of the candidate in favour of whom he or she votes. If the name of only one candidate is entered on the ballot, the member of the Riigikogu or electoral body shall mark the ballot with a cross in the space if he or she votes in favour of the candidate.

(3) After completing the ballot, the elector shall place the ballot in the envelope and give it to the election committee, which shall affix the seal of the election committee to the envelope. Thereafter, the elector shall deposit the envelope in the ballot box.

(4) If the ballot is spoiled before it is deposited in the ballot box, the member of the Riigikogu or electoral body has the right, upon returning the spoiled ballot, to receive a new ballot from the election committee, with regard to which a notation shall be made on the list.

(5) The chair of the sitting shall declare the voting closed one hour after the declaration of voting.

Article 10. Protests concerning violation of voting procedure

(1) Before the votes are counted, a member of the Riigikogu or electoral body has the right to submit a written protest to the election committee concerning a violation of the voting procedure.

(2) The election committee shall review the protest after the close of voting, and adopt and communicate a reasoned decision. If the voting procedure has been materially violated, the election committee shall hold a repeat vote.

CHAPTER 3. VERIFICATION OF VOTING RESULTS AND ELECTION RESULTS

Article 11. Verification of voting results

(1) The election committee shall count the votes publicly immediately after the close of voting and resolution of protests.

(2) The election committee shall:
1) according to the list of the members of the Riigikogu or electoral body, verify the number of electors and the number of electors who received a ballot;
2) on the basis of the number of ballots in the ballot box, verify the number of electors who participated in the voting;
3) verify the number of invalid ballots;
4) verify the number of ballots on which no space is marked with a cross;
5) verify the number of votes cast for each candidate for President of the Republic.

(3) An invalid ballot is a ballot:
1) with a cross marked in more than one space;
2) on which or on the envelope of which the seal of the election committee is missing.

(4) Voting results shall be communicated by the chairman of the election committee.

Article 12. Protests regarding violation of procedure for verification of voting results

(1) Before verification of the election results, a member of the Riigikogu or electoral body has the right to submit a written protest concerning a violation of the procedure for verification of voting results.

(2) The election committee shall review the protest after the votes are counted, and adopt and communicate a reasoned decision. If the procedure for verification of voting results has been violated, the election committee shall recount the votes.

Article 13. Verification of election results

(1) The chair of the sitting shall declare a recess in order to verify the election results.

(2) The election committee shall adopt a decision concerning the election results which shall enter into force upon signature. The decision shall be communicated by the chairman of the election committee immediately after its entry into force.

CHAPTER 4. ELECTION OF THE PRESIDENT OF THE REPUBLIC BY RIIGIKOGU

Article 14. Convention of Riigikogu

The Chairman of the Riigikogu shall, on the proposal of the President of the Republic, the Government of the Republic or at least one-fifth of the membership of the Riigikogu, convene an extraordinary session or supplementary sitting of the Riigikogu in order to elect the President of the Republic. Before convening the Riigikogu, the Chairman of the Riigikogu shall consider the opinion of the election committee.

Article 15. Nomination, presentation for registration and registration of candidates for first round of voting

(1) The right to nominate a candidate rests with not less than one-fifth of the membership of the Riigikogu.

(2) A member of the Riigikogu may nominate only one candidate.

(3) Presentation of candidates for registration shall begin on the fourth day at 9 a.m. and end on the second day at 6 p.m. before the date of the first round of voting.

(4) In order to register a candidate, the nominators shall submit an application to the election committee, which shall contain:

1) the given name and surname of the candidate;
2) the year, month and day of birth of the candidate;
3) the names and signatures of the nominators;
4) the date of preparation of the application.

(5) The nominators shall append the following to the application:

1) the dated and signed autographic consent of the candidate to run as a candidate for President of the Republic and confirmation that he or she meets the requirements provided by law for a candidate for President of the Republic;
2) the dated and signed autographic oath of the candidate or a statement from the administrative agency which received a prior oath indicating to whom, in what context and when the candidate took the oath;
3) documents which certify that the candidate is an Estonian citizen by birth.

(6) The documents required for registration of the candidate shall be submitted to the election committee by a nominator of the candidate.

(7) If, upon presentation of a candidate for registration, some of the required documents are omitted or they contain errors, the person who accepts documents shall propose to the presenter of the candidate for registration to submit the required documents or correct the errors before the end of the registration period. The submitted documents shall be returned. The presenter of the candidate for registration shall sign against their receipt. If the documents are resubmitted, they shall be considered submitted for the first time and shall be registered as of the date and time of their resubmission.

(8) The election committee shall, on the day after expiry of the deadline for presentation of candidates for registration, register the candidates presented according to the requirements.

(9) The candidates shall be registered in the order of their presentation for registration.

(10) After registration of candidates, no changes shall be made in the list of candidates to be entered on the ballot, except upon the death of a candidate or the submission of a document which establishes that a certain candidate does not meet the requirements set out in § 2 of this Act.

Article 16. First round of voting

(1) For the first round of voting, the names of the candidates registered for the round shall be entered on the ballot.

(2) The candidate in favour of whom a two-thirds majority of the membership of the Riigikogu votes shall be considered elected.

(3) If no candidate receives the required majority, a second round of voting shall be held on the next day.

(4) The chair of the sitting shall announce the starting time of the second round of voting in the election of the President of the Republic to the members of the Riigikogu immediately after the announcement of the results of the first round of voting.

Article 17. Nomination, presentation for registration and registration of candidates for the second round of voting

(1) For the second round of voting, a new nomination, presentation for registration and registration of candidates shall be held pursuant to subsections 15 (1), (2), (4)–(7), (9) and (10) of this Act. Upon presentation for registration of a candidate registered for the first round, the documents specified in clauses 15 (5) 2) and 3) of this Act need not be appended to the application.

(2) Presentation of candidates for registration shall begin four hours and end two hours before the beginning of the second round of voting.

(3) The election committee shall register the candidates presented according to the requirements, before the beginning of the second round of voting.

Article 18. Second round of voting

(1) For the second round of voting, the names of the candidates registered for the round shall be entered on the ballot.

(2) The candidate in favour of whom a two-thirds majority of the membership of the Riigikogu votes shall be considered elected.

(3) If no candidate receives the required majority, a third round of voting shall be held on the same day.

(4) The chair of the sitting shall announce the starting time of the third round of voting in the election of the President of the Republic to the members of the Riigikogu immediately after announcement of the results of the second round of voting.

Article 19. Third round of voting

(1) For the third round of voting, the names of the two candidates who received the greatest number of votes in the second round shall be entered on the ballot. If at least two candidates receive an equal number of votes in the second round of voting, the name of the elder candidate or names of the elder candidates shall be entered on the ballot. If only one candidate runs as a candidate in the second round of voting and he or she does not receive the required majority, only his or her name shall be entered on the ballot.

(2) The candidate in favour of whom a two-thirds majority of the membership of the Riigikogu votes shall be considered elected.

(3) If no candidate receives the required majority, the Chairman of the Riigikogu shall convene an electoral body for the election of the President of the Republic.

CHAPTER 5. ELECTION OF THE PRESIDENT OF THE REPUBLIC BY ELECTORAL BODY

Article 20. Convention of electoral body

The Chairman of the Riigikogu shall convene an electoral body for the election of the President of the Republic not later than on the day following the third round of voting in the Riigikogu and shall announce the time and place of the sitting of the electoral body. Before convening the electoral body, the Chairman of the Riigikogu shall consider the opinion of the election committee.

Article 21. Electoral body

(1) The electoral body shall be comprised of members of the Riigikogu and representatives of the local government councils.

(2) The members of the electoral body shall be free in rendering a decision.

Article 22. Election of representatives of local government councils

(1) On the day following the third round of voting in the Riigikogu, the election committee shall send each local government council a notice regarding the number of representatives it has in the electoral body.

(2) Based on the number of citizens entered in the Estonian National Electoral Register of Citizens in the administrative territory of a local government unit on 1 January of the election year of the President of the Republic, the number of local government council representatives shall be determined as follows:

1) up to 10 000 Estonian citizens with the right to vote: 1 representative;
2) 10 001–50 000 Estonian citizens with the right to vote: 2 representatives;
3) 50 001–100 000 Estonian citizens with the right to vote: 4 representatives;
4) more than 100 000 Estonian citizens with the right to vote: 10 representatives.

(3) A local government council representative must be an Estonian citizen and a member of the local government council which elects him or her. A local government council representative shall not be a member of the Riigikogu.

(4) A local government council shall elect its representative not later than on the seventh day before the date the President of the Republic is elected by the electoral body.

(5) A resolution of a local government council concerning the election of a representative or representatives of the local government council shall be promptly forwarded to the election committee.

Article 23. Nomination, presentation for registration and registration of candidates for the first round of voting

(1) The right to nominate a candidate rests with not less than twenty-one members of the electoral body.

(2) A member of the electoral body may nominate only one candidate.

(3) Presentation for registration and registration of candidates shall be held pursuant to subsections 15 (3)–(10) of this Act. Upon presentation for registration of a candidate registered for the first or second round in the Riigikogu, the documents specified in clauses 15 (5) 2) and 3) of this Act need not be appended to the application.

Article 24. Registration of members of electoral body

(1) Registration of the members of the electoral body for the sitting of the electoral body shall begin two hours before the start of the sitting of the electoral body.

(2) The members of the electoral body shall be registered upon presentation of identification and proof of citizenship.

Article 25. First round of voting

(1) For the first round of voting, the names of the candidates who participated in the third round of voting by the Riigikogu and the candidates who are registered for the first round of voting by the electoral body shall be entered on the ballot.

(2) The candidate in favour of whom votes a majority of the members of the electoral body participating in the voting shall be considered elected.

(3) If no candidate receives the required majority, a second round of voting shall be held on the same day.

(4) The chair of the sitting of the electoral body shall announce the starting time of the second round of voting to the members of the electoral body immediately after announcement of the election results of the first round.

Article 26. Second round of voting

(1) For the second round of voting, the names of the two candidates who received the greatest number of votes in the first round shall be entered on the ballot. If at least two candidates receive an equal number of votes in the first round of voting, the name of the elder candidate or names of the elder candidates shall be entered on the ballot. If only one candidate runs as a candidate in the first round of voting and he or she does not receive the required majority, only his or her name shall be entered on the ballot.

(2) The candidate in favour of whom votes a majority of the members of the electoral body participating in the voting shall be considered elected.

(3) If no candidate receives the required majority, the election of the President of the Republic shall be held pursuant to clause 3 (2) 3) of this Act.

CHAPTER 6. FINAL PROVISIONS

Article 27. Assumption of office by President of the Republic

(1) The new President of the Republic elected in a regular election shall assume office by swearing the oath of office at the first sitting of the Riigikogu following the date of expiry of the term of office of the President of the Republic.

(2) The new President of the Republic elected in an extraordinary election shall assume office by swearing the oath of office at the first sitting of the Riigikogu following the date of election of the President of the Republic.

Article 28. Amendment of § 42 of Riigikogu Procedure Act

Clause 42 (2) 1) of the Riigikogu Procedure Act (RT I 1994, 90, 1517; 1995, 11, 115; 20, 295; 74, 1285; 83, 1440 and 1444) is amended and worded as follows:

"1) to elect the President of the Republic, on the proposal of the President of the Republic, the Government of the Republic or not less than one-fifth of the membership of the Riigikogu;".

Article 29. Repeal of Act

The President of the Republic Election Act (RT 1992, 31, 413) is repealed.

HUNGARY

ACT NO XXXIV OF 1989
ON THE ELECTION OF THE MEMBERS OF PARLIAMENT - WITH 1998 AMENDMENTS

PART I. SUFFRAGE

Article 1.
Suffrage shall be general and equal, and voting shall be direct and secret.

Article 2.
(1) Every adult Hungarian citizen except those mentioned in para. (2) shall have the right to vote during the election of Members of Parliament in the Republic of Hungary (hereafter referred to as elector).

(2) Any person who:
- (a) is under curatorship restrictive or exclusive of his capacity for action;
- (b) has been barred by a final judicial decision from participating in public affairs;
- (c) is serving a prison sentence;
- (d) has been committed in criminal proceedings to compulsory medical treatment shall be disqualified from the franchise.

(3) Every person entitled to vote and domiciled in Hungary shall have the right to be elected.

(4) Any person staying abroad on the day of election and having no permanent or temporary place of residence in Hungary shall be considered to be prevented from exercising his right to vote.

Article 3.
Exercise of the right to vote shall be optional.

PART II. ELECTORAL SYSTEM

Chapter I. Members of Parliament

Article 4.
(1) The number of MPs shall total 386.

(2) There shall be elected 176 MPs in individual constituencies and 152 in county and metropolitan (hereafter territorial) ones. On the basis of a national aggregate of votes less than required for mandates in individual and territorial constituencies the parties may obtain an additional 58 compensatory mandates from the national list.

(3) The number of individual constituencies in the counties and the capital city and that of the mandates obtainable in each territorial constituency as well as the principles governing the establishment of constituencies are determined by the Schedule hereto.

(4) MPs shall have equal rights and duties.

Chapter II. Nomination

Article 5.
(1) Candidates in individual constituencies may be nominated, subject to the conditions specified by para. (2), by electors and social organisations complying with the provisions of the Act on the Functioning and Finances of Political Parties (henceforth: party). Candidates may also be nominated jointly by two or more parties. In case of candidate being jointly nominated by two or more parties, the names of each nominating party have to be presented on the nomination coupon.

(2) To be nominated in an individual constituency, a person shall have the proposals of at least 750 electors with their signatures affixed thereto. Proposals shall not be made except on a "nomination coupon" as indicated in the Schedule affixed hereto. If a candidate has been nominated separately as individual and also party candidate, the nominating coupons cannot be merged. An elector may propose only one candidate in one individual constituency, and only in the individual constituency in which he/she is resident. In the case of an elector proposing more than one candidates, each of his nominations shall become void.

(3) Candidates in territorial constituencies may be nominated by parties on territorial lists. A territorial list may be drawn up by the party which in a territorial constituency has, in one-fourth, of the individual constituencies but in at least two individual constituencies, presented the number of candidates specified by the Schedule hereto. The right to present a list of candidates shall not be prejudiced by a party candidate having withdrawn in an individual constituency after the first poll.

(4) A national list may be presented by the party which has drawn up lists in at least seven territorial constituencies.

(5) Parties - in case of their joint individual constituency nomination - may jointly present territorial and national lists, furthermore they may combine their lists.

(6) Thrice as many candidates may be put forward on territorial and national lists as there are mandates obtainable on those lists. If the number of announced candidates is smaller than the number of mandates on the list, the remaining mandates shall remain vacant.

(7) One and the same person may be put forward as a candidate concurrently in one individual constituency, on one territorial list and on the national list. If a candidate has obtained a mandate in the individual constituency, his name shall be stricken from the territorial or the national list. If he has obtained a mandate on the territorial list, his name shall be stricken from the national list.

(8) If a candidate is eliminated from a party list, he shall be replaced by the next succeeding candidate.

(9) An elected representative of the Social Security Self-governments cannot be proposed as a candidate for a parliamentary seat.

Article 6.
Abrogated

Chapter III. Determination of Election Results

Article 7.
(1) A candidate in an individual constituency shall become an MP after the first poll if he/she has obtained more than half the votes validly cast, provided that more than one half of electors in the constituency have cast their votes.

(2) If during the first poll the turnout did not exceed half of electors in the constituency (invalid poll), during the second poll:

(a) all candidates who have done so during the first poll may stand for election;
(b) the candidate having obtained the greatest number of votes validly cast, provided that the turnout exceeded onefourth of electors in the constituency, shall become an MP.

(3) If during the first poll the turnout exceeded one half of electors in the constituency, but no candidate has obtained more than half the votes validly cast (unsuccessful poll), during the second poll:

a) the candidates having obtained at least 15 % of the votes validly cast during the first poll may stand for election; if there are not three such candidates, the three candidates having obtained the greatest number of votes during the first poll may do so; if any one of the candidates decides to step down during this time, no other candidate may take his/her place;
b) the candidate having obtained the greatest number of votes validly cast, provided that the turnout exceeded onefourth of electors in the constituency, shall become an MP.

(4) Abrogated

(5) A by-election shall be conducted in an individual constituency where, for lack of candidates, it was impossible to hold the first or second poll.

Article 8.
(1) The candidates on party lists in territorial constituencies shall obtain mandates in proportion to the number of votes cast, to be calculated in the manner specified by the Schedule hereto, in the order in which they are included in the lists, provided that the turnout exceeded one half of electors.

(2) If the first poll in a territorial constituency is invalid because the turnout did not exceed one half of electors, all candidates on party lists who have done so during the first poll may stand for election during the second poll. The candidates on party lists shall obtain mandates in proportion to the number of votes cast, to be calculated in the manner specified by the Schedule hereto, provided that the turnout exceeded one-fourth of electors.

(3) If, following the calculation in accordance with paragraphs (1) and (2), there remain vacant mandates in a territorial constituency, a mandate shall be obtained even by a list that received a number of votes smaller than, but exceeding two-thirds of, those required for a mandate. If there are several such lists, the mandate shall be obtained by the one that has received the next greatest number of votes. If after the calculation there still remains a vacant mandate, it shall be added to those obtainable on the national list.

(4) In the case of a mandate being obtained under para. (3), the difference between the numbers of votes required for a mandate and actually received shall be deducted from the national aggregate of surplus votes obtained by the party putting forward a candidate.

(5) If, however, a territorial party-list failed to receive more than two-thirds of votes required for a mandate in the constituency concerned, or more than 5 % of the national aggregate of the votes validly cast for the

territorial party-lists, the party-list shall not obtain a mandate even in the case covered by paragraphs (1) to (3). In this respect only the validly cast votes for the same party territorial lists have to be aggregated. Parties presenting a common or combined list do not receive a mandate, if they fail to receive at least 5 % per party, or in the case of more than three parties, a total of at least 15 % of the national aggregate of validly cast votes. If a party presented common candidates, or common or combined lists, with different parties, in two or more individual, or territorial constituencies, the votes must be aggregated separately for the common candidates, or common or combined lists, when aggregating surplus votes and defining the limit percentage, and also when handing out mandates.

(6) The parties which notified the combination of their lists at least 8 days before election shall obtain mandates in proportion to the aggregate votes cast for their respective lists. The notification to the electoral board shall also indicate the order in which the candidates are to obtain a mandate. The notification shall be made public by the electoral board.

(7) The parties which presented a common list, or combined their respective lists in a territorial constituency shall, at least 8 days before election, notify to the electoral board the proportion in which their surplus votes on the common list or the combined ones are to be taken into account in the national aggregation of votes.

(8) If two or more parties have received equal numbers of votes and stand to obtain mandates with those quantities of votes , but the number of mandates in the territorial constituency is smaller than that of the parties having received equal numbers of votes, the mandates shall be distributed in the order of the ordinal numbers of list.

(9) If no party-lists are presented in a territorial constituency, the respective mandates for that territorial constituency shall go on the national list, and shall be distributed according to the surplus votes.

(10) If the second round of election shall prove to be unsuccessful in a territorial constituency, because not even a quarter of the electorate cast their votes, then the votes cast in the first round of election shall be considered as surplus votes, and the vacant territorial constituency mandates shall be distributed on the national list.

Article 9.

(1) Candidates on national lists shall obtain mandates in proportion to the national aggregates of surplus votes and in the order notified. To be counted as surplus votes are those:

a) which were cast, in an individual constituency during the first valid poll, for party candidates who did not obtain a mandate during either poll;
b) which were cast for lists, in a territorial constituency during the valid poll, in a number smaller than required for mandate, or which exceeded the number of votes required for a mandate.

(2) Votes cast during an invalid poll shall not be counted as surplus votes under para. (1) and hence shall not be taken into account for purposes of obtaining mandates on the national list - except for the event of Article 8 para. (10) -. Similarly, the votes cast for the territorial lists of the party whose votes on those lists and whose national aggregate of votes do not exceed the percent limit, defined in Article 8 para. (5), of the votes cast for the territorial lists of all parties. In this respect only those nationally cast valid votes may be aggregated which were cast for the same parties - or the territorial lists of same parties presenting common or combined territorial lists.

(3) The parties which notified the combination of their national lists at least 8 days before election shall obtain mandates in proportion to the aggregate surplus votes for their respective lists. The notification to the National Electoral Board shall also indicate the order in which their candidates are to obtain mandates. The notification shall be mode public by the National Electoral Board.

Chapters IV to X. Abrogated

PART III. ELECTORAL PROCEDURES

Chapter XI. By-elections

Article 46.

(1) A by-election shall be held in an individual constituency if the second poll were to be invalid, or the mandate of an MP in an individual constituency has been ceased.

(2) Abrogated

(3) The rules of general elections shall, with the differences made in this Chapter, apply, mutatis mutandis, to by-elections.

(4) The results of a by-election shall not affect the mandates on the national lists.

(5) In cases where the mandate of an MP on a territorial or a national list has ceased, it shall be obtained, among the

party candidates originally included on the lists, by the persons named by the party concerned. Within 30 days of the emergence of the reason therefore, the party shall notify the name of the new MP to the competent electoral board.

Chapter XII. Final Provisions

Article 47.

(1) Following the registration (Article 6 (4)), candidates shall not be called up for military service regular or reserve, or their service shall be interrupted until the day following election. Elected MPs shall be exempted from service for the period of their mandate.

(2) In the course of the employment of this Act, place of residence shall mean the terms defined in Article 5. Act LXVI. 1992 on the Registering of Citizens' Personal Data and Address.

Article 48.

(1) Within 24 hours of the ending of voting, the National Electoral Board shall make the preliminary election results public through the Hungarian Radio, the Hungarian Television and the Hungarian Telegraphic Agency, and on that basis the preliminary results shall be carried by the political dailies of nation-wide circulation in their next issues.

(2) The final election results shall be published in Magyar Közlöny.

Article 49.

Abrogated

Article 50.

(1) The expenses incurred in connection with state tasks concerning the preparation and conduct of elections (personnel, physical facilities, functioning of electoral bodies, electoral registers, prints, transport, telecommunication, etc.) shall be covered from the state budget to the extent determined by the Parliament. The State Audit Office shall inform the Parliament of the utilization of such funds.

(2) The Council of Ministers shall be empowered to determine the ordinal numbers, seats and boundaries of individual and territorial constituencies.

Article 51.

Abrogated

Article 52.

The Schedules to this Act shall determine:

a) abrogated
b) the number of individual constituencies in the counties and the capital city as well as the number of mandates obtainable in each territorial constituency;
c) the number of candidates in individual constituencies required for the presentation of a territorial list;
d) the procedures for the aggregation of votes and the establishment of election results;
e) - k) abrogated

Article 53.

Abrogated

Article 54.

Abrogated

Article 55.

Abrogated

Article 56.

(1) This act shall enter into force on the day of its promulgation.

(2) - (6) abrogated

Republic of

LATVIA

THE SAEIMA ELECTION LAW

(As amended by the March 26, 1998 Law of the Saeima)

CHAPTER 1. GENERAL PROVISIONS

Article 1.
Citizens of Latvia who have reached the age of 18 by the election day have the right to vote unless any of the restrictions set in Article 2 of this Law apply.

Article 2.
The following persons shall not be entitled to vote:
1) persons serving a sentence of imprisonment in penitentiaries;
2) persons suspected of or charged with a crime, or subject to prosecution if they have been imprisoned for reasons of security;
3) persons whose incapacity has been legally recognized.

Article 3.
The voting rights of a person shall not be limited to any specific constituency.

Article 4.
Any citizen of Latvia who has reached the age of 21 on the day before the elections can be elected to the Saeima unless any of the restrictions set in Article 5 of this Law apply.

Article 5.
Persons are not to be included in the candidate lists and are not eligible to the Saeima if they:
1) have been legally qualified as incapacitated;
2) are serving a sentence of imprisonment in a penitentiary;
3) have been convicted for a deliberately comitting a crime punishable in Latvia at the time this Law is enforced and whose previous convictions have not been expunged or overturned, except persons who have been rehabilitated.
4) have committed a crime in an irresponsible state or have become mentally ill after committing the crime and incapable of taking conscious action or controlling it and as a result have been subjected to compulsory medication, or when the case has been dismissed without applying such a coercive measure;
5) belong or have belonged to the salaried staff of the USSR, Latvian SSR or foreign state security, intelligence or counterintelligence services;
6) after January 13, 1991 have been active in CPSU (CP of Latvia), Working People as International Front of the Latvian SSR, the United Board of Working Bodies; Organization of War and Labor Veterans; All-Latvia Salvation Committee or its regional committees;
7) have not mastered the national language to the highest (third) level of competence.

Article 6.
(1) If the President of State, state controller, a member of the National Board of Control or Audit Department, judge, prosecutor or military person has been nominated as a candidate for the elections, he/she shall resign from office (service) and notify the Central Election Commission about it within one month after the list of candidates for the Saeima elections (further called list of candidates) has been registered.

(2) A member of a city, district or rural municipal council can be nominated as a candidate for the Saeima elections but he/she shall lose the mandate in the respective council upon being elected to the Saeima

Article 7.
(1) Latvia shall be divided into five constituencies for the Saeima elections:
1) Riga;
2) Vidzeme;
3) Latgale;
4) Kurzeme and
5) Zemgale.

(2) The Riga constituency includes the city of Riga;

the Vidzeme constituency includes the Aluksne, Cesis and Gulbene districts, Jurmala city, the Limba«i, Madona and Ogre districts, the Riga district (except Riga city), the Valka and Valmiera districts;

the Latgale constituency includes the Balvi district, the Daugavpils district and city, the Kraslava, Ludza and Preili districts, the Rezekne district and Rezekne city;

the Kurzeme constituency includes the Kuldiga district, the Liepaja district and city, the Saldus and Talsi districts, the Ventspils district and city;

the Zemgale constituency includes the Aizkraukle, Bauska, Dobele and Jekabpils districts, the Jelgava district and city and the Tukums district.

Article 8.

(1) The Central Election Commission shall determine the number of seats in the Saeima in proportion to the number of electors in a constituency which is stated four months before the first election day by the Citizenship and Immigration Department according to the Register of Residents. If the Saeima election takes place according to Article 48 of the Constitution (Satversme), the number of seats are decided on the day when the elections are announced. Electors residing in foreign countries are included in the number of electors of the Riga constituency.

(2) The number of seats in the Saeima are calculated in the following way:

1) the total number of electors is divided by 100;
2) the number of electors in each constituency is divided by figure obtained from division according to part 2, paragraph 1;
3) if the figure obtained from division according to item 2 is smaller than 100 positive integers, the number of seats is increased by one, primarily in the constituency where the result shows the largest fraction number, and then in the constituency where the fraction is next largest, thus proceeding until the sum total of whole numbers is 100;
4) if any two constituencies show an equal result in fractions, the number of seats is primarily increased in the constituency where the product of the division according to item 2, part 2 is the smallest whole number;
5) if any two constituencies show an equal result both in fractions and integers, the constituency which will have an increased number of seats in the Saeima is determined by the drawing of lots.

(3) The number of seats in each of the constituencies is to be published in the "Latvijas Vestnesis" newspaper no later than one hundred days before the first election day; if the Saeima elections take place according to Article 48 of the Constitution (Satversme), then the announcement should be issued no later than fifty days before the first election day.

CHAPTER 2. Submission of Lists of Candidates

Article 9.

(1) A list of candidates may be submitted:

1) by a legally registered political organization (party);
2) jointly by two or more legally registered political organizations (parties);
3) by a legally registered association of political organizations (parties).

(2) Lists of candidates should be submitted to the Central Election Commission by a person authorized by the decision-making institution of the relevant political organization (party) or the association of political organizations (parties). If a joint list of candidates is made by two or more political organizations (parties), such a list shall be submitted by the person authorized by the decision-making institutions of all the relevant political organizations (parties).

(3) Lists of candidates shall be accepted starting from the eightieth day before the first election day, but the sixtieth day before the first election day is the last date to accept lists of candidates.

(4) If the Saeima elections are held according to Article 48 of the Constitution (Satversme), lists of candidates shall be accepted from the fiftieth day to the thirtieth day before the first election day.

Article 10.

(1) The data to be included in the list of candidates shall be: full name of the candidates, identity number, year of birth, foreign citizenship (denizenship), if any; place of residence (district or city), education, place of employment and position.

(2) The number of candidates in the list should not exceed the number of seats allotted for the constituency.

(3) The same candidate may only be included in one and the same list distributed in one or several constituencies. If any of the candidates should be included in more than one list, his/her name shall be deleted from all the lists.

(4) The name of the list of candidates should coincide with:

1) the name of the political organization (party) that submitted the list;
2) the name of the relevant association of political organizations (parties) that submitted the list;
3) all the names of the two or more relevant political organizations (parties) that submitted the list.

(5) The lists of candidates should be clearly legible without deletions or corrections. They are signed by the person authorized by the decision-making institution of the relevant political organization (party) or the association of political organizations (parties). If two or more political organizations (parties) submit the list of candidates, it is signed by the persons authorized by the decision-making institutions of the relevant political organizations (parties).

Article 11.

The following documents shall be attached to the list of candidates:

1) a statement signed by each candidate nominated in the list certifying his/her agreement to this nomination;
2) a pre-election program consisting of no more than 4000 printed signs of text signed by all the candidates on the list;
3) a declaration signed by each candidate on the list stating that the candidate is eligible according to Article 4 of this Law and restrictions stated in Article 5, items 1-6, do not apply to him/her;
4) other data concerning the candidate and confirmed by his/her signature:
   a) full name and year of birth;
   b) person's identity number;
   c) foreign citizenship (denizenship), if any;
   d) place of residence (district or city);
   e) places of employment and positions;
   f) completed education (year of completion, special field);
   g) statement about collaboration or non-collaboration with the USSR, Latvian SSR or foreign state security services, intelligence or counterintelligence services and about having been employed by these services on contract basis as an agent, resident or having offered his/her apartment for clandestine activities;
   h) real property of the candidate and stock or bank shares owned by him/her or shares in companies (businesses)
   i) family status;
5) if the nominated candidate has not completed a school with the Latvian language of instruction or a two-language school with the Latvian language of instruction, he/she shall submit a copy of the document certified by a notary and indicating the third level of national language skills.

Article 12.

(1) The Central Election Commission shall only register the lists of candidates if the persons submitting these lists have made a security deposit of 1000 lats of in the Central Election Commission fund

(2) The depositor shall be issued a bank receipt carrying the name of the depositor, the date and the name of the candidate list for which the deposit was made. The bank receipt shall be submitted to the Central Election Commission.

(3) The security paid shall be a guarantee that the same list of candidates may be distributed in all constituencies; the deposit shall be returned to the depositor if at least one candidate from this list has been elected in at least one constituency.

(4) If no candidate has been elected from the list, the security paid shall be transferred to the state revenue by the Central Election Commission.

Article 13.

(1) Lists of candidates complying with the provisions of this Law are registered by the Central Election Commission.

(2) The lists of candidates that have been registered may not be revoked, and amendments may only be made by the Central Election Commission in any of the following ways:

1) by deleting the name of a nominated candidate, if:
   a) the candidate is not a legitimate citizen of Latvia (Articles 4 and 5);
   b) the candidate has not resigned from his/her office (service) as set by Article 6, item 1 of this Law;
   c) the same person has been nominated for more t than one list of candidates (Article 10, item 3);
   d) the candidate has died;
2) by inserting a technical correction;

(3) In the cases referred to in subparagraphs "a" and "d", paragraph 1 of this Article the candidate's name shall be deleted on the basis of a certificate issued by the relevant institution or a court judgement.

The following institutions may certify the relevant information:

1) the Citizenship and Immigration Board – that the candidate is not a citizen of Latvia;
2) the Information Centre of the Ministry of the Interior – that the candidate is serving his/her sentence in a penitentiary;

3) the Information Centre of the Ministry of the Interior – that the candidate has beeb convicted for a deliberately committed crime recognized as a crime in Latvia at the time when this Law came into force and the criminal record has not been expunged or remitted;
4) the Information Centre of the Ministry of the Interior – that the candidate has committed a criminal offence in an irresponsible state or has become mentally ill after committing a crime and is incapable of taking a conscious action or controlling it;
5) the relevant court – that the candidate belongs to of has belonged to the salaried staff of the USSR, the Latvian SSR or a foreign state security, intelligence or counterintelligence services;
6) the relevant court – that after January 13, 1991 the candidate has been active in the CPSU (the CP of Latvia), the Working People's International Front of the Latvian SSR, the United Board of Working Bodies, the Organization of War and Labour Veterans, the All-Latvia Salvation Committee or its regional committees;
7) the State Language Centre – that the candidate has not mastered the state language to the highest (third) proficiency level;
8) the Civil Rights Registry Office – that the candidate is dead.

(4) The institutions referred to in paragraph (3) of this Article within five days must present this information in writing and free of charge to the Central Election Commission if so requested by the said Commission.

Article 14.

(1) The Central Election Commission assigns numbers to the lists of candidates by first choosing the numbers by lot for those lists of candidates which have been registered in all five constituencies, then for those who have been registered in four constituencies, and so on. Choosing by lot is made in each of the above mentioned groups in the sequence they were registered. The same list of candidates will have the same number in all constituencies.

(2) The Central Election Commission shall ensure the printing of the lists of candidates on separate forms ballot papers and their transfer to district (city) electoral commissions and to the polling stations established in foreign countries.

(3) The ballot paper shall contain the following data:
1) the name of the constituency;
2) the number of the list of candidates;
3) the name of the list of candidates; and
4) full names of the nominated candidates.

(4) In the ballot paper there is a blank space across from each name of the candidate for the electoral mark to be made

Article 15.

The Central Election Commission shall ensure that not later than twenty days, or, of the Saeima elections are held as provided by Article 48 of the Satversme, not later than ten days before the first election day, the newapaper "Latvijas Vestnesis" publishes the following information:
1) pre-election programs
2) all the lists of candidates (including each candidateas full name, year of birth, foreign citizenship (denizenship), if any, place of residence (district or city), education, full-time employment and position);
3) data concerning each candidate referred to in Article 11, item 4, sub-items "a" and "c"-"i" of this Law;
4) full names of the candidates about whom data are kept at the Center for Eliminating Consequences of the Totalitarian Regime stating that at its disposal or at the State Archives or other national depositories there are documents certifying the fact that these candidates could have collaborated with the USSR, Latvian SSR or foreign state security services, intelligence or counterintelligence services on contract basis as agents, residents, or they have offered their apartments for clandestine activities.

CHAPTER 3. Election Procedure

Article 16.

(1) Not later than ten days before the first election day each polling station shall:
1) display pre-election programs (Article 11, item 2) and announcements showing all the lists of candidates nominated for the constituency (with each candidateas full name, year of birth, foreign citizenship (denizenship), if any, place of residence (district or city), education, full-time employment and position);
2) make available to the public:
   a) data concerning each candidate referred to in Article 11, item 4, sub-items $1a^1$ and $1c^1$-$^1i^1$ of this Law;
   b) data referred to in Article 15, item 4 of this Law.

(2) On or before the fifteenth day before the first election day the district (city) electoral commission shall announce the address, the opening and the closing time of the polling stations.

Article 17.
Elections shall be held from 8 a.m. to 8 p.m. local time on the first Sunday of October and the Saturday before it. If the Saeima elections are to be held in another time of year upon the dissolution of the Saeima, the election days shall be determined by the Central Election Commission.

Article 18.
Before the elections begin, the chairperson or the secretary of the electoral commission together with the commission and authorized observers from political organizations (parties), as well as associations of such organizations (parties) and their territorial structures possessing authority of legal persons (further authorized observers) shall check that the ballot boxes where ballots will be cast, are empty. After that, the ballot boxes shall be sealed.

Article 19.
During the election procedure the maintenance of order within the polling station shall be the responsibility of the chairperson of the electoral commission. It is his/her responsibility to see that there is no infringement of franchise, public disturbance or agitation in the polling station and within 50 meters from its entrance.

Article 20.
(1) The passport of a Latvian citizen shall be the identity document of an elector.

(2) At the entrance, one member of the electoral commission shall check that the arriving citizens are electors without a stamp on the current Saeima elections in their passports.

Article 21.
Unless the exceptions described in Article 25 of this Law apply, an elector may only cast a vote in person.

Article 22.
(1) Voting is by secret ballot.

(2) Inside the polling station a member of the electoral commission of the polling station (further polling commission) writes the full name and identification number of any elector in the list of voters and makes a note in the voteras passport indicating that he/she has participated in the current Saeima elections. The voter signs the list of voters.

(3) Each voter is issued the ballot papers containing all the lists of candidates nominated for the constituency, and a special envelope bearing the stamp of the polling commission. The elector is to insert into the envelope the ballot paper containing the list of candidates he/she has chosen to vote for. It is prohibited to issue any ballot papers separately.

(4) Agitation for or against any candidates or lists of candidates by members of election commission is prohibited.

Article 23.
(1) A separate room or compartment should be arranged inside the polling station for the elector to insert one ballot paper into the envelope and to seal it in privacy.

(2) The elector may choose to put a "+" mark across from the name of any candidates, to cross out a candidate's first or last name or to leave the ballot paper without any marks.

(3) The "+" note against the name of a candidate indicates special support given to the candidate by this elector. If the elector does not support some of the candidates included in the ballot paper, he/she may cross out the first or the last name of this candidate. The elector may insert an unaltered (unmarked) ballot paper into the envelope.

(4) The elector personally hands the sealed envelope to a member of the electoral commission, and the latter inserts the envelope into the sealed ballot box in the presence of the voter.

(5) If the voter has damaged the ballot paper or the envelope before the ballot paper was inserted into envelope, a new envelope or new ballot papers with all the names of the candidates nominated for the constituency shall be issued to the voter. A special entry to this effect shall be made in voter's list.

Article 24.
(1) If any elector is unable to arrive at the polling station for health reasons, a written request may be filed with the polling station commission by this elector or by an authorized person and registered in a special journal; two members of the commission are authorized to organize the voting at the place where the elector is placed, ensuring voting by secret ballot. Specially authorized observers have the right to supervise such voting (Article 18).

(2) Names of the electors qualified for absentee voting as provided in paragraph 1 of this Article, shall be entered in a separate voting register and the sealed ballot envelopes shall be inserted into a separate sealed ballot box.

Article 25.
If a physical handicap prevents an elector from voting, a member of his/her family or another trustworthy person shall make notes in the ballot paper according to word-of-mouth instructions given by the oter. The person making the notes must not be a member of the relevant election commission

Article 26.
Military servicemen shall be given leave of absence for the time required for voting.

Article 27.
(1) On both election days only those electors who had entered the polling station before 8 p.m. shall be allowed to cast their votes. The polling stations are closed after that.

(2) When the voting has ended on the first day, the ballot boxes shall be sealed by the stamp of the relevant commission thereby preventing any ballot envelopes to be inserted or removed from the ballot boxes until voting starts again on the second day; the members of the commission and authorized observers (Article 18) shall have the right to use their own stamps for sealing the ballot boxes. The ballot boxes should remain within the polling stations under the supervision of the commission, police or national guards

(3) On the second election day, before the voting has started, the seal on the ballot boxes is checked for damage by the chairperson of the electoral commission in the presence of the electoral commission and the authorized observers (Article 18).

Article 28.
(1) From the opening time of the polling station on the first election day, the election operations shall be recorded in the minutes taken by the secretary of the electoral commission.

(2) Any appeals made by the electors against the electoral operations shall be filed with the chairperson of the electoral commission and registered in a special book of appeals. The appeals against the election operations shall be examined immediately by the electoral commission and the reply shall be issued to the claimant

CHAPTER 4. Counting of Votes and Processing of Election Results

Article 29.
(1) Counting of votes shall start in the evening of the second election day or at 8 p.m. on the third day after the end of the elections if the voting is by mail. Votes shall be counted at an open meeting of the polling commission.

(2) At the polling stations where ballots are accepted by mail the ballot boxes shall be sealed by the stamp of the relevant commission at an open meeting of the electoral commission on the evening of the second election day and on the following days after each commission meeting before the counting of votes is started, so that no ballots may be cast into the ballot boxes or envelopes removed; the commission members and authorized observers (Article 18) have the right to seal the ballot boxes by using their own stamps. The ballot boxes are to remain within polling stations under the supervision of the commission.

Article 30.
Before the ballot boxes are opened, the unused ballot papers and envelopes shall be cancelled according to the procedure prescribed by the Central Election Commission.

Article 31.
When the ballot boxes have been opened, it is the responsibility of the polling commission:
1) to count the envelopes bearing the relevant polling commission seal found in the ballot boxes;
2) to regard the envelopes unsealed by the relevant polling commission invalid without opening them; to count the invalid envelopes, package them and make a note about it in the minutes of the preliminary counting of votes;
3) to open the counted valid envelopes, to remove the ballot papers and check if the envelope contains only one ballot paper;
4) to sort the ballot papers according to the numbers assigned to the lists of candidates, making a distinction between valid and invalid votes and counting the votes cast for each list of candidates.

Article 32.
(1) The votes are regarded invalid, if:
1) the ballot papers are torn;
2) the ballot papers of other constituencies have been used;
3) the ballot papers of different contents have been inserted into one envelope.

(2) If the content of the ballot papers inserted into the envelope is the same, only one ballot paper is regarded as a valid vote.

Article 33.
Differences of opinion concerning the validity of ballot papers shall be resolved by majority vote. In case of equal vote the chairperson of the electoral commission shall have the deciding vote.

Article 34.
(1) The preliminary minutes of vote counting at the polling station should include data about the number of the envelopes received fromthe district (city) electoral commission, the number of unused envelopes, the number of envelopes issued by the polling commission, the number of envelopes found in the ballot boxes, the number of ballot papers cast, the number of invalid ballot papers and the data required by Article 31.

(2) The invalid ballot papers are to be numbered and an explanation of their invalidity included in the minutes.

Article 35.
(1) After the completion of the initial counting of voices the ballot box shall be filled with the following documents:
1) all the cast and valid ballot papers which have been sorted and packaged according to the numbers assigned to the lists of candidates;
2) all the invalid ballot papers;
3) one copy of the initial counting minutes;
4) the list of voters.

(2) The ballot box shall be sealed by the stamp of the polling station. The authorized observers present (Article 18) also shall have the right to seal the ballot box by using their own stamps; in this case a reference to this effect is to be made in the election operations minutes.

(3) The ballot box is to remain at the polling station under the supervision of the police or national guards in the presence of at least one member of the relevant polling commission.

(4) The second copy of the minutes of the initial counting of votes is to be conveyed to the district (city) electoral commissions accompanied by a note of date and time of conveyance and the name of the carrier of the minutes. The second copy of the minutes of the initial counting of votes from the polling stations established in foreign countries shall be conveyed to the Central Election Commission in accordance with the procedure prescribed by this Commission.

Article 36.
(1) On the day following the second election day at an open meeting of the polling commission and according to the procedure prescribed by the Central Election Commission the polling commission shall:
1) re-count the valid and the invalid ballot papers. The valid ballot papers shall be classified according to the numbers assigned to the lists of candidates;
2) re-count the ballot papers cast per list of candidates;
3) divide the ballots cast per list of candidates into two groups: the altered and the unaltered ballot papers. The altered ballot papers are those bearing the "+" mark or a crossed-out first or last name of a candidate. All the other ballot papers shall be regarded as unaltered.

(2) All the votes cast for the same candidate are summarized according to the following features:
a) a "+" sign against the name of the candidate;
b) the first or last name of the candidate has been crossed out.

(3) The final count of votes shall be recorded by the polling commission in special minutes which shall be written in two copies and shall include the data required by Article.

(4) At the polling stations which accept votes by mail the final counting of votes may immediately follow the initial counting of votes.

Article 37.
(1) When the votes have been counted and the final count of votes has been recorded in the minutes, all the valid and invalid ballot papers, the unused and invalid envelopes, the unused ballot papers and one copy of the minutes containing the final count of votes made by the polling commission should be packaged and sealed. The authorized observers present (Article 18) shall also have the right to seal the package by using their own stamps, and a reference should be made thereof in the minutes of election operations. After that the polling commission shall convey all the election papers to the district (city) electoral commission, whereas the polling commissions established in foreign countries shall send them to the Central Election Commission in observance of the procedure set by the said Commission. A note should be attached to the election papers stating the date and time of conveyance and the name of the carrier.

(2) District (city) electoral commissions shall receive all the votes reported by every polling station in their respective area and summarize them in the minutes of the

sub-final counts of votes; the election material and the minutes of the final count of the votes made by the district (city) electoral commissions shall be conveyed to the Central Election Commission in accordance with the procedure prescribed by the said Commission.

Article 38.

(1) The candidates elected in each constituency shall be determined by the Central Election Commission. The list of candidates that have gained less than five per cent of the total number of votes in the whole of Latvia regardless of the number of constituencies where their lists of candidates have been distributed, shall be excluded from the distribution of seats. The total number of votes (total number of voters having taken part in the elections) shall be the number of valid ballot envelopes.

(2) The procedure to be applied in distributing the seats in the Saeima among the winning lists of candidates shall be the following:

1) the valid ballot papers cast for each list of candidates in each constituency shall be counted;
2) the number of ballot papers cast for each list of candidates shall be divided by 1, 3, 5, 7 and so forth, until the number of divisions is equal to the number of candidates nominated in each list;
3) all the division results concerning all the lists of candidates shall be numbered in a general diminishing sequence for each constituency;
4) the seats in a constituency shall be assigned to the lists of candidates that correspond to the highest division results. If a division result, having a sequence number which coincides with the number of seats assigned to the constituency, is equal to one or several consequent division results, the list of candidates that has gained the largest number of votes in the whole of Latvia, wins one more seat. If such lists of candidates have been registered only in one constituency, the seat is won by the list of candidates which was registered first.

Article 39.

The candidates nominated in each list shall be arranged in the sequence of votes gained. The deputy shall gain the number of votes that have been cast for the list where his/her name has been included minus the number of ballot papers where the first or last name of this candidate has been crossed out plus the number of all the ballot papers where the voters have made a "+" mark across from the candidateas name. If any two or more candidates of the same list have gained an equal number of votes, the names of these candidates should be arranged in the sequence indicated by the person who has submitted the list. The candidates who have gained the largest number of votes, shall be the winning candidates whereas the remaining candidatesa names are arranged in the sequence determined by the number of their respective votes.

Article 40.

If the same candidate, according to Article 38 of this Law, has won seats in more than one constituency, the candidate shall be regarded as elected in the constituency where he has gained the largest number of votes whereas in other constituencies the next largest number of votes shall decide who has won a seat.

Article 41.

If the Saeima deputy has been elected and has died, given up his mandate, declined or lost it for some other reason, he shall be replaced by a next candidate from the same list of candidates.

Article 42.

If for any reason referred to in Article 41 of this Law a list should be short of nominations, Article 38 of this Law shall set the procedure of selecting a candidate from another list.

Chapter 5. Participation Of Citizens Of Latvia In The Saeima Elections If They Reside In A Foreign Country At The Time Of The Elections

Article 43.

(1) Electors residing in a foreign country at the time of the elections shall cast their votes in person by arriving at the polling stations established by the Central Election Commission in the consulates of the Republic of Latvia as recommended by the Ministry of Foreign Affairs, or vote by mail. Upon coordinating with the Ministry of Foreign Affairs, the Central Election Commission may establish polling stations also in other premises suitable for this purpose.

(2) The Central Election Commission may establish election commissions and polling stations on ships sailing under the Latvian colors and registered with the Republic of Latvia, provided the compliance with the provisions of this Law can be ensured in such cases.

Article 44.

Electors casting their votes in polling stations that have been established in foreign countries shall receive the

ballot papers containing the list of candidates nominated for the Riga City constituency, and their votes will be added to the other votes cast in the Riga City constituency.

Article 45.

(1) An elector wishing to vote by mail should mail an appropriate written petition adding his/her full name, identity number and address, to the polling commission two weeks before the first election day or earlier (date of mailing). The citizen passport of Latvia is to be attached.

(2) Having received such application, the polling station commission shall:

1) check if the application is was sent before the deadline set in the first part of this Article;
2) check if the petitioner is an elector who has not yet received electoral documents for absentee (mail) voting;
3) enter the name of the elector in a special voting-by-mail register;
4) make a note in the passport of the elector about current voting for the Saeima;
5) send back the passport to the indicated address, all the ballot papers containing all the lists of candidates nominated for the Riga City constituency, a ballot envelope bearing the stamp of the respective polling station and information about the voting procedure.

(3) If the application has been mailed without due consideration of the deadline and the procedure described in the first part of this Article, or the applicant is not an elector, or his/her passport already carries a mark testifying that he/she has voted for the particular Saeima, the polling station commission shall make a motivated decision to decline to the address indicated by the applicant.

Article 46.

(1) Having received election papers for voting by mail, the elector shall select a ballot paper containing the list of candidates he/she intends to vote for; notes may be made in the ballot paper, if so wished, in observance of Article 23 of this Law; the ballot paper is placed in the ballot envelope and the envelope sealed.

(2) The elector shall insert the sealed ballot envelope into a mail envelope and also enclose a statement containing the full name and identity number of the voter; this envelope should carry a note that it contains a ballot envelope. The mailing date (certified by the mail stamp) should be one of the election days and the addressee should be the polling commission which has sent the election papers for voting by mail.

Article 47.

(1) The polling commission only shall open those envelopes which both carry a note that a ballot envelope has been enclosed and which have been received by the time the counting of votes has started in the respective polling station.

(2) The polling commission shall not open the envelopes bearing a note that a ballot envelope has been enclosed but received after the time the counting of votes has started in the respective polling station. These envelopes shall be numbered and a record shall be made in the minutes about the date of receipt of each such envelope.

Article 48.

(1) If in due time a polling commission receives a mailed envelope addressed to the respective polling station carrying a note that a ballot envelope has been enclosed, the commission shall:

1) check if the envelope has been mailed on any of the election days;
2) unseal the mail envelope to find the voteras statement and the ballot envelope;
3) check if the ballot envelope carries the stamp of the respective polling commission;
4) check if the electoras name has been entered in the vote-by-mail register and if the receipt of the ballot envelope from this elector has not been already recorded in the register;
5) make a note in the vote-by-mail register and insert the valid ballot paper into the ballot box.

(2) A ballot envelope shall be regarded as invalid if it:

1) has not been mailed on any of the election days;
2) does not bear the stamp of the respective polling commission;
3) has been mailed by an elector whose name is not found in the vote-by-mail register;
4) is attached to a passport already bearing a current 1 voted for the Saeima note.

(3) The invalid ballot envelopes shall not be opened and shall not be inserted into the ballot box. They shall be numbered and an entry about each of them shall be made in the minutes explaining the reason why they are regarded as invalid. The invalid ballot envelopes, the enclosed statements and the mail envelopes shall be stored in accordance with the procedure prescribed by the Central Election Commission.

CHAPTER 6. Final Provisions Final Provisions

Article 49.
Complete election reports and the count of the votes gained by each candidate in each list of candidates at every polling station shall be summarized within 6 months, issued in a separate publication and made freely accessible in state libraries.

Article 50.
When ten days have past after the convening of the newly-elected Saeima all the ballot papers are to be destroyed, and after the publication of the election results pursuant to the procedure prescribed in Article 49 of this Law all the minutes of the election commissions shall be deposited with the State Archives.

Article 51.
The person who has submitted the list of candidates, as well as the nominated candidates have the right of appeal against the decision made by the electoral commission; this appeal may be submitted within seven days after such a decision has been taken and an action be brought in the location where the respective electoral commission functioned.

Article 52.
Persons found guilty of hindering citizens from voting or canvassing through violence, deception, threat, bribery or any other illegitimate means, or who have intentionally given false personal information in the documents required by Article 11 of this Law, or otherwise have counterfeited election documents, or have deliberately miscounted the votes, trespassed the rule of voting confidence, or otherwise violated this Law, shall be made liable as provided by the Law.

Article 53.
Costs arising from the preparation and operations of the elections shall be covered by the state budget.

Transitional Provisions:

1. The electors who have not been granted the citizenas passports of Latvia until the election day shall produce the former USSR passports at the polling station bearing a note made by the Citizenship and Immigration Department thereby certifying the citizenship of Latvia.

2. Electors residing in foreign countries who have not been granted the citizenas passport of Latvia shall produce at the polling station or mail a registration card bearing the electoras identity number issued by the Citizenship and Immigration Department.

This Law comes into force on the day following its promulgation.

This Law was adopted by the Saeima on May 25, 1995.

The President of State

G.ULMANIS

Riga, June 6, 1995

Source: Vestnesis, 6 June1995, nr.86

For purposes of interpretation, the original Latvian text is to be regarded as official.

Republic of

LITHUANIA

LAW ON THE AMENDMENT OF THE LAW ON ELECTIONS TO THE SEIMAS

Official translation – 18 July, 2000 No.VIII-1870, Vilnius
(As amended 19 September 2000 No.VIII-1937)

Article 1. Revised Version of the Law of the Republic of Lithuania on Elections to the Seimas
The Law of the Republic of Lithuania on Elections to the Seimas shall be amended and set forth to read as follows:

CHAPTER I. GENERAL PROVISIONS

Article 1. The Principles of Elections of Seimas Members
Members of the Seimas of the Republic of Lithuania (hereinafter - the Seimas) shall be elected for a four-year term in single-member constituencies and the multi-member constituency on the basis of universal and equal suffrage, by secret ballot in direct, mixed-system elections.

Article 2. Universal Suffrage
1. Citizens of the Republic of Lithuania who, on the day of the election, are 18 years of age shall have the right to vote. Citizens who have been declared legally incompetent by the court shall not participate in elections.

2. Any citizen of the Republic of Lithuania who is not under allegiance to a foreign state and is at least 25 years of age on the day of elections, and who permanently resides in Lithuania may stand for election as a member of the Seimas. When ascertaining whether a citizen who has arrived in Lithuania from another state for residency is a permanent resident, a period of one year as laid down in the Law of the Republic of Lithuania on Persons Considered Permanent Residents or Residents of the Republic of Lithuania shall not be applicable.

3. Persons who, with 65 days remaining before elections, have not yet served their sentence imposed by the court, as well as persons who have been declared legally incompetent and incapable by the court may not stand for election as members of the Seimas.

4. Persons who on the day of elections are in the active or alternative military service, also officers, non-commissioned officers and re-enlistees of the national defence system, police and the internal affairs service who, with 65 days remaining before elections, have not retired from the service, and officers of other military-type and security services who are on the payroll may not stand for election as members of the Seimas.

5. Other direct or indirect abridgements of suffrage of the citizens of the Republic of Lithuania on the grounds of their origin, political convictions, social or property status, nationality, sex, education, language, religion, or the type or character of their occupation shall be prohibited.

Article 3. Equal Suffrage
Every citizen of the Republic of Lithuania who has the right to vote shall have one vote in a single-member constituency and one vote in the multi-member constituency, and these votes shall have the same value as the votes of any other citizen who has the right to vote. Every voter shall have an equal right to express his opinion about the candidates who are on the list of candidates for which he votes in the multi-member constituency, and this opinion shall have the same value as the opinion of any other voter who has voted for this list.

Article 4. Direct Elections
There shall be no voting by proxy in the elections of the Seimas members.

Article 5. Secret Ballot
1. Voters shall vote in person and by secret ballot. It shall be prohibited for a person to vote instead of another person or to vote by proxy. A voter who because of his physical disability cannot cast a ballot himself, may vote with the assistance of another person whom he trusts as laid down in Paragraph 6 of Article 66 of this Law. If the secret of another person's voting has come to the knowledge of anyone, it shall be prohibited to disclose it.

2. It shall be prohibited to control the will of the voters during the elections. It shall be prohibited during the voting to influence the will of an elector to vote for or against any candidate or a list of candidates. A voter must have adequate conditions to mark his ballot in privacy and without interference. It shall be prohibited to handle the ballot in such a way that the secret of voting might be disclosed.

Article 6. Announcement of the Date of Elections to the Seimas

1. Regular elections to the Seimas shall be announced by the President of the Republic, and early elections to the Seimas may be announced by the Seimas of the Republic of Lithuania or the President of the Republic.

2. Regular elections to the Seimas shall be announced by the President of Republic not later than six months prior to the expiration of the powers of the Seimas members. Regular elections to the Seimas shall be held not earlier than two months before and no later than one month before the expiration of the powers of the Seimas members. If, with four months remaining before the expiration of the powers of the Seimas members, the President of the Republic has not yet announced the date of regular elections to the Seimas, the Central Electoral Committee shall hold regular elections to the Seimas on the last Sunday from which at least a month remains before the expiration of the powers of the Seimas members.

3. If regular elections must be held in time of war, the Seimas or the President of the Republic shall adopt a decision to prolong the powers of the Seimas. In this event, elections must be called not later than within three months after the end of war.

4. Early elections to the Seimas may be held by the decision of the Seimas adopted by at least three-fifths majority vote of all the Seimas members, or announced by the President of the Republic in the cases referred to in Paragraph 2 of Article 58 of the Constitution. The elections to the new Seimas must be held within three months from the adoption of the decision on the early elections. The day of elections to the new Seimas shall be specified in the decree of the President of the Republic on the regular elections to the Seimas, and in the resolution of the Seimas or decree of the President of the Republic on the early elections to the Seimas.

5. The day when ballots are cast in the multi-member constituency and in one-member constituencies shall be considered the day of the elections to the new Seimas. Voting by post, voting on ships and in diplomatic missions shall be carried out before the election day or shall be completed on the day of the elections as laid down by this Law. The time-limit which starts on the election day and may become effective only after the election results have been announced shall start from the day of announcement of the election results.

6. The date of by-election or run-off elections in a one-member constituency shall be announced by the Central Electoral Committee in cases laid down by this Law within 15 days after the day when the necessity to hold such elections arose, save as otherwise provided in this Law.

Article 7. Openness of Preparation and Holding of Elections

1. Public notice about a forthcoming meeting of the electoral committee shall be put on the notice board placed in the premises where the electoral committee has its offices, and the members of this electoral committee shall be personally notified about the forthcoming meeting at least 24 hours before the start of the meeting. In addition, the Central Electoral Committee shall inform the mass media via the Internet about its meetings where the following matters are discussed: dates of by-elections and run-off elections; determining of the boundaries of constituencies; formation and change of the composition of the constituency electoral committees; registration of candidates; issues determined by drawing of lots; reaching a decision on the final election results; lapse of the powers of a Seimas member before the expiration of his term of office; recognition of the powers of a new Seimas member, as well as consideration of disputes concerning the election campaign and violations of the Law on Elections to the Seimas .

2. Meetings and voting of electoral committees shall be open and may be observed by representatives and observers of political parties and political organisations (hereinafter - parties), candidates for Seimas members upon presenting certificates of the established form or credentials with the seal of the organisations which have authorised them; representatives of the mass media, upon presenting their authority or service cards. A candidate for Seimas member may participate in the meeting of an electoral committee if: a decision concerning his personal activities or circumstances directly related to his person is being adopted or if he has been invited to participate in the meeting by the chairman of the electoral committee.

3. Persons present in the conference room may, from their seats, record, write down in shorthand or take down everything that is said at the meeting, photograph, film or make video recordings. Taking photographs, filming, and video recording which requires walking about the hall or using special lighting equipment, as well as live radio or television broadcasting of meetings shall be subject to the permission of the electoral committee chairman.

4. Electoral committees may not hold closed meetings. The Central Electoral Committee may prohibit anyone from entering the workroom of the service staff of electoral committees, document safe-keeping premises if it is necessary to guarantee undisturbed working conditions of the staff and to protect election documents.

5. If there are reasons to believe that during a meeting a threat to the security of an electoral committee or its participants may arise, the chairman of the committee may instruct the police to check the documents and belongings of the persons entering the conference room or carry out their personal search.

6. The electoral committee may remove from the meeting hall persons who interfere with the work of the committee.

Article 8. Expenditure Related to the Preparation and Conduct of Elections

Expenditure related to the preparation and holding of elections shall be covered from the state and municipal budgets. The expenditure of electoral committees related to the organisation and conduct of elections and the work of the members of electoral committees and the service staff shall be covered from the state budget. Maintenance of the office space of constituency electoral committees and polling district committees, expenditure of purchasing and keeping of the equipment of polling stations shall be covered from municipal budgets. If the municipal administration fails to provide adequate premises and supplies for the office of the polling district and the polling station, by the decision of the Central Electoral Committee, state funds shall be used for this purpose. In such a case, the actual expenses for the polling station and its supplies shall be recovered without suit by the Central Electoral Committee from the municipal administration.

CHAPTER II. CONSTITUENCIES AND POLLING DISTRICTS

Article 9. Formation of Constituencies

1. For the organisation and conduct of elections, the territory of the Republic of Lithuania shall be divided into 71 single-member constituencies, taking into consideration the number of inhabitants in the constituency, the division of the territory of the Republic of Lithuania into single-member constituencies during previous elections to the Seimas, and the administrative-territorial division of the Republic of Lithuania. A constituency shall be formed from polling districts which have common boundaries. The number of voters in constituencies must be from 0.9 to 1.1 of the average number of voters in all single-member constituencies. The Central Electoral Committee, no later than 95 days before the election, shall establish, and no later than 90 days before the election, shall publish in the Valstybės žinios (The Official Gazette) the list of polling districts forming a constituency, the addresses and telephone numbers of their polling stations, the number of voters in the constituency, and the addresses and telephone numbers of constituency electoral committees.

2. One multi-member constituency shall also be formed where all citizens of the Republic of Lithuania eligible to vote shall cast their votes. 70 Seimas members shall be elected in this constituency according to the proportional system of elections.

Article 10. Formation of Polling Districts

1. With a view of making it more convenient for a voter to reach a polling station and with account of the number of voters, the territories of cities and regions shall be divided into polling districts.

2. The division of the territory of a town or region into polling districts, which shall be permanent during elections and referenda, shall be changed, where necessary, by the Central Electoral Committee on the recommendation of the mayor. The Central Electoral Committee shall publish a list of approved polling districts, and changes made therein in the Valstybės žinios (The Official Gazette).

3. No more than 5, 000 voters must reside within the territory of a polling district.

4. The boundaries of a polling district and the address of the polling station shall be changed, where necessary, but no later than 100 days prior to the election. In his recommendation to approve the division of the territory of the municipality into polling districts, the mayor shall specify the proposed name of the polling district, the addresses belonging to the polling district, the number of voters in the district, the address and telephone number of the polling station. The recommendation on changes in the division of the municipality into polling districts shall specify the changes it is proposing. These changes must be submitted to the Central Electoral committee at least 110 days prior to the election. In the event when it is impossible to have polling at the polling stations established earlier, the Central Electoral Committee, on the recommendation of the constituency electoral committee, may change the address of the polling station within a shorter time limit than the one specified in this Article.

CHAPTER III. ORGANIZATION OF ELECTIONS

Article 11. Electoral Committees

1. Elections to the Seimas shall be organised and conducted by:
   1) the Central Electoral Committee;
   2) constituency electoral committees; and
   3) polling district committees.

2. A citizen of the Republic of Lithuania may be nominated to the electoral committee provided he is eligible to stand in election as a member of the Seimas (without taking into consideration the minimum age limit set for a Seimas candidate, but who is not younger than 18 years of age on the election day) and has not been dismissed, in the course of the last three years, from the an electoral or referendum committee due to violations of the Law on Elections to the Seimas, the Law on Presidential Elections, the Law on Elections to Municipal Councils or the Law on the Referendum.

3. The same person cannot concurrently be: a member of the electoral committee and a candidate for Seimas member; a candidate for Seimas member and a representative for the election; a representative for the election and a member of the electoral committee; a candidate for Seimas member and an observer at the elections; a member of the electoral committee and an observer at the elections. If a member of the electoral committee seeks to stand in election as a member of the Seimas, at least 10 days in advance of giving his consent to stand for election as a member of the Seimas or before he starts collecting the signatures, he must resign from the post of a member of the electoral committee. If a member of the electoral committee fails to do so he shall be dismissed from the electoral committee for the violation of this Law and shall be not registered as a candidate for Seimas member or his name shall be struck off the list of candidates.

Article 12. Formation of the Central Electoral Committee

1. The Central Electoral Committee shall be a permanent supreme institution charged with organisation of elections to the Seimas of the Republic of Lithuania, President of the Republic, municipal councils, as well as organisation of referenda.

2. The Seimas shall form the Central Electoral Committee for a four-year period no later than 100 days and no earlier than 130 days in advance of regular elections to the Seimas. The Central Electoral Committee shall not be newly formed before early elections to the Seimas; it shall retain its powers until the Central Electoral Committee is formed before regular elections to the Seimas.

3. The Central Electoral Committee shall be composed of:
   1) the Committee Chairman;
   2) three persons with university law degrees who are chosen by drawing lots from among the six candidates nominated by the Minister of Justice;
   3) three persons with university law degrees who are chosen by drawing lots from among the six candidates nominated by the Lithuanian Lawyers' Society; and
   4) the persons nominated by parties which have received mandates of the Seimas members in the multi-member constituency.

4. The Minister of Justice and the Lithuanian Lawyers' Society may nominate more candidates to the Central Electoral Committee.

5. Drawing of lots during a Seimas sitting shall be organised by the Chairman or Deputy Chairman Speaker of the Seimas.

6. Prior to the formation of the Committee, parties which have received mandates of the Seimas members in the multi-member constituency shall each have the right to nominate one representative to the Central Electoral Committee from one list of candidates (joint list) nominated in the multi-member constituency.

7. If the representatives meet the requirements specified in paragraphs 2 and 3, Article 11 of this Law, the Seimas may not reject the nominees.

8. In all cases, persons appointed to the Central Electoral Committee from among the candidates nominated by the Minister of Justice and the Lithuanian Lawyers' Society must make up more than 1/2 of the Committee members. If the number of such persons is smaller, the number of the members of the Committee shall be increased in equal numbers, according to the procedure established in this Article, by drawing lots, from among the candidates nominated by the Minister of Justice and the Lithuanian Lawyers' Society, and the number of the candidates must be twice as large as is necessary for the additional appointment of members to the Central Electoral Committee.

9. The Seimas shall appoint the Chairman of the Central Electoral Committee. The Chairman of the Central Electoral Committee as well as the members of the Committee who were appointed to the Committee by drawing lots must suspend their membership in any party

of which they are members, and may not take part in the activities and carry out the instructions of parties or political organisations during the period of their work on the Committee.

10. The Central Electoral Committee shall elect the Deputy Chairman and Secretary of the Committee during its meeting. The Deputy Chairman shall be elected from among the members who do not represent parties.

Article 13. Revision of the Composition of the Central Electoral Committee after the Elections to the Seimas

1. The Seimas of the Republic of Lithuania shall, within 100 days after the first sitting of the newly elected Seimas, revise the composition of the Central Electoral Committee: it shall dismiss and newly appoint the Committee members nominated by the parties in order to include in the Committee representatives of the parties which have received mandates in the multi-member constituency. Where necessary, the Seimas may only increase the number of the Committee members chosen by lot.

2. The powers of the Chairman of the Central Electoral Committee and the Committee members chosen by lot shall lapse before the expiration of their term of office in the following cases:

1) upon the resignation of a member;
2) upon death of a member;
3) if a member does not meet the requirements specified in paragraph 2, Article 11 of this Law;
4) if a conviction of a member becomes effective; and
5) if the Constitutional Court rules that the Law on Elections to the Seimas or the Law on Presidential Elections has been violated due to the activities of the Central Electoral Committee.

Article 14. The Powers of the Central Electoral Committee

1. The Central Electoral Committee shall guarantee uniform application of the laws on elections and referendum on the whole territory of the Republic of Lithuania. For this purpose, it shall issue implementation rules for these laws of the Republic of Lithuania. Observation of these rules shall be obligatory for all institutions and officials. The decisions of the Central Electoral Committee may be revised only by the Central Electoral Committee itself or by an effective court ruling. Institutions of state government and administration, the Seimas members and other officials, parties, political and public organisations or citizens shall be prohibited from interfering with the activities of the Central Electoral Committee related to organisation of elections or a referendum.

2. When conducting elections to the Seimas under the requirements of this Law , the Central Electoral Committee shall:

1) divide the territory of Lithuania into one-member constituencies;
2) form constituency electoral committees;
3) accept application documents concerning the nomination of candidates for the Seimas, examine them; upon establishing that the documents are in conformity with the requirements of this Law, register the candidates and lists of candidates, and make public the lists of nominees who will participate in the elections, the numbers they have been assigned, and the candidates nominated in single-member constituencies;
4) establish the samples and forms of ballot papers and other documents used during the elections, of packages and seals, also samples for their filling them out, and the procedure of stamping the ballot papers;
5) manage the election funds allocated by the State;
6) supervise the implementation of this Law;
7) investigate complaints and adopt decisions concerning decisions of constituency electoral committees and, where necessary, also of polling district committees, also revoke decisions which do not meet the requirements of laws or other legal acts
8) discharge the functions of the multi-member constituency electoral committee;
9) establish and announce the final results of the elections;
10) issue certificates of the Seimas member of the Republic of Lithuania to the elected candidates;
11) hand over the vote counting and other records of electoral committees to the State Archives; and
12) approve a model description of the polling station and the surrounding territory and together with municipality mayors take measures to ensure that the polling stations, their equipment and the surrounding territory conform to the established requirements;
13) discharge other powers provided for by this Law.

3. During the period between elections, the Central Electoral Committee shall perform the functions of the Mandate Committee of the Seimas of the Republic of Lithuania: adopt and announce decisions upon lapse of the

Seimas member's powers; acknowledge the powers of new Seimas members elected in the multi-member constituency, by election or run-off elections in a single-member constituency.

4. The Central Electoral Committee shall sum up the election-related experience, together with other State institutions promote the importance of free, democratic and fair elections, seek to raise awareness of the electorate. It shall also maintain contacts with the institutions of other states which organise and conduct elections in these states.

5. The Central Electoral Committee may not interpret the provisions of this Law. If there is a need for that, the Central Electoral Committee shall apply to the Seimas for amendment of this Law. The Seimas shall consider questions submitted by the Central Electoral Committee as a matter of great urgency.

Article 15. Formation of Constituency Electoral Committees

1. The Central Electoral Committee shall for the period of elections form constituency electoral committees no later than 74 days in advance of the elections.

2. Constituency electoral committees shall be composed of:

1) a person nominated by the Minister of Justice, having a university law degree, who resides or works in the territory of the municipality the whole or a part whereof has been designated to this constituency;
2) a person nominated by the Lithuanian Lawyers' Association, having a university law degree, who resides or works in the territory of the municipality the whole or a part whereof has been designated to this constituency;
3) a career public servant nominated by the mayor and employed in the administration of the municipality the whole or a part whereof has been designated to this constituency;
4) persons nominated by parties which have received the mandates of the Seimas members in the multi-member constituency.

3. The Minister of Justice, the Lithuanian Lawyers' Society and the mayor may nominate more candidates. If the territory of a constituency is made up of territories of several municipalities, the committee must include career public servants employed in the administration of all of these municipalities, nominated by the mayors of these municipalities.

4. Parties which have received the mandates of the Seimas members in the multi-member constituency according to the list (joint list) of candidates shall each have the right to nominate two representatives to constituency electoral committees from one list of candidates nominated in this constituency. If the representatives meet the requirements of this Law, the Central Electoral Committee may not turn down said candidacies. If candidates have not been nominated, the Central Electoral Committee may, instead of them, additionally appoint as members of the Committee persons nominated by the Minister of Justice, the Lithuanian Lawyers' Society or a mayor.

5. In all cases, no less than 3 committee members must be persons who have been appointed to constituency electoral committees from among the candidates nominated by the Minister of Justice, the Lithuanian Lawyers' Society or a mayor. If the number of such persons is less, additional members to the committee shall be appointed from among the candidates nominated by the Minister of Justice, the Lithuanian Lawyers' Society or a mayor.

6. If elections to the Seimas or elections of the President of the Republic, or a referendum are concurrently held on the same day, the same polling district committees or referendum committees shall be formed. The Central Electoral Committee shall form a single - town, region, constituency or referendum, committee in a separate electoral, referendum territory and shall define its functions in organising and conducting other elections or a referendum.

7. The Central Electoral Committee shall appoint the chairman of the constituency electoral committee.

8. During its first meeting, the constituency electoral committee shall elect the deputy chairman and the secretary of the committee.

Article 16. Powers of the Constituency Electoral Committee

The constituency electoral committee shall:

1) inform, in the manner established by the Central Electoral Committee, the voters who reside in the constituency about the boundaries of the polling districts, their offices, their working hours and polling stations;
2) supervise the implementation of this Law in the constituency;
3) form polling district committees;
4) distribute the funds allocated for the election among the polling district committees, control how these

funds are used and report to the Central Electoral Committee about the funds used for the election;
5) register election observers and issue certificates to them;
6) monitor voting by post in the territory of the constituency
7) make up a list of health care, social care and guardianship institutions, military units and places of confinement situated in the territory of the constituency, and together with the head of the post office make arrangements to organise voting by post in those institutions;
8) draw up the vote counting record of the constituency;
9) consider complaints against decisions and actions of the polling committees and adopt decisions, repeal decisions which contravene the requirements of laws and other legal acts;
10) exercise other powers provided for in this Law.

Article 17. Formation of Polling District Committees

1. No later than 65 days prior to the election, the constituency electoral committee shall determine the number of the members of each polling district committee that must be a multiple of the number of the parties (their coalitions) which have the right to nominate candidates to electoral committees. If the number of the nominated candidates is insufficient or if there is a vacancy in the committee, the mayor of the municipality in the territory whereof the polling district is formed may nominate the needed candidates.

2. An equal number of candidates to the polling district committee may be nominated by:
1) each party or a coalition of parties which received mandates of the Seimas members in the multi-member constituency during the last election. If a party received mandates of the Seimas members while in a coalition, the candidates may be nominated together with the parties in this coalition;
2) a party or a coalition of parties which during the last election to the council of the municipality to the territory whereof the polling district belongs received mandates of the municipal council members according to the list of the nominated candidates.

3. If a party may nominate candidates in accordance with the results of both the elections to the Seimas and municipal elections it shall nominate its candidates only according to the results of one of said elections, whichever it chooses. If one of the parties which took part in an election coalition fails to nominate candidates or refuses to nominate them, or if it chooses to nominate candidates according to the results of another election when the coalition was formed, the other parties in this coalition have the right to nominate candidates without the participation of said party.

4. A party shall submit its list of candidates for the members of polling district committees to the constituency polling district committee no later than 48 days prior to the election.

5. Polling district committees for the period of the election shall be formed by constituency electoral committees no later than 45 days before the elections. If the candidate nominated by the party meets the requirements of this Law the constituency electoral committee may not turn him down.

6. If no candidates have been nominated or the nominated candidates do not meet the requirements of this Law, or if they have been nominated after the expiration of the prescribed time limit, constituency electoral committees may reduce the number of members of the polling district committee established earlier or may ask the mayor to nominate the lacking number of candidates to the polling district committees. The candidates nominated by the mayor may not be party members or become party members until the expiration of the term of office of an electoral committee member. If during a meeting of a constituency electoral committee which appoints a member of the polling district committee nominated by the mayor no less than three members of the constituency electoral committee object to the appointment of the candidate, this candidate may not be appointed a member of the committee. A polling district committee must be made up of at least 5 members.

7. Chairmen of polling district committees shall be appointed from among the members of the committee by constituency electoral committees.

8. During its first meeting the polling district committee shall elect the deputy chairman and the secretary of the committee.

Article 18. Powers of the Polling District Committee

The polling district committee shall:
1) receive voter lists from the constituency electoral committee, provide conditions for electors, representatives of parties at the elections to familiarise themselves with said lists, hand or deliver

in some other way certificates to voters, inform the constituency electoral committee about inaccuracies noticed in the voter list of a polling district;
2) investigate complaints about the errors made in voter lists;
3) in the manner prescribed by the Central Electoral Committee, monitor voting by post conducted in the territory of a polling district, ensure that conditions for voting by post are provided in all health care, social care and guardianship institutions, military units and the places of confinement situated in the territory of the polling district;
4) together with a representative of the municipality administration make arrangements in accordance with the requirements set forth in this Law about a timely preparation of the polling station, voting booths and ballot boxes;
5) organise voting in the polling district on the day of elections;
6) count votes and draw up the vote counting record of the polling district;
7) consider the complaints of the voters and observers of their electoral district on issues concerning preparation of the elections, organisation of voting, vote counting, drawing up a vote counting record, and adopt decisions related to them; and
8) exercise other powers provided for in this Law.

Article 19. The Oath and a Written Pledge of Electoral Committee Members

1. A member of an electoral committee, its chairman shall take office upon having taken an oath or given a written pledge..

2. The members of the Central Electoral Committee and its Chairman shall take the oath in the Seimas. The oath shall be administered by the Chairman or Deputy Chairman of the Seimas. The text of the oath of a member and the Chairman of the electoral committee shall read as follows:

"I, (first name, name), a member, the chairman of the electoral committee, swear to be faithful to the Republic of Lithuania, observe its Constitution and laws, in good faith and conscientiously perform my duties in the electoral committee and refrain from actions violating laws and the rights of citizens.

So help me God."

3. The procedure for giving a written pledge by the members and chairmen of constituency electoral committees and polling district committees shall be established by the Central Electoral Committee. The text of a written pledge of a member and the chairman of an electoral committee shall read as follows:

"I, (first name, name), member, chairman of the electoral committee, swear to be faithful to the Republic of Lithuania, observe its Constitution and laws, in good faith and conscientiously perform my duties in the electoral committee and refrain from actions violating laws and the rights of citizens.

So help me God."

4. The oath may be taken or a written pledge may be given without the last sentence. The person who has taken the oath shall sign the text of the oath. The oath shall be effective for the whole duration of the appointment to work in the electoral committee. The person who does not take the oath, shall not take office as a member of the electoral committee.

5. The oaths, written pledges of the members and chairmen of the electoral committees shall remain in the custody of the institutions which have appointed them.

6. When appointing an electoral committee member, the institution shall fix the date by which he must take an oath or give a written pledge. The person who has not taken an oath, given a written pledge for more than 15 days after his appointment or who has taken the oath or given a written pledge with a reservation, shall be removed from office in the electoral committee.

Article 20. Organisation of the Work of Electoral Committees

1. Meetings of electoral committees shall be valid provided that at least three-fifths of the members of the committee are in attendance. Decisions of the committees shall be adopted by open vote of the majority of the committee members participating at the meeting. In the event of a tie vote, the committee chairman shall have the casting vote. Committee members who do not agree with the decision shall have the right to give a separate opinion in writing, which shall then be appended to the minutes of the meeting and shall be its constituent part.

2. After the close of elections, the powers of the chairmen and members of constituency electoral committees and of polling district committees shall be suspended. The decision to suspend the powers shall be adopted by the electoral committee which appointed the committee members, provided this committee and its chairman have fulfilled all the tasks assigned to him under law.

3. The chairman or a member of an electoral committee who have taken the oath or given a written pledge shall be prohibited from any form of campaigning or to influence the voters' will in any other way. Individuals who violate this requirement, the oath or the written pledge of a member of the electoral committee must be dismissed from the committee and may be held liable in the manner established by law.

Article 21. Appeals against Decisions of Electoral Committees Adopted before Closing of the Polls

1. A party which has nominated a candidate for Seimas member, a person running for election to the Seimas, a representative for elections, and an election observer may appeal the decision of the electoral committee which was adopted before closing of the polls or against any other act of the committee:
   1) an appeal against a polling district committee decision shall be lodged with the constituency electoral committee;
   2) an appeal against the decision of a constituency electoral committee decision shall be lodged with the Central Electoral Committee;
   3) an appeal against the Central Electoral Committee decision shall be lodged with the Higher Administrative Tribunal of Lithuania.

2. A voter, a representative of a political party or public organisation, who does not agree with the decision of the polling district committee which has been adopted in reply to his appeal about the errors made in the voter list which did not let him exercise his right to vote (he has been incorrectly put on the voter list or his name has been struck off the voter list or when the data in the list about the voter has been inaccurate), may lodge an appeal against the decision of the polling district committee to the administrative court of an appropriate county.

3. Decisions of the Central Electoral Committee or its other acts may be appealed to the Higher Administrative Tribunal of Lithuania within 5 days after adoption of a decision but no later than before the closing of the polls. Appeals must be investigated within 48 hours of lodging them. Days off shall also be included in this period. The decision of the Tribunal shall become effective from its pronouncement.

4. Appeals lodged not in the manner established by this Article shall not be examined and shall be forwarded to the electoral committee which must examine them. The polling district committee, the constituency electoral committee may not forward to the Central Electoral Committee appeals for investigation which fall within their respective competence and have not been investigated.

Article 22. Assistance for Electoral Committees

1. Central and local government institutions and agencies, their officers and staff, enterprises and their employees must assist electoral committees in exercising their powers and must furnish all necessary information to them.

2. Central and local government institutions and agencies, their officers and staff, firms, enterprises and their employees must consider, within 3 days, requests submitted to them by electoral committees and give the electoral committee a reasoned response.

3. Electoral committees may recruit the required number of staff for additional work.

4. Central and local government institutions and agencies, their officers and staff, enterprises and their employees must provide to electoral committees adequate premises and equipment for the preparation and conduct of elections.

Article 23. Remuneration of Electoral Committee Members

For their work in electoral committees, the chairmen and members of the committees shall be remunerated at the rates submitted by the Central Electoral Committee and approved by the Government..

Article 24. Changing of the Composition of Electoral Committees

1. The chairman or a member of an electoral committee may be removed from his office in the committee by the electoral committee which approved the composition of said committee, or the Central Electoral Committee.

2. The electoral committee may consider only a reasoned proposal of a party or a coalition to recall a member of the electoral committee whom it has nominated.

3. A new chairman or a member of the electoral committee shall be appointed, as necessary, in accordance with the procedure established by this Law, even after the expiration of the time period specified in paragraph 1 of Article 15, and paragraph 5 of Article 17.

CHAPTER IV. VOTER LISTS AND VOTER CERTIFICATES

Article 25. Voter Lists

1. For the organisation and conduct of elections, the following voter lists shall be compiled:

1) the list of the voters of the Republic of Lithuania;
2) single -member constituency voter lists; and
3) polling district voter lists.

2. Voter lists shall be drawn up two times - preliminary and final. These lists may be used only for the organisation and conduct of elections.

3. The procedure of compiling voter lists must be such that every citizen of the Republic of Lithuania who is eligible to vote is registered in voter lists. No one may be registered in a voter list more than once.

4. At the request of parties which have nominated candidates, general voter lists may be compiled. These lists shall provide information necessary for the organisation of campaigning about the voters of a constituency or a polling district (first name, name, address, and age). The actual expenses for making such lists shall be paid by the party or the candidate who has ordered them.

5. The list of the voters of the Republic of Lithuania and single-member constituency voter lists which are compiled and kept by the keeper of the population register, shall be made in the magnetic media. The procedure and form of compiling of lists, the method of compiling and the manner of their use shall be determined by the Central Electoral Committee.

Article 26. General Procedure for Registering Citizens in Voter Lists

1. All citizens of the Republic of Lithuania who have the right to vote shall be registered in the voter list of the Republic of Lithuania according to the data of issuance of the document (passport) certifying citizenship, and according to the population register of the Republic of Lithuania. State institutions which issue documents certifying citizenship of the Republic of Lithuania, keep information related to the statement of citizens' residence, register citizens' death and loss of citizenship are also responsible for a timely and proper updating of the population register of the Republic of Lithuania. The lists compiled according to the data of the population register of the Republic of Lithuania shall be preliminary lists.

2. Compiling, updating and keeping of voter lists shall be organised by the Central Electoral Committee on the basis of the information furnished by central and local government institutions and constituency electoral committees.

3. The following persons shall be removed from the voter list of the Republic of Lithuania:
1) a diseased citizen of the Republic of Lithuania;
2) a person who has lost the citizenship of the Republic of Lithuania; and
3) a citizen who has been declared legally incompetent by the court.

4. At least 7 days in advance of the election, updated preliminary voter lists acknowledged in the manner established by the Central Electoral Committee shall be approved as final voter lists. Changes in final voter lists may be made only subject to the consent of the Central Electoral Committee.

Article 27. Voter Lists of One-Member Constituencies

The voter list of a constituency in the magnetic media shall be made by the Central Electoral Committee according to the voter list of the Republic of Lithuania and the place of residence of a voter indicated therein (the most recent known place of residence) , and shall be delivered to the constituency electoral committee at least 39 days before the election. Lists of voters residing abroad shall be also drawn up and shall be delivered to diplomatic missions of the Republic of Lithuania. A list of citizens whose place of residence is unknown shall be also compiled.

Article 28. Voter Lists of Polling Districts

The voter list of an polling district shall be drawn up by the constituency electoral committee according to the voter list of the constituency and the place of residence indicated therein, and shall be delivered to the polling district committee at least 26 days prior to the election. A list of citizens whose place of residence is not specifically known shall be also compiled. Voters, ship crew members and passengers who are unable to return to Lithuania during the period of voting by post or on the election day, shall, according to the procedure established by the Central Electoral Committee, be registered in the voter list of the polling district in the territory where the ship's registration harbour or the administration of the ship's owner is located.

Article 29. Public Announcement of Voter Lists and Access to Voter Lists

At least 25 days before the election, a polling district committee, a diplomatic mission shall provide conditions for the voters to have access to voter lists. The business hours of electoral committee members as well as the telephone numbers for electors to make inquiries about whether they are registered in the voting list must be on display at the entrance to the polling station. Following expiration of the time period for delivering voters' certificates, the business hours of the polling district

committee, its telephones must be on display in stairwell entrances of apartment houses. The time and place for the voters to exercise their right to have access to voters lists shall be on display in a diplomatic mission, at the entrance to the premises of an electoral committee.

Article 30. Voter Certificate

1. A voter certificate shall be a document issued by an electoral committee specifying the polling district in the voter list whereof a citizen of the Republic of Lithuania is registered. One cannot vote by post without this certificate.

2. A voter certificate shall contain:
   1) the voter's first name and name;
   2) the voter's birth date (year, month, day);
   3) the voter's address;
   4) the name and number of the single-member constituency in which the voter shall vote;
   5) the name, number of the polling district in the list of voters whereof the name of the voter has been registered, as well as the address of the polling station;
   6) the number of the voter in the voter list of a polling district;
   7) the election day, the voting time at the polling station, the requirement to produce this certificate when voting by post, and other information relevant for the voter.

Article 31. Delivery of the Voter Certificate

1. The delivery of voter certificates to voters shall be organised by the polling district committee. A diplomatic mission shall deliver or send by post voter certificates to a voter who is abroad, provided that he has informed the diplomatic mission of his address. A voter certificate shall not be delivered to the voter who is votes aboard a ship.

2. The delivery of a voter certificate shall be marked off in the preliminary voter list of a polling district. A voter certificate shall be either delivered to the voter personally or another person who lives together with the voter, or to a neighbour of the voter, who knows the voter and promises to deliver the certificate to the voter. The delivery of voter certificates to voters must be finished at least 20 days before the election.

3. The voter who has not received a voter certificate in due time or who has received a voter certificate with incorrect data, must, without delay, inform the polling district committee in the territory whereof he resides, and to produce his passport or other document confirming his identity to the electoral committee. If the voter is registered in the voter list of this polling district, the polling district committee must write out a new voter certificate to the voter and issue it to him immediately. If the voter is not registered in the voter list of this polling district but the address of his residence according to the data of the population register falls within the territory of this polling district or if the voter produces other evidence testifying that he resides within the territory of this polling district, the polling district committee shall ask him to fill out an application form established by the Central Electoral Committee for registering the voter in the voter list of this polling district (or this application form may be filled out by a member of the polling district committee). The polling district committee shall forthwith notify about it the constituency electoral committee which must cause to have the voter registered on the basis of this application in the voter list of the polling district. The voter certificate shall be issued and delivered to the voter following the updating of the voter lists.

4. A constituency electoral committee may, in the manner prescribed by the Central Electoral Committee, issue a voter's certificate to a voter who is registered in the voter list of a different constituency if said voter is not able to return to his permanent place of residence to collect or obtain in some other manner a voter certificate. The voter must apply for this in writing and produce the passport of a citizen of the Republic of Lithuania

Article 32. Updating of Voter Lists before Drawing up Final Lists

1. Preliminary voter lists shall be updated when transferring a voter from one voter list of a constituency or a polling district into another, when removing a voter from or registering him in the voter list of the Republic of Lithuania.

2. A voter shall be transferred from one voter list into another if it transpires that the address of his place of residence in the preliminary list is incorrect or it has changed after said list was made.

3. Transferring of a voter from the voter list of one polling district into another in the same constituency shall be the responsibility of the constituency electoral committee which shall notify the Central Electoral Committee about the changes made in voter lists of polling districts. Transferring of a voter from the voter list of one constituency into another shall be the responsibility of the Central Electoral Committee on the recommendation of the constituency electoral committee

and the Central Electoral Committee shall notify constituency electoral committees about the changes made. A voter may be registered in or removed from the voter list of the Republic of Lithuania only by the Central Electoral Committee in cases specified in Article 26 of this Law.

Article 33. Registration of Citizens of the Republic of Lithuania Who Are Staying Abroad in Voter Lists

1. Citizens of the Republic of Lithuania who are staying in other states shall be registered in the voter list of the single-member constituency in the territory whereof the Seimas of the Republic of Lithuania is situated.

2. A diplomatic mission of the Republic of Lithuania shall, at least 15 days before the election to the Seimas, submit to the Central Electoral Committee the voter list compiled in the diplomatic mission, as well as a report about its updating. Added to this list may be the voters who, during the period of voting by post or on the day of elections, are not able to return to Lithuania and are voting in the diplomatic mission.

Article 34. Registration in Voter Lists of National Defence Servicemen, Voters who are Aboard a Ship and in Places of Confinement

1. Voters performing the active or alternative service shall be registered in the voter lists of the polling district on whose territory they permanently resided before they were summoned for the active or alternative service.

2. Officers, non-commissioned officers and re-enlistees of the national defence system and the internal affairs service shall be registered in the voter lists of the polling district on whose territory they permanently reside.

3. The voters who are aboard a ship and who will be unable to return to Lithuania during the period of voting by post or to be present on the election day, shall be registered in the additional voter list of the polling district in whose voter list the ship's crew is registered.

4. Voters who are in places of confinement shall be registered in the voter list of the polling district in whose territory they permanently resided before they were placed in confinement. Upon a written request off a person who is in a place of confinement he shall be registered in the voter list of the polling district in whose territory the place of confinement is situated.

Article 35. Updating Voter Lists upon Compiling Final Voter Lists, as well as on the Election Day

If following the approval of the final voter lists, but no later than until 6:00 p.m. on the election day, a voter who has not been registered in the voter list of the polling district addresses the electoral committee of the polling district and submits the passport of the citizen of the Republic of Lithuania with the address of the place of residence recorded therein or the passport and a document concerning his stated place of residence (the place of residence must be attached to the territory of this polling district), the electoral committee of the polling district shall register the voter in the additional voter list of the polling district, shall allow him to vote according to the procedure established by the Central Electoral Committee and shall immediately notify the voter's surname, name, personal code, his passport number and address to the constituency electoral committee. The electoral committee of the constituency shall check whether or not the voter is registered in the voter list of the constituency and take measures to guarantee that the voter would not be able to vote twice or the ballot papers filled by him would be counted only once. If the voter has voted twice, only that vote shall be counted which was put in the ballot box of the polling station. The other vote of the voter, received by post or cast according to the additional voter list of the polling district shall not be counted.

Article 36. Complaints about Voter Lists

1. A voter or a representative of the party may lodge complaints with the electoral committee of the polling district no later than 7 days before the election about the errors made in voter lists due to which the voter is not registered in the voter list in the manner prescribed by this Law or is registered in several voter lists. The electoral committee of the polling district must investigate the complaint and adopt a decision thereon either immediately or within 2 days of the receipt thereof, if more than 10 days are left until the election day.

2. The decision of the electoral committee of a polling district may be within 3 days appealed against to the administrative tribunal of an appropriate county, which shall investigate the complaint within 3 days. The decision of the tribunal shall be final.

3. Complaints and comments shall not be investigated after the expiration of the term established for filing comments or complaints.

4. Electoral committees of polling districts shall report to the constituency electoral committee about the received

complaints and changes made in the voter lists by the court's decision, and the electoral committee of the constituency shall report to the Central Electoral Committee as soon as possible but no later than within 12 hours.

CHAPTER V. NOMINATION OF CANDIDATES FOR SEIMAS MEMBER

Article 37. Nomination of Candidates for the Seimas Member

1. Candidates for the Seimas member may be nominated by:
   1) in single-member constituencies or the multi-member constituency - the party registered pursuant to the Law on Political Parties and Political Organisations no later than 65 days prior to the election,;
   2) in a single-member constituency - every citizen of the Republic of Lithuania who qualifies to be elected as a Seimas member, may nominate himself for the Seimas member, provided his candidature is supported by signatures of no less than 1,000 voters of that constituency.

2. In the multi-member constituency parties shall nominate their candidates by presenting a list of candidates in which candidates are recorded in the succession established by the party. Unless the statutes of a party provide otherwise, candidates in single-member constituency and the list of the candidates, recorded in succession, in the multi-member constituency must be approved at the congress or conference of the party. The list of candidates (joint list) must not include less than 25 and more than 141 candidates.

Article 38. Application Documents for the Nomination of Candidates

1. Parties must file with the Central Electoral Committee the following application documents:
   1) an application for the participation in the election;
   2) copies of their registration papers; the programme and the election programme of the party may be submitted as well;
   3) the list of candidates nominated in the multi-member constituency;
   4) the list of candidates nominated in a single-member constituency;
   5) an obligation signed by each nominated candidate to terminate, if elected, his employment or any other activities incompatible with the status of Seimas member, the consent to be nominated by this party in a specific constituency, a questionnaire for a candidate for Seimas member filled in by the candidate himself, as well as the extract containing the basic data from the income and assets return, presented to the State Tax Inspectorate, approved by that tax inspectorate to which the declaration has been submitted. The party shall also have the right to submit photographs and autobiography of each candidate;
   6) an authorisation for a representative for elections to represent it in the Central Electoral Committee; the party shall also have the right to grant authorisation to represent it and the candidates nominated by it in the electoral committees of constituencies;
   7) documents certifying that the election deposit has been paid;
   8) if the party, political organisation nominated candidates or candidates' lists during the preceding elections to the Seimas or municipal councils, it shall have the right to submit a copy of the report published in the press, which had to be published in pursuance of the laws on the elections to the Seimas and Municipal Councils, concerning the sources and use of funds for campaigning;
   9) a copy of the financial statement for the preceding year, which had to be presented to the tax inspectorate pursuant to the Law on Political Parties and Political Organisations, which has been approved by the tax inspectorate to which this return was submitted; the party may also submit a copy of the account (report), which had to be publicly announced according to the Law on Political Parties and Organisations, concerning the budget revenue and the sources thereof, expenditures and their purpose.

2. The person who decides to nominate himself for the candidates for Seimas member, must submit to the electoral committee of the constituency the following documents:
   1) application concerning his nominating himself for the candidate for Seimas member in this constituency;
   2) a signed obligation to terminate, upon his election, his employment or any other activities incompatible with the status of Seimas member, a questionnaire for a candidate for Seimas member filled in by the candidate himself, as well as the extract containing the principal data from the income and assets return which has been submitted to the State Tax

Inspectorate, approved by the tax inspectorate to which the return has been submitted. He shall also have the right to submit his photographs, autobiography;

3) a document certifying that election deposit has been paid. An authorisation by a candidate for represent him in the Central Electoral Committee and the electoral committee of the constituency may also be presented.

3. The constituency electoral committee shall within three days issue to the citizen who has decided to nominate himself as candidate for Seimas member individual forms with the first name and name of the candidate for the collection of voter signatures to collect signatures of voters of that constituency who support his self-nomination. The citizen who has decided to nominate himself as candidate for Seimas shall either himself collect voter signatures or charge other persons having the right to vote to perform the task. The person who collected the signatures shall put his signature at the end of the voter signatures collection form and shall be responsible for the collection of signatures according to the procedure laid down in this Law. In the form for the collection of signatures the citizen who supports the person's self-nomination must himself fill in the following data: name, first name, number of the passport, date of birth, address of the permanent place of residence, and sign it. Where a citizen who supports the candidate's self-nomination is unable, due to some physical disability or for some other reasons, to personally write down the required data in the form for signature collection, he may request any other citizen with the right to vote, except for the person collecting the signatures, to do this for him. In such an event a statement of the form prescribed by the Central Electoral Committee shall be drawn up and attached to the form for the collection of signatures. A citizen who supports the person's self-nomination as candidate and has no physical disabilities which would preclude him from filling in his data must himself write down the data in the form for the collection of signatures. It shall be prohibited to bribe voters who supported self-nomination, to give or promise to give remuneration for supporting the candidate's self-nomination also to demand under threat that the person put his signature or in any other way violate the principle of voluntariness. The candidate must return the forms for the collection of signatures to the constituency electoral committee not later than 40 days before the election. Upon receiving the forms for the collection of signatures, the constituency electoral committee shall verify them within 7 days. The constituency electoral committee shall count the number of signatures of the constituency voters who supported the citizen's self-nomination. The following signatures shall not be counted: the signatures of persons with no right to vote, of voters who are not registered in the voter list of the constituency; of persons who failed to record all the data prescribed by this Law; if incorrect data are recorded; all signatures of the citizen who has signed for the self-nomination of the person several times. If it is established that the citizens' signatures have been forged, that the principle of voluntariness or other requirements of this Law have been violated during signature collection, the constituency electoral committee shall recommend the Central Electoral Committee not to register the person as a candidate for the members of the Seimas. If it turn out, upon deducting the invalid signatures, that the number of signatures established in this Law has been collected in the forms for the collection of signatures, the constituency electoral committee shall recommend to the Central Electoral Committee to register the person as a candidate for Seimas member.

4. In the Seimas member's questionnaire a citizen who has nominated himself or has been nominated as a candidate for Seimas member must fill in the following data himself: name, first name, number of the passport, personal code, date of birth, address of the permanent place of residence, whether or not he has an unserved term of the court-imposed sentence, whether or not he is in the active or alternative military service, whether or not he is an officer, non-commissioned officer or re-enlistee of the national defence system, police and the internal affairs service, who has not retired from service, as well as an officer of other military-type or security service, who is on the payroll, and whether or not he has the citizenship of another state, also to answer the questions specified in Article 98 of this Law- and to sign the questionnaire. The person who is under allegiance to a foreign state must repudiate it in writing and indicate in the questionnaire how and when he has done it. Other questions, additionally established by the Central Electoral Committee, may also be included in the Seimas member's questionnaire, to which the person is not bound to give answers.

5. The filing of application documents shall commence 65 days before and shall end at 5:00 p.m. 34 days before the day of the election. The documents filed after the deadline for filing the application documents may not be recognised as application documents

Article 39. Registration of Candidates for the Seimas Member

1. Upon the commencement of filing of the lists of candidates, at the request of the Central Electoral Committee the Ministry of Justice shall, within one day, confirm officially which parties have been registered, the activities of which parties have been suspended or terminated.

2. Upon receiving the application documents of a party, the Central Electoral Committee must not later than on the next working day apply to the Ministry of Justice for the confirmation of the fact of the registration of the party and the validity of the submitted statutes. The Ministry of Justice must give a written reply within two days and present to the Central Electoral Committee a copy of the valid statutes.

3. While checking the application documents filled in by a candidate for Seimas member, the Central Electoral Committee shall determine whether or not the candidate meets the requirements of Article 2 of this Law. When necessary, it may appeal to the Ministries of Foreign Affairs, Internal Affairs, Justice or other state institutions to furnish the data important for registering the candidate. Such appeal of the Central Electoral Committee must be considered as a matter of great urgency, and a written reply must be given within 7 days, but not later than 32 days before the election.

4. After the Central Electoral Committee has checked out the submitted application documents and established that they meet the requirements of this Law, it must adopt a decision concerning the registration of a candidate within 10 days following submitting of the application documents, but not less than 31 days prior to the election.

5. If there are any faults in the application documents, the Central Electoral Committee must immediately inform the appropriate representative for elections about them.

Article 40. A Representative for the Election

1. The party, the citizen who has nominated himself and has been registered as a candidate for Seimas member shall authorise a representative for the election to represent them on all issues in the Central Electoral Committee or the constituency electoral committee. In meetings of an electoral committee he shall have the right of deliberative vote and the right to express a separate opinion on all issues under consideration. The representative for elections shall have all the rights of the election observer in the territory of the constituency in the electoral committee whereof he is authorised to represent. Authorisation by parties to represent them in electoral committees may be filed with the Central Electoral Committee the following day after the formation of an appropriate electoral committee. If the candidature of the representative for elections meets the requirements of this Law, the Central Electoral Committee shall, within 3 days register, the authorisation given to him and shall issue the certificate of a representative for the election. The authorisation for a representative for the election shall expire after the lapse of 20 days following the announcement of the final results of the election. The powers of a representative for the election in an appropriate electoral committee shall also lapse 20 days following the presentation of the application documents, provided that the party, political organisation does not have a candidate (candidates) in the territory of that constituency.

2. Until the election day, the party, the citizen who has nominated himself as a candidate may revoke an authorisation at any time and authorise another person to be a representative for the election. In this case a representative for the election must be registered, a certificate must be issued to him, and the registration of the previous representative for the election must be terminated within 3 days.

Article 41. Election Deposit

1. The election deposit for one candidate for Seimas member to be registered in a single-member constituency shall be equal to one average monthly wage (AMW). In order to register one new candidate in a single-member constituency instead of the candidate whose application documents have been revoked or who has revoked the documents himself the required deposit shall be in the amount of one AMW.

2. The election deposit left in order to register one list of candidates for the Seimas member in the multi-member constituency shall be in the amount of twenty AMWs. A change of the place of one candidate on the list or entry of a new candidate on the list shall be in the amount of one AMW. Joining the candidates' lists shall be in the amount of 0.3 AMW for each joint list.

3. Election deposits for registration of the list of candidates shall be doubled for the party which at the preceding elections to the Seimas or municipal councils nominated candidates or the list (lists) of candidates and did not furnish a copy of the report published in the press about the sources and use of the funds for campaigning.

4. Within 40 days following the announcement of the final election results, the Central Electoral Committee shall

refund the election deposit to the party or the citizen who has furnished it, if:

1) the candidate nominated as Seimas member or the person who nominated himself as a candidate for Seimas member is elected as a Seimas member in a single-member constituency ; and
2) the list (joint list) of nominated candidates becomes eligible for distribution of mandates in the multi-member constituency and the report on the sources and use of the funds for campaigning, which has to be published pursuant to this Law, has been published in the press.

5. The non-refundable deposits shall be transferred to the State budget.

Article 42. Prohibition for One Person to be a Candidate in Several Constituencies or Several Lists of Candidates

1. Each candidate for a member of the Seimas may be entered in the list of candidates nominated by only one party in the multi-member constituency.

2. The person who is entered in a list of candidates in the multi-member constituency shall have the right to be at the same time nominated as a candidate for Seimas member in one single-member constituency as well.

3. If a person has given his consent to be entered in the list of candidates nominated by more than one party in the multi-member constituency, or if he has given his consent to be nominated (or has nominated himself) in more than one single-member constituency , he shall be struck off all the lists of candidates in the multi-member constituency and of all single-member constituencies.

Article 43. Joining the Lists of Candidates

Before the deadline for filing application documents several parties may join the lists of candidates nominated by them. In order to do so, they must submit a statement to the Central Electoral Committee concerning the joining of the lists of candidates, indicating the name of the coalition. The joint list in which the candidates are entered in a newly established succession, as well as the document confirming that the election deposit for the joining of the lists of candidates has been furnished shall be submitted as well. Only those persons can be put down on the joint list who are on the lists which are being joined together. The name of the coalition must include the word "coalition" and may not contain any references to the names of the parties which do not form this coalition. The joint list shall be regarded as one list. The same party may not participate in more than one coalition.

Article 44. The Right to Withdraw or Supplement Electoral Application Documents

1. A party or election coalition, as well as a person who has been nominated or who has nominated himself as a candidate for Seimas member in single-member constituency or is registered in the list of a political organisation, may at any time, but no later than 25 days before the election, declare their application documents fully or partially withdrawn. A party or election coalition shall notify the Central Electoral Committee thereof by a statement, the citizen - by a notarised statement and the relevant representatives for elections in the Central Electoral Committee shall be notified thereof. If application documents are withdrawn, the election deposit may be refunded only after the election, provided it becomes refundable as stipulated in Article 41 of this Law. It shall be allowed to additionally submit, before the deadline for the filing of application documents set in paragraph 5 of a 38 of this Law, new application documents when altering the sequence of candidates on a list of candidates or when nominating new candidates in single-member constituencies.

2. If the application documents are withdrawn by a party that has formed a coalition, the candidates nominated by it shall be struck off the joint list of candidates, and, if the name of the coalition contains a reference to its name, the name of the coalition shall be changed. In such case it is necessary to notify in writing the representatives for elections of the coalition partners in the Central Electoral Committee. If, upon withdrawal of the electoral application documents, the candidates of only one party remain on the coalition's joint list of candidates, they will participate in the election only as the nominees of that party.

3. If, upon withdrawal of application documents or annulment of the candidates' registration, there are less than 20 candidates left on the list of candidates, the registration of all the candidates of this list shall be annulled.

Article 45. Publication of the Names and Lists of Candidates, Beginning of Campaigning

1. With not less than 30 days prior to the election, the Central Electoral Committee shall publish in the Valstybės žinios (the Official Gazette) the lists of candidates of parties and coalitions which participate in the election, election numbers assigned to the lists of candidates by drawing lots, election numbers assigned to the candidates on the above lists as well as the candidates nominated in single-member constituencies. The Central Electoral

Committee shall hand over the certificates of candidates for Seimas members with the election numbers assigned to the candidates to the representative for elections. At the moment of its assignment the candidate's election number coincides with the candidate's successive number on the list of nominated candidates (joint list). The candidate's assigned election number may not be changed until the announcement of the election results.

2. Campaigning shall commence from the day of publication of the lists of candidates.

CHAPTER VI. GUARANTIES OF THE ACTIVITIES OF THE CANDIDATES FOR SEIMAS MEMBER

Article 46. The Right of a Candidate for Seimas Member to Speak at Meetings, to Use the Mass Media

1. After the commencement of campaigning, candidates for Seimas members in constituencies shall have equal rights to speak at voters' meetings or any other meetings, gatherings, conferences as well as through the state mass media, and to announce their respective election programmes.

2. Heads of state and municipal institutions and agencies, also municipality mayors or persons authorised by them must help candidates for Seimas member to organise meetings with voters, to obtain necessary information, with the exception of the information which is considered confidential according to laws of the Republic of Lithuania and the resolutions of the Government.

Article 47. Liability for the Violation of the Law on the Elections to the Seimas

Persons who by force, threat, deception, bribery or otherwise prevent voters from implementing the right to vote or to be elected to the Seimas, and to organise campaigning, as well as the members of electoral committees, other officers who have falsified election documents, made an incorrect vote count, violated the secrecy of voting or otherwise violated this Law, shall be liable under laws of the Republic of Lithuania. Legal action shall also be taken against persons who have released or otherwise disseminated false information about a candidate for Seimas member or prevented a candidate from meeting with voters.

Article 48. The Right of a Candidate for Seimas Member to be Relieved from Work or his Service Duties during the Period of Campaigning

Upon his request, a candidate for Seimas member may be relieved from work or other service duties for the period of organising and conducting campaigning for the election to the Seimas, but for not longer than 1 month.

Article 49. The Immunity of a Candidate for Seimas Member

Without the consent of the Central Electoral Committee, during campaigning as well as until the first meeting of a newly elected Seimas (after the run-off elections or by election - until the announcement of the final election results), a candidate for Seimas member may not be found criminally liable, arrested, neither may administrative penalties be imposed on him by court for the actions performed in the course of campaigning.

CHAPTER VII. CAMPAIGNING

Article 50. Basic Principles of Campaigning

1. The conditions prescribed by this Law to start campaigning shall be provided for parties and candidates who have nominated themselves from the day campaigning starts.

2. Campaigning may be conducted in any form or manner, provided it does not contradict the Constitution and the laws of the Republic of Lithuania.

Article 51. Conditions and Procedure for the Use of the Mass Media

1. Parties that have submitted lists of candidates for elections, candidates in single-member constituencies shall be granted the right to use state mass media free of charge. The rules for preparing programs for campaigning shall be approved and the actual duration and time of the Lithuanian national radio and television programs shall be established by the Central Electoral Committee upon agreement with the heads of the Lithuanian national radio and television. The Central Electoral Committee shall allocate the time of the programs distributing it in such a manner that the following principles of equality are preserved: among the lists of candidates in the multi-member constituency; among single-member constituencies; among candidates in a single-member constituency. Each list of candidates shall be allocated no less than one hour of the state (national) radio and television time for a debate with representatives with other list or lists of candidates. Two and more groups of representatives of lists of candidates who participate in a debate shall be formed by mutual agreement, and in the case of failure to do so - by drawing lots. Each candidate who has been nominated or has nominated himself in a single-member constituency shall be allocated at least 5

minutes of the state (national) radio. In such radio programmes candidates shall participate in a debate held for the candidates of an appropriate single-member constituency. If only one candidate participates in a programme, he shall have a discussion with a radio programme host.

2. The election programme of a list of candidates shall be published by the Central Electoral Committee within 20 days after its submission.

3. The election programme of the candidate who stands for election in a single-member constituency shall be published by the electoral committee of the constituency no later than 15 days prior to the election. The procedure for publishing election programmes shall be established by the Central Electoral Committee .

4. Campaigning in the commercial mass media shall be restricted only by the size of special election accounts.

5. All disputes concerning the campaigning shall be settled by the Central Electoral Committee in compliance with this Law.

Article 52. Releasing the Material Compromising a Candidate for the Seimas Member and the Candidate's Countering Opinion

1. If during campaigning the mass media release the material compromising a candidate for Seimas member (such data may be released not later than: in a means of the mass media which is issued more frequently than three times a week - 5 days before the election, in other means of the mass media - 10 days before the election, but in any case the material compromising a candidate may be released not later than in the last but one issue of a means of the mass media before the election), it must provide the candidate with a possibility to express a countering opinion which consists of a short exposition of the released compromising material and the candidate's answer. The extent of the countering opinion usually may not exceed the volume of the compromising material by more than three times. The means of the mass media must publicise the candidate's countering opinion within 7 days after it has been expressed, but not later than 2 days before the prohibition of campaigning becomes effective. If the means of the mass media itself cannot publicise the candidate's countering opinion during the period of time set by the Law, it must with its own funds publicise the candidate's countering opinion in another means of the mass media.

2. The material which is aimed at influencing voters not to vote for an individual candidate and which contains information negatively describing the candidate shall be considered as material compromising the candidate. An opinion about the candidate announced in the mass media (unlike hard news, criteria of truth shall not apply to an opinion), including a negative opinion, shall not be considered as compromising material and shall not entitle the candidate to demand announcing a countering opinion. The candidate may be refused publicising of a countering opinion also in cases when: the released material doe not concern him personally; the released material about him is not compromising; the compromising material about the candidate is released by him or by another candidate who is nominated on the same list of candidates or is nominated by the same party; the material contains no information describing the candidate; the candidate has already exercised the right to a countering opinion.

3. If the candidate has duly furnished the countering opinion to the means of the mass media, but it has not been announced, by the decision of the Central Electoral Committee the candidate's countering opinion shall be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event, the means of the mass media must pay the Central Electoral Committee double the amount of the broadcast costs.

4. If the compromising material about the candidate was released during the period of time when its release is not permitted under this Law, by the decision of the Central Electoral Committee the candidate's countering opinion shall be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event the means of the mass media must pay the Central Electoral Committee three times the amount of the broadcast costs.

5. In all cases a countering opinion shall not be announced during the period when campaigning is prohibited. Announcement of a countering opinion shall not exempt the means of the mass media from liability under the laws of the Republic of Lithuania.

6. When the candidate's countering opinion is made public on the decision of the Central Electoral Committee, the costs thereof set by this Law shall be recovered without suit from that means of the mass media which has released the material compromising the candidate during the period when such release is not permitted or which has not announced the candidate's countering opinion.

Article 53. Releasing the Material Compromising a Party which has Nominated a List of Candidates and the Countering Opinion

1. If during the election campaign the mass media release the material compromising a party which has nominated a list of candidates (such data may be released not later than: in a means of the mass media which is issued more frequently than three times a week - 5 days before the election, in other means of the mass media - 10 days before the election, but in any case the material compromising the party which has nominated a list of candidates may be released not later than in the last but one issue of a means of the mass media before the election), it must provide the party with a possibility to express a countering opinion. The countering opinion shall consist of a short exposition of the released compromising material and the party's reply. The extent of the countering opinion usually may not exceed the volume of the compromising material more than three times. The means of the mass media must announce the countering opinion within 7 days after it has been expressed, but not later than 2 days before the prohibition of campaigning becomes effective. If the means of the mass media itself cannot announce the countering opinion during the period of time set by this Law, it must make arrangements to publicise the countering opinion with its own funds in another means of the mass media.

2. The material which is aimed at influencing voters not to vote for the candidates nominated by a specific party and which contains information negatively describing the party (its branch or division) shall be considered as material compromising the party. An opinion about the party announced in the mass media (unlike hard news, criteria of truth shall not apply to an opinion), including a negative opinion, shall not be considered as compromising material and shall not grant the party the right to demand announcement of a countering opinion. The demand to announce a countering opinion may also be rejected in cases when: the released material doe not concern the party; the released material is not compromising; the compromising material about the party is released by a candidate nominated by the party; the material contains no information characterising the party; the party has already exercised the right to a countering opinion.

3. The party shall give its countering opinion to the means of the mass media through its representative for elections at the Central Electoral Committee or through its representative for the elections at the constituency electoral committee. In the event the representative for elections has given the countering opinion to the means of the mass media by the due date, but it has not been made public, the countering opinion shall be broadcast, on the decision of the Central Electoral Committee, on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event, the means of the mass media must pay the Central Electoral Committee double the amount of the broadcast costs.

4. If the compromising material was released during the time period when its release is not permitted under this Law, by the decision of the Central Electoral Committee the candidate's countering opinion shall be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event the means of the mass media must pay the Central Electoral Committee three times the amount of the broadcast costs.

5. In any case a countering opinion shall not be announced during the period when campaigning is prohibited. Announcement of a countering opinion shall not exempt the means of the mass media from liability under the laws of the Republic of Lithuania.

6. When the countering opinion is released on the decision of the Central Electoral Committee, the costs thereof set by this Law shall be recovered without suit from that means of the mass media which has released the compromising material during the period when such release is not permitted or has not announced the candidate's countering opinion.

Article 54. Prohibition to Take Advantage of one's Official Position for Campaigning

1. Anyone shall be prohibited from taking advantage of his official position in state or local authority institutions, agencies or organisations, as well as in the state or municipal mass media for any form of campaigning or from instructing other persons to do so or from trying to exert influence upon the will of voters in any other manner, taking advantage of his official position. State or municipal officials, public servants shall be prohibited from taking advantage of their official position in order to provide exclusive conditions for campaigning for themselves or for the party. A person who violates the provisions of this Article may be held administratively or criminally liable in accordance with the procedure laid down by law.

2. If a person is a candidate for Seimas member, he can use the state or mass media only according to the procedure set forth in Article 51 of this Law. If the fulfilment of their duties requires to release important news to the mass media, they can do so only at a press

conference. State or municipal mass media or programmes of the mass media financed from the state or municipal funds may broadcast only a recording of the conference or a portion thereof which contains no elements of campaigning.

Article 55. Funding of Campaigning

1. Campaigning shall be financed from the funds received from parties or candidates for the Seimas member, which are being accumulated in a special election account opened according to the certificate issued by the Central Electoral Committee. The maximum permitted amount of money in the special election account shall be in the amount of 50 AMWs for a candidate in a single-member constituency and 1,000 AMWs for a list of candidates in the multi-member constituency. If the amount of money transferred to the appropriate account exceeds the established sum, the surplus shall be transferred by the bank to the State budget.

2. The expenditures of campaigning shall be: the cost of preparing, acquiring, producing or rendering of campaigning events, publications, radio or television programmes, as well as items or services aimed at influencing the will of voters to vote for or against a candidate or candidates. It shall be prohibited to cover these expenditures from other than these accounts. The items and services of campaigning the cost of which is more than 0.5 AMW may not be provided free of charge. The items and services of campaigning may not be provided giving obvious discounts. Those who desire to support a list of candidates or a candidate must do this by transferring funds to special election accounts. If expenditures related to the items of campaigning were made before the commencement of campaigning, the party or the candidate shall notify the Central Electoral Committee thereof, which, upon evaluating the items used for campaigning, shall reduce the permitted maximum amount of funds in the special election account by the above amount of the expenditure and shall issue a certificate that these items may be used during campaigning. The means of the mass media which has no state or municipal capital may indicate which list (lists) of candidates or which candidate (candidates) it supports and thereafter conduct their campaigning free of charge. In this event the means of the mass media may not be remunerated for campaigning in any other way. Where single services of campaigning, the cost of which is less than 0.5 AMW, are provided by the supporters of a candidate, a list of candidates free of charge (it shall not be permitted to the individuals specified in Article 54), their cost shall not be evaluated and shall not change the maximum permitted amount in the special election account.

3. Upon establishing that during the campaigning payment for the items or services used for campaigning has been made not from the special election account or in cash or indirectly, the tax inspectorate shall recover without suit the sum or remuneration (the sum or remuneration due) paid for the items and services used for campaigning from the receiver thereof and shall transfer the amounts to the State budget.

4. Campaigning shall also be financed from the State funds. A candidate, a party shall not pay for the time allotted to them on state, municipal radio and television under this Law, for the printing of campaign poster for a candidate in a single-member constituency, also for publishing an election program, lists of candidates in newspapers, and these expenditures shall not change the maximum permitted amount in the special election account.

5. The use of funds allocated for campaigning shall be controlled by tax inspectorates and the Central Electoral Committee. Parties must file with the Central Electoral Committee reports of the form established by the Central Electoral Committee on the sources of funds and their use for campaigning not later than within 25 days following the announcement of final election results. The Central Electoral Committee shall publish these reports in the Valstybės žinios (The official Gazette). The candidates of single-member constituencies shall, not later than within 15 days following the announcement of final election results, file with the Central Electoral Committee in the manner specified by it reports of the prescribed form.

6. Special election accounts shall be closed not later than within 20 days after the announcement of final election results. The candidates, the party which has nominated a list of candidates shall use the funds that have not been used for campaigning at their own discretion. The funds in the accounts which have not been closed by the due date shall be transferred by the bank to the State budget.

Article 56. Prohibition of Campaigning on the Election Day

1. Campaigning shall be prohibited 30 hours before the beginning of an election and on the election day, with the exception of permanent visual campaigning material in the places intended for this, provided that it was displayed at least 48 hours prior to the beginning of the election. During the period when campaigning is prohibited no visual campaigning material (with the exception of those

issued by the Central Electoral Committee) may be displayed in a polling station or within 50 meters of the building in which a polling station is situated.

2. Persons who violate the provisions of paragraph 1 hereof shall be punishable under law.

CHAPTER VIII. PREPARATORY ACTIVITIES OF THE ORGANISATION OF ELECTIONS

Article 57. Establishment of Election Document Specimens

The Central Electoral Committee shall establish specimens and forms of voter certificates, ballot papers, posters of a candidate in a single-member constituency and lists of candidates in the multi-member constituency with the data about a candidate (candidates), voucher envelopes and outer envelopes for voting by post, other documents, blanks, questionnaires, official envelopes, packages, seals used in elections, as well as the specimens for filling them out.

Article 58. Ballot Papers

1. During the election to the Seimas, each voter shall be presented with two ballot papers: one for voting for a candidate in a certain single-member constituency , and the other for voting for a list of candidates in the multi-member constituency. Instructions for the voter regarding the procedure for filling out the ballot paper must be printed on the ballot-paper which must also contain a special space designated for indicating the voter's will.

2. The names of all candidates for Seimas members shall be placed on the ballot paper of single-member constituencies in alphabetic order on the same space and in the same type (types). Such ballot papers shall indicate the first name and name of each of the candidates for Seimas member, as well as the name of the party which has nominated him or it shall indicate "Nominated himself".

3. A ballot paper of the multi-member constituency shall contain the lists of candidates arranged according to the assigned election numbers in an increasing order on the same space and in the same type (types). The type shall be chosen of such size which would best fit to fill the space designated for inscription. A ballot paper shall contain the name of the party, coalition (indicated in its application documents) and the names of at least ten first candidates of the list.

4. The second part of the ballot paper of the multi-member constituency shall contain 5 designated spaces where the voter shall record the election numbers of the chosen candidates.

5. Aboard the ship ballot papers shall be printed in accordance with the description transmitted in a radiogram by the Central Electoral Committee. Aboard the ship the names of the candidates shall not be indicated on the ballot paper of the multi-member constituency and the place for expressing the voter's opinion of the candidates shall not be designated.

Article 59. Delivery of Ballot Papers

1. Electoral committees of constituencies shall deliver ballot papers and envelopes to central post offices at least 2 days prior to the beginning of voting by post, ballot papers to polling stations - 12 hours preceding the beginning of voting.

2. At the diplomatic missions of the Republic of Lithuania, voters must be provided with free access to ballot papers and envelopes for voting by post at least 20

days before the election. Aboard ships voters must be provided with free access to the text of ballot papers not less than 15 days prior to the election.

3. The Central Electoral Committee shall be responsible for the publishing of ballot papers and envelopes for voting by post, as well as for the keeping of records and delivery thereof without violating the fixed dates.

Article 60. Preparation of Polling Stations

1. A polling station of the polling district must be completely prepared for elections not later than 12 hours before the beginning of voting. The electoral committee must also have counted all ballot papers received from the constituency electoral committee and drawn up their acceptance report by the prescribed time. In the polling station of an polling district there must be a ballot box , secret voting booth (booths) in which a voter could fill ballot papers in private. The following material, issued by the Central Electoral Committee, must be displayed in the polling station: lists of candidates eligible in the multi-member constituency; election posters of candidates eligible in a single-member constituency. The text of this Law must be accessible in each polling district. The campaigning material, except for the material issued by the Central Electoral Committee, must be removed from the polling station, passageways leading to or out of it (corridors) and from the territory within 50 metres of the building in which the polling station is situated. Working places for the electoral committee members and places for election observers must be also organised. Upon

completion of preparations the polling station shall be closed, sealed, left under the police protection and the chairman of the electoral committee of the polling district shall inform the constituency electoral committee thereof.

2. Other requirements for the preparation of polling stations shall be laid down by the Central Electoral Committee.

3. The chairman of the electoral committee of the polling district shall be responsible for fitting out the polling station by the due date and in an appropriate manner. If the municipality administration fails to allocate premises suitable for establishing a poling station or fails to ensure the provision of equipment necessary for voting, the chairman of the electoral committee of the polling district must forthwith notify the constituency electoral committee thereof and take measure to find premises suitable for fitting out a polling station and to acquire the necessary equipment as prescribed in Article 8 of this Law.

Article 61. Election Observers

1. Parties as well as candidates for the Seimas member shall have the right to appoint election observers. An election observer shall be a person having a certificate in the form established by the Central Electoral Committee. He shall have the right to observe elections conducted in the territory of the constituency or polling district which is indicated in his certificate. The observer's certificate shall be issued by:

1) the Central Electoral Committee - to observe elections in the entire territory of the Republic of Lithuania and the country's diplomatic missions or only in specific constituencies, polling districts upon the proposal of the Minister of Foreign Affairs, adviser to the President of the Republic or upon the request of the persons representing foreign states or international institutions, as well as at his own discretion;
2) a constituency electoral committee - to observe elections in the entire territory of the constituency, in one or several polling districts to citizens of the Republic of Lithuania who are above 18 years of age upon the proposal of the candidate whose name is on the ballot paper of the multi-member constituency or of this constituency, or at the request of the local branch of the party; the name and first name of the person, his personal code, name of the polling district (districts) must be indicated in the certificate.

2. The observer's certificate shall be issued by the chairman of the electoral committee on behalf of the electoral committee or by any other member of the committee on the instruction of the committee chairman. It shall not be allowed to refuse to issue an observer's certificate or delay its issuance, if the person to whom it should be issued meets the requirements of this Law. All refusals to issue an observer's certificate must be reported at the next committee sitting and an appropriate representative for elections must be notified thereof.

3. An election observer shall have the right to demand that the chairman and members of an electoral committee, as well as persons who are in the polling station should adhere to this and other laws of the Republic of Lithuania. Electoral committees must make arrangements to ensure that an election observer be provided with proper conditions in the polling station of an polling district to monitor the observance of this Law. If an observer violates this or other laws himself, his observer's certificate may be revoked on the decision of the chairman of the constituency electoral committee. The members of the electoral committee, the Central Electoral Committee and an appropriate representative for elections shall be immediately notified of the decision.

CHAPTER IX. VOTING

Article 62. Time and Place of Voting

Voting shall take place on the election day from 7:00 a.m. until 9:00 p.m. in the place designated by the electoral committee of the polling district. The voter shall vote in the polling district in whose list of voters his name has been included, unless this Law provides otherwise.

Article 63. Prohibition to Carry out other Activities in the Polling Station

It shall not be allowed to carry out any other activities in the polling station, except organisation of the election and voting. It shall also not be allowed to carry out any activities in the passageways leading to or out of the polling station (corridors) and at the entrance to the building where the polling station is situated.

Article 64. Commencement of Voting

On the day of election, the polling station shall be opened only when at least 3/5 of the members of the electoral committee of the polling district are present. Prior to opening of the polling station for voters, only the electoral committee members, observers and the policeman on duty can be present in it. The chairman of the electoral

committee, together with the members of the electoral committee, shall make sure that the ballot box is empty and shall seal it up. After the electoral committee of the polling district checks that the polling station has been furnished according to the established requirements, the chairman of the electoral committee of the polling district shall register the total amount of the ballot papers received by the electoral committee of the polling district from the constituency electoral committee into the vote counting record, affix the seal on ballot papers, distribute ballot papers and the voter list among the members of the electoral committee, register the number of ballot papers issued to each member of the electoral committee into the vote counting record of the polling district, and open the polling station to the voters, thereby proclaiming the commencement of the elections.

Article 65. Voter Identification

1. At the entrance to the polling station, a voter shall present his voter certificate, passport or other document certifying his identity and citizenship to an electoral committee member of the polling district. Upon having established that the voter has arrived at the polling district in whose list of voters his name has been included, the committee member shall hand the voter an arrival card indicating which the voter was to come to the polling station to vote and shall show the committee member to be applied to for a ballot. It shall not be allowed to hand several arrival cards to one voter or to hand in to a voter another voter's arrival card. If upon arriving at the polling station, the person does not have the required documents or it is not clear whether he has been registered in the list of voters of this polling district, the committee member shall not hand the arrival card to this person, instead, the person shall handed a guest's card and shall be referred to the committee chairman or deputy chairman to clarify his voting status.

2. The committee member who is tasked with handing ballot papers, having established on the basis of the produced documents that the person who arrived to vote is indeed the citizen who has been registered in the list of voters, or if two citizens of the Republic of Lithuania registered in the list of voters of that polling district testify to this fact in writing to the electoral committee chairman, shall find the name of the voter on the list of voters, and shall take the voter certificate and the arrival card from the person. After the voter and the committee member who hands ballot papers sign in the list of voters of the polling district, the voter shall be handed ballot papers - one for a single-member constituency and the other for the multi-member constituency. The voter certificate and arrival card shall not be returned to the voter. In voting by post, an entry shall be made on the voter certificate concerning the issue of a ballot paper, and the voter certificate shall be returned to the voter.

3. It shall be prohibited to hand the voter the ballot paper (ballot papers) of another person. The member of an electoral committee who violates this provision shall be liable under law.

Article 66. Voting Procedure

1. Having been handed ballot papers, the voter shall go into the polling booth and mark the ballot papers. It shall be prohibited to mark ballot papers outside the polling booth.

2. On a ballot paper of a single-member constituency , the voter shall mark the name of the candidate for Seimas member whom he is voting for.

3. On a ballot paper of the multi-member constituency the voter shall mark the list of candidates whom he is voting for and, expressing his opinion about the candidates on the list, shall enter the election numbers of the 5 chosen candidates in the designated spaces of the ballot paper. In this way preference votes are given for the candidates. If the election number of one and the same candidate is entered two or more times on the ballot paper, only one preference vote from the ballot paper shall be considered for the candidate. Where the marks on the ballot paper make it impossible to determine the voter's preferences regarding the election numbers of one or more candidates, it shall be considered that the voter has not expressed his preferences regarding the candidates.

4. The voter shall personally cast his marked ballot papers into the ballot box.

5. Upon the request of the voter, spoiled ballot papers shall be exchanged for new ones. A spoiled ballot paper shall be crossed and signed by a member of the electoral committee who shall then hand a new ballot paper. Spoiled ballot papers shall be kept separately.

6. The voter who, because of his physical disability, is unable to mark his ballot papers and cast them into the ballot box himself, may invite another person (with the exception of the chairman of the electoral committee or its member, or an election observer) to carry out these actions for him. A voter who has no physical disabilities precluding him from marking the ballot papers must vote personally.

Article 67. Voting by Post

1. Citizens who due to their health condition or other reasons are not able to come to the polling station on the election day shall be provided with a possibility to participate in elections by voting by post. Voting by post shall be possible at post offices during their business hours beginning 5 days before the election and ending 1 day prior to the election, provided the voter is put on the voter list of the constituency which is situated that city, region, and ending 2 days prior to the election, provided the voter is not put on the voter list of the constituency which is not situated in that city, region. Expenses related to voting by post shall be covered from the funds of the State Budget.

2. The head of the post office shall be responsible for the organisation of voting by post. He shall be responsible for keeping of records, issue and collection of ballot papers and voucher envelopes during voting by post. The chairman of the electoral committee of the polling district within the territory of which a post office is situated, shall be responsible for the organisation of the supervision of the work of the post office during voting by post. When necessary, he must, in conjunction with the chairmen of other polling district committees, whom the constituency electoral committee has assigned with such task, arrange for the organisation of members' of polling district committees watching-over in post offices.

3. The head of the post office, with the consent of the constituency electoral committee, shall appoint postal workers for the issue and collection of ballot papers and voucher envelopes during voting by post, who are entrusted with the issue of ballot papers and voucher envelopes. If the constituency electoral committee requests so, the head of the post office must remove a postal worker from the work with election documents. Postal workers who are authorised to issue election papers shall be issued by the constituency electoral committee the certificates of the established form. An electoral committee member, election observer, having produced his certificate to the postal worker, a voter, having produced the voter certificate and the document proving his identity, shall have the right to write his remark in this certificate, and the head of the post office shall immediately notify the constituency electoral committee about this remark. The postal worker who does not have this certificate shall not have the right to issue election papers.

4. Post offices must provide a room (place) where the voter can, without interference and in secrecy, mark the ballot papers and put them into a voucher envelope. Voting may be observed by the observers of parties and political organisations, who have certificates permitting to observe voting in any polling district.

5. The postal worker shall issue election documents to a voter in accordance with the procedure established by the Central Electoral Committee. Together with ballot papers, voters shall be given envelopes for voting by post. An outer envelope for voting by post shall be addressed by the postal worker to the polling district committee which is indicated in the voter certificate of the person.

6. Voting in secrecy, the voter shall:
   1) mark the ballot papers;
   2) put the marked ballot papers into the voucher envelope;
   3) seal the voucher envelope;
   4) put the voucher envelope into the outer envelope together with the voter certificate;
   5) seal the outer envelope.

7. The outer envelopes, voucher envelopes, and ballot papers shall be delivered at least 2 days prior to the election by a postman to the homes of voters who due to their health condition are not able to come to vote at a post office or a polling station on an election day. A concrete schedule of postmen's arrival to the homes of voters must be approved by the head of a post office not later than 12:00 noon, its copy shall be put on an announcment board and may be implemented only on the day following the approval. Not less than 2 committee members as well as observers may arrive at the voter's home toghether with the postman. The list of such voters shall be compiled 10 days before the elections by polling district committees in accordance with requests to ensure the possibility to vote at home, which are of the form established by the Central Electoral Committee and filled in by the citizens. Polling district committees, with the consent of the chairman of a constituency electoral committee or a member of the constituency electoral committee authorised by the chairman, may supplement the list, if they receive the requests of these voters not later than 3 days prior to the elections. Citizens' requests must also be approved by heads of town, regional care and guardianship or health surveillance and treatment institutions. The requests shall be appended to the list of voters who due to their health condition are not able to come to vote at a post office or a polling station on an election day, which is compiled by a polling district committee. Postal workers, electoral committee members or other persons may not bring envelopes for voting by post and ballot papers to the homes of voters who are not on the list of voters who due to their health condition are not

not able to come to vote at a post office or a polling station on an election day. The following persons may be included in the list of voters who due to their health condition are not able to come to vote at a post office or a polling station on an election day: invalids of Group I, invalids of Group II with motor disabilities and temporary working incapacity, if they submit requests, provided for in this Paragraph, to ensure the possibility to vote at home. Officers who furnish false information about voters who due to their health condition are not able to come to vote at a post office or a polling station on an election day, shall be held liable in accordance with the procedure established by law.

8. The sealed outer envelope (with the voter certificate, voucher envelope and ballot papers in it) the voter may:

1) hand to a postal worker;
2) hand to the postman who has delivered the election documents to him; or
3) put into a post-box.

9. When a voter votes at home, it shall be prohibited to exert influence on his determination and to urge him to vote. The voter who has no physical disability preventing him from marking ballot papers, shall himself put the secretly marked ballot papers into the voucher envelope, seal it, put the voucher envelope into the outer envelope together with the voter certificate and seal the outer envelope. Upon request of the voter who because of his physical disability is not able to do this himself, the person chosen by him (except the postman, electoral committee member or observer) shall assist him in doing so. The said person must keep the voting secret. The voter may hand the sealed outer envelope to the postman or to send it on the same day or another day.

10. It shall be prohibited to accept from the voter an outer envelope which is not sealed.

Article 68. Voting in Diplomatic Missions

1. Voting in diplomatic missions (consulates) of the Republic of Lithuania may take place during its business hours, but for at least 4 hours a day. If the voter requests so, the diplomatic mission (consulate) may send and accept election documents from him by post.

2. On the recommendation of the Ministry of Foreign Affairs, the Central Electoral Committee shall compile the list of diplomatic missions (consulates) in which voting shall be conducted and shall establish voting days (no less than 10) for each diplomatic mission (consulate).

3. The head of the diplomatic mission (consulate) shall be responsible for the organisation of voting.

Article 69. Voting on a Ship

1. Voting shall take place aboard a ship if the ship leaves a port of the Republic of Lithuania at least 5 days prior to an election and does not return until the day of the election, or if other circumstances are such that a crew member or a board passenger who is a qualified voter is unable to vote in his polling district, by post or in a diplomatic mission.

2. The list of ships, on which there are no less than 10 crew members - voters, with which the radio communication shall be maintained during the voting and on which voting shall take place, as well as the time of voting on each ship shall be compiled by the Central Electoral Committee on the recommendation of the Ministry of Communications in such a manner that each voter who is aboard a ship is given the opportunity to vote. The captain of the ship, who is a citizen of the Republic of Lithuania, shall be responsible for the organisation of voting on a ship. On a ship it shall not be voted for the rating of the list of candidates .

3. Voting shall not be organised on ships in which there are no conditions for organising the voting in accordance with the requirements of this Law.

Article 70. The Procedure for Voting in Diplomatic Missions (Consulates) and on Ships of the Republic of Lithuania

1. Polling committees shall be formed to organise voting and count cast votes in diplomatic missions (consulates) and on ships of the Republic of Lithuania.

2. Polling committees shall consist of a chairman and at least two members. Polling committees shall be formed by the head of a diplomatic mission or consulate of the Republic of Lithuania from among the employees of the diplomatic mission of consulate of the Republic of Lithuania, or from other citizens of the Republic of Lithuania residing in a foreign state. The Central Electoral Committee shall prescribe a manner of taking and signing by polling committee members written oaths.

3. Polling committees on ships shall be formed by the ship captain, taking into consideration the decision adopted at the meeting of the ship crew who are citizens of the Republic of Lithuania.

4. The Central Electoral Committee shall prescribe a manner of voting, vote counting and submission of

records to the Central Electoral Committee as well as a manner of issuance of certificates to observers.

Article 71. Voting in Medical Treatment Facilities and Institutions of Social Guardianship and Care

1. Special post offices designated for voting shall be established in medical treatment facilities and institutions of social guardianship and care. At least 15 days before the election the constituency electoral committee shall: on the recommendation of heads of medical treatment facilities, institutions of social guardianship and care compile the list of special post offices; on the recommendation of the head of the post office establish the working hours of these post offices. The head of the institution or facilities shall allot the place appropriate for voting and shall be responsible that the voters are notified about the working place and time of a special post office, and that the conditions should be created for voters to reach it.

2. Patients of such facilities and institutions who are able to move shall vote themselves in the polling place in accordance with the procedure set forth in Article 67 of this Law.

3. Patients or inmates of medical treatment facilities and institutions of social care who are unable to come to a polling place due to their health condition shall be visited by at least 2 committee members, observers (should they participate) and officers of special post offices.

4. The voting person must, in conditions of secrecy, personally mark the ballot paper and put it into the voucher envelope. If necessary, he may be assisted by an individual (except an employee of that institution or facilities, a postman, a member of the electoral committee, or an election observer) whom he trusts.

5. According to the instruction of the head of the medical treatment facilities or the institution of social guardianship or care, it may be prohibited to disturb patients who are in critical health condition for the purpose of voting. Such instruction shall be obligatory to postmen.

6. It shall also be prohibited to disturb an individual for the purpose of voting, if the commission of doctors has concluded pursuant to the established procedure of the Ministry of Health Care that he is incapable of understanding the essence of his actions at the time of voting because of chronic mental disease, feeble-mindedness, or temporary mental disorder.

Article 72. Voting in Military Units

1. Special post offices designated for voting shall be established in military units of the national defence system and internal service, as established in Article 71.

2. If possible, chief officers of military units shall provide conditions for servicemen to vote in polling stations of their permanent place of residence.

Article 73. Voting in Places of Confinement

1. Special post offices designated for voting shall be established in places of confinement, as established in Article 71.

2. In accordance with the procedure set forth in the laws, heads of places of confinement may allow sentenced persons to vote in polling stations of their permanent place of residence.

CHAPTER X. COUNTING OF VOTES

Article 74. Counting of Voucher Envelopes and Ballot Papers in Post Offices

1. The records of voucher envelopes and ballot papers shall be kept by the head of the post office, indicating the data of said records in a journal specially designated for this purpose in accordance with the procedure established by the Central Electoral Committee.

2. The post office head shall deliver unused envelopes and ballot papers to the constituency electoral committee one day prior to elections.

3. The post office shall deliver envelopes containing ballot papers marked by voters to polling district committees on the day of the election, but not later than 2 hours before the closing of the polls.

4. The Central Electoral Committee shall keep records of voucher envelopes and ballot papers in the Republic of Lithuania.

Article 75. Organisation of Work of a Polling District Electoral Committee Concerning Vote Counting

1. The chairman of the polling district electoral committee shall organise and direct vote counting in the committee. His instructions when counting votes shall be mandatory and all persons present in the polling station must adhere to them. He must ensure that votes would be counted in accordance with the established procedure and shall have the right to warn any person present in the polling station if he hinders the committee in its work or does not perform his duties properly. The committee

chairman shall publicly announce such a decision. The decision shall be entered into the vote counting record, and shall be signed by the committee chairman. The decision must be enforced without delay, and if necessary, the electoral committee may consider it only after the vote counting record has been signed.

2. The data which are entered into the record must be publicly announced in such a manner that all the persons participating in vote counting would hear them. If the validity of the ballot paper or the meaning of the marks in it raise doubts, the committee chairman shall present it to the committee members and shall announce voting concerning its evaluation (if there are several such ballot papers, he shall produce them one by one). The results of this voting shall be entered on the empty side of the ballot paper.

Article 76. Keeping of Records of Ballot Papers in Polling Stations

1. Upon closing the polling station, the chairman of the polling district electoral committee, in the presence of at least 3/5 of the members of the electoral committee, shall seal and stamp the ballot box slot.

2. Unused ballot papers shall be individually collected from each member of the polling district electoral committee, shall be counted publicly, the number of them shall be entered into the vote counting record. According to signatures in the voter list, voter certificates, arrival cards, ballot papers which have been spoiled by voters and returned to be exchanged for blank ballot papers it shall be inspected if a committee member has handed all ballot papers lawfully.

3. The electoral committee shall count the unused and spoiled ballot papers publicly; annul them by cutting off the upper right corner; put them into the envelopes specially designated for this purpose and seal these envelopes. The number of unused or spoiled ballot papers shall be entered in the vote counting record.

Article 77. Counting of Votes of the Voters who Have Voted in the Polling Station of the Polling District

1. The polling district electoral committee, in the presence of at least 3/5 of its members, shall inspect the ballot box of the polling station whether the seals have not been broken and whether there are no other evidences which indicate that it could have been opened or that ballot papers could have been removed in any other way. The electoral committee, in the presence of at least 3/5 of its members, shall decide if the ballot box has been tampered with. If the committee decides that the ballot box was tampered with, an act shall be drawn up about this, the ballot box shall be packed up, the package shall be put under seal and votes shall not be counted. The ballot box shall be delivered to the constituency electoral committee. The decision concerning counting of votes of this ballot box shall be adopted by the constituency electoral committee.

2. Having ascertained that the ballot box has not been tampered with, in the presence of at least 3/5 of the members of the polling district committee as well as observers, it shall be opened, all ballot papers shall be placed on tables on which there are no other documents and writing materials (except black lead pencils), and the committee shall start counting votes. Ballot papers shall be sorted out according to constituencies (single-member and multi-member), then - into valid and invalid ballot papers. Valid ballot papers shall be divided into groups according to the marks made in them by voters. Each group of ballot papers must be recounted at least two times. For the second time ballot papers must be counted by other members of the committee. Ballot papers which do not hold necessary attributes (irregular ballot papers, unsealed or sealed with a seal of another electoral committee, etc.) must, if found, be separated from the rest of the ballot papers. The constituency electoral committee shall be immediately informed about such ballot papers and such fact must be entered into the vote counting record of the polling district. Counting results must be proclaimed and entered into the record, counted ballot papers put into a special envelope (envelopes) which is sealed and safeguarded. After the electoral committee establishes how many votes have been cast by voters who voted in the polling station of the polling district for lists of candidates in the multi-member constituency and for candidates in single-member constituencies, counting of votes received by post shall commence.

3. Ballot papers from the marking whereof it is possible to establish which list of candidates a voter voted for, but it is impossible to establish what kind of opinion he expressed regarding the candidates from the list he voted for, may not be declared invalid only because of this reason. If a voter has not indicated the election number of a candidate in the ballot paper, indicated a non-existing election number of a candidate, as well as when it is impossible to define voter's will from the inscription or inscriptions, preference vote or votes in the special space (spaces) of the second part of this ballot paper shall not be counted. If the election number of the same candidate is

written down two or three times, only one vote shall be counted in accordance with this ballot paper.

4. A decision regarding the declaration of a ballot paper invalid or in the presence of dispute between committee members concerning the assessment of marks in the ballot paper shall be adopted by the electoral committee by way of voting. The result of such voting shall be indicated on the other side of the ballot paper.

5. Votes shall be counted in such a way that this procedure, marks of voters in the ballot papers may be observed by all the persons present during the counting of votes, and they would be able to make sure that votes are counted justly and fairly. The committee must recount the votes if at least one committee member or observer requests so before the signing of the vote counting record.

6. The Central Electoral Committee shall establish the concrete procedure for the counting of ballot papers and votes not later than 14 days before the election.

Article 78. Keeping of the Records of Voters who Have Voted by Post and the Counting of their Votes and Preference Votes for the Candidate

1. After the counting of ballot papers found in the ballot box, ballot papers received by post shall be calculated in the following procedure:

1) the chairman of the polling district committee shall present, unopened, all outer envelopes received by post. Their number shall be announced and entered in the vote counting record;
2) outer envelopes shall be opened one at a time;
3) a voter certificate shall be taken out of the outer envelope, the voter's surname shall be read aloud, it shall be checked against the voter list of the polling district, and the voucher envelope shall be stamped with the seal of the polling district. If the person on the voter certificate is not on the voter list; if the voter has already signed the voter list indicating that he has already voted in the polling district; if another envelope for voting by post has been received from the same voter; if there is no voter certificate in the outer envelope; or if there is more than one voucher envelope in the outer envelope - the seal shall not be affixed and the ballot paper (ballot papers) in the envelope shall be considered invalid, the envelope shall not be opened. This fact must be noted on the voucher envelope (voucher envelopes). The content of such envelopes shall not be taken into account in the vote counting record of the polling district;
4) in the voter list of the polling district, the words "voted by post" or "VBP" shall be written by the surname of the voter whose vote has been received by post;
5) the sealed voucher envelope shall be cast into the ballot box prepared and sealed according to the established requirements; and
6) when all envelopes received by post have been inspected, the ballot box shall be opened and the sealed voucher envelopes shall be opened. If there is more than one ballot paper of the single-member and multi-member constituency in the voucher envelope, all ballot papers in the envelope shall be considered invalid. Then the votes received by post shall be counted according to the requirements of Article 77.

2. If only one sealed voucher envelope for voting by post is in the polling district (committee), it, in order to protect the secrecy of voting, shall not be opened, and shall be handed over to the electoral committee, which has formed this committee, which shall enter the results of the voting in its vote counting record.

3. After votes cast in a polling station and by post for lists of candidates and candidates have been counted, all data have been entered into the vote counting record of a single-member constituency and the first part of the vote counting record of the multi-member constituency, the record and the first part of the record have been signed by the committee members, chairman and observers and the polling district committee has announced to the constituency electoral committee that the votes for lists of candidates were counted, the polling district committee may commence counting votes cast for candidates (preference votes). The polling district committee may decide to count preference votes at once or, with the consent of the chairman of the constituency electoral committee, to count them at another time, but not later than within 24 hours. If it is decided to count preference votes at another time, the ballot papers to be counted shall, in a manner prescribed by the Central Electoral Committee, be transferred in a special envelope for safekeeping to the constituency electoral committee. In this case, the constituency electoral committee, after it has accepted election documents from the polling district committee, must adopt one of the following decisions on the counting of preference votes in the ballot papers transferred to it:

1) to return ballot papers and to instruct the polling district committee from which it has got the preference votes to count such votes;
2) to change the decision of the polling district committee from which the election documents have been received, regarding the counting of preference votes and to instruct the committee of another polling district to count preference votes or to count preference votes itself. In this case , the constituency electoral committee must set the place and time of counting preference votes.

4. If the committee counts preference votes next day or recounts ballot papers, it shall, in the presence of at least 3/5 of the members, check whether the special envelope (envelopes) has not been opened. If the polling district committee adopts a decision that the envelope has been tampered with or its contents have been changed, an act shall be drawn up concerning this fact, the envelope shall be packed, the package shall be sealed and the votes shall not be counted. The package shall be delivered to the constituency electoral committee. The Central Electoral Committee shall be immediately informed about this. A decision pertaining to the counting of the votes which are in the package shall be adopted by the constituency electoral committee. Upon having ascertained that the envelope has not been tampered with, counting of preference votes shall commence. Information on the time and place of the counting of preference votes as well as in the event when the constituency electoral committee decides to recount ballot papers, must, not later than one hour before the commencement of the counting, be announced on two notice boards: one installed in the building in which the headquarters of the constituency electoral committee is situated, and the other in the premises in which preference votes shall be counted. When counting preference votes, election observers may attend and a police officer must be on duty. All ballot papers shall be put on tables on which no there are no other documents and writing materials (except black lead pencils), and the committee shall check if there are all the ballot papers from which preference votes must be counted. The concrete procedure of preference votes counting shall be established by the Central Electoral Committee not later than 7 days prior to elections. Votes must be counted in such a way that such procedure might be observed by all the persons present during the counting of votes and would be able to ascertain that votes are counted fairly and justly. Counted votes shall be recorded in the second part of the vote counting record of the multi-member constituency, ballot papers shall be packed, the package shall be sealed and transferred to the constituency electoral committee.

Article 79. Vote Counting Records of the Polling District

1. Two vote counting records shall be drawn up in every polling district: one of the single-member constituency and one of the multi-member constituency. The vote counting record of the multi-member constituency shall consist of two parts.

2. The vote counting record of the single-member constituency shall include the following:

1) the number of voters in the polling district;
2) the number of ballot papers of the single-member constituency received from the constituency electoral committee;
3) the number of ballot papers delivered to each member of the committee, the number of ballot papers delivered to voters, the number of voters' signatures, the number of voter certificates, the number of arrival cards, and the number of unused and spoiled ballot papers;
4) the number of annulled ballot papers;
5) the number of voters who have voted in the polling station of the polling district;
6) the time of the opening of the ballot box;
7) the number of invalid ballot papers found in the ballot box;
8) the number of valid ballot papers found in the ballot box;
9) the number of votes found in the ballot box which have been separately cast for each candidate for Seimas member;
10) the number of envelopes received by post and the number of sealed voucher envelopes;
11) the number of invalid ballot papers received by post (ballot papers which are in unsealed and unopened envelopes shall not be counted and shall not be indicated as invalid);
12) the number of valid ballot papers received by post;
13) the number of votes received by post for each candidate for Seimas member;
14) the total number of voters who participated in the elections in the polling district;
15) the total number of invalid ballot papers in the polling district; and
16) the total number of votes cast for each candidate for Seimas member.

3. The vote counting record of the multi-member constituency shall include the following:

1) the number of voters in the polling district;
2) the number of ballot papers of the multi-member constituency received from the constituency electoral committee;
3) the number of ballot papers delivered to each member of the committee, the number of ballot papers delivered to voters, the number of voters' signatures, the number of voter certificates, the number of arrival cards, and the number of unused and spoiled ballot papers;
4) the number of annulled ballot papers;
5) the number of voters who have voted in the polling station of the polling district;
6) the time of the opening of the ballot box;
7) the number of invalid ballot papers found in the ballot box;
8) the number of valid ballot papers found in the ballot box;
9) the number of votes found in the ballot box which have been separately cast for the list of candidates nominated by each party (their coalition);
10) the number of envelopes received by post, the number of sealed voucher envelopes;
11) the number of invalid ballot papers received by post;
12) the number of valid ballot papers received by post;
13) the number of votes received by post which have been cast for the list of candidates nominated by each party (their coalition);
14) the total number of voters who have participated in the elections in the polling district;
15) the total number of invalid ballot papers in the polling district; and
16) the total number of votes cast for the list of candidates nominated by each party (their coalition).

4. The number of the voters of the polling district shall be established according to the voter lists of the polling district. The number of the voters who have been delivered the ballot papers, shall be established according to the voters' signatures proving that the ballot papers have been received. The number of the voters who have voted in the polling district shall be established according to the number of the ballot papers lawfully delivered to voters by the electoral committee of that polling district and found in the ballot box of the polling station. The total number of the voters who have participated in the election in the polling district shall be established by adding the number of the ballot papers found in the ballot boxes to the number of the ballot papers received by post and counted.

5. If more ballot papers are found in the ballot box than it has been delivered to voters, the committee shall take measures to discover the causes. This shall be entered in the vote counting record, indicating the number of extra ballot papers which were found.

6. After all data have been entered into the single-member constituency vote counting record of the polling district and the first part of the multi-member constituency vote counting record and all ballot papers have been put into sealed packages and the special envelope (envelopes), the vote counting records of the polling district shall be signed by the chairman and members of the polling district committee. After that the observers shall sign the records. Their remarks, the separate opinions of the members of the committee shall be appended to the records and shall be an inseparable part thereof.

7. The second part of the multi-member constituency vote counting record shall contain the following information:
1) the number of counted ballot papers;
2) the number of ballot papers in which voters have not indicated preference votes;
3) the number of preference votes cast for each candidate;
4) the sum total of preference votes received by all candidates;
5) other vote counting data established by the Central Electoral Committee necessary when checking if the votes cast by the voters have been counted accurately.

8. After all data have been entered into the second part of the polling district vote counting record and all counted ballot papers have been put into sealed packages, this part of the polling district vote counting record shall be signed by the chairman and members of the polling district committee. After that the observers shall sign the second part of the record. Their remarks, the separate opinions of the members of the committee shall be appended to the second part of the record and shall be an inseparable part thereof. If the polling district committee or the constituency electoral committee establishes that the mistake has been made in the data recorded in the first part of the vote counting record, a record shall be drawn up to correct the mistake. The second part of the record and ballot papers shall be returned to the constituency electoral committee. A decision concerning the mistake shall be adopted by the constituency electoral committee.

Article 80. Invalid Ballot Papers

1. Invalid ballot papers shall be:
   1) non-standard ballot papers;
   2) ballot papers sealed with the seal of the electoral committee of the wrong polling district (ballot papers received by post - without the seal of the constituency electoral committee);
   3) ballot papers of the wrong constituency;
   4) in a single-member constituency, those ballot papers on which the voter has marked more than one candidate for Seimas member, or has not marked any candidate, or it is impossible to ascertain the voter's will from the mark made thereon; and
   5) in the multi-member constituency, the ballot papers on which the voter has marked more than one list of candidates or has not marked any list of candidates, or it is impossible to ascertain the voter's will from the mark made thereon.

2. The decision to declare a ballot paper invalid or, in the event of dispute among the committee members as to the assessment of markings on the ballot paper, shall be made by the electoral committee by voting. The voting results shall be indicated on the other side of the ballot paper. If the polling district committee declares the ballot paper invalid in accordance with Subparagraphs 1, 2 or 3 of Paragraph 1 of this Article, it shall immediately inform the constituency electoral committee about this.

Article 81. The Presentation of Documents of the Polling District to the Constituency Electoral Committee

1. The polling district committee shall put all ballot papers, as well as invalid and unused ballot papers, other election documents into packages, inventory them and affix the seal to them in the manner prescribed by the Central Electoral Committee. The packages shall be delivered together with the vote counting record and its annexes, voter lists, records of the polling district committee and financial documentation for the whole period of its work to the constituency electoral committee within 12 hours of the closing of polls, unless the Central Electoral Committee provides otherwise.

2. The Central Electoral Committee and the Ministry of the Interior must ensure the safety of transportation of the election documents and the persons transporting them.

Article 82. The Counting of Votes in the Constituency Electoral Committee

1. The constituency electoral committee shall accept the documents delivered by the polling district committee and shall check:
   1) whether all required documents (packages and special envelopes with ballot papers) have been delivered;
   2) sealing and descriptions of the packages (whether the description is full and correct);
   3) whether all data have been entered in the vote counting records; if they do not contradict one another; if they correspond to the data available to the constituency electoral committee (the number of ballot papers issued to the polling district committee, the number of voters, the number of outer envelopes received by post, data on the votes cast by voters for lists of candidates, which are indicated in the first and second parts of the multi-member constituency vote counting record, etc.); if there are all necessary signatures; whether all separate opinions of the committee members, remarks of observers are attached to the record in which they are specified;
   4) whether all remarks and complaints of voters have been considered in the polling district committee.

2. The constituency electoral committee shall immediately report the data of the vote counting record, its comments concerning the documents submitted by the polling district committee to the Central Electoral Committee in the manner prescribed by it, and shall ensure the safety of submitted documents.

3. The packages sealed by the polling district committees, which contain ballot papers or other election documents, may be opened in the constituency electoral committee only by decision of the constituency electoral committee. The constituency electoral committee may recount the ballot papers of the polling district committee or instruct the polling district committee, from which it has received the ballot papers, to recount the said ballot papers, or instruct another polling district committee to recount the ballot papers. When recounting votes, electoral committees must act in compliance with paragraph 4 of Article 78 of this Law. The constituency electoral committee must, in the case specified in paragraph 6 of this Article, adopt a decision to recount ballot papers of all polling district electoral committees.

4. Upon establishing deficiencies of the documents submitted by the polling district electoral committee, the constituency electoral committee shall take measures to eliminate the deficiencies, request the chairman of the polling district electoral committee to submit the missing documents.

5. The constituency electoral committee shall count the votes in the following manner: it shall sum up the figures submitted by polling district electoral committees and shall add to them the votes cast by the voters by post, which have been counted in the constituency electoral committee.

6. The constituency electoral committee must adopt a decision to recount ballot papers of all the polling districts of a single-member constituency when, prior to the signing of the vote counting record, this has been requested by at least one member of the committee, a representative of a party or a candidate, and when the difference between the votes for the candidates who came first or second in this single-member constituency in accordance with the preliminary election results, is less than 50.

Article 83. The Presentation of Vote Counting Documents of the Constituency to the Central Electoral Committee

All documents (except financial documentation) received from polling districts, voter lists, the vote the counting record of the constituency, the records of the constituency electoral committee for the whole period of the activities and other election documents shall be put into special packages and sealed by the constituency electoral committee. The packages shall be delivered to the Central Electoral Committee within the time period established by the Central Electoral Committee.

Article 84. The Participation of Observers in the Counting of Votes and Establishment of Election Results

1. The election observers and also representatives of the mass media may participate in the counting of votes in polling districts and constituencies, and also in the establishment of election results in constituencies.

2. The observers shall have the right to make remarks and claims to the electoral committees concerning the violations of this and other laws of the Republic of Lithuania, but they must not hinder the work of electoral committees. The observers shall have the right to make a written protest to the polling district committee, which is appended to the vote counting record of the polling district and delivered to the constituency electoral committee together with other election documents of the polling district. The protest of the election observer to the constituency electoral committee shall be appended to the constituency vote counting record. The protests shall be considered by that electoral committee to whom they have been filed.

Article 85. Publication of the Preliminary Election Results

1. Preliminary election results may be proclaimed only by the Central Electoral Committee. If the constituency electoral committee delivers the preliminary data of the election results in all polling districts, the Central Electoral Committee must immediately prepare a report to the mass media. This report shall be announced in the Internet in the first place.

2. The representatives of the mass media shall be prohibited from disseminating the information about the vote counting or election results by video or sound recording equipment, orally, in writing, or otherwise, until the report of the Central Electoral Committee.

Article 86. Complaints against the Decisions of Electoral Committees which Have Been Adopted after Closing of the Poll

1. Parties which have nominated a candidate for Seimas member, candidates for Seimas member, their representatives for elections, election observers may appeal against the decisions of polling district electoral committees concerning the drawing up of vote counting records to the constituency electoral committee not later than within 24 hours of their drawing up. These complaints must be investigated no later than within 24 hours.

2. The decisions of the constituency electoral committee concerning vote counting records may be appealed against to the Central Electoral Committee no later than within 72 hours following their drawing up and must be considered before the official announcement of election results.

3. While investigating complaints against the decisions of polling district electoral committees concerning the drawing up of vote counting records, constituency electoral committees, in the presence of at least 3/5 of the committee members, may recount ballot papers which are presented by the polling district electoral committee, and, in the event of an arithmetical error in the records, incorrectly calculated valid and invalid ballot papers, the committees shall draw up an additional vote counting record of the polling district and attach it to the vote counting record of the polling district. The constituency electoral committee shall not have the right to nullify the vote counting records of the polling district electoral committee.

4. While investigating the complaint against the decision of the constituency electoral committee concerning the drawing up of the vote counting record of the constituency, the Central Electoral Committee may

recount ballot papers which are presented by the constituency electoral committee, and, in the event of an arithmetical error in the record, incorrectly calculated valid or invalid ballot papers, shall draw up an additional vote counting record of the constituency, the polling district and attach it to the vote counting record of the constituency.

5. Parties, political organisations which have nominated candidates for Seimas member, as well as candidates for Seimas member, may appeal against the decisions of the Central Electoral Committee or against the refusal of the Central Electoral Committee to investigate complaints about the violations of the Law on Elections not later than within 24 hours after the official announcement of the election results, to the Seimas or the President of the Republic. In such cases, the Seimas or President of the Republic shall, not later than within 48 hours, appeal to the Constitutional Court with the inquiry concerning the violation of the Law in Elections to the Seimas.

Article 87. Constituency Vote Counting Records

1. In accordance with vote counting records, ballot papers and other documents of polling districts, the constituency electoral committee shall establish:

1) the number of voters who have participated in the elections in the constituency;
2) the number of invalid ballot papers in the constituency, as well as vote counting data established by the Central Electoral Committee, which is necessary when checking if the votes cast by voters have been accurately counted;
3) the number of ballot papers valid in the constituency;
4) the number of votes cast for each candidate for Seimas member;
5) the number of votes cast for each list of candidates;
6) the number of preference votes cast for each candidate.

2. The chairman and the members of the constituency electoral committee shall sign the constituency vote counting record only after considering separate opinions of the members of the electoral committees of the polling districts, remarks of observers and complaints of voters. The constituency electoral committee may recommend the Central Electoral Committee to declare the election in the constituency invalid.

CHAPTER XI. ESTABLISHMENT AND ANNOUNCEMENT OF ELECTION RESULTS

Article 88. The Establishment of Election Results in Single-member Constituencies

1. The election results shall be established by the Central Electoral Committee after having investigated all complaints and established all election results in this constituency, including of the voters who have voted on ships and abroad.

2. Elections shall be considered to have been held in single-member constituencies if more than 40 percent of the voters registered in the voter list of that constituency participate in the elections.

3. A candidate shall be considered elected when the majority of voters participating in the elections vote for him in the polls.

4. If the candidates received an equal amount of votes, the oldest by age candidate shall become a Seimas member.

Article 89. The Establishment of the Election Results in the Multi-member Constituency

1. The elections shall be considered to have been held in the multi-member constituency if more than one fourth of all voters have participate in them.

2. The list candidates of the party may receive mandates of Seimas member (takes part in the distribution of mandates) only if not less than 5 percent of the voters participating in the elections voted for it. The joint list of candidates, drawn up in accordance with Article 43 of this Law, may receive mandates of Seimas member (takes part in the distribution of mandates) provided that not less than 7 percent of the voters who participated in the election have voted for it. If less than 60 percent of all voters who participated in the election have voted for the lists, taking part in the distribution of mandates, the list (lists if an equal amount of votes has been cast for them), which has not taken part in the distribution of mandates up till then, for whom the majority of voters have voted shall acquire the right to take part in the distribution of mandates. The number of lists of candidates which have the right to participate in the distribution of mandates shall be further increased in the same manner until not less than 60 percent of all the voters who participated in the election shall have voted for the lists of candidates participating in the distribution of mandates.

3. Mandates for lists of candidates shall be distributed according to the number of votes received by each of them, applying the method of quotas and remainders.

4. At first, the quota shall be counted, that is, how many votes are needed to receive 1 mandate. It shall be equal to the sum of votes, divided by 70, cast by voters for the lists participating in the distribution of mandates. If when dividing, a remainder is received, 1 shall be added to the quotient.

5. The amount of votes cast for each list shall be divided by the quota. The received integer quotient shall be the number of mandates for each list according to the quota and the remainders of this division shall be used to distribute the remaining mandates according to the remainders. Therefore, all names of the lists shall be written down in succession in which the first follows the last, according to the size of the remainders of the dividing received by the lists, beginning with the largest. If the remainders of two lists are equal, the first written down shall be the list which have received more votes of voters and if these numbers are also equal, the first written down shall be the list which has received more mandates in all single-member constituencies. If the number of mandates is also equal, the first written down shall be the list which possess the smaller election number. The mandates which have not been distributed when distributing by the method of quotas shall be distributed by one to the lists according to the succession, beginning with the list which was written down first.

6. If one of the lists received the larger number of mandates than there were candidates on the list, these mandates would be distributed to other lists, further continuing the dividing thereof by the method of remainders.

7. Candidates of the same list shall receive mandates in the numerical order established by the Central Electoral Committee which has established the rating of candidates. Those candidates who are elected in single-member constituencies shall be omitted from the list.

8. If the party, coalition submits together with the application documents the request that the rating of their candidates should not be established, voters shall be notified about this in advance, indicating this in a ballot paper and the rating of candidates shall not be counted, and the registered sequence of candidates on the list shall be considered final.

Article 90. Counting of the Rating of Candidates for Seimas Member and Establishment of the Final Order of Succession of the Lists

1. The Central Electoral Committee shall calculate the rating of candidates for Seimas member and shall establish a final order succession of the lists in accordance with the opinion expressed by voters and preference votes cast.

2. At first preference votes cast for each candidate in single-member constituencies shall be summed up and the sum total of all the preference votes for each candidate shall be calculated. In the event when the sum total of the candidate's preference votes is bigger than the number of Seimas members who are being elected in the multi-member constituency or such sum is equal to the said number, election rating of the candidate shall be equal to that sum, if it is smaller - election rating of the candidate shall be considered to be equal to zero.

3. Then the points of the rating received by each candidate for Seimas member shall be calculated. They shall be equal to the product of two numbers - election rating (the first factor) and party's rating (the second factor). Election rating shall be an integer number which is established by the Central Electoral Committee for each candidate in accordance with election numbers of the candidates in such a way that party's rating of the candidate who has the first election number would be 20 times higher than party's rating of the candidate who has the last election number on this list of candidates, and the difference of party's ratings of the candidates from the list whose election number differs by one digit, would be equal to 19. Party's rating of the candidate who is the last on the list, which is determined in such a way, shall be lower by one digit than the number of candidates on this list, and party's rating of the candidate who is the first on the list shall be 20 times higher than party's rating of the candidate who is the last on the list.

4. The final order of candidates for Seimas member on the lists shall be established according the points of the rating received by each candidate. The first written down in the succession shall be the candidate who have received more points of the rating. In the event that several candidates receive the equal amount of the rating points, then the first written down shall be the candidate whose election rating is higher. If the election ratings and candidates' ratings are also equal, then the first written down shall be the candidate whose party's rating is higher.

5. The final succession of the lists of candidates for Seimas member shall be announced by the Central

Electoral Committee on the same day as the results of voting in single-member constituencies.

Article 91. The Declaration of the Election Invalid

1. The Central Electoral Committee may declare the election results in the constituency invalid if it establishes that severe violations of this Law which were committed in the constituency or polling district, the falsification of documents or the loss thereof had an essential influence on the election results, and the following essential results cannot be determined from the vote counting records or other election documents:

1) in a single-member constituency - the candidate who gets a mandate;
2) in the multi-member constituency - the list of candidates which take part in the distribution of mandates, or the number of mandates due to the list of candidates can be determined at the exactness of only more than one mandate.

2. The election cannot be declared invalid if the indisputably determined election results allow to determine essential election results.

Article 92. Run-off Elections

1. Run-off elections shall be held in constituencies in which the elections did not take place or were declared invalid.

2. Run-off elections shall be held not later than within half a year, and after the run-off elections which have not been held - not later than within a year.

3. The concrete procedure for holding run-off elections to the Seimas according to the requirements and terms set in this Law shall be established by the Central Electoral Committee taking into consideration the fact that run-off elections are held in one of the single-member constituencies. When establishing the procedure for holding the run-off elections, the Central Electoral Committee cannot change the boundaries of constituencies. The citizens, permanently residing on the territory of a constituency who are aged 18 or over on the day of the run-off elections shall be additionally registered in the voter list of this constituency , and only the persons who have lost the right to vote shall be crossed out. The voting shall not be conducted abroad, on ships (with the exception of the case when the voters residing abroad or the crews of ships are registered in the voter lists of the constituency in which run-off elections shall be held), in the post offices which are not located on the territory of this constituency (except the central post offices of towns, regions).

4. Run-off elections shall not be held if the election date planned to be announced falls within the period when less than a year remains before the date of the next election to the Seimas, as counted in compliance with the Constitution.

Article 93. Establishment and Announcement of the Final Election Results

1. The Central Electoral Committee shall establish the final election results after it has investigated all complaints and established all election results in the constituency , including of the voters who have voted on ships and abroad.

2. The Central Electoral Committee shall proclaim the final election results not later than within 7 days following the election. It shall first of all announce these results in the Internet and shall publish in the next issue of the Valstybės žinios (the Official Gazette).

3. The Central Electoral Committee shall within three months from the announcement of the final election results issue a book about the election results and shall within four months transfer the vote counting records of polling districts and constituencies, application documents (except the forms for the collection of signatures), minutes of the sittings and the decisions of the Central Electoral Committee, as well as the collection of samples of election documents to the State Archives for unlimited safekeeping. After that it may decide to destroy the election documents which are not subject to safe keeping.

Article 94. The Certificate of Seimas Member

1. After the proclamation of election results the Central Electoral Committee shall issue certificates of Seimas member to the elected candidates within 3 days.

2. All disputes concerning the non-issuance of the certificate of Seimas member shall, not later than within 3 days, be settled by the Higher Administrative Tribunal of Lithuania whose decision shall become effective from the moment of its pronouncement.

Article 95. Inquiry Concerning the Violation of the Law on Elections to the Seimas

1. Not later than within 3 days of the official proclamation of the election results or the announcement of the decision of the Central Electoral Committee concerning occurring or filling a vacancy in the Seimas, the Seimas of the Republic of Lithuania as well as the

President of the Republic may appeal to the Constitutional Court with the inquiry whether the Law on Elections to the Seimas has been violated.

2. The Constitutional Court shall investigate and evaluate the decision of the Central Electoral Committee or its refusal to investigate complaints about the violations of the Law on Elections to the Seimas in those cases when decisions have been adopted or another deed of the Committee has been performed after the closing of voting.

3. This inquiry shall be investigated by the Constitutional Court not later than within 72 hours of its submission to the Constitutional Court. Non-working days shall be included in this time period.

4. Basing itself on the findings of the Constitutional Court, the Seimas of the Republic of Lithuania shall adopt the final decision concerning the violation of the Law on Elections to the Seimas.

5. If the Constitutional Court makes a conclusion that the Law on Elections to the Seimas has been severely violated or election documents have been falsified and this has had an essential influence on the establishment of the election results, the Seimas of the Republic of Lithuania may pass one of the following resolutions:

1) to declare the elections in a single-member constituency or multi-member constituency invalid - when, from the vote counting records, it is impossible to establish essential election results; or
2) to establish real essential election results according to the vote counting records or other election documents submitted by electoral committees.

6. The Seimas shall also pass a resolution on legally and illegally elected Seimas members.

7. If the Constitutional Court makes a conclusion that the essential election results established by the Central Electoral Committee are incorrect or its actions are not in compliance with this Law, the Seimas shall concurrently adopt a resolution to terminate the powers of the members and the chairman of the Central Electoral Committee before the expiration of the term and shall not later than within 7 days form a new Central Electoral Committee.

Article 96. Recognition of the Lapse of the Powers of a Seimas Member

The Central Electoral Committee shall recognise the lapse of the powers of a Seimas member, with the exception of the cases provided for in paragraph 6 of Article 95, not later than within 15 days after the occurrence of a cause for it:

1) upon the death of a Seimas member - according to a notarised copy of the death certificate;
2) upon the resignation of a Seimas member - according to the resignation statement written by the Seimas member himself. The Seimas member must repeat this statement himself during a sitting of the Central Electoral Committee . If because of the heath conditions the Seimas member is unable to attend the sitting, the sitting shall be held in the place where the Seimas member is at that time;
3) when the court declares a Seimas member legally incompetent - according to the effective decision of the court;
4) when the Seimas revokes the mandate of Seimas member in accordance with impeachment proceedings - according to the effective resolution of the Seimas;
5) if a Seimas member takes up, or does not resign from, employment which is incompatible with the duties of Seimas member - according to the effective resolution of the Seimas;
6) if a Seimas member loses citizenship of the Republic of Lithuania - according to the effective legal act concerning the loss of citizenship; and
7) if a Seimas member takes an oath in the manner prescribed by the law or takes a conditional oath - according to the effective resolution of the Seimas.

Article 97. Filling a Vacant Seat in the Seimas

Upon the recognition of the lapse of the powers of a Seimas member, a vacancy occurs in the Seimas. It shall be filled in the following manner:

1) if the former Seimas member was elected in a single-member constituency, by-elections shall be organised in this constituency. By-elections must be held not later than within 6 months. The elections shall not be held if the election date planned to be announced falls within the period when less than a year remains before the date of the next election to the Seimas, as counted in compliance with the Constitution. The Central Electoral Committee shall establish the concrete procedure for holding by-elections according to the requirements and terms established by this Law, taking into consideration the fact that by-elections are held in one of the single-member constituencies. When establishing the procedure for holding by-elections, the Central Electoral Committee cannot change the boundaries of a constituency. The citizens, permanently residing on the territory of a constituency who are

aged 18 or over on the day of the by-elections shall be additionally registered in the voter list of this constituency. Only the persons who have lost the right to vote shall be crossed out from the list . The voting shall not be conducted abroad, on ships (with the exception of the case when the voters residing abroad or the crews of ships are registered in the voter lists of the constituency in which by-elections are be held), in the post offices which are not located on the territory of this constituency (except the central post offices of towns, regions);

2) in a multi-member constituency the first candidate, who has not received the mandate of Seimas member, from the list of candidates according to which the former Seimas member was elected to the presently vacant seat shall become a Seimas member. If there are no candidates on this list of candidates who have not received mandates of Seimas member, the mandate of Seimas member shall be transferred to another list according to the sequence of the lists of candidates which was established after the election for the distribution of mandates by the method of remainders, that is to the list following the list which was the last to receive the mandate according to this sequence. So the first candidate, who has not received the mandate, on the list which has newly received a mandate shall become a Seimas member. The Central Electoral Committee must adopt the decision concerning recognition of the mandate of Seimas member for a new Seimas member not later than within 7 days after the occurrence of a vacant seat in the Seimas.

Article 98. Loss of the Mandate of Seimas Member because of the Collaboration with the Special Services of other States, and Earlier Conviction which Has Not Been Disclosed to the Voters

1. Each candidate for of Seimas member must make a public disclosure of his deliberate collaboration with the special services of other states, provided that he was not thereby carrying out the assignments of the Republic of Lithuania. He shall indicate this fact in the questionnaire for a candidate for Seimas member. An election poster of a candidate for Seimas member, issued by the Central Electoral Committee, as well as a poster with the list of candidates must contain the following notice beside the surname of the candidate: "Has deliberately and not on the instruction of the Republic of Lithuania collaborated with the special services of another state".

2. If the candidate fails to indicate this and there is a valid court sentence which has established a fact having juridical meaning (or this fact has been confirmed by the candidate himself in the manner prescribed by law) that he with full awareness collaborated with the special services of other states which was not related to carrying out the assignments of the Republic of Lithuania, the Central Electoral Committee shall not register him; where it has already registered him a candidate for Seimas member, the Central Electoral Committee shall immediately cancel his registration as a candidate for Seimas member. If the candidate has not indicated it and after the election to the Seimas his deliberate collaboration with the special services of other states which was not related to carrying out the assignments of the Republic of Lithuania is proved according to the procedure established by law, his Seimas member powers shall be lapse from that day.

3. Each candidate for Seimas member must make a public disclosure that under the sentence of the court of the Republic of Lithuania, which became effective after 11 March 1990, he was found guilty for committing a crime or under the effective court sentence was found guilty for committing a crime of violence against the person at any time. He shall indicate this fact in the questionnaire for a candidate for Seimas member. An election poster of a candidate for Seimas member, issued by the Central Electoral Committee, as well as a poster with the list of candidates must contain the following notice beside the name of the candidate: "Has been found guilty for committing a crime".

4. If the candidate has not indicated this fact and there is a sentence of the court of the Republic of Lithuania which came into effect after 11 March 1990 and which found the person guilty for committing a crime or there is a court sentence which found the person guilty for committing a crime of violence against the person at any time, the Central Electoral Committee shall not register such person as a candidate for Seimas member, and if the Committee has already registered him, it shall immediately cancel his registration as a candidate for Seimas member. If the candidate failed to disclose this fact and, following the elections to the Seimas, it has been established that there is a sentence of the court of the Republic of Lithuania effective after 11 March 1990 which found the person guilty for committing the crime or there is the court sentence which found the person guilty for committing a crime of violence against the person at any time, the Central Electoral Committee shall, within 15 days, submit copies of the court sentence and the questionnaire of a

candidate for Seimas member to the Seimas of the Republic of Lithuania for the Seimas to adopt a decision to initiate impeachment proceedings."

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS

LAW ON PRESIDENTIAL ELECTIONS

(As amended by 19 September 2000 No. VIII-1938)

I. GENERAL PROVISIONS

Article 1. The Basis for Elections of the President of the Republic

The President of the Republic shall be elected by the citizens of the Republic of Lithuania for a five-year term on the basis of universal, equal and direct suffrage and by secret ballot.

Article 2. The Right to Candidacy for the Office of President of the Republic

Any person who is a citizen of the Republic of Lithuania by birth, who has lived in Lithuania for at least the past three years, provided he has reached the age of 40 prior to the election day, and provided he is eligible for election to Seimas member may be elected President of the Republic.

The same individual may be eligible to the office of the President of the Republic for not more than two terms.

Article 2[1]. Information about Relations with Foreign Special Services (Structures)

After the Central Electoral Committee has adopted a decision to issue an individual who nominates himself or is nominated as a candidate for President of the Republic with forms for the collection of voter signatures, he must, before he is registered as a candidate for President of the Republic, furnish the Central Electoral Committee with information about his work with the NKVD, NKGB, MGB, KGB of the USSR or other Soviet republics as well as with other corresponding services (structures) of other foreign states, studying at schools of said services (structures) or about collaboration with said services (structures). An individual who nominates himself or is nominated as a candidate for President of the Republic shall enter this information into a questionnaire. The following data must be indicated in the questionnaire: name and subordination of the service (structure), individual's office, title, class, rank and functions, time and place of work or studies, awards. The Central Electoral Committee shall determine the form of a questionnaire. Data contained in the questionnaire shall be accessible to the public. If an individual who nominates himself or is nominated as a candidate for President of the Republic indicates the information specified in this paragraph of the Article in a questionnaire, the Central Electoral Committee must publicise such questionnaire within 24 hours following submitting thereof.

If an individual who nominates himself or is nominated as a candidate for President of the Republic has not submitted to the Central Electoral Committee a filled-in questionnaire prior to registration as a candidate for President of the Republic, the Committee shall make this fact public not later than within 24 hours after the individual has been registered as a candidate for President of the Republic.

A candidate for President of the Republic must announce about his work, studying or collaboration with the services (structures) specified in paragraph 1 of this Article, in his every video or audio election campaign material.

If the Central Electoral Committee receives information in writing that the data provided in a questionnaire are wrongful, concealed or that a filled-in questionnaire has not been submitted, as well as that an individual who nominates himself or is nominated as a candidate for President of the Republic or a candidate for President of the Republic worked, studied in the services (structures) specified in paragraph 1 of this Article, collaborated with them, and establishes that the data related to this fact are not included in a questionnaire, it must within 48 hours notify an individual who nominates himself or is nominated as a candidate for President of the Republic or a candidate for President of the Republic about the received information and offer him to provide explanations.

If an individual who nominates himself or is nominated as a candidate for President of the Republic or a candidate for President of the Republic agrees to the information received by the Central Electoral Committee, he shall without delay write down additionally this information in his questionnaire, and in the event a questionnaire has not been filled in, must fill it in - write down the indicated information. The Central Electoral Committee must not later than within 24 hours publicly announce this information.

If an individual who nominates himself or is nominated as a candidate for President of the Republic or a candidate for President of the Republic does not agree to the information received by the Central Electoral Committee, does not arrive at the Central Electoral Committee when

invited or refuses to provide explanations regarding the received information, the Central Electoral Committee may, if necessary, approach the persons who provided said information, as well as other institutions or organisations, requesting to provide additional data or documents.

Upon having considered the received information, the Central Electoral Committee must adopt one of the following decisions:

1) to declare the received information groundless;
2) to apply to the Higher Administrative Tribunal of Lithuania with a request to establish a fact that an individual who nominates himself or is nominated as a candidate for President of the Republic or a candidate for President of the Republic has included in a questionnaire the wrongful data about his work, studying or collaboration with the services (structures) specified in paragraph 1 of this Article or has concealed these data.

In all cases the Central Electoral Committee must, not later than within 5 working days after the receipt of information, adopt a decision and to publicise it within 24 hours following its adoption.

The court shall within 72 hours consider a request of the Central Electoral Committee and shall make a ruling which becomes effective from the moment it has been announced.

The Central Electoral Committee shall within 24 hours publicly announce the ruling.

If the Central Electoral Committee receives the information specified in paragraph 1 of this Article later than 12 days left before the election, a candidate for President of the Republic is not notified about this information, and the Central Electoral Committee shall not consider it.

The Central Electoral Committee may publicly announce the fact established by the court not later than 72 hours left before the beginning of voting.

The term "collaboration" used in paragraph 1 of this Article is defined in Article 5 Law of the Republic of Lithuania on Review of Mandates of Deputies who are Suspected of Collaboration with Special Services of other States (Žin., 1992, No.1-1).

Article 3. Universal Suffrage

Citizens of the Republic of Lithuania who on the day of the election are 18 years of age or over shall have the right to vote for the President of the Republic. Citizens who have been declared incapable by court shall not participate in elections.

Any direct or indirect abridgement of a citizen of the Republic of Lithuania's right to vote on the grounds of their sex race nationality language descent, social status, religion, convictions, or views shall be prohibited.

Article 4. Equal Suffrage

Every citizen of the Republic of Lithuania who has the right to vote for the President of the Republic shall have one vote in the election.

Article 5. Direct Election of the President of the Republic

Voters shall elect the President of the Republic without mediators.

Article 6. Secret Ballot

Voters shall vote in person and by secret ballot. Controlling the will of the voters in the election shall be prohibited.

Article 7. Making Public the Preparation and Execution of Elections

State institutions and electoral committees shall prepare and conduct the elections of the President of the Republic publicly. Public notice must be given of all events (meetings, sessions) related to the organisation of elections at least 12 hours prior to the commencement of the event.

The electoral committees shall inform the citizens about their work; the formation of electoral districts (apylinkė); the composition of electoral committees, their location and business hours; the lists of voters; the results of candidate registration to the post of the President of the Republic; and the voting and election results.

The state mass media shall inform the public about the preparation and execution of the elections of the President of the Republic.

Representatives of all mass media shall have the right to unrestricted participation in all events organised by the electoral committees, attendance of all electoral committee sittings, as well as the acquisition of information from the electoral committees concerning the preparation and execution of the elections.

Article 8. Expenditures Related to the Preparation and Execution of the Elections

The expenses related to the preparation and execution of the elections of the President of the Republic shall be covered by the State and local authorities. The

expenditures of electoral committees related to organisation and execution of elections and the work of the members of electoral committees and the service staff shall be paid with public funds. Maintenance of premises of the headquarters of electoral committees of towns, regions and districts, expenditures related to acquisition and keeping of the equipment of polling places shall be paid with local authority funds. If a local authority does not provide adequate premises or equipment for an electoral district headquarters and polling places, public funds shall be used for this at the decision of the Central Electoral Committee. In this event the actual expenses relating to polling places and equipment shall, within 2 months after the election, be exacted by the Central Electoral Committee from the local authority without suit.

II. ORGANIZATION OF ELECTIONS

Article 9. Formation of Electoral Districts

Taking into consideration the convenience for a voter to reach a polling place and the number of voters, territories of towns and regions shall be divided into electoral districts.

The division of the territory of a town, region into electoral districts shall be approved and changed by the Central Electoral Committee on the recommendation of the mayor. The Central Electoral Committee shall publish in the Valstybės žinios a list of approved electoral districts, and changes made therein.

No more than 5,000 voters may reside in the territory of an electoral district.

The boundaries of an electoral district, the address of a polling place shall be changed when necessary, but no later than 100 days prior to the election. In the recommendation to approve the division of the territory of a local authority into electoral districts, the town, region mayor shall specify the following: a proposed name of an electoral district, addresses falling within an electoral district, number of voters in the formed district, address and telephone number of a polling place. Changes which are proposed to be made shall be specified in the recommendation to change the division of the territory of a local authority into electoral districts. No later than 100 prior to the election the mayor shall also inform the Central Electoral Committee about new addresses, changed addresses or addresses which are no longer existent, as well as approve the addresses and telephone numbers of polling places.

Article 10. Electoral Committees

The elections of the President of the Republic shall be organised and conducted by:

1) the Central Electoral Committee;
2) the town, region electoral committees; and
3) the electoral committees of electoral districts.

Members of electoral committees may not be candidates to the office of President of the Republic or agents of such candidates.

A citizen of the Republic of Lithuania may be proposed to the electoral committee provided he has the right to be elected as Seimas member (without taking into consideration the minimum age limit set for a candidate for Seimas member, but who is not younger than 18 years of age on the election day) and has not been previously removed from an electoral committee due to the violations of laws on elections or referendum.

Article 11. Repealed 19 September 1996

Article 12. The Powers of the Central Electoral Committee

When organising elections of the President of the Republic, the Central Electoral Committee shall:

1) distribute forms for the collection of voters' signatures;
2) register candidates to the office of the President of the Republic and issue them presidential candidacy certificates;
3) establish the samples and forms of ballot-papers and other documents used during the elections, as well as packages, stamps, and samples for their completion, and the procedure for sealing ballot-papers;
4) manage funds allocated by the State for the elections of the President of the Republic;
5) supervise the implementation of this Law;
6) investigate complaints concerning decisions of town, region electoral committees and electoral committees of electoral districts;
7) establish and publicise the results of the elections of the President of the Republic;
8) issue the certificate of the President of the Republic to the elected candidate;
9) hand over the documents of the elections of the President of the Republic to the State Archive for keeping; and
10) execute other powers provided for in this Law.

The Central Electoral Committee may not interpret the provisions of this Law. If it is necessary to do so, the Central Electoral Committee shall appeal to the Seimas for

the amendment of this Law. The Seimas shall consider questions submitted by the Central Electoral Committee according to the procedure of particular urgency.

Article 13. Formation of Town, Region Electoral Committees

The Central Electoral Committee shall for the period of elections form town, region electoral committees no later than 85 days prior to the elections.

Town, region electoral committees shall be composed of:

1) two persons who reside or work in that town, region, have higher legal education, and who are nominated by the Minister of Justice;
2) two persons who reside or work in that town, region, have higher legal education, and who are nominated by the Lithuanian Lawyers' Society;
3) one public servant of "B" level who works in that town, region (one from every town, region), who is nominated by the mayor of that town, region; and
4) persons nominated by parties, political organisations which have received the mandates of Seimas member in the multi-candidate electoral area.

The Minister of Justice, the Lithuanian Lawyers' Society and the town, region mayor may propose more candidates.

Parties, political organisations which have received the mandates of Seimas member in the multi-candidate electoral area pursuant to the list of candidates (joint list) nominated in this electoral area shall each have the right to propose two representatives from this single list of candidates (joint list) nominated in the electoral area to town, region electoral committees. If the representatives meet the requirements of this Law, the Central Electoral Committee may not reject said candidates. In the event that candidates have not been proposed, the Central Electoral Committee may additionally appoint as members of the Committee candidatures who are proposed by the Minister of Justice, the Lithuanian Lawyers' Society or town, region mayor.

In all cases, persons who have been appointed to town, region electoral committees from the candidates proposed by the Minister of Justice, the Lithuanian Lawyers' Society and the town, region mayor must make up at least 1/3 of all the Committee members. If these people make up less than 1/3 of the Committee, the Committee shall be enlarged from the candidates proposed by the Minister of Justice, the Lithuanian Lawyers' Society or the town, region mayor.

If elections to the Seimas or elections of the President of the Republic, or elections to a municipal council, or a referendum are concurrently held on the same day, the same electoral committees of electoral districts or referendum committees shall be formed. The Central Electoral Committee shall form a single - town, region, electoral area or referendum - committee in a separate electoral, referendum territory and shall establish its functions in organising and carrying other elections or a referendum.

The Central Electoral Committee shall appoint the chairman of a town, region electoral committee.

During its first sitting, the town, region electoral committee shall elect a deputy chairman and a secretary of the committee.

Article 14. The Powers of Town, region Electoral Committees

The town region electoral committee shall:

1) in the manner prescribed by the Central Electoral Committee, inform the voters who reside in a town, region about the boundaries of the electoral districts, the headquarters, working hours and polling places;
2) supervise the implementation of this Law in the town, region;
3) form electoral committees of electoral districts;
4) distribute the funds allocated for elections to electoral committees of electoral districts, control utilisation of said funds and account to the Central Electoral Committee for the funds utilised for the elections;
5) register election observers and issue certificates to them;
6) make up a list of health care, social guardianship and care institutions, military units and places of confinement situated in the territory of a town, region, and together with the head of the post office have care of the organisation of voting by post in those places;
7) draw up the vote calculation records of a town, region, establish election results and transfer them to the Central Electoral Committee for approval;
8) consider complaints against decisions and actions of the electoral committees of electoral districts and adopt decisions concerning them; and
9) exercise other powers provided for in this Law.

Article 15. Formation of Electoral Committees of Electoral Districts

No later than 75 days prior to the election, a town, region electoral committee shall establish the number of the members of the electoral committees of each electoral district, which must be a multiple of the number of the parties and political organisations which have the right to nominate candidates for electoral committees. If the number of proposed candidates is insufficient or there is a vacancy in the committee, the mayor of a municipality in the territory whereof the electoral district is formed may propose the lacking candidates.

The following shall be entitled to propose the same number of candidates for an electoral committee of an electoral district:

1) each party, political organisation or their coalition which received the mandates of Seimas member in a multi-candidate electoral area during the last elections to the Seimas. If the party, political organisation received the mandates of Seimas member when being in the coalition, it may propose candidates together with organisations which participated in the coalition;
2) the party, political organisation or their coalition which received the mandates of councillor from the list of nominated candidates (joint list) in the elections to a municipal council. If the party or political organisation received the mandates of councillor when being in the coalition, it may propose candidates together with the organisations which participated in said coalition.

If the party, political organisation may propose candidates according to the results both of the election to the Seimas and of the election to a municipal council, it shall propose candidates according to only one of these election results, by preference. If one of the organisations which took part in the election coalition, does not propose candidates or refuses to propose them, or chooses to propose according to other than the coalition was formed election results, other organisations which took part in said coalition shall have a right to propose candidates without its presence.

Parties, political organisations shall submit their lists of candidates for a town, region electoral committee no later than 62 days prior to the elections.

Town, region electoral committees shall for the period of elections form electoral committees of electoral districts no later than 60 days prior to the elections. If a candidate meets the requirements set forth in this Law, the town, region electoral committee may not reject the candidate.

If no candidates have been proposed or the proposed candidates do not meet the requirements of this Law, or they have been proposed after the set period of time, a town, region electoral committee may alter the earlier established number of the members of the electoral committee of an electoral district or to address the mayor to present the lacking number of candidates for electoral committees of electoral districts. The candidates proposed by the mayor may not be the members of parties, political organisations or to become such members prior to the expiration of the powers of a member of an electoral committee. If during a sitting not less than three members of the town, region electoral committee, while appointing a member of the electoral committee of an electoral district, object to the appointment of the candidate, proposed by the mayor, to be a member of the electoral committee of an electoral district, this candidate may not be appointed a member of the committee.

Town, region electoral committees shall appoint the chairmen of electoral committees of electoral districts.

During its first sitting the electoral committee of an electoral district shall elect a deputy chairman and a secretary of the committee.

Article 16. The Powers of Electoral Committees of Electoral Districts

The electoral committee of the electoral district:

1) shall receive electoral district voter lists from the town, region electoral committee, provide conditions for electors, representatives for elections to familiarise themselves with said lists, hand voter certificates to voters or distribute them in some other way, inform the town, region electoral committee about inaccuracies noticed in the electoral district voter list;
2) shall investigate complaints concerning the errors made in electoral district voter lists;
3) shall, in the manner prescribed by the Central Electoral Committee, observe how voting by post is conducted in the territory of an electoral district, and control that conditions for voting by post would be provided in all health care, social guardianship and care institutions, military units and the places of confinement situated in the territory of the electoral district;
4) shall, together with a representative of the municipal council, have care of preparing polling places, voting booths and ballot boxes in due time pursuant to the requirements provided in this Law;

5) shall organise voting in the electoral district on the polling-day;
6) shall calculate votes and draw up the vote calculation records of the electoral district;
7) shall consider the complaints of the voters and observers of that electoral district on issues concerning the preparation of the elections, the organisation of voting, vote calculation, the drawing up of vote calculation records, and adopt decisions related to them; and
8) shall exercise other powers provided for in this Law.

Article 17. Written Pledge of Members of Electoral Committees and Organisation of Electoral Committee Work

A member, chairman of an electoral committee shall start holding the position in the electoral committee upon having given a written pledge.

The Central Electoral committee shall establish the procedure for giving a written pledge of the members, chairmen of town, region and district electoral committees. The text of a written pledge of the member and the chairman of an electoral committee shall read as follows:

"I, (name, surname), member, chairman of the electoral committee, swear to be faithful to the Republic of Lithuania, observe its Constitution and laws, conscientiously and honestly perform my duties in the electoral committee and refrain from actions violating laws and the rights of citizens.

So help me God."

The written pledge may be given omitting the last sentence. Upon having given a written pledge, a person shall subscribe to the text of the pledge. The pledge shall be effective for the whole duration of the appointment to work in the electoral committee. It shall be prohibited to hold the position in the electoral committee without giving a written pledge.

Written pledges shall remain in the custody of the electoral committee which has appointed electoral committee members, chairmen.

When appointing an electoral committee member, the Central Electoral Committee or the town, region electoral committee shall fix the date by which he must give a written pledge. The person who has not given a written pledge within 15 days after his appointment or who has given a written pledge with a reservation, shall be removed from his position in the electoral committee.

Sittings of electoral committees shall be valid provided that at least three-fifths of the members of the committee are in attendance. Decisions made by the committee shall be adopted by open, majority vote. In the event of a tie vote, the committee chairperson's vote shall be casting. Committee members who do not agree with a decision shall have the right to state a different opinion in writing, which shall then be appended to the minutes of the meeting and shall be an integral part thereof.

Upon the completion of elections, the powers of the members, chairmen of town, region and district electoral committees shall be terminated. The decision to terminate the powers shall be adopted by the electoral committee which appointed the committee members, when this committee, its chairman have fulfilled all the tasks assigned to him according to the Law.

The chairman or member of an electoral committee who has given a written pledge shall be prohibited from any form of election campaigning or attempts to influence the voter's will in any other way. The individual who has violated this requirement or a written pledge of an electoral committee member, must be dismissed from the committee and may be prosecuted under laws.

Article 18. Appeals Concerning Decisions of Electoral Committees which are Adopted prior to the Completion of Voting

All political parties and political organisations which have nominated a presidential candidate, as well as agents of candidates to the office of the President of the Republic may appeal against the decisions of electoral committees according to the following procedure:

1) for decisions of electoral committees of electoral districts - to the town, region electoral committee;
2) for decisions of town, region electoral committees - to the Central Electoral Committee; and
3) for decisions of the Central Electoral Committee - to the Vilnius County Court.

Appeals must be considered within 48 hours of the time the appeal is submitted. Non-working days shall also be included in this period. The decision of the Vilnius County Court shall become effective from its pronouncement.

Article 19. Appeals Concerning Decisions of Electoral Committees which are Adopted after the Completion of Voting

All political parties and political organisations which have nominated presidential candidates, as well as the agents of candidates to the office of the President of the Republic, may appeal to the town, region electoral committees

against the decisions of electoral committees of electoral districts concerning the drawing up of records of the calculation of votes not later than within 24 hours of their adoption.

Such appeals must be considered not later than within 24 hours. Town, region electoral committees, in considering appeals concerning the drawing up of records of the calculation of votes, may recount the ballot-papers presented by the electoral committee of an electoral district, provided at least three-fifths of the town, region electoral committee members are present. Upon establishing an arithmetic mistake or incorrectly calculated valid or invalid ballot-papers, the committee may amend the records of the calculation of votes. Town, region electoral committees shall not have the right to declare invalid the records of the calculation of votes drawn up by electoral committees of electoral districts.

The decisions of the Central Electoral Committee, with the exception of the decisions to declare the results of the elections of the President of the Republic invalid, may be appealed against to the Vilnius County Court not later than within 2 days of their adoption, and must be considered not later than within 48 hours. This term shall also include non-working days. The decision of the Vilnius County Court shall become effective from the moment of its pronouncement and its execution shall be binding upon the Central Electoral Committee.

While considering appeals against the decisions of town, region electoral committees concerning the drawing up of records of the calculation of votes in a respective town or region, the Central Electoral Committee may re-count the ballot-papers presented by the town, region electoral committee. Upon establishing an arithmetic mistake or incorrectly calculated ballot-papers, the Committee may amend the entries in the records of the calculation of votes of the respective town, region or electoral district. The Central Electoral Committee shall not have the right to declare invalid town, region records of the calculation of votes.

Article 20. Assistance for Electoral Committees

State institutions, firms, offices and organisations and their officials must assist electoral committees in exercising their powers, and must furnish them with necessary information.

State institutions, firms, offices and organisations and their officials must consider requests submitted by electoral committees and give the electoral committees a justified response not later than within 3 days.

Electoral committees may employ the required number of personnel for assistance work.

Local governments and State institutions and organisations must provide electoral committees with premises and equipment for the preparation and execution of elections.

Article 21. Remuneration for Electoral Committee Members

Chairpersons and members of electoral committees shall be paid salaries for their work in electoral committees in accordance with rates submitted by the Central Electoral Committee and approved by the Government. Chairpersons and members of electoral committees who are employed in firms, offices and organisations, and who are not receiving wages due to their involvement in electoral committee activities shall be paid by the State an amount not exceeding their average monthly salary.

Article 22. Changing the Members of Electoral Committees

Chairpersons and members of town, region, district electoral committees may be dismissed from their posts in the committee by the electoral committee which approved the composition of this committee, or by the Central Electoral Committee.

The electoral committee may consider only the justified proposal of a party or political organisation to recall the member of the electoral committee whom it has nominated.

As necessary, a new chairman or member of the electoral committee may be appointed in accordance with the procedure established by this Law and on the expiry of the period provided for in paragraph 1 of Article 13 and paragraph 5 of Article 15.

III. VOTER LISTS

Article 23. Voter Lists

For the organisation and execution of elections, the following voter lists shall be compiled:

1) voter list of the Republic of Lithuania;
2) voter lists of towns, regions; and
3) voter lists of electoral districts.

Voter lists shall be drawn up twice - provisional and final. These lists may be used only for organisation and execution of elections.

The procedure of compiling voter lists must be such that every citizen of the Republic of Lithuania who is entitled

to vote shall be registered in voter lists. No one may be registered in a voter list more than once.

For the organisation of election campaign, at the request of parties and political organisations which have nominated a candidate or candidates, generalised voter lists (without surnames of voters, dates of birth, exact address of residence) may be drawn up. The actual expenditures related to drawing up of said lists shall be paid by the party, political organisation or the candidate who orders them.

The voter list of the Republic of Lithuania and the voter lists of town, regions which are drawn up and kept by the registrar of the population register, shall be compiled in magnetic media. The procedure and form of compiling of lists, method of compiling and the procedure for the use thereof shall be established by the Central Electoral Committee.

Article 23[1]. General Procedure for Registering Citizens in the Voter List of the Republic of Lithuania

All citizens of the Republic of Lithuania who have the right to vote shall be registered in the voter list of the Republic of Lithuania according to the data of issuance of the document (passport) confirming the citizenship, and according to the population register of the Republic of Lithuania. Lists compiled according to these data shall be provisional.

Compiling, checking and keeping of voter lists shall be organised by the Central Electoral Committee on the basis of the information furnished by public authorities and electoral committees.

The following persons shall be struck from the voter list of the Republic of Lithuania:

1) a citizen of the Republic of Lithuania who has died;
2) a person who has lost the citizenship of the Republic of Lithuania; and
3) a citizen who has been declared legally incompetent by the court.

Provisional voter lists with changes done therein and acknowledged in the procedure established by the Central Electoral Committee shall be, not more than 7 days prior to the election, approved as final voter lists. Changes in final voter lists may be done only with a consent of the Central Electoral Committee.

Article 23[2]. Town, Region Voter Lists

The town, region voter list shall be made in magnetic media by the Central Electoral Committee according to the voter list of the Republic of Lithuania and the place of residence of a voter indicated therein, and shall be delivered to the town, region electoral committee at least 65 days prior to the election. Lists of voters residing abroad shall be drawn up concurrently and shall be delivered to diplomatic missions of the Republic of Lithuania. A list of citizens whose place of residence is unknown shall be also drawn up.

Article 23[3]. Voter Lists of Electoral Districts

The voter list of an electoral district shall be drawn up by the town, region electoral committee according to the town, region voter list and the place of residence indicated therein, and shall be delivered to the electoral committee of an electoral district at least 55 days prior to the election. A list of citizens whose place of residence is unknown shall be also compiled. Voters, ship's crew members and passengers who will be unable to return to Lithuania during the period of voting by post or to be present on the election day, shall, according to the procedure established by the Central Electoral Committee, be registered in a voter list of the electoral district on the territory whereof a ship's registration harbour or the administration of a ship's owner is located.

Article 23[4]. Public Announcement of Voter Lists and Access to Voter Lists

The electoral committee of an electoral district, diplomatic mission shall, at least 55 days prior to the election, shall provide conditions for the voters to have access to voter lists. The time and place for the voters to implement this right shall be indicated at the entrance to the premises of an electoral committee, situated in the diplomatic mission.

Article 23[5]. Voter Certificate

A voter certificate shall be a document issued by an electoral committee specifying in the voter list of which electoral district a citizen of the Republic of Lithuania is registered. One cannot vote by post without this certificate.

A voter certificate shall contain:

1) the name and surname of the voter;
2) the birth date of the voter (year, month, day);
3) the address of the voter;
4) the town, region in which the voter shall cast his vote;
5) the name, number of the electoral district in whose list of voters the name of the voter has been included, as well as the address of the polling place; and

6) the consecutive number of a voter in the voter list of an electoral district..

Article 23[6]. Delivery of Voter Certificates

The delivery of voter certificates to voters shall be organised by the electoral committee of an electoral district. The diplomatic mission shall deliver or send by post a voter certificate to the voter who are abroad, provided that he has informed the diplomatic mission of his address. A voter certificate shall not be delivered to the voter who shall vote in a ship.

The delivery of voter certificates shall be noted in the provisional voter list of an electoral district. A voter certificate shall be either delivered to the voter personally or to the other person who lives together with the voter, or to a neighbour of the voter, who knows the voter and undertakes to deliver the voter certificate to the voter. The delivery of voter certificates to voters must be finished at least 40 days before the election.

The voter who has not received a voter certificate in due time or who has received a voter certificate with inaccuracies, must without delay inform the electoral committee of an electoral district in whose service territory he is residing, about this and to produce his passport or other document confirming his identity to the electoral committee. If the voter is registered in the voter list of this electoral district, the electoral committee of the electoral district must write out a new voter certificate to the voter and issue it to him immediately. If the voter is not registered in the voter list of this electoral district, the electoral committee of the electoral district shall immediately inform the town, region electoral committee about this, which must have care of registering the voter in the voter list of this electoral district. The voter certificate shall be written out and delivered to the voter following upon checking the accuracy of voter lists.

The town, region electoral committee may, in the manner prescribed by the Central Electoral Committee, write out a voter certificate for the voter who is on the voter list of another town, region, provided he is unable to return to his permanent place of residence to receive or otherwise get a voter certificate. The voter must request this in writing and produce the passport of the citizen of the Republic of Lithuania with his place of residence indicated therein.

Article 23[7]. Checking the Accuracy of Voter Lists before Drawing up Final Lists

The accuracy of provisional voter lists shall be checked when transferring a voter from one town, region, district voter list into another, striking from or registering a voter in the voter list of the Republic of Lithuania.

The voter shall be transferred from one voter list into another if it becomes clear that the address of his place of residence in the provisional list is incorrect or it has changed after said list was drawn up.

Transferring of the voter from the voter list of one electoral district into another in the same town, region shall be executed by the town, region electoral committee and it shall inform the Central Electoral Committee about the changes made in voter lists of electoral districts. Transferring of the voter from one town, region voter list into another shall be executed by the Central Electoral Committee on the recommendation of the electoral committee of the electoral district and shall inform the town, region electoral committees about the changes done. Only the Central Electoral Committee may register a voter in or strike him from the voter list of the Republic of Lithuania in the cases provided in Article 231 of this Law.

Article 23[8]. Registration of Citizens of the Republic of Lithuania, Staying Abroad, in Voter Lists

Citizens of the Republic of Lithuania staying in other states shall be registered in the voter list of the city of Vilnius.

A diplomatic mission of the Republic of Lithuania shall, at least 15 days before the elections, submit to the Central Electoral Committee the voter list compiled in the diplomatic mission, as well as the data concerning checking the accuracy of said list. This list may be supplemented with the voters who will be unable to return to Lithuania during the period of voting by post or to be present on the polling day, and who shall vote in diplomatic missions.

Article 23[9]. Registration of National Defence Servicemen, Voters who are Aboard a Ship and in Places of Confinement in Voter Lists

Voters performing the active or alternative service shall be included in the voter lists of the electoral district on whose territory they permanently resided before they have been summoned for the active or alternative service.

Officers, non-commissioned officers and re-enlistees of the national defence system and the internal affairs service

shall be included in the voter lists of the electoral district on whose territory they permanently reside.

The voters who are aboard a ship and who will be unable to return to Lithuania during the period of voting by post or to be present on the polling day, shall be registered in the additional voter list of the electoral district in whose voter list the ship's crew is registered.

Voters who are in places of confinement shall be registered in the voter list of the electoral district on whose territory they have permanently resided before they were placed in confinement. If a person who is in a place of confinement requests in writing, he shall be registered in the voter list of the electoral district on whose territory the place of confinement is situated.

Article 23[10]. Checking the Accuracy of Voter Lists upon Compiling Final Voter Lists, as well as on the Election Day

If following the approval of the final voter lists, but no later than until six o'clock p.m. on the election day, a voter addresses the electoral committee of an electoral district and submits the passport of the citizen of the Republic of Lithuania with the address of the place of residence recorded therein, which is attached to the territory of this electoral district, but the voter is not registered in the voter list of this electoral district, the electoral committee of the electoral district shall register the voter in the additional voter list of the electoral district and shall allow him to vote according to the procedure established by the Central Electoral Committee. The Central Electoral Committee shall immediately inform the town, region electoral committee about the voter's surname, name, personal code, his passport number and the address recorded in the passport. The town, region electoral committee shall check if the voter is registered in the town, region voter list and take actions to guarantee that the voter would not be able to vote twice or the ballot papers filled by him will be counted only once. If the voter has voted twice, only that vote shall be counted which was put in the ballot box of the electoral district. The other vote of the voter, received by post or when cast according to the additional voter list of the electoral district shall not be counted.

Article 23[11]. Complaints Concerning Voter Lists

A voter or a representative of the party, political organisation may lodge complaints about the errors made in voter lists due to which the voter is not registered in the voter list in the manner prescribed by this Law or is registered in several voter lists with the electoral committee of the electoral district no later than 7 days before the election. The electoral committee of the electoral district must investigate the complaint and adopt a decision thereon either immediately or within 2 days of the receipt thereof, if more than 10 days are left until the election day.

The decision of the electoral committee of an electoral district may be within 3 days appealed against in the administrative court of an appropriate county, which shall investigate the complaint within 3 days. The decision of the court shall be final.

Complaints and comments shall not be investigated after the expiration of the term established for filing comments or complaints.

Electoral committees of electoral districts shall report to the town, region electoral committee about the received complaints and changes made in the voter lists by the court's decision, and the town, region electoral committee shall report to the Central Electoral Committee as soon as possible but no later than within 12 hours.

Article 24. Repealed 19 September 1996.

Article 25. Repealed 19 September 1996.

Article 26. Repealed 19 September 1996.

Article 27. Repealed 19 September 1996.

Article 28. Repealed 19 September 1996

Article 29. Repealed 19 September 1996.

Article 30. Repealed 19 September 1996.

IV. NOMINATION OF CANDIDATES TO THE OFFICE OF PRESIDENT OF THE REPUBLIC

Article 31. Nomination of Candidates to the Office of the President of the Republic

Individual persons may nominate themselves to the office of President of the Republic.

Political parties and political organisations may nominate and support candidates to the office of President of the Republic.

The nomination of candidates to the office of the President of the Republic shall begin not more than 80 nor less than 65 days prior to the day of elections.

Article 32. Statement about Individual's Participation in the Elections as a Candidate to the Office of President of the Republic

An individual who has been nominated or who has nominated himself to the office of President of the Republic must, at least 65 days prior to the election, make

a written statement about this to the Central Electoral Committee.

If an individual is nominated by a political party or political organisation to the office of President of the Republic, this decision of theirs shall also be presented in writing. Documents confirming the citizenship and identity of the candidate shall also be submitted and a deposit amounting to five average monthly salaries shall be paid. Having collected twenty thousand voter signatures as provided in Article 79 of the Constitution of the Republic of Lithuania, the total deposit shall be refunded to the individual who has paid it.

The Central Electoral Committee shall, not later than within 3 days (including non-working days) after the receipt of the statement, ascertain whether there any reasons specified in Article 78 of the Constitution of the Republic of Lithuania preventing the individual's nomination as a candidate to the office of President of the Republic are present, and shall adopt a grounded decision on whether or not to issue forms for the collection of voter signatures to the individual, with the name and surname of the candidate for the office of President of the Republic indicated thereon. Refusal to issue the forms for the collection of voter signatures may be appealed against to the Higher Administrative Tribunal of Lithuania not later than within 3 days, and the said Tribunal must investigate the appeal not later than within 72 hours of its submission. This term shall include non-working days. The decision of the Higher Administrative Tribunal of Lithuania shall become effective from its pronouncement.

Article 33. The Collection of Voter Signatures

At least twenty thousand voter signatures as prescribed in Article 79 of the Constitution of the Republic of Lithuania must be collected on the form for the collection of voter signatures, which shall contain the following text:

I, as a citizen of the Republic of Lithuania, confirm my support for the application of

.....
.....(the person's name, surname)

to participate in the .... (day, month and year) elections as a candidate to the office of President of the Republic of Lithuania.

Serial No.	Individual's Surname, Name	Series and No. of the document Confirming Citizenship of the Republic of Lithuania	Date of Birth	Permanent Place of Residence	Signature and Date

The name and surname of the individual who has collected the signatures shall be indicated at the bottom of the page, as well as the series and number of the document confirming his citizenship of the Republic of Lithuania, his permanent place of residence, and signature.

All information on forms for the collection of signatures shall be filled out by the voters themselves. Voters may sign for each candidate to the office of President of the Republic, but may only sign for each candidate once.

Forms for the collection of voter signatures shall be issued by the Central Electoral Committee directly to individuals who have announced in writing their participation as candidates in the elections of the President of the Republic and, upon the request of these persons - to persons indicated by them.

Article 34. Registration of Candidates to the Office of the President of the Republic

At least 45 days prior to the elections, individuals who have been nominated or who have nominated themselves as candidates to the office of the President of the Republic must submit voter signature collection forms containing at least twenty thousand voter signatures to the Central Electoral Committee which issued the said forms. Said individuals must also submit the extract containing the basic data from the income and property declaration approved by the State Tax Inspectorate.

Individuals who have been nominated or who have nominated themselves as candidates to the office of President of the Republic may submit a certificate of their health condition to the Central Electoral Committee. The Central Electoral Committee shall announce such certificates through mass media.

The Central Electoral Committee shall check whether the forms for the collection of voter signatures have been completed correctly not later than within 10 days of the receipt thereof. In the event that it is discovered that a citizen has signed for the same candidate more than once, none of his signatures shall be counted. Signatures of the citizens who did not record all of the necessary information or who recorded incorrect information shall also be annulled.

If, after all invalid votes are cast off, the candidate to the office of President of the Republic has the signatures of at least twenty thousand of voters, the Central Electoral Committee must register the individual as a candidate to the office of President of the Republic not later than within 24 hours. Refusal of the Central Electoral Committee to register an individual as a candidate to the office of President of the Republic may be appealed against to the Higher Administrative Tribunal of Lithuania not later than within 3 days (including non-working days), and the said Tribunal must investigate the appeal within 72 hours. This term shall include non-working days as well. The decision of the Higher Administrative Tribunal of Lithuania shall become effective from its pronouncement.

Individuals who have been nominated or who have nominated themselves as candidates to the office of President of the Republic shall acquire the status of candidate to the office of President of the Republic upon their registration as candidates to the office of President of the Republic with the Central Electoral Committee.

The Central Electoral Committee shall officially announce the list of all individuals who have been registered as candidates to the office of President of the Republic no later than 30 days prior to the day of the elections, and shall issue said individuals with certificates of candidacy to the office of President of the Republic within 24 hours of the announcement thereof. The campaign for elections of the President of the Republic shall commence on the day of the official announcement of the list of candidates to the office of President of the Republic.

Article 35. Agents of Candidates to the Office of President of the Republic

Individuals who have been registered as candidates to the office of President of the Republic shall have the right to have their own agents. Candidates to the office of President of the Republic shall submit their list of agents to the Central Electoral Committee, which shall, not later than within 24 hours, issue agent certificates (indicating the

name and surname of the candidate) to the agents of the candidates to the office of President of the Republic.

On the instruction of the candidate to the office of President of the Republic, an agent of the candidate to the office of President of the Republic shall have the right to represent the candidate in meetings with voters and in the mass media, to raise funds for financing the elections, and to carry out other instructions of the candidate to the office of President of the Republic which do not contradict laws.

Candidates to the office of President of the Republic may at any time recall their agents. Upon receiving such a request from a candidate to the office of the President of the Republic, the Central Electoral Committee shall adopt a decision concerning the recall of an agent and shall announce it publicly.

Article 36. Observers of the Elections of the President of the Republic

All political parties and political organisations which have nominated an individual as a candidate to the office of President of the Republic as well as candidates to the office of President of the Republic shall have the right to appoint in writing observers to each electoral committee. Observer of the Elections of President of the Republic certificates shall be issued immediately. The certificates shall be issued by:

1) the Central Electoral Committee - to observers who have been appointed to observe the activities of the Central Electoral Committee, as well as the activities of town, region electoral committees; and
2) town, region electoral committees - to observers who have been appointed to observe the activities of the electoral committees of electoral districts.

Election observers shall have the right to be present at the sittings of electoral committees whose activities they have been appointed to observe and to demand that the chairperson and members of the electoral committee observe this Law.

Protests presented by observers in writing shall be attached to the records and decisions of the electoral committee.

In cases provided for in this Law and according to the procedure established therein, observers shall have the right to appeal against the decisions of electoral committees.

Organisations or candidates to the office of President of the Republic who have appointed observers shall have the right to recall the observer in writing at any time. The observer shall be deemed recalled from the moment the declaration of recall is submitted to the electoral committee which issued the observer's certificate to the individual.

V. GUARANTEES OF THE ACTIVITIES OF CANDIDATES TO THE OFFICE OF PRESIDENT OF THE REPUBLIC

Article 37. The Right of Candidates to the Office of President of the Republic to Speak at Meetings or through Mass Media

After the official publication of the list of candidates, the candidates to the office of President of the Republic shall have equal right to speak at voter meetings or at any other meetings, gatherings, or conferences, and to utilise state mass media and publicise their election programme.

Heads of state institutions of power and government must assist the candidates to the office of President of the Republic to organise meetings with voters and to obtain necessary information, with the exception of confidential information.

Article 38. The Right of Candidates to the Office of President of the Republic to be Relieved from Work or Service Duties During the Election Campaign

Upon his or her request, a candidate to the office of President of the Republic may be relieved from work or service duties for the period of the election campaign but for no longer than 2 months. During this period, the candidate shall be paid two average monthly wages from State resources.

Article 39. The Immunity of the Person of a Candidate to the Office of President of the Republic

During the election campaign and directly following the elections, candidates to the office of President of the Republic may not be found criminally responsible or arrested, and may not be imposed with administrative penalties by court for their actions during the election campaign of the President of the Republic without the consent of the Central Electoral Committee.

The Central Electoral Committee together with the Ministry of the Interior must arrange for the security of candidates to the office of President of the Republic, paid from the State funds. A candidate may refuse from such security, and he may also hire security at his own expense.

Article 40. Amenability for the Violation of the Republic of Lithuania Law on Presidential Elections

Individuals who obstruct, by means of violence, fraud, threats, or any other way, the implementation the right of voters to elect the President of the Republic, and the organisation of campaigning, as well as the members of electoral committees and other officials who have falsified documents of the election, intentionally counted the votes incorrectly, or violated voting secrecy, or this Law in any other way shall be responsible according to the laws of the Republic of Lithuania. Legal actions shall be also brought against individuals who have announced or publicised in any other way false information concerning a candidate to the office of President of the Republic, or who have interfered with a candidate's meeting with voters.

VI. CAMPAIGNING

Article 41. The Basic Principles of Campaigning

Political parties and political organisations, as well as citizens and candidates to the office of President of the Republic may begin campaigning from the day the campaign of the elections of the President of the Republic starts to which the provisions of this Chapter shall be applicable.

Campaigning may be conducted in any form or manner provided that they do not contradict the Constitution and laws of the Republic of Lithuania. The commencement of campaigning shall be declared by the Central Electoral Committee.

Article 42. Conditions and Procedure for the Use of Mass Media

Candidates to the office of President of the Republic shall all have equal opportunity to use State mass media free of charge for the purpose of campaigning. The actual duration and time of broadcasts of the National Radio and Television of Lithuania used for each candidate's campaign for the elections of the President of the Republic shall be established by the Central Electoral Committee in co-ordination with the heads of the National Radio and Television of Lithuania and set in a manner which ensures that principals of equality are maintained among the candidates to the office of President of the Republic.

Candidates to the office of President of the Republic may use the time allotted to them in the National Radio and Television of Lithuania themselves or may permit political parties or political organisations indicated by them, as well as to their agents or other specified individuals, to conduct campaigning at the fixed time.

Only the special account of the Elections of the President of the Republic shall limit campaigning in the commercial mass media.

All disputes concerning campaigning shall be settled by the Central Electoral Committee, which shall base itself on the principle of equality of candidates to the office of President of the Republic.

Upon the demand of a candidate to the office of President of the Republic or the candidate's agent, mass media which has publicised compromising material about the said candidate to the office of President of the Republic must publicise the countering opinion of the candidate or his agent at least 5 days prior to the day of election.

Article 43. Prohibition to Conduct Election Campaigning while Abusing one's Official Position

Anyone shall be prohibited from abusing his official position in state or local authority institutions, offices or organisations, as well as in the state or local authority mass media when carrying out election campaign, from instructing other persons to do so, or from trying to exert influence upon the will of voters in any other manner, while using his official position. State, municipal officers shall be prohibited from using their official position in creating for themselves or others exceptional election campaigning conditions. In the event the officer violates this Article, criminal or administrative action may be brought against him in a manner prescribed by law.

If a person is a candidate for President of the Republic, he can use the state or local authority mass media only according to the procedure set forth in Article 42 of this Law. If the fulfilment of their duties requires to announce to the mass media important news, they can do it only at a press conference. The state or local authority mass media can publicise only a recording of such conference, which contains no election campaigning.

Article 44. Financing Campaigning

Campaigning shall be financed from State funds as well as from the funds raised by political parties and political organisations, and citizens and candidates to the office of President of the Republic and which shall be accumulated in special accounts for Elections of the President of the Republic in the Savings Bank of Lithuania as well as its branches.

Candidates to the office of the President of the Republic shall be paid from State funds on an equal basis for the time, specified in this Law, on the National Radio and Television of Lithuania, the printing of a candidate's

campaign poster, and the publishing of election programmes. The utilisation of State funds allocated for campaigning shall be controlled by the Central Electoral Committee and by the Savings Bank of Lithuania. The Central Electoral Committee and the Savings Bank of Lithuania must publicise the report concerning utilisation of State funds for campaigning in the press not later than within 15 days after the election of the President of the Republic.

Candidates to the office of President of the Republic, as well as the elected President of the Republic, shall announce all funds which were received and utilised for the elections (indicating their sources) in the press not later than within 30 days after the election of the President of the Republic.

Article 45. Prohibition of Campaigning on the Day of Election

Campaigning shall be prohibited 30 hours preceding the commencement of elections and on the day of elections, with the exception of permanent visual campaign material in the places intended for this, provided that it was displayed at least 48 hours prior to the beginning of the elections. During this time, no visual campaigning material (with the exception of those which are issued by the Central Electoral Committee) may be displayed in a polling place or within 50 metres of the building in which a polling place is situated.

VII. PREPARATORY ACTIVITIES FOR THE ORGANISATION OF ELECTIONS

Article 46. Ballot-papers

For elections of the President of the Republic, each voter shall be presented with a ballot-paper which shall contain the name and surname of each candidate to the office of President of the Republic. Candidates to the office of President of the Republic shall be listed in alphabetic order.

Article 47. Delivery of Ballot-papers

Town, region electoral committees shall recount the received ballot-papers and envelopes and shall draw up a report of the receipt thereof.

Town, region electoral committees shall deliver ballot-papers to the electoral committees of electoral districts at least 12 hours prior to the beginning of voting. The electoral committees of electoral districts shall recount the ballot-papers and draw up a report of the receipt thereof.

Town, region electoral committees shall deliver ballot-papers and envelopes to central post offices at least 2 days before the beginning of voting by mail.

At diplomatic missions of the Republic of Lithuania, voters must be provided with free access to ballot-papers and envelopes for voting by mail at least 15 days prior to the election day, on ships voters must be provided with free access to the text of ballot-papers not less than 15 days prior to elections. On ships ballot-papers shall be printed according to their description sent by a radiogram.

The Central Electoral Committee shall be responsible for the issue, calculation and delivery of ballot-papers and envelopes within the indicated time period.

Article 48. Repealed 9 October 1997

VIII. VOTING

Article 49. Time and Place of Voting

Voting shall take place on the day of election from 7 a.m. to 9 p.m. in the polling place designated by the electoral committee. Voters shall only vote in the electoral district in whose voter list their names have been included. Votes received by mail shall be valid only in the electoral district in whose voter list the name of the voter has been included.

Article 50. Preparation of Polling Places

A polling place of the electoral district must be completely prepared for elections not later than 12 hours before the beginning of voting. The electoral committee must also have counted all ballot papers received from the town, region electoral committee and drawn up their acceptance report. In the polling place of an electoral district there must be a ballot box , secret voting booth (booths) in which a voter could fill ballot papers in secrecy. Election posters, issued by the Central Electoral Committee, must be displayed in the polling place. The text of this Law must be accessible in each electoral district. The election campaign material, except for the material issued by the Central Electoral Committee, shall be removed from the polling place, passageways leading to or out of it (corridors) and within 50 metres of the building in which the polling place is situated. Working places for the electoral committee members, local election observers must be also arranged. Upon completion of preparing, the polling place shall be closed, sealed, left under the police protection, and the chairman of the electoral committee of the electoral district shall inform the town, region electoral committee about this.

Other requirements for preparation of polling places shall be established by the Central Electoral Committee

Article 51. Commencement of Voting

On the day of election, the polling place shall be opened only if at least 3/5 of the members of the electoral committee of the electoral district are present. Then, the chairperson of the electoral committee, together with other members of the electoral committee, shall make sure that the ballot-box is empty and shall seal it. Having checked that the polling place has been furnished without violating the established requirements, the chairperson of the electoral committee of the electoral district shall register the total number of the received ballot-papers into the record of the calculation of votes, distribute the ballot-papers and voter lists among the members of the electoral committee, register the number of ballot-papers distributed among each electoral committee member into the record of the calculation of votes, and open the voting place, thereby proclaiming the commencement of the elections.

Article 52. Voter Identification

At the entrance to the polling place, a voter shall present his voter certificate, passport or other document proving his identity and citizenship to an electoral committee member of the electoral district. Upon having established that the voter has arrived at the electoral district in whose list of voters his name has been included, a committee member shall hand the voter an arrival card, stamped with the seal of an electoral district, indicating which the voter was to come to the polling place to vote and shall show the committee member to be applied to for a ballot. It shall not be allowed to hand several arrival cards to one voter or to hand another voter's arrival card to him. If upon arriving at the polling place, the person does not have the required documents or it is not clear whether he has been registered in the list of voters of this electoral district, the committee member shall not hand the arrival card to this person, shall hand him a guest's card and refer him to the committee chairman or deputy chairman to find out about voting.

The committee member who is instructed to hand ballot papers, having established on the basis of the produced documents that the person who arrived to vote is indeed the citizen who has been registered in the list of voters, or if two citizens of the Republic of Lithuania registered in the list of voters of that electoral district witness to this fact in writing to the electoral committee chairman, shall find the surname of the voter on the list of voters, and shall take the voter certificate and the arrival card from the person. After the voter and the committee member who hands ballot papers sign in the list of voters of the electoral district, the voter shall be handed ballot papers. The voter certificate and arrival card shall not be returned to the voter. In voting by post, an entry shall be made on the voter certificate concerning the issue of a ballot paper, and the voter certificate shall be returned to the voter.

It shall be prohibited to hand the voter the ballot paper of another person. The member of an electoral committee who violates this provision shall be liable under law.

Article 53. Voting Procedure

Having been handed the ballot-paper, the voter shall go into a voting booth and mark the ballot personally. The voter may only enter the voting booth alone. The only exceptions shall be in cases provided for in part 5 of this Article.

On the ballot-paper, the voter shall mark the name of the candidate for whom he is voting.

Voters shall personally cast their marked ballot-papers into the ballot-box.

Upon the request of a voter, faulty ballot-papers shall be exchanged for new ones by the decision of the electoral committee of the electoral district. The chairperson of the electoral committee shall cross out the faulty ballot paper in ink (ball-point pen) and shall sign it. The electoral committee secretary and one of the members shall also sign the faulty ballot-paper. Faulty ballot-papers shall be kept separately.

Voters who are physically unable to mark their ballot-papers themselves or cast them into the ballot-box may designate another person to mark the ballot-paper and cast it into the ballot-box for them. Electoral Committee chairpersons or members, as well as election observers, shall be prohibited from carrying out such actions for voters.

Article 54. Voting by Post

Voting by post shall provide citizens who are not able to arrive at an electoral district to vote due to the health or other reasons with a possibility to participate in elections . Voting by post shall be possible at town, region post offices during their business hours beginning with 5 days before the election and ending with 1 day prior to the election, provided the voter is put on the voter list of that town, region, and ending 2 days prior to the election, provided the voter is not put on the voter list of that town,

region. Expenses related to voting by post shall be covered by the State.

The head of the post office shall be responsible for the organisation of voting by post. He shall be responsible for keeping of records, issue and collection of ballot papers and voucher envelopes during voting by post.

The head of the post office, with the consent of the town, region electoral committee, shall, for the issue and collection of ballot papers and voucher envelopes during voting by post, appoint postal workers (officers) who are entrusted with the issue of ballot papers and voucher envelopes. If the town, region electoral committee requests so, the head of the post office must remove a postal worker from the work with election documents. Postal workers who are authorised to issue election papers shall be issued by the town, region electoral committee the certificates of the established form. An electoral committee member, election observer, having produced his certificate to the postal worker, a voter, having produced the voter certificate and the document proving his identity, shall have the right to write his remark in this certificate, and the head of the post office shall immediately notify the town, region electoral committee about this remark. The postal worker who does not have this certificate shall not have the right to issue election papers. Post offices must provide a room (place) where the voter can, without interference and in secrecy, mark the ballot papers and put them into a voucher envelope. Voting procedure may be watched by the observers who have the certificates allowing to observe election in any electoral district.

The postal worker shall issue election documents in accordance with the procedure established by the Central Electoral Committee. Together with ballot papers, voters shall be given envelopes for voting by post. An outer envelope for voting by post shall be addressed by the postal worker to the electoral committee of the electoral district which is indicated in the voter certificate of the person.

Voting in secrecy, the voter shall:

1) mark the ballot papers;
2) put the marked ballot papers into the voucher envelope;
3) seal the voucher envelope;
4) put the voucher envelope into the outer envelope together with the voter certificate;
5) seal the outer envelope.

The outer envelopes, voucher envelopes, and ballot papers shall, at least 2 days prior to the election, be delivered by a postman to the homes of voters who are not able to arrive for voting at a post office or at an electoral district on the polling day due to health reasons. Together with a postman not less than 2 committee members, as well as observers may arrive at the voter's home. The list of these voters shall be compiled at least 15 days before the elections by the electoral committees of the electoral district in accordance with the data submitted in writing by town, regional social guardianship and care institutions and with requests to ensure a possibility to vote at home, which are filled out by citizens personally according to the form established by the Central Electoral Committee. The requests of citizens must be also approved by the heads of town, region social guardianship and care institutions or by the officers who are authorised by them for that purpose. The requests and lists compiled by the town, and regional social guardianship and care institutions shall be added to the list, compiled by the district electoral committee, of the voters who are not able to arrive for voting at a post office or at an electoral district on the polling day due to health reasons. Postal workers, members of electoral committees or other individuals may not bring outer envelopes, voucher envelopes and ballot papers to the homes of voters who are not registered on the list of the voters who are not able to arrive for voting at a post office or at an electoral district on the polling day due to health reasons. The following may be registered on the list of the voters who are not able to arrive for voting at a post office or at an electoral district on the polling day: I group invalids, persons with a locomotor disability (I and II groups) and the persons with temporary incapacity to work, if they have submitted requests, provided for in this paragraph of the Article, to ensure a possibility to vote at home.

The sealed outer envelope (with the voter certificate, voucher envelope and ballot papers in it) the voter may:

1) hand to a postal worker;
2) hand to the postman who has delivered the election documents to him; or
3) put into a post-box.
4) hand the enclosed in envelopes election ballot, to the captain of a port bound ship and entrust him with the posting of the ballot.

When a voter casts a vote at home, it shall be prohibited to exert any influence on his decision and to hasten him to vote. The voter who has no physical defects preventing him from marking a ballot paper, shall personally put the secretly marked ballot paper into the voucher envelope, seal it, place the sealed voucher envelope into the outer envelope together with the voter certificate and seal it.. On

the request of the voter who, due to his physical defects, is not able to do that himself, this shall be performed by the person (except a postman, electoral committee member or observer) chosen by the voter whom he trusts and who must maintain confidentiality of the voting. The voter may deliver the sealed outer envelope to a postman or post it on the same or another day.

Article 54[1]. Voting in Diplomatic Missions

Voting in diplomatic missions (consulates) of the Republic of Lithuania may take place during its business hours, but for at least 4 hours a day. If the voter requests so, the diplomatic mission (consulate) may send and accept election documents from him by post.

On the recommendation of the Ministry of Foreign Affairs, the Central Electoral Committee shall compile the list of diplomatic missions (consulates) in which voting shall be conducted and shall establish voting days (no less than 10) for each diplomatic mission (consulate).

The head of the diplomatic mission (consulate) shall be responsible for the organisation of voting.

Article 54[2]. Voting on a Ship

Voting shall take place aboard a ship if the ship leaves a port of the Republic of Lithuania at least 12 days prior to an election and does not return until the day of the election, or if other circumstances are such that a crew member or a board passenger who has the right to elect is unable to vote in his electoral district, by post or in a diplomatic mission.

The list of ships, on which there are no less than 10 crew members - voters, with which the radio communication shall be maintained during the voting and on which voting shall take place, as well as the time of voting on each ship shall be compiled by the Central Electoral Committee. The Central Electoral Committee shall also set a time for voting on each ship so that each voter who is aboard a ship would be given the opportunity to vote. The captain of the ship, who is a citizen of the Republic of Lithuania, shall be responsible for the organisation of voting on a ship.

Voting shall not be organised on ships in which there are no conditions for organising the voting in accordance with the requirements of this Law.

Article 54[3]. The Procedure for Voting in Diplomatic Missions and on Ships of the Republic of Lithuania

Electoral committees shall be formed in diplomatic missions (consulates) and ships of the Republic of Lithuania for organising the voting and calculating the votes cast.

Electoral committees shall be composed of a chairman and at least two members. The head of a diplomatic mission or consulate of the Republic of Lithuania shall form electoral committees from the staff members of the diplomatic mission or consulate or from other citizens of the Republic of Lithuania residing in the foreign state. The procedure for giving written pledges of electoral committee members shall be established by the Central Electoral Committee.

Electoral committees on ships shall be formed by the captain of a ship, taking into consideration the decision of the meeting of the ship's crew - citizens of the Republic of Lithuania .

The procedure for voting, vote calculation, submitting of vote calculation records to the Central Electoral Committee, as well as the procedure for issuing certificates to observers shall be established by the Central Electoral Committee.

Article 54[4]. Voting in Medical Treatment Facilities and Institutions of Social Guardianship and Care Institutions

Special post offices designated for voting shall be established in medical treatment facilities and institutions of social guardianship and care. At least 20 days before the election the town, region electoral committee shall: on the recommendation of heads of medical treatment facilities, institutions of social guardianship and care, compile the list of special post offices; on the recommendation of the head of the post office, establish the working hours of these post offices. The head of the institution or facilities shall allot the place appropriate for voting and shall be responsible that the voters are notified about the working place and time of a special post office, and that the conditions should be created for voters to reach it.

Patients of such facilities and institutions who are able to move shall vote themselves in the voting place in accordance with the procedure set forth in Article 54 of this Law.

Inmates of medical treatment facilities and institutions of social care who are unable to arrive at the polling place due to health reasons shall be visited by at least two electoral committee members, observers (should they participate) and officers of special post offices.

A voting person must, in conditions of secrecy, personally mark the ballot paper and put it into the voucher envelope. If necessary, he may be assisted by an individual (except an

employee of that institution, a postman, a member of the electoral committee, or an election observer) whom he trusts.

According to the instruction of the head of the medical treatment facilities or the institution of social guardianship or care, it may be prohibited to disturb patients who are in bad condition for the purpose of voting. Such instruction shall be obligatory to postmen.

It shall also be prohibited to disturb an individual for the purpose of voting, if the commission of doctors has concluded pursuant to the established procedure of the Ministry of Health Care that he is incapable of understanding the essence of his actions at the time of voting because of chronic mental disease, feeble-mindedness, or temporary mental disorder.

Article 54[5]. Voting in Military Units

Special post offices designated for voting shall be established in military units of the national defence system and internal service, as established in Article 544.

If possible, chief officers of military units shall provide conditions for servicemen to vote in the electoral districts of their permanent place of residence.

Article 54[6]. Voting in Places of Confinement

Special post offices designated for voting shall be established in places of confinement, as established in Article 544.

In accordance with the procedure set forth in the laws, heads of places of confinement may allow sentenced persons to vote in the electoral areas of their permanent place of residence.

Article 55. Repealed 19 September 1996.

Article 56. Repealed 19 September 1996.

Article 57. Repealed 19 September 1996.

Article 58. Repealed 19 September 1996.

Article 59. Repealed 19 September 1996.

Article 60. Repealed 19 September 1996.

IX. CALCULATION OF VOTES AND ESTABLISHMENT OF VOTING RESULTS

Article 61. Calculation of Voucher Envelopes and Ballot-Papers in Post Offices

The records of voucher envelopes and ballot papers shall be kept by the head of the post office, indicating the data of said records in a journal specially designated for this purpose in accordance with the procedure established by the Central Electoral Committee

The post office head shall deliver unused envelopes and ballot papers to the town, region electoral committee one day prior to elections.

The post office shall deliver envelopes containing ballot papers marked by voters to electoral committees of electoral districts on the day of the election, but not later than 2 hours before closing the election.

The Central Electoral Committee shall keep records of voucher envelopes and ballot papers in the Republic of Lithuania.

Article 62. Calculation of Ballot-Papers in Electoral Districts

Upon the closing of a polling place, the chairperson of the electoral committee of the electoral district, in the presence of at least 3/5 of the members of the electoral committee, shall close and seal the ballot-box slot, collect unused ballot-papers from each member of the electoral committee of the electoral district, record the number of unused ballot-papers in the vote calculation record, count them publicly, and check, according to signatures in the voter list, that no ballot-papers have been handed in unlawfully.

Unused and faulty ballot-papers shall be counted publicly by the electoral committee, annulled by cutting off the upper right corner, and put into envelopes specially designated for this purpose which shall thereafter be sealed. The number of unused and faulty ballot-papers shall be entered in the vote calculation record.

Article 63. Calculation of Votes in Electoral Districts and Registration of Voters who Have Voted

The electoral committee of the electoral district, in the presence of at least 3/5 of its members, shall inspect the ballot- box of the electoral district to: ensure that the seals have not been broken and that there is no other evidence which indicates that it could have been opened or that ballot-papers could have been removed in any other way. The committee, in the presence of at least 3/5 of its members, shall decide if the ballot box has been tampered with. If the committee decides that the ballot-box was tampered with, an act shall be drawn up about this and votes shall not be calculated.

Upon the ascertainment that the ballot-box has not been tampered with, the box shall be opened and the votes shall be calculated.

Votes shall be calculated in such a way that this procedure and ballot-papers marked by voters can be observed by all persons present during the calculation of votes. The Central Electoral Committee shall establish the concrete procedure for the calculation of votes.

Upon ascertainment that the ballot-box was not tampered with and in the presence of at least 3/5 of the members of the committee as well as observers, the box shall be opened, all ballot-papers shall be placed on tables on which there are no other documents and writing-materials, and the votes shall be counted.

The number of the voters of the electoral district shall be established according to the voter list of the electoral district. The number of voters who have been handed ballot-papers shall be established according to the voter lists testifying the receipt of the ballot-paper. The number of voters who have voted in the electoral district shall be established according to the number of ballot-papers found in the ballot-box of the electoral district. The number of voters who have participated in the elections shall be established according to the number of ballot-papers found in ballot-boxes of the electoral districts and the number of ballot-papers received by mail.

Upon finding more ballot-papers in the ballot-box than were handed to the voters, the committee shall take measures to clarify the reason.

The results of the vote calculation shall be entered in the vote calculation records.

Article 64. Registration of Voters who Have Voted by Mail and the Calculation of their Votes

After the calculation of ballot-papers found in the ballot-box, ballot-papers received by mail shall be calculated in the following procedure:

1) the chairperson of the electoral committee of the electoral district shall present, unopened, all outer envelopes received by mail. Their number shall be entered in the vote calculation record;
2) outer envelopes shall be opened one at a time;
3) voter certificates shall be taken out of the outer envelopes and checked against the voter list of the electoral district, and the voucher envelopes shall be stamped with the seal of the electoral district. If the person on the voter certificate is not on the voter list, if the voter has already signed the voter list indicating that he or she has already voted in the electoral district, if another envelope for voting by mail has been received from the same voter, if there is no voter certificate in the outer envelope, or if there is more than one voucher envelope in the outer envelope, the seal shall not be affixed and the ballot-paper in the envelope shall be considered invalid. This fact must be noted on the voucher envelope;
4) in the voter list of the electoral district, a special record of the receipt of the elector's vote shall be made by the surname of the voter whose vote has been received by mail;
5) the sealed voucher envelope shall be cast into the ballot-box prepared according to the established requirements; and
6) when all envelopes received by mail have been gone over in this way, and upon opening the unsealed voucher envelopes, the votes received by mail shall be calculated according to the requirements of Article 63. If there is more than one ballot-paper in the voucher envelope, all ballot-papers in the envelope shall be considered invalid.

If only one sealed voucher envelope is in the electoral district (committee), it, in order to protect the privacy of voting, shall not be opened, but shall be handed over to the senior electoral committee, which shall enter the results of the voting in its vote calculation record.

Article 65. Vote Calculation Records in Electoral Districts

A vote calculation record shall be drawn up in every electoral district. It shall include:

1) the number of voters in the electoral district;
2) the number of ballot-papers received from the town, region electoral committee;
3) the number of ballot-papers delivered to each member of the committee, the number of ballot-papers delivered to voters, the number of voters' signatures, the number of voter certificates, and the number of unused ballot-papers;
4) the number of unused ballot-papers;
5) the number of voters who have voted in the polling place of the electoral district;
6) the time that the ballot-box is opened;
7) the number of invalid ballot-papers found in the ballot box;
8) the number of valid ballot-papers found in the ballot box;

9) the number of votes found in the ballot-box which have been separately cast for each candidate to the office of President of the Republic;
10) the number of envelopes received by mail and the number of sealed voucher envelopes;
11) the number of invalid ballot-papers received by mail;
12) the number of valid ballot-papers received by mail;
13) the number of votes received by mail for each candidate to the office of President of the Republic;
14) the total number of voters who participated in the elections in the electoral district;
15) the total number of invalid votes in the electoral district; and
16) the total number of votes cast for each candidate to the office of President of the Republic.

If more ballot-papers are found in the ballot-box than it has been delivered to voters, this shall be entered in the vote calculation record, indicating the number of extra ballot-papers which were found.

The vote calculation record of the electoral district shall be signed by the chairperson and members of the electoral committee of the electoral district. After that the observers shall sign the record. Their observations and the opinions of the members of the committee shall be attached to the record and shall be an inseparable part thereof.

Article 66. Invalid Ballot-papers

Invalid ballot-papers shall be:

1) ballot-papers which are not of the established sample;
2) ballot-papers which are sealed with the seal of the wrong electoral district;
3) ballot-papers on which more than one candidate to the office of President of the Republic are marked by the voter; and
4) ballot-papers on which the voter has not marked any of the candidates to the office of President of the Republic.

The decision to declare a ballot invalid shall be made by the electoral committee of the electoral district.

Article 67. Presentation of Electoral District Vote Calculation Documents to Town, region Electoral Committees

The electoral committee of an electoral district shall put all ballot-papers, including invalid and unused ballot-papers, all voucher envelopes, vote calculation records, voter lists and other election documents into a package and shall seal it in accordance with the procedure established by the Central Electoral Committee. The package shall be delivered to the town, region electoral committee within 6 hours of the closing of voting.

The Central Electoral Committee and the Ministry of the Interior must ensure the safety of the transportation of election documents as well as of the persons transporting them.

Article 68. The Calculation of Votes in Town, Region Electoral Committees

Town, region electoral committees shall begin calculating votes upon receiving all vote calculation records and other election documents from all electoral districts.

The town, region electoral committee shall accept the documents delivered by the electoral committee of the electoral district and shall check:

1) whether all required documents (packages) have been delivered;
2) sealing and descriptions of the packages (whether the description is full and correct);
3) whether all data have been entered in the vote calculation record; if they do not contradict one another; if they correspond to the data available to the town, region electoral committee (the number of ballot papers issued to the electoral committee of the electoral district, the number of voters, the number of outer envelopes received by post); if there are all necessary signatures; whether all separate opinions of the committee members, remarks of observers are attached to the record in which they are specified; and
4) whether all remarks and complaints of voters have been considered in the electoral committee of the electoral district.

The town, region electoral committee shall immediately report the data of the vote calculation record, its comments concerning the documents submitted by the electoral committee of the electoral district to the Central Electoral Committee, in the manner prescribed by it, and shall ensure the safety of submitted documents.

The packages sealed by the electoral committees of the electoral districts, which contain ballot papers, may be opened in the town, region electoral committee only by the decision of the town, region electoral committee.

Upon establishing the shortage of documents submitted by the electoral committee of the electoral district, the town,

region electoral committee shall take measures to eliminate the shortage, request the chairman of the electoral committee of the electoral district to supply the missing documents.

The town, region electoral committee shall calculate the votes in the following manner: sums up the documents submitted by the electoral committees of the electoral districts and adds to them those votes cast by the voters by post, which have been counted in the town, region electoral committee.

Article 69. Town, Region Vote Calculation Records

According to the electoral district vote calculation records, ballot-papers, and other election documents, the town, region electoral committees shall establish:

1) the number of voters who have participated in the town, region elections, which shall equal the number of voters who have voted in the town, region electoral districts;
2) the number of invalid ballot-papers in the town or region which shall equal the number of invalid ballot-papers in the town, region electoral district;
3) the number of ballot-papers valid in the town or region, which shall equal the number of ballot-papers valid in the town, region electoral district; and
4) the number of votes cast for each candidate to the office of President of the Republic. This number shall equal the sum of votes received in the electoral districts separately for each candidate to the office of President of the Republic.

These data shall be entered in town, region vote calculation records, which shall then be signed by the chairperson and members of the respective town, region electoral district.

Article 70. Presentation of Town, Region Vote Calculation Records to the Central Electoral Committee and Establishment of Election Results

The Central Electoral Committee may begin to establish the election results after the vote calculation records of the electoral committees of all towns and regions, as well as other documents have been received.

The town, region electoral committee shall put all documents (except financial documentation) received from the electoral districts, voter lists, the vote calculation records of the town, region electoral committee, records pertaining to the whole period of activities of the town, region electoral committee and other election documents into special packages, shall seal them. The packages shall, within the time limit established by the Central Electoral Committee, be delivered to the Central Electoral Committee.

According to the vote calculation records of the town, region electoral committees and the vote calculation records in diplomatic missions, the Central Electoral Committee shall establish:

1) the number of voters of the Republic of Lithuania;
2) the number of voters who participated in the elections;
3) the number of invalid ballot-papers;
4) the number of valid ballot-papers; and
5) the number of votes cast for each candidate to the office of President of the Republic.

While investigating the complaints filed in the procedure established by this Law, the Central Electoral Committee may recount ballot-papers and, upon the establishment of errors in their calculation, may correct entries in vote calculation records. The Central Electoral Committee may not consider invalid vote calculation records of electoral committees of electoral districts, town, region electoral committees due to errors found in vote calculation records.

Upon the establishment that gross violations of this Law were committed during voting or that the document forgery had a decisive influence on the results of the election of the President of the Republic, the Central Electoral Committee may consider the results of the elections to the office of the President of the Republic invalid.

A candidate to the office of President of the Republic shall be considered elected if during voting for the first time in which at least half of all voters participate, he receives more than half of the votes of all voters participating in the elections. If less than half of all voters participated in the elections, a candidate shall be considered elected when he receives the most, but no less than one-third of votes of all voters.

If during the first voting round none of the candidates get the required majority vote, a repeat vote shall be held within 2 weeks of the election day in the procedure established by this Law between the two candidates who received the most votes in the first voting round. The Central Electoral Committee shall proclaim this voting on the same day as the final results of the first round of voting. The candidate who gets more votes shall be considered elected.

If no more than two candidates participate in the first voting round and neither of them get the required number of votes, repeat elections for the office of President of the Republic shall be held within 45 days of the day of the elections in the procedure established by this Law.

Article 71. Participation of Observers in the Calculation of Votes and the Establishment of Election Results

Observers of political parties and political organisations which have nominated candidates to the office of President of the Republic, observers appointed by candidates to the office of President of the Republic, and representatives of all mass media may participate in the calculation of votes in electoral districts and town, region electoral committees, as well as in the establishment of election results in the Central Electoral Committee.

Observers shall have the right to make remarks and claims to electoral committees concerning violations of this and other laws of the Republic of Lithuania, but they must not hinder the work of electoral committees. Observers shall have the right to make written protests which must be added to the electoral committee records and decisions and, together with other election documents, must be delivered to the senior electoral committee.

Article 72. Publication of Election Results

The final results of elections of the President of the Republic shall be publicised by the Central Electoral Committee within 5 days of the elections.

The results of repeat elections of the President of the Republic shall be publicised by the Central Electoral Committee within 5 days of the day of the repeat vote.

Article 72[1]. Inquiry Concerning the Violation of the Law on Presidential Elections

Not later than within 3 days of the official proclamation of the election results, the Seimas of the Republic of Lithuania may appeal to the Constitutional Court of the Republic of Lithuania with the inquiry whether or not the Law on Elections has been violated during the elections of the President of the Republic.

The Constitutional Court of the Republic of Lithuania shall investigate and evaluate the decision only of the Central Electoral Committee or its refusal to investigate complaints concerning the violations of the Law on Elections in the cases when decisions have been adopted or other actions of said Committee have been performed after the closing of voting while holding elections of the President of the Republic.

This inquiry shall be investigated by the Constitutional Court of the Republic of Lithuania not later than within 72 hours of its submission to the Constitutional Court. Non-working days shall be included in this period.

Following the findings of the Constitutional Court of the Republic of Lithuania, the Seimas of the Republic of Lithuania shall adopt the final decision concerning the violation of the Law on Presidential Elections.

If the Constitutional Court of the Republic of Lithuania makes a conclusion that the Central Electoral Committee has severely violated the Law of the Republic of Lithuania on Presidential Elections or has falsified election documents, and this has had an essential influence on the establishment of the election results, the Seimas of the Republic of Lithuania may pass one of the following resolutions:

1) to declare the election results invalid - when, from the vote calculation records, it is impossible to establish real election results; or
2) to establish real final election results according to the vote calculation records confirmed by electoral committees, provided that the decisions of the committees concerning confirmation of these records have not been appealed against in the Higher Administrative Tribunal of Lithuania, and the Higher Administrative Tribunal of Lithuania has not reversed the decisions of the committees concerning confirmation or non-confirmation of these records.

Upon declaring the results of the elections of the President of the Republic invalid, repeat elections of the President of the Republic shall, not later than within 3 months of the election day, be held in the manner prescribed by this Law.

Article 73. Repealed 19 September 1996.

Article 74. Preservation of Documents of Elections of the President of the Republic

The Central Electoral Committee shall, not later than within 3 months of the proclamation of the final results of the elections, prepare and publish a book about the results of the elections, and shall within 4 months transfer vote calculation records of electoral districts and electoral areas, nomination documents (except the forms for the collection of voters' signatures), minutes of the sittings as well as the decisions of the Central Electoral Committee and a set of sample election documents to the State Archives for permanent preservation. After that the Central Electoral Committee may, in a prescribed manner,

decide to destroy the election documents which are not subject to preservation.

Acting President of the Republic

ALGIRDAS BRAZAUSKAS

Vilnius

22 December 1992

No. I-28

Republic of

MACEDONIA

LAW ON THE ELECTION OF MEMBERS OF THE PARLIAMENT OF THE REPUBLIC OF MACEDONIA

Adopted on April 24, 1994
Amended in July 1999

I. BASIC PROVISIONS

Article 1
Ways, conditions and procedure for the election of Members of Parliament for the Parliament of the Republic of Macedonia are regulated by this Law.

Article 2
One hundred and twenty Members of Parliament are elected for the Parliament of the Republic of Macedonia (hereinafter: Parliament).

Out of the total number of Members of Parliament 85 are elected according to the majority principle in the electoral districts defined by law, and 35 are elected according to the principle of proportionality, whereby the territory of the Republic of Macedonia represents one electoral district.

In the electoral districts in which one Member of Parliament is elected, the number of voters may vary from minus 10% to plus 10% at the most in relation to the average number of voters in the electoral districts.

If after the adoption of the Law on electoral districts, the number of voters in a particular electoral district is increased, that is decreased, the electoral districts shall not be altered until the adoption of the new law on the electoral districts.

Article 3
Members of Parliament are elected at general, direct, and free elections, by secret ballot.

Nobody is allowed to claim responsibility of the citizen because of his/her voting, or ask him/her to tell whom he/she has voted for or why he/she has not voted.

Article 4
Every citizen of the Republic of Macedonia who has reached 18 years of age and has a mental capacity has the right to vote.

Article 5
Each citizen of the Republic of Macedonia who has:
- reached 18 years of age;
- mental capacity;
- is not serving a sentence of imprisonment for committed criminal offence, has the right to be elected for Member of Parliament.

Article 6
An Member of Parliament's office is incompatible with the office of President of the Republic of Macedonia, Prime Minister of the Republic of Macedonia, minister, judge of the Constitutional Court of the Republic of Macedonia, judge, public prosecutor, and with other holders of offices elected or appointed as a professional duty by the Parliament and the Government of the Republic of Macedonia.

A Member of Parliament's office is incompatible with the office of a mayor and member of a council in a municipality and the City of Skopje.

A Member of Parliament's office is incompatible with the performance of expert and administrative matters in the state administration bodies.

The office of the holders of offices under paragraphs 1 and 2 of this Article, shall terminate on the day of verification of the mandate as Member of Parliament.

The employment of the persons referred to in paragraph 3 of this Article during their term of office shall temporarily cease from the day of verification of the mandate for Member of Parliament.

Article 7
The service of the members of the armed forces of the Republic of Macedonia, the members of the Republic of Macedonia Police in uniform on leading positions, the authorized officials in the Ministry of the Interior, the Ministry of Defence, and the Intelligence Agency shall cease temporarily on the day they shall be determined as candidates for Members of Parliament.

The office of the persons of paragraph 1 of this Article shall terminate temporarily on the day their mandate as Member of Parliament is verified.

Article 8
The Members of Parliament may not be revoked.

Article 9
Elections for Members of Parliament are held every fourth year, in the last 90 days of the mandate of the old Parliament composition or within 60 days of the day of dissolving the Parliament.

The day on which the time limits for performing election activities begin to run and the day of holding the elections are determined by the Election Announcement Act which is adopted by the President of the Parliament.

The Election Announcement Act is announced in "Official Gazette of the Republic of Macedonia."

Article 10
Activities, acts, communications, and other documents relating to the carrying out of the elections for Members of Parliament are exempted from paying fees and all activities within the electoral procedure are exempted from all kinds of taxes.

II. BODIES IN CHARGE OF CARRYING OUT THE ELECTIONS

Article 11
Bodies in charge of carrying out the elections are:
- The State Electoral Commission,
- Electoral Commissions in electoral districts (hereinafter: Electoral Commissions), and
- Electoral Boards.

Article 12
The State Electoral Commission is composed of a president, eight members and their deputies.

The State Electoral Commission has a secretary and his/her deputy.

The president, the members of the State Electoral Commission, the secretary, and their deputies shall be appointed by the Parliament for a term of four years.

The president, the members of the State Electoral Commission, the secretary, and their deputies shall be appointed upon the proposal by the Commission for Elections and Appointments Matters.

Article 13
The president and two members of the State Electoral Commission and their deputies shall be appointed from among the judges at the Supreme Court of the Republic of Macedonia.

Political parties in opposition who have won the largest number of votes on the latest elections shall propose three members of the State Electoral Commission and their deputies.

Three members of the State Electoral Commission and their deputies shall be proposed by the ruling political parties.

Law graduates shall be appointed as secretary of the State Electoral Commission and his/her deputy.

The secretary is not a member of the State Electoral Commission and is not entitled to vote.

Article 14
Political parties referred to in Article 13 paragraphs 2 and 3 of this Law, shall determine the members and their deputies, within 5 days of the day of receiving the notification to that aim from the President of the Parliament of the Republic of Macedonia.

If the political parties fail to determine and submit the names of the members and their deputies within the time-limit stated in paragraph 1 of this Article, the members and their deputies shall be proposed by the Election and Appointment Matters Commission.

The members of the State Electoral Commission and their deputies of Article 13 paragraphs 2 and 3 of this Law should, as a rule, be graduated lawyers.

Article 15
Electoral Commission shall be established for each electoral district.

Electoral Commissions shall be composed of a president, four members and their deputies.

The president, members of Electoral Commissions and their deputies shall be appointed by the State Electoral Commission for a four years' term.

The Electoral Commission shall have a secretary, who is a law graduate, and is appointed by the president of the Electoral Commission.

The secretary is not a member of the electoral commission and is not entitled to vote.

Article 16
The president and the members of Electoral Commissions are appointed within 20 days of the day of announcing the elections.

The President of the electoral commission and his/her deputy shall be appointed from among the judges of the court of first instance.

Two members and their deputies shall be appointed upon a proposal by the political parties in opposition which at the latest elections have won at least 5% of the votes of the voters who have voted.

Two members and their deputies shall be appointed upon a proposal of the ruling political parties.

Article 17

The political parties of Article 16, paragraphs 3 and 4 of this Law, shall submit their proposals for candidates for members of electoral commissions and their deputies to the State Electoral Commission within 15 days of the day of announcing the elections.

The political parties of Article 16, paragraphs 3 and 4 of this Law, candidates for members of the Electoral Commissions, and their deputies shall propose even in the cases when a member of his/her deputy shall resign. Political parties submit their proposals within 24 hours of receiving the notification by the State Electoral Commission.

If the political parties fail to submit a proposal within the time-limit determined in paragraphs 1 and 2 of this Article, the members of the electoral commissions and their deputies shall be appointed by the State Electoral Commission.

Article 18

The president of the Electoral Commission and his/her deputy, as a rule, shall be from the court of first instance covering the territory of the electoral district.

Members of the electoral commissions and their deputies may be only persons having the voting right.

Decisions on the appointment of electoral commissions shall be announced in "Official Gazette of the Republic of Macedonia."

Article 19

An electoral board shall be established for each electoral site.

Electoral boards shall be composed of a president, four members, and their deputies.

The president of the electoral board and his/her deputy shall be appointed by the president of the Electoral Commission, from among the citizens with a residence in the electoral district, where the respective electoral site is.

The members of the electoral boards and their deputies shall be appointed by the electoral commission.

Article 20

The president and the members of the electoral boards and their deputies shall be appointed 15 days prior to the day determined for holding the elections at the latest.

Two members and their deputies in the electoral board shall be appointed upon proposal of the political parties in opposition which at the latest elections have won at least 5% of the votes of the voters who have cast their votes.

Two members and their deputies in the electoral board shall be appointed upon proposal of the ruling political parties.

Article 21

The political parties of Article 20 paragraphs 2 and 3 of this Law, the candidates for members of the electoral boards, and their deputies shall be proposed 20 days at the latest before the day determined for holding the elections.

If the political parties fail to submit a proposal within the time-limit determined in paragraph 1 of this Article, the members of the electoral boards and their deputies shall be appointed by the electoral commission.

The president of the electoral commission shall appoint new members to the electoral board and their deputies in case members of the electoral board and their deputies abandon the electoral site without any justification.

Article 22

The president, the members of the electoral boards, and their deputies, may be only persons having the right to vote and a permanent residence in the territory of the electoral district.

Article 23

The bodies for the carrying out of the elections may work and decide if the majority part of the members is present.

The bodies for the carrying out of the elections make their decisions by the majority of the votes of the total number of the members.

Article 24

The members of the bodies for the carrying out of the elections, and the secretary, as well as their deputies may not be candidates for Members of Parliament.

If a member of the organ for the carrying out of the elections, the secretary, as well as their deputy accepts candidature for Member of Parliament, the office of a member, secretary, that is deputy shall cease.

Article 25

Members of the bodies in charge of carrying out the elections shall perform their office impartially, conscientiously and responsibly in accordance with the spheres of competence determined by this Law.

Members of the bodies in charge of carrying out the elections shall have the right to compensation for the job performed, the amount of which shall be established by the State Electoral Commission.

Article 26

Each list submitter shall be entitled to appoint a representative and his/her deputy that will follow the work of the electoral commission and electoral board starting from the beginning of the elections until the establishment and announcement of the results.

If there is a list submitter submitting both a candidate list and a list of candidates, he/she shall appoint one representative for both lists.

The list submitter shall issue an authorization to the representative and shall inform the electoral commission thereof.

The list submitter's representative at the session of the electoral commission may warn against any inconsistencies in its work, and if the same is not accepted, he/she may require that the warning be included in the minutes.

Article 27

The State Electoral Commission shall:

1. take care of the legality in the preparation and carrying out of the elections and give instructions;
2. appoint the composition of the electoral commissions, give instructions for their work, give explanations about the application of the provisions of this Law and about the carrying out of the elections ;
3. determine and announce the candidates lists for the elections of Members of Parliament according to the proportional principle, and shall determine their order on the ballot by drawing lots;
4. form assisting bodies for the carrying out of organisational-technical matters;
5. establishes common standards about the election material and other material conditions and takes care of their implementation;
6. prescribe forms for the carrying out of elections and publishes them in the Official Gazette of the Republic of Macedonia;
7. determine the way of handling and keeping the election material;
8. organize the printing of ballots and candidates lists (determines the form, size, colour and serial numbers of the ballots);
9. inform the public of the way of voting and of the exercise of the right to vote;
10. define the rules for participation in the elections of domestic and foreign observers and provides them with identification documents;
11. decides on complaints;
12. establish and announce the elections results according to the principle of proportionality;
13. announce the results from the held elections for Members of Parliament within three days of their holding;
14. submit a report to the Parliament of the Republic of Macedonia on the elections held;
15. issue certificates to the Members of Parliament elected;
16. perform other jobs provided for by law.

Article 28

The Electoral Commission shall:

1. take care of the legality in the carrying out of elections in the electoral district;
2. appoint the members of the electoral boards proposed by the political parties, and give instructions about their work;
3. determine the candidate lists, and determine the order on the unique candidate list;
4. announce the unique candidate list for the election of a Mamber of Parliament in the electoral district for the submitted and confirmed candidate lists;
5. undertake technical preparations for carrying out the elections according to the directions and instructions by the State Electoral Commission;
6. inform the citizens of the way and technique of voting;

7. register the authorized representatives of the candidates for following the work of the electoral commission and the electoral boards;
8. hand over the election materials to the electoral boards in a way determined by this Law;
9. establish the voting results for the election of a Member of Parliament in the electoral district within 24 hours after the electoral sites have been closed;
10. announce the results from the elections for electing a Member of Parliament in the electoral district and submit them to the State Electoral Commission;
11. determine the number of votes which the candidates lists have won individually and submit the results to the State Electoral Commission;
12. decide on complaints against irregularities in the work of the electoral boards;
13. fill in and submit statistical data for the needs of the Statistical Office of the Republic of Macedonia;
14. perform other jobs as well.

Article 29

The electoral board shall directly manage the voting at the elections, ensure regularity and secrecy of the voting, provide free and peaceful holding of the voting, and establish the voting result at the electoral site.

The electoral board shall make a minutes on its work and shall submit it to the electoral commission together with the election material.

Article 30

State administration bodies are obliged to provide technical and other working conditions to the bodies in charge of carrying out the elections.

State administration bodies shall be assigned funds from the Budget of the Republic of Macedonia for the performance of their jobs of paragraph 1 of this Article.

III. NOMINATING CANDIDATES

Article 31

The nomination of candidates for the election of a Mamber of Parliament according to the majority principle shall be made by submitting a candidate list.

The nomination of candidates for the electon of Members of Parliament according to the proportional principle is made by submitting a list of candidates.

Article 32

The registered political parties individually, or two or more parties jointly, as well as a group of voters (hereinafter: lists submitters) have the right to submit a candidate list, that is a list of candidates.

Article 33

In case when a candidate list submitter is a group of voters, at least 200 signatures of the voters registered in the excerpt from the General Voters Register, for the electoral district concerned, shall be required.

In case when a candidate list submitter is a group of voters, at least 1000 signatures of the voters registered in the General Voters Register shall be required.

Article 34

The signatures of the voters in the nomination procedure shall be gathered before a competent state body, by using a form prescribed by the State Electoral Commission, which shall contain the name and surname, permanent residence, profession, working post and unique record book number of the candidate nominated, as well as the name, the surname and the unique record book number of the voter signing the nomination.

Each voter may give his/her signature for one candidate list and one list of candidates only.

Voters submitting the list must have the right to vote and a permanent residence within the area of the electoral district in which the elections are being carried out.

Article 35

A list submitter may submit only one candidate list, that is one list of candidates in the electoral district.

A list submitter may not nominate the same candidate both on the candidate list and candidates list.

Article 36

The candidate list, that is the list of candidates, is signed by the authorized representative of the list submitter himself.

The name of the list is marked according to the name of the list submitter.

If the candidate list submitter is a group of voters, the name of the list shall be marked with "independent candidate".

If the candidates list submitter is a group of voters, the name of the list shall be marked with "group of voters".

Article 37
The candidate list shall be submitted to the electoral commission no later than 35 days prior to the day of holding the elections.

The candidate list shall be submitted in a special form to which a certificate on the registration by the competent court and a proof for an open election campaigns giro account shall be enclosed as well.

When the list submitter is a group of voters, the number of signatures required shall also be submitted.

For each candidature a written consent of the candidate is required, the same being irrevocable.

Article 38
The list of candidates shall be submitted to the State Electoral Commission 35 days prior to the day of holding the elections at the latest.

The list of candidates shall consist of as many candidates as there are Members of Parliament who are being elected.

The order of the candidates on the list shall be determined by the list submitter.

Article 39
The electoral commissions and the State Electoral Commission shall, immediately upon the receipt of the candidate list, that is candidates lists, examine whether they have been submitted within the time-limit given and have been made in accordance with the provisions of this Law.

Should a commission of paragraph 1 of this Article establish that there have been some failures, that is irregularities, it will call the submitters thereof immediately, but no later than 48 hours, to eliminate the failures or irregularities found.

When a commission of paragraph 1 of this Article establishes that the lists have not been submitted within the time-limit given, and have been made in accordance with the provisions of this law, that is, the failures and irregularities found have been eliminated by the lists submitters within the time-limit set in paragraph 2 of this Article, it will confirm the submitted lists by a decision.

Article 40
Should a commission of Article 39, paragraph 1 of this Law establish that the lists have not been submitted timely, that is the failures and irregularities found have not been eliminated by the lists submitters within the time-limit set in Article 39, paragraph 2 of this Law, it will reject the submitted list with a decision.

An appeal against the decision of the electoral commission of paragraph 1 of this Article may be submitted to the court of Appeals within 24 hours.

The Court of Appeals is obliged to decide on the appeal within 48 hours.

An appeal against the decision of the State Electoral Commission of paragraph 1 of this Article may be submitted to the Supreme Court of the Republic of Macedonia within 24 hours.

The Supreme Court of the Republic of Macedonia is obliged to decide on the appeal within 48 hours after it has received it.

Appeals of Paragraphs 2 and 4 of this Article shall be submitted directly through the electoral commissions, that is the State Electoral Commission.

Submitting appeals by post is not permitted.

Article 41
The electoral commission shall determine the order of the candidates on the general candidate list for the election of a Member of Parliament in the electoral district by drawing lots.

The State Electoral Commission shall determine the order of the lists of candidates on the ballot by drawing lots.

The commissions of paragraphs 1 and 2 of this Article, are obliged to inform beforehand the authorized representatives of the list submitter of the activities to be undertaken in accordance with paragraphs 1 and 2 of this Article.

The commissions of paragraphs 1 and 2 of this Article shall announce the lists established in the daily press 30 days prior to the day determined for holding the elections at the latest.

Commissions of paragraphs 1 and 2 of this Article will announce the lists determined in the electoral sites in the electoral district in which the election is being carried out.

IV. ELECTION CAMPAIGNS

Article 42
Political parties, two or more political parties together, the group of voters and the candidates for Members of Parliament (hereinafter: election campaigns organizers)

have the right to equally and under the same conditions use all forms of political propaganda, informing and other forms of propaganda whose aim is to influence the voters' decision when voting for Members of Parliament candidates.

Article 43

The election campaigns shall begin 40 days prior to the elections day and may not be carried out 24 hours prior to and on the elections day.

Foreign juridical and natural persons may not organize election campaigns.

Article 44

The election campaigns organizer is responsible for the legality in the carrying out of the election campaigns.

The election campaign organizer is also in charge of the election campaign activities for which he/she will authorize other persons.

Article 45

If during the election campaign, that is, during the presentations or propaganda information of certain organizers of election campaign, the rights of candidates are being violated (by preventing and disturbing the opponents' campaign), they have the right to initiate a procedure before the competent court of first instance with a view to protecting their rights.

The proceeding for the protection of candidates' rights in the cases when they are violated is urgent.

The court of first instance shall decide upon the request for rights protection within 72 hours after the request has been submitted.

An appeal against the decision of the court of first instance may be lodged before the competent court of Appeals within 72 hours after it has been received.

The competent court of Appeals shall decide within 72 hours of the day of submitting the appeal.

The effective decision shall immediately be announced in the media.

Article 46

The media in the Republic of Macedonia are obliged to provide under equal conditions equality in the presentations of candidates for Members of Parliament, political parties, groups of voters, and their programmes.

The duration of the electoral presentation, as well as the conditions and methods of advertising for the use of programme hours, that is the space in the media for the presentation of the candidates, political parties and the group of voters and their programmes, shall be determined by the Parliament with a decision about the rules for equal media presentation, which shall be announced 40 days prior to the election day at the latest.

Article 47

When public opinion polls on candidates, political parties and group of voters in the election campaigns are announced, the names of the analysts who organized the survey, the date, methodology, sample, and the name of the person who commissioned the polls is necessary to be given.

Public opinion polls may be announced 5 days prior to the elections day at the latest.

Public opinion polls may be conducted on the very elections day, and the results thereof may be announced immediately after the closing of the electoral sites.

Article 48

When announcing election propaganda information, the media are obliged to state that a paid advertisement is in question.

Article 49

The media whose founder is the Parliament of the Republic of Macedonia in cooperation with the State Electoral Commission have an obligation to inform the citizens of the way and technique of voting.

Article 50

Displaying election posters free of charge is allowed only at places appointed by the municipality, that is, the City of Skopje.

The municipality and the City of Skopje have an obligation to mark the places of paragraph 1 of this Article for each lists submitter separately.

The municipality and the City of Skopje may determine additional places for displaying election posters and charge for it.

Municipalities and the City of Skopje immediately after the end of elections are obliged to utilize part of the funds referred to in paragraph 3 of this Article in order to eliminate the garbage left during the election campaigns.

Municipalities and the City of Skopje are obliged to announce the conditions for obtaining the right to use the places for displaying posters no later than 50 days prior to holding the elections.

Municipalities and the City of Skopje are obliged to ensure equal conditions for all election campaigns organizers when displaying posters at the designated places.

Election posters may be displayed on residential buildings and other private buildings having the prior consent of the owner of the building.

Article 51

Destroying election posters or putting them up over other election campaigns organizers' posters is forbidden.

Article 52

Pre-election rallies are public.

The organizer is responsible for keeping the order at the rallies.

Article 53

Election campaigns organizer shall inform in writing the competent body of the Ministry of the Interior through the district unit about organizing a pre-election rally on public places and on public transport places 48 hours prior to its holding at the latest.

Article 54

Pre-election rallies may not be held in military buildings, religious buildings, hospitals, homes for old people, schools, kindergartens, and other public institutions.

As an exception, the organizers will be allowed to hold pre-election rallies in schools, or cultural centres if there is no other building in the electoral district where the rally would be held.

The permit is given by a person in charge at the institution, under equal conditions for all election campaign organizers.

The facilities, equipment or other property intended to be used by the state and local self-government bodies may not be utilized for the purposes of election campaigns.

As an exception, state and local self-government bodies facilities may be utilized, if there are no other appropriate facilities in the place that may be used for the purposes of election campaigns.

The permit is given by the person in charge at the institution, under equal conditions for all election campaign organizers.

V. ELECTION CAMPAIGN FINANCING

Article 55

Election campaigns organizer should open a giro account designated "for election campaigns" no later than 45 days before the elections day.

In case an election campaigns organizer is a group of voters, the authorized representative of the list submitter is the signatory of the giro account.

The election campaigns organizer will put all funds received from juridical or natural persons intended for financing the election campaigns on the giro account.

All campaign expenses are to be covered solely with the funds from the giro account.

Incomes are registered by type, amount, and source.

Election campaigns organizers are obliged to close the giro account within 3 months after the end of the elections at the latest.

Article 56

An election campaigns organizer is obligated to submit a financial report on the election campaigns.

The financial report on the election campaigns contains data on the total amount of the funds and expenses incurred.

The financial report shall be submitted to the Parliament of the Republic of Macedonia no later than 3 months after the elections are finished.

The excess of funds will be donated to charity by the election campaigns organizer who is a group of voters.

Article 57

The election campaigns may not be financed from:

- funds from the Budget of the Republic of Macedonia, except the funds defined in Article 59 of this Law;
- funds from the budget of the local self-government units and the City of Skopje;
- funds from public enterprises and institutions;
- funds from citizens' associations, religious communities, religious groups, and foundations; and

- funds from foreign governments, international institutions, bodies, and organizations of foreign states and other foreigners.

Article 58
When financing the election campaigns for a Member of Parliament, the election campaigns organizer may spend no more than 15 denars per registered voter in the electoral district where the candidate list has been submitted, as well as no more than 15 denars per registered voter according to the General Voters Register for the candidates list.

Article 59
The election campaigns organizers whose candidates have been elected Members of Parliament have the right to remuneration the amount of which is 15 denars per vote won.

The reimbursement of election expenses will be paid from the Budget of the Republic of Macedonia within 3 months of the day of submitting the financial statement on the election campaigns at the latest.

If two or more political parties are the submitter of the list of the elected Member of Parliament, the funds between or among them shall be divided into equal shares, unless the parties have agreed otherwise.

The reimbursement of the election expenses is determined by a decision of the Parliament of the Republic of Macedonia.

Article 60
The electoral commission and the State Electoral Commission will make a decision to annul the election of candidate for Member of Parliament, that is candidates for Members of Parliament of a political party, two or more political parties jointly, that is a group of voters, if with an effective court decision it has been established that funds obtained from committed penalty liable deeds have been used during the election campaigns.

VI. CARRYING OUT THE ELECTIONS

Article 61
Citizens shall be informed of the elections by means of a public announcement and posters display at visible places.

Citizens' notification shall be conducted by the electoral commissions.

1. Election material

Article 62
The election material for executing the elections for members of parliament consists of:
- the number of ballot boxes necessary
- minutes forms
- the number of ballots necessary for electing a Member of Parliament in the electoral district and ballots to vote for candidates lists, as many as there are voters in that electoral site, according to the excerpt from the General Voters Register;
- lists of candidates;
- certified excerpt from the General Voters Register, and
- other material necessary for voting.

Article 63
The State Electoral Commission hands over the election material to electoral commissions within 72 hours prior to the election day at the latest.

A minutes shall be prepared for the handing over of the election material to the electoral commissions, in which the total number of ballots for the election of a Member of Parliament in the electoral district together with the serial numbers, the total number of ballots for voting for the candidates lists with serial numbers, and the number of lists of candidates necessary which are put up in the voting rooms, is to be stated specifically.

Article 64
The electoral commission is obligated to hand over the electoral material to the electoral boards one day prior to the day determined for holding the elections.

A minutes shall be prepared for handing the electoral material over to the electoral boards in which the total number of ballots for the election of Member of Parliament in the electoral district with the serial numbers and the total number of ballots for voting for the lists of candidates with the serial numbers, and other material necessary for the voting are to be stated.

In the minutes on the receipt of the electoral material, the electoral board shall establish whether the room in which the voting will take place meets the voting conditions prescribed.

The minutes is signed by the president and electoral board members, and a member of the electoral commission who is handing over the material.

Should the representatives of the lists submitters present have some objections to the handing over of the electoral material, they have the right to record the same in the minutes and only the objections registered in that way may be invoked in the complaints and be subject ofan assessment in the appellate proceedings.

2. Ballots

Article 65

The ballot for the election of a Member of Parliament in the electoral district shall contain:

1. the number of the electoral district;
2. the name and logo (if any) of the list submitter;
3. the ordinal number, name and surname of candidates;
4. the serial number of the ballot;
5. instructions for voting.

On the ballot the candidates are given the same order as defined in the candidate list.

If there are candidates whose name and surname are the same, the initial letter of their father's name shall also be given.

Article 66

The ballot for the lists of candidates shall contain:

1. the ordinal number, name and logo (if any) of the list submitter;
2. name and surname of the first candidate on the list;
3. the serial number of the ballot; and
4. voting instructions.

In case the first candidates on a list have the same name and surname, then the initial letter of their father's name shall also be stated.

Lists of candidates will be displayed in the voting room.

3. Carrying out the voting

Article 67

A place where the voting will be carried out shall be determined for each electoral site (hereinafter: poling station).

Two ballot boxes shall be placed at each polling station.

Article 68

Voting shall begin at 7:00 am and last uninterruptedly until 7:00 pm.

The polling station shall be closed at 7:00 pm, and the voters who happen to be in the building where the voting takes place will be allowed to cast their vote.

The electoral board may close the polling station before the end of the period set forth in paragraph 1 of this Article, in case all the voters registered on the excerpt of the General Voters Register have cast their votes.

Article 69

The president and members of the electoral board shall gather in the voting room no later than one hour before the beginning of the voting to determine whether:

- the room is in the same condition as left on the day before the elections;
- the election material is in the same condition as left on the day before the elections; and
- the ballot boxes are empty.

The electoral board shall prepare a minutes on the condition found, which is signed by the president and members of the board.

The objections of the board members shall be entered in the minutes.

Should the representatives of the lists submitters have any objections, they have the right to record them in the minutes, and only the objections registered in that way may be invoked in the complaints and be subject of an assessment in the appellate proceedings.

Article 70

The electoral board takes care of the maintenance of peace and order at the polling station.

The electoral board may remove anybody disturbing peace and order at the polling station.

The electoral board may ask for police assistance with a view to restoring order at the polling station.

Nobody is allowed to come to the polling station armed, except for the police in the case provided for in paragraph 3 of this Article.

Article 71

The electoral board may disrupt the voting when the order at the polling station is disturbed, until it is restored.

The voting may be disrupted in cases of natural disasters or other emergency circumstances.

If the voting has been disrupted for more than an hour, it will be prolonged for as much time as the disruption lasted, but no longer than three hours.

If the disruption lasted for more than three hours, the voting will be repeated.

The reasons for the disruption in the voting and the time it lasted shall be entered in the minutes.

Article 72

Should the representatives of the lists submitters have any objections to the work of the electoral board during the voting, they may point out the irregularities in order the same to be eliminated.

The objections given are registered in writing in the minutes and only the objections registered in such a way may be invoked in the complaints and be subject of an assessment in the appellate proceedings.

Article 73

The members of electoral commissions and electoral boards, the representatives of lists submitters, and the observers are not allowed to have any marks or symbols of a political party or candidate at the time and place of the voting.

No election propaganda is allowed on the elections day.

The electoral board in cooperation with the competent bodies is obligated to remove the propaganda material in the room where the voting is taking place and within a radius of 100 metres.

4. Way of voting

Article 74

The voting is carried out personally at the polling stations in the Republic of Macedonia, with an electoral identification card.

Article 75

The voters vote one at a time.

When the voter is about to vote the electoral board checks his/her electoral identity card and his personal identity.

The voter shall prove his/her personal identity with an identity card or a passport.

The electoral board circles the ordinal number of the voter in the excerpt of the General Voters Register having established his/her identity, and affixes a seal in his/her electoral identification card where marked.

Article 76

Voting is carried out by means of two ballots.

The ballot for the election of a Member of Parliament and the ballot for lists of candidates are given to the voter in such a way that the serial number is not seen by the electoral board members.

The voter shall be instructed of the way of voting and shall be allowed to vote.

The voter has the right to vote once for a candidate in the electoral district and once for one of the lists of candidates.

Article 77

The voter shall cast his/her vote for a candidate on the general candidate list circling the ordinal number of the candidate he/she has chosen to vote for and putting the folded ballot in the ballot box for the election of a Member of Parliament in the electoral district.

The voter shall cast the vote for the lists of candidates circling the ordinal number of the list submitter he/she has decided to vote for and putting the folded ballot in the ballot box for voting for the lists of candidates.

Article 78

The voter who is unable to vote at the polling station (disabled or ill person) and wants to vote, shall notify the electoral board thereof no later than 3 days prior to the election day.

The notification referred to in Paragraph 1 of this Article may be made through an attorney.

The electoral board enables this person to vote in his/her home or the hospital he/she is in one day prior to the elections in such a way that the secrecy of the voting is guaranteed.

The electoral board shall provide a special ballot box for the voting referred to in paragraph 3 of this Article, which is taken empty into the home, that is the hospital where the voter is.

The voting referred to in paragraph 3 of this Article shall be recorded in the minutes by the electoral board.

For the purposes of voting of paragraph 3 of this Article, the president of the electoral board shall in writing notify the representatives of the lists submitters of the date and time the voting shall take place.

Article 79

The voter who due to a physical disability or illiteracy is unable to vote in the way defined by this Law, has the right to bring along a person to help him/her with the voting.

If the person referred to in paragraph 1 of this Article does not bring a person to help him/her with the voting, the electoral board shall appoint another person from among the voters.

The person helping another person with the voting may not be from among the electoral board members, representatives of the lists submitters or observers.

One and the same person may help with the voting to two voters referred to in paragraph 1 of this Article at the most.

The electoral board shall instruct the person referred to in paragraph 3 of this Article that he/she may not influence the voter's choice with his help.

The voting referred to in paragraph 1 of this Article shall be recorded in the minutes by the electoral board.

Article 80

Voters who are not at their place of residence on the elections day due to their military service or military maneuvers shall cast their vote at their military unit.

Having received the voters' lists of paragraph 1 of this Article, the electoral commission is obliged to send them immediately to the military units and military institutions where the voters are serving their military service or doing their military maneuvers.

The elections for the voters referred to in paragraph 1 of this Article shall be carried out by the electoral board of the nearest electoral site, one day before the election day, and the representatives of the lists submitters are notified thereof with a view to their being present at the voting in the military unit.

The electoral board shall draw separate minutes for the voting of paragraph 3 of this Article.

Minutes and electoral material shall be submitted to the corresponding electoral commissions after the conclusion of the voting.

5. Determining the voting results at the polling stations

Article 81

Election results at the polling stations shall be ascertained by the electoral board.

After the conclusion of the voting the electoral board shall immediately commence the establishment of the voting results.

The voting results at the polling station for the election of a Member of Parliament for the electoral district shall be established as follows:

- the unused ballots are counted, part of the ballot is torn off, they are put in a separate envelope which is closed, sealed and the number of the electoral site and the total number of unused ballots is written down;
- the total number of voters registered in the excerpt of the General Voters Register who have voted shall be determined.

Upon completion of the activities of Paragraph 1 of this Article, the ballot box for the election of a Member of Parliament shall be opened and the counting of votes shall begin.

The electoral board shall by drawing lots select one member responsible for taking out and opening the ballots one by one, and for handing them over to the president of the electoral board.

The ballot is shown to all electoral board members, to the representatives of the submitters of lists present, and to the observers.

The electoral board shall announce whether the ballot is valid or not and for which candidate the vote has been cast.

The vote cast shall be recorded, the ballot shall be put in the corresponding place and a new ballot shall be taken out of the ballot box.

Article 82

The results of the voting for the lists of candidates are defined in the following way:

- the unused ballots are counted, part of the ballot is torn off and put in a special envelope that is closed, sealed, and the number of the electoral site and the total number of ballots are written down on it.
- the total number of voters who have cast their vote and who are registered in the excerpt of the General Voters Register is determined.

Upon completion of the activities of paragraph 1 of this Article, the ballot box for the lists of candidates shall be opened and the counting of votes shall begin.

The electoral board shall select by drawing lots one member in charge of taking out and opening the ballots

one at a time, and for handing them over to the president of the electoral board.

The ballot is shown to all electoral board members, to the representatives of the submitters of lists present, and to the observers.

The electoral board shall announce whether the ballot is valid or not and for which list the vote has been cast.

The vote cast shall be recorded, the ballot shall be put in the corresponding place and a new ballot shall be taken out of the ballot box.

Article 83

The ballot is valid if it has been circled in the way prescribed in Article 77 paragraphs 1 and 2 of this Law and has the corresponding serial number.

A valid ballot is considered to be the one from which in a reliable and unambiguous way may be established which candidate, that is list of candidates the voter has cast his/her vote for.

The ballot is invalid should it be not completed, should there be more than one list of candidate, that is lists of candidates circled, and should it be without a corresponding serial number.

Article 84

The electoral board shall prepare two separate minutes on its work.

Information on the voting results, such as: the ordinal number of the electoral site, the time of beginning and concluding the voting, the total number of voters in the electoral site according to the excerpt of the General Voters Register, the total number of voters who have voted, the total number of ballots put in the ballot box, the number of ballots which have been taken from the voters and have not been put in the ballot box, the number of invalid ballots, and the number of votes each of the candidate has won individually, shall be entered in the minutes on the voting for a Member of Parliament in the electoral district.

Information on the voting results, such as: the ordinal number of the electoral site, the time of beginning and concluding the voting, the total number of voters in the electoral site according to the excerpt of the General Voters Register, the total number of voters who have voted, the total number of ballots put in the ballot box, the number of ballots which have been taken from the voters and have not been put in the ballot box, the number of invalid ballots, and the number of votes each of the list of candidates has won individually, shall be entered in the minutes on the voting for lists of candidates.

Article 85

Possible objections by the members of the electoral board shall be recorded in the minutes as well.

The minutes shall be signed by the president and electoral board members.

The minutes is valid if signed by the majority of the electoral board members.

The president of the electoral board should state the reasons for the minutes not being signed by a member of the board.

In case the representatives of the lists submitters have objections, they have the right to enter them in the minutes, and only the objections registered in that way may be invoked in the complaints and be subject of an assessment in appellate proceedings.

Article 86

Minutes and the rest of the election material shall be submitted to the electoral commission by the electoral board within five hours upon the conclusion of the voting.

Each representative of the list submitter shall receive a copy of the minutes.

Upon the completion of the activities described in Paragraphs 1 and 2 of this Article, the electoral board shall immediately announce the initial results from the voting carried out at the polling station.

The election material shall be submitted to the electoral commission by the president of the electoral board accompanied by the electoral board members or representatives of the submitters of lists concerned.

A separate minutes shall be prepared for the handing over of the material of paragraph 1 of this Article.

6. Determining the results of the election for a Member of Parliament in the electoral district

Article 87

The results of the elections for Member of Parliament in the electoral district shall be determined by the electoral commission.

The results of the elections for a Member of Parliament in electoral district shall be determined by the electoral

commission after receiving the minutes from the electoral boards as well as the complete election material.

The determining of the results shall be carried out in such a way that the total number of voters in the electoral district who are registered in the excerpt from the General Voters Register shall be determined, the total number of voters who have cast their vote, the number of invalid ballots, and the number of votes each candidate has won shall be determined.

Article 88

The candidate who in the first voting round won the majority of the votes by the voters who have cast their vote in the electoral district shall be considered to be elected, provided that the number of votes he has won is not less than 1/3 of the total number of voters registered in the excerpt of the General Voters Register for the electoral district concerned.

If no candidate has won the number of votes required as set forth in Paragraph 1 of this Article, the voting in that electoral district shall be repeated 14 days of the day of the first voting.

The first two candidates having won the largest number of the votes by the voters in the first voting round shall participate in the second voting round.

The candidates of paragraph 4 of this Article may not call off their participation in the second round.

The candidate who has won the largest number of votes from the voters who have voted in the second voting round shall be considered to be elected a Member of Parliament in the second voting round.

If in the second voting round two or more candidates have won an equal number of votes, the mandate shall be allotted by drawing lots.

Article 89

Having established the election results for a Member of Parliament in the electoral district, the electoral commission shall count (sum up) the results of the voting or lists of candidates in the electoral district.

Article 90

The electoral commission shall prepare two separate minutes on its work.

Information on the number of the electoral district, the total number of voters in the electoral district registered in the excerpt of the General Voters Register, the total number of voters who have voted, the number of invalid ballots for the candidates of the electoral district, name and surname of each candidate stating the number of votes each of them has won, and name and surname of the candidate elected shall be registered in the minutes on determining the results of the election of a Member of Parliament in the electoral district.

Information on the voting results, such as the ordinal number of the electoral district, the total number of voters in the electoral district registered in the excerpts in the General Voters Register, the total number of voters who have voted, the number of invalid ballots for the lists of candidates and the total number of votes each list of candidates has won, shall be recorded in the minutes on the voting for lists of candidates.

Article 91

Possible objections by the members of the electoral commission and the representatives of lists submitters shall be recorded in the minutes as well.

Minutes shall be signed by the president and the electoral commission members.

The minutes is valid if signed by the majority of the electoral commission members.

The president of the electoral commission should state the reasons for the minutes not being signed by a member of the commission.

In case the representatives of the lists submitters have objections, they have the right to register them in the minutes and only the objections registered in that way may be invoked in complaints and be subject of an assessment in appellate proceedings.

Each representative of the list submitter shall receive a copy of the minutes.

Article 92

The electoral commission shall communicate the minutes on its work and the complete election material to the State Electoral Commission within 24 hours.

After the time-limit set forth in Paragraph 1 of this Article, the electoral commission shall announce the initial results of the elections for a Member of Parliament in the electoral district.

7. Determining the results of the voting for lists of candidates

Article 93

The results of the voting for a list of candidates shall be established by the State Electoral commission.

The State Electoral Commission shall establish the voting results for candidates lists after it has received the minutes from the electoral commissions as well as the complete electoral material.

The State Electoral Commission shall establish the results according to the number of the votes that lists of candidates have won individually.

When establishing the election results, the D'Hondt formula shall be applied.

When distributing the Member of Parliament seats, the candidates lists that have won at least 5% of the total number of votes cast by the voters who have voted shall be taken into consideration.

Having established the total number of votes cast for each list of candidates (what we call electorate), each one separately is divided by the sequence of quotients 1,2,3,4, etc. until all 35 seats are allocated according to the determined principle.

The results of the division referred to in paragraph 6 of this Article are classed by size whereby as many largest results of the division are relevant as the number of Members of Parliament that are being elected.

The list of candidates shall obtain as many Member of Parliament seats as there are the biggest results of the division from the total number of results of the division referred to in paragraph 7 of this Article.

In case for the last Member of Parliament seat two identical results of the division appear to exist, the mandate shall be allotted by drawing lots.

When allocating Member of Parliament seats, the number of the seats the list has won is the number of Members of Parliament considered to have been elected.

The candidates given on the list according to the established order are elected from the list of candidates.

Article 94

The State Electoral Commission shall prepare minutes to establish the results of the voting for lists of candidates.

The minutes shall contain information on the voting results, such as: the total number of electoral districts and electoral sites, the total number of voters registered in the General Voters Register, the total number of voters who have cast their vote, the number of invalid ballots, the total number of votes that each candidates list has won individually, the number of seats for Members of Parliament won from each list of candidates, and name and surname of the candidates elected.

Article 95

The State Electoral Commission shall announce the initial results of the elections for Members of Parliament according to the principle of proportionality within 48 hours after obtaining the number of votes won by lists of candidates individually.

Article 96

The elections are considered to be finished when the results for the election of 120 Members of Parliament shall become final.

State Electoral Commission shall issue an election certificate to the Member of Parliament elected.

VII. ANNULLING AND REPEATING THE VOTING

Article 97

The electoral commission shall, with a decision, annul the voting at the polling station for a Member of Parliament, that is list of candidate in the electoral district:

- in case it has been established that there is a larger number of ballots in the ballot box;
- in case the secrecy of voting has been violated;
- due to an unjustifiable police presence at the polling station;

-in case of voting disruption of more than three hours.

The State Electoral Commission with a decision will annul the voting for lists of candidates at the polling station in the cases referred to in paragraph 1 sub-paragraph 1 of this Article.

The voting shall not be annulled even though the number of ballots in the ballot boxes is larger than the number of voters who have voted, unless the number influences the voting results.

An appeal against the decision of paragraphs 1 and 2 of this Article may be lodged with the competent court within 48 hours.

The competent court is obligated to decide on the appeal within 48 hours after it has received it.

The commission referred to in paragraph 1 and 2 of this Article shall repeat the voting at the polling station within 14 days of the day of voting.

VIII. TERMINATION OF THE MANDATE AND ADDITIONAL ELECTIONS

Article 98

The Member of Parliament's mandate shall terminate before the period for which he/she has been elected:

- if he/she resigns;
- when sentenced for a criminal offense for which a sentence of at least five years is prescribed;
- in case of incompatibility with the office of Member of Parliament ;
- in case of death;
- if he/she is deprived of his/her mental capacity by an effective decision.

If the Member of Parliament resigns, the Parliament at its next session shall ascertain that his/her mandate terminates from the day of holding that session.

The Member of Parliament's mandate shall terminate on the day the terms referred to in paragraph 1 sub-paragraphs 2, 3, 4,5 and 6 of this Article are fulfilled, which is concluded by the Parliament at the first next session.

Article 99

If the mandate of the candidate elected in an electoral district terminates under one of the grounds defined in Article 98 of this Law, additional elections shall be announced.

Additional elections are announced by the President of the Parliament 15 days of the day the Member of Parliament's mandate terminated at the latest.

Additional elections may not be announced six months prior to the expiration of the term of office of the Parliament.

Article 100

Additional elections shall also be announced in case when a Member of Parliament's mandate has been taken away.

The Member of Parliament whose mandate has been taken away from him may not be nominated again at the additional elections.

Article 101

If the mandate of the candidate elected from the list of candidates terminates, pursuant to one of the grounds defined in Article 98 of this Law, the next candidate on the list shall become a Member of Parliament for the rest of the mandate.

The electoral commission shall notify the next candidate on the list in the cases referred to paragraph 1 of this Article within three days of the termination of a member of Parliament's mandate.

If the next candidate on the list referred to in paragraph 1 of this Article does not within 8 days notify the electoral commission whether he/she accepts the mandate, this right is transferred to the next candidate on the list

IX. FUNDS FOR CARRYING OUT ELECTIONS

Article 102

The funds for carrying out elections shall be provided for from the Budget of the Republic of Macedonia and they shall be at the disposal of the State Electoral Commission.

Two thirds of the resources intended for the elections shall be utilised to cover the expenses related to the election activities of the bodies in charge of carrying out the elections.

One third of the funds intended for carrying out the elections shall be utilised to cover part of the expenses incurred by the election campaign organizers whose candidates have been elected Members of Parliament.

X. PROTECTION OF THE RIGHT TO VOTE

Article 103

The procedure for the protection of the right to vote is an urgent one.

Petition requests (complaints and appeals) for the protection of the right to vote shall be communicated directly to the competent electoral bodies.

The decisions of the competent bodies made in second instance shall be final and no legal means shall be allowed against them.

Article 104

Each candidate list submitter and each candidate has the right to submit a complaint to the electoral commission due to irregularities in the election procedure.

The complaint referred to in Paragraph 1 of this Article shall be submitted within 48 hours of the time the irregularities have been found, that is after the completion of the voting.

The electoral commission is obliged to reach a decision within 48 hours after it has received the complaint.

An appeal against the decision of the electoral commission may be lodged before the court of Appeals locally competent for the electoral district area within 48 hours.

The appeal shall be lodged through the competent electoral commission.

The court of Appeals is obliged to decide on the appeal within 48 hours after it has received it.

Article 105

In the procedure for voting and determining the election results every submitter of a list of candidates has the right to lodge a complaint before the State Electoral Commission.

The complaint of paragraph 1 of this Article shall be lodged within 48 hours after the irregularities have been established.

An appeal against the decision of the State Electoral Commission may be lodged before the Supreme Court within 48 hours after the decision has been received.

The appeal shall be lodged through the State Electoral Commission.

The Supreme Court of the Republic of Macedonia is obliged to decide on the appeal within 48 hours after the appeal has been received.

The Supreme Court of the Republic of Macedonia decides on the appeals in a panel of five judges elected by drawing lots.

Article 106

In case a voter notices irregularities in the election procedure, he/she may lodge a complaint with the electoral commission within 48 hours.

The electoral commission is obliged to pass a decision within 48 hours after the receipt of the complaint.

An appeal against the decision of the electoral commission may be lodged before the court of Appeals whose local competence covers the area of the electoral district within 48 hours.

The appeal shall be lodged through the competent electoral commission.

The court of Appeals is obliged to decide on the appeal within 48 hours.

XI. OBSERVING THE ELECTIONS

Article 107

Elections and election procedure may be observed by representatives of international associations and organisations.

The elections and election procedure may also be observed by representatives of organisations and associations for the protection of human rights and freedoms registered in the Republic of Macedonia.

The subjects referred to in paragraph 1 and 2 of this Article should announce their observation to the State Electoral Commission no later than 15 days prior to the elections day.

The State Electoral Commission shall provide authorizations to the representatives referred to in paragraphs 1 and 2 of this Article.

The representatives who have been issued authorizations have the right to follow all activities performed during the election campaigns and on the elections day.

The representatives referred to in paragraphs 1 and 2 of this Article are obliged to be impartial, objective, and neutral regarding the election process.

XII. PENAL PROVISIONS

Article 108

A person preventing the elections and voting, violating and misusing the right to vote, as well as violating the voter's freedom of choice, bribing at the elections and voting, destroying electoral documents and committing electoral deceit, shall be punished pursuant to the provisions of the Criminal Code.

Article 109

A person referred to in Article 7 of the present Law participating in the election campaigns in his/her uniform will be fined for an offense from 20,000 to 50,000 denars.

Article 110

A political party not complying with the time-limit referred to in Article 43 of the present Law will be fined for an offence from 200,000 to 300,000 denars.

A candidate or any other natural person will also be fined for an offence with 20,000 to 50,000 denars for acts referred to in paragraph 1 of this Article.

Article 111
A person preventing and obstructing election campaigns (Article 45) will be fined for an offence from 20,000 to 50,000 denars.

Article 112
The medium which:
- shall not provide for equal presentation of the candidates for Members of Parliament, political parties, voters group and their programmes referred to in Article 46 paragraph 1 of this Law;
- shall not establish and publicly announce the rules of paragraph 2 of Article 46 of this Law;
- shall publish public opinion polls in a period of 5 days prior to the election day of Article 47 paragraph 2 of this Law; and
- shall announce the election propaganda information without stating that the information in question is a paid advertisement referred to in Article 48 of this Law, will be fined with 200,000 to 300,000 denars.

The editor responsible will also be fined for an offence from 20,000 to 50,000 denars for the activities referred to in paragraph 1 of this Article.

Article 113
With a fine from 20,000 to 50,000 shall be punished for an offence:
- the editor in chief of the medium who will publish the public opinion poll for the candidate without stating the information referred to in Article 47 paragraph 1;
- the editor in chief of the medium who will publish the public opinion poll in the period of five days prior to the elections day referred to in Article 47 paragraph 2;
- the editor in chief of the medium if he/she publishes the electoral propaganda information without publishing the name of the one who has ordered it (Article 47 paragraph 1 of this Law).

Article 114
The person in charge of a municipality, that is, the City of Skopje will be fined for an offence from 40,000 to 50,000 denars for failing to determine places for displaying posters free of charge, and for not marking them for each lists submitter separately (Article 50).

Article 115
A person destroying or putting up election posters over other election campaigns organiser's posters on places designated for their display will be fined for an offence from 20,000 to 50,000 denars (Article 51).

Article 116
A political party which:
- fails to report the election rally at least 48 hours prior to its holding;
- organises the rally contrary to Articles 53 and 54 of this Law will be fined for an offence from 200,000 to 300,000 denars.

Article 117
The responsible person of a competent state body, religious community or public institution allowing the election campaigns organiser to organise a pre-election rally contrary to Article 54 of this Law, will be fined for an offence from 20,000 to 50,000 denars for an offence.

Article 118
A political party failing to submit a report on the election campaigns financing referred to in Article 56 of this Law, that is, failing to collect all funds intended for financing the election campaigns on the giro account under Article 55 of this Law, will be fined for an offence with 200,000 to 300,000 denars.

Should in the election campaigns a political party spend more funds than the amount defined in Article 58 of this Law, it will be fined for an offence with 200,000 to 300,000 denars

The responsible person of a political party will also be fined with 20,000 to 50,000 denars for the activities referred to in paragraph 1 and 2 of this Article.

Article 119
A person of Article 73 paragraph 1 of this Law having any marks or symbols of a political party or a candidate during the time or at the place of voting will be fined for an offence with 20,000 to 50,000 denars.

XIII. TRANSITIONAL AND FINAL PROVISIONS

Article 120
At the first next elections, the candidates for members of the State Electoral Commission and their deputies referred to in Article 13 paragraph 3 of this Law shall be proposed by the political parties in opposition which in the first round of the elections for Members of Parliament held in 1994 won the largest number of votes according to the

State Election Commission Report on determining the results adopted by the Parliament.

At the first next elections candidates for members of the bodies in charge of carrying out elections referred to in Article 16 paragraph 3 and Article 20 paragraph 2 of this Law shall be proposed by the political parties in opposition which in the first round of the elections for Members of Parliament held in 1994 won the largest number of votes according to the State Election Commission Report on determining the results adopted by the Parliament.

Article 121

The Law on Election of Members of Parliament ("Official Gazette of SRM" No. 28/90) shall become invalid on the day this Law enters into force.

Article 122

This Law shall enter into force on the eighth day after it has been published in "Official Gazette of the Republic of Macedonia"

LAW ON ELECTION OF THE PRESIDENT OF THE REPUBLIC OF MACEDONIA

Adopted on May 19, 1998
Amended in July 1999

I. GENERAL PROVISIONS

Article 1
This Law shall regulate the procedure for election of president of the Republic of Macedonia (hereinafter, president of the Republic).

Article 2
The provisions of the Law, determining the procedure for election of representatives and councillors shall also apply for the election of president of the Republic, unless otherwise determined by this Law.

II. ISSUING NOTICE AND CARRYING OUT THE ELECTIONS

Article 3
The president of the Assembly of the Republic of Macedonia shall issue notice for election of the president of the Republic.

The period between the day of issuance of notice for election and the day of the carrying out of the election may not exceed 60 days, nor be less than 30 days.

The Act on issuance of notice for election of president of the Republic, determining the date for the beginning of the terms for carrying out the election activities, shall be published in the "Official Gazette of the Republic of Macedonia".

Article 4
The election of president: of the Republic shall take place within the last 60 days of the term of the previous president.

Should the term of office of the president of the Republic be terminated for any reason, the election of a new president shall take place within 40 days from the day of termination.

Article 5
Should the Assembly of the Republic of Macedonia be dissolved, the president of the Assembly shall be liable, on the day of the dissolution, ------ the act on issuing notice for new election of representatives, to adopt an act on issuing notice for election of president of the Republic, provided the term set forth in Article 4 of this Law coincides with the term of the dissolution of the Assembly.

III. PROPOSAL AND DETERMINING OF CANDIDATES

Article 6
A candidate for president of the Republic can be nominated by a minimum of 10.000 voters or at least 30 representatives.

One voter, respectively representative, may propose only one candidate for president of the Republic.

A candidate for president of the Republic may be a person who meets the conditions for election of president of the Republic, as set forth in the Constitution.

Article 7
The signatures of the voters shall be collected on a form established by the State Election Commission, on which the name and surname, address and registry number of the proposed candidate and of each signed voter, shall be entered.

The voters shall submit the signatures to the organ competent for keeping record of the voters right. Based on the collected voters signatures, lists of candidates, signed by an authorised representative of the submitted of the lists, shall be compiled on a form set forth by the State Election Commission.

Authorised representative in accordance of paragraph 3 of this Article, shall be the first signed proposer, while his deputy shall be the second signed proposer.

Article 8
The lists of candidates for president of the Republic shall be submitted by representatives on a form set forth by the State Election Commission in writing, stating the name, surname, address and registry number of the proposed candidate and the name and surname of each representative, as well as the date of determination of the list.

Article 9
The lists of candidates for president of the Republic, together with the written statements of the proposed candidates for accepting the nomination, shall be submitted to the State Election Commission by the representative of the proposers within 20 days the latest before the date scheduled for the election.

The candidate may call off the nomination within 15 days the latest before the date scheduled for the election.

The Commission, upon receipt of the list of candidates for president of the Republic, shall determine whether the lists hereto were submitted within the determined term and whether they were compiled in accordance with the provisions of this Law.

Should the Commission establish that the list contain irregularities, it shall call the authorised representative of the submitter of the list, respectively the first signed representative of the list of candidates, to eliminate the irregularities within 2 days.

Should the submitter of the list fail to eliminate the irregularities within the term set forth in paragraph 4 of this Article, the Commission shall not take into consideration such proposals when compiling the lists of candidates for president of the Republic.

Article 10
The State Election Commission shall publish the names of the candidates in the "Official Gazette of the Republic of Macedonia", within 5 days from the day of the receipt of the candidates lists.

IV. ESTABLISHING OF THE ELECTION RESULTS

Article 11
A candidate for president of the Republic shall be elected if voted by a majority of the total number of voters entered into general voter's list.

Article 12
If in the first round of voting no candidate wins the majority required, voting in the second round shall be restricted to the two candidates who have won most voters in the first round.

The second round shall take place within 14 days of the termination of voting in the first round.

Article 13
A candidate shall be election president if he/she wins a majority of the voters of those who voted, provided more than half of the registered voters voted.

Article 14
If in the second round of voting no candidate wins the required majority of votes, the whole electoral procedure shall be repeated.

If only one candidate is nominated for president of the Republic, and he/she does not obtain the required majority of votes in the first round, the whole electoral procedure shall be repeated.

Article 15
The costs for the election campaign of the candidate for president of the Republic may not exceed 1000 average wages in the Republic, paid in the last 3 months before the elections.

V. DECLARATION

Article 16
The assuming of the duty of president of the Republic shall be made at a solemn session of the Assembly of the Republic of Macedonia with a declaration made by the president, stating:

"I hereby declare that I shall perform the office of the president of the Republic of Macedonia conscientiously and with full responsibility, that I shall respect the Constitution and the laws and that I shall protect the sovereignty, territorial integrity and independence of the Republic of Macedonia."

VI. CLOSING PROVISIONS

Article 17
The provisions of the Law on Election and Recall of President of the Socialist Republic of Macedonia and of the Vice-President of the President of the Socialist Republic of Macedonia ("Official Gazette of the Socialist Republic of Macedonia, No 38/90), shall cease to apply on the date this Law takes effect.

Article 18
This Law shall come into force on the 8th day upon its publication in the "Official Gazette of the Republic of Macedonia."

Republic of

MOLDOVA

LAW ON THE PROCEDURE OF ELECTING THE PRESIDENT OF THE REPUBLIC OF MOLDOVA

The Parliament adopts this organic law.

Article 1. The election of the President of the Republic of Moldova

The President of the Republic of Moldova shall be elected by secret vote by the Parliament.

Article 2. Determining the date of the election

(1) The election for the position of President of the Republic of Moldova shall be conducted no latter than 45 days before the end of the acting President's mandate.

(2) In the event of the vacancy in the position of the President of the Republic of Moldova due to resignation, dismissal, full incapacity to exercise competence or death, elections shall be conducted within two months of the day when the vacancy has occurred.

(3) The date of the election for the position of President of the Republic of Moldova shall be determined by a Parliament resolution.

Article 3. The requirements for candidates to the position of President of the Republic of Moldova

Any Moldovan citizen entitled to vote who is 40 years of age, has resided or resides permanently on the territory of the Republic of Moldova for not less than 10 years, speaks the state language and satisfies requirements of this law may run for the position of President of the Republic of Moldova.

Article 4. Appointment and competence of the special commission

(1) At the suggestion of parliamentary factions, Parliament shall establish a special commission for the election to the position of President of the Republic of Moldova (hereinafter special commission) which shall have the following competence:

a. to receive applications for nominating candidates for the position of President of the Republic of Moldova;
b. to verify the correspondence of candidates nominated for the position of President of the Republic of Moldova with the requirements set forth in Article 3 thereof;
c. to distribute to the members of Parliament the list of candidates nominated for the position of President of the Republic of Moldova and the copies of papers submitted for each candidate;
d. to establish and modify the model of the voting ballot;
e. to organize and hold the voting for the position of President of the Republic of Moldova;
f. to tabulate election results and declare invalid ballots which:
   - are not signed and stamped;
   - intention of the voter is not clear;
   - a line is crossed on all the candidates;
   - have other names added on it;
g. to solve disputes and litigation arisen during the voting;
h. to submit the results of the voting for the Parliament approval;
i. to exercise other functions, in compliance with the provisions of this law, legislation in force and its regulation.

(2) Members of the special commission shall elect the chairman and secretary, determine their competence and approve regulation for the commission activity.

(3) Sessions of the special commission are deliberative provided half of the members are present and the decisions are passed with the majority vote of commission members. Decisions and protocols are signed by chairman and secretary of the commission and the stamp with the seal of the Parliament of the Republic of Moldova is applied on them.

Article 5. The nomination of candidates for the position of President of the Republic of Moldova

(1) The candidate for the position of President of the Republic of Moldova may be nominated commencing the day elections are determined by:

a. person designating him/herself supported by not less than 15 deputies;
b. a group of at least 15 deputies.

(2) Applications for nominating candidates for the position of President of the Republic of Moldova shall be signed by all the deputies who support it, and will be submitted to the special commission not later than 5 days before the election day together with:

a. a written consent by the nominated candidate and his health certificate issued by the designated medical institution;
b. declaration on all candidate's incomes for the year preceding and the election year;
c. biographical data of the candidate (CV).

(3) The deputies who sign one application for nominating a candidate for the position of President of the Republic of Moldova may not sign other such applications.

(4) It is prohibited to withdraw signatures from the application for nominating a candidate to the position of the President of the Republic of Moldova.

(5) Candidate for the position of the President of the Republic of Moldova may any time before the announcement of the vote withdraw his candidature.

Article 6. Special session of the Parliament

The President of the Republic of Moldova shall be elected at a special session of the Parliament on the day established according to Article 2.

Article 7. Presentation of the candidates running for the position of President of the Republic of Moldova

(1) The chairperson of the special committee or one of its members shall introduce to Parliament the candidates nominated for the position of the President of the Republic of Moldova.

(2) Each nominated candidate shall be entitled to deliver a brief speech to the Parliament and to answer deputies' questions.

(3) A representative of the MP group that nominated a candidate for the position of President of the Republic of Moldova shall be entitled to take the floor to support the nominated candidate.

Article 8. The voting

(1) The voting for the candidates for the position of President of the Republic of Moldova shall be secret.

(2) The candidates shall be included in the ballot paper in the order of their nomination.

(3) Each deputy shall be issued a ballot.

(4) Deputies shall vote by striking through the names of the candidates against whom they vote.

(5) Immediately after the voting, the special commission shall compile a protocol to include:
a. total number of deputies who were issued ballots;
b. total number of ballots cast into the ballot box;
c. total number of votes cast for each candidate;
d. total number of ballots declared invalid;
e. other necessary data.

Article 9. Special provisions regarding the election of President of the Republic of Moldova

(1) Candidate is elected by the vote of 3/5 of the elected deputies. If none of the candidates is cast the required number of votes, then a second-round election shall be organized within three days between the two candidates who received the highest number of votes in the first round.

(2) If only one candidate runs in the first round of elections or none of the candidates is cast the required number of votes during the second round, then repeat elections shall be organized.

(3) Upon parity vote in the first round, the special commission shall at lots decide the candidates who will run in the second round.

Article 10. Repeat elections

(1) Repeat elections shall be conducted within 15 days of the ordinary election that failed to elect the President of the Republic of Moldova, according to this law.

(2) If the repeat elections fail to elect the President of the republic, then the incumbent President shall dissolve the Parliament and establish the date of parliamentary elections.

Article 11. Election results

(1) The special commission shall tabulate the election results and submit the relevant information to the Parliament.

(2) Based on the data submitted by the special commission, Parliament shall pass a resolution to confirm that the President of the Republic of Moldova is elected.

(3) Parliament resolution and documents of the special commission shall be immediately submitted to Constitutional Court.

Article 12. Validation of the results of electing the President of the Republic of Moldova

Within three days of receiving the Parliament resolution on the election of President of the Republic of Moldova, the Constitutional Court shall consider the constitutionality of the elections of President of the Republic of Moldova during a public session and shall issue a resolution on

validation of election results that shall be immediately published.

Article 13. New elections

In the event Constitutional Court does not validate election results for the position of the President of the Republic of Moldova, new elections shall be conducted in compliance with the procedure established by this law within three days of the relevant decision.

Article 14. Taking the oath

(1) The candidate whose election has been validated by the Constitutional Court, shall, in the presence of Parliament and the Constitutional Court, and within the time period stipulated in Article 79, paragraph (2) of the Constitution, take the following oath:

"I swear that I will devote all my power and knowledge to secure the welfare of the Republic of Moldova, to observe the Constitution and the laws of the country, to protect democracy, fundamental human rights and freedoms as well as the sovereignty, independence, unity and territorial integrity of Moldova."

(2) The effective exercise of the mandate of the President of the Republic of Moldova shall commence on the day of taking the oath.

Chairman of the Parliament

Dumitru Diacov

Chisinau, 22 September 2000.

No.1234-XIV.

ELECTORAL CODE 2001

Preamble

The will of the people is the foundation of the state's power.

This will is expressed by free elections conducted periodically based on an universal, equal, direct, secret and freely expressed vote.

The state guarantees the expression of a citizen's free will by defending the democratic principles and the norms of electoral laws. This Code establishes the method of organizing and conducting elections of the Parliament of the Republic of Moldova, the local public administration authorities, and organizing and conducting referenda.

[Preamble modified via Law no.1227-XIV of 21.09.2000]

CHAPTER 1. GENERAL DEFINITIONS AND PRINCIPLES

Article 1. General Definitions Used in this Code

For purposes of this Code, the following terms have the indicated meanings:

"Electoral poster" refers to electoral appeals, statements, photographs and other materials of electoral contestants, used for purposes of electoral propaganda.

"Electoral propaganda" refers to the preparation and distribution of information seeking to determine the voters to vote for one or another electoral contestant.

"Voter" refers to a citizen of the Republic of Moldova eligible to vote.

"Election", unless specified otherwise, refers to the election of deputies to Parliament and the local public administration bodies, or conducting a referendum. It also stands for the actions of citizens, parties, other socio-political organizations, electoral blocs, electoral and other state bodies connected with the preparation of voter rolls, the nomination and registration of candidates, pre-electoral campaigning, voting and the tabulation of results, as well as for other election-related actions under current laws.

[Modified via the Law no.1227-XIV of 21.09.2000]

"General elections" refers to any type of elections conducted within one day - Sunday, or any other day - indicated in the decree establishing the date of elections, throughout the entire territory of the republic.

"Early elections" refers to the elections of the elective body upon termination of its mandate before term or dissolution.

[Notion introduced according to the Law no.894-XIV of 23.03.2000]

"Electoral bloc" refers to voluntary union of two or more parties and/or other socio-political organizations, which are registered with the Central Electoral Commission for joint participation in the elections.

"Electoral campaign" refers to the time period allowed for activities aimed at determining the voters to cast their votes for one or another candidate, commencing for each electoral contestant on the day he/she is registered with the Central Electoral Commission or district electoral council, and ending on the day of his/her exclusion or the day of the election.

"Candidate" refers to an individual who runs for an eligible public position on behalf of parties, other socio-political organizations or electoral blocs, as well as independently.

"Independent candidate" refers to an individual proposing his/her candidacy for an eligible public position, independently of parties, other socio-political organizations or electoral blocs.

"District" refers to an administrative electoral unit where elections and referendums are organized and conducted.

"Electoral contestants" refers:

in a parliamentary election, to independent candidates, registered with the Central Electoral Commission, as well as to parties, other socio-political organizations and electoral blocs whose lists of candidates have been registered with the Central Electoral Commission;

in local elections, to parties, other socio-political organizations, electoral blocs and individuals running for the position of mayor or councilor to the local council, registered by corresponding district electoral councils.

[Modified via the Law no.1227-XIV of 21.09.2000]

"Appeal" request to cancel or revise an act, a decision or an action.

[Notion introduced according to the Law no.268-XIV of 04.02.99]

"Central Electoral Commission" and "CEC" refer to the commission appointed to ensure proper election administration and which operates continuously under this Code.

"Voting rights" refers to a citizen's constitutional right to elect, be elected and vote with respect to the most important issues of the state and the society on the whole and/or issues of special local interest.

"List of candidates" refers to the list of candidates proposed by parties, other socio-political organizations and/or electoral blocs for participation in elections.

"Voter rolls" refers to the lists of citizens with the right to vote residing within a precinct.

"Petition" refers to the list of voter signatures collected in support of candidates or to initiate a referendum.

"Locality" herein refers to a territorial-administrative unit, organized according to current laws (county, municipality, town, village (commune) and territorial-administrative unit with special status).

"Electoral bodies" refers to bodies that organize the election of deputies to Parliament and the local public administration authorities and referendums.

[Modified via the Law no.1227-XIV of 21.09.2000]

"Socio-political organizations" refers to parties, fronts, leagues, political people's movements, registered according to the Law on Parties and Other Socio-Political Organizations.

"Parties" refers to voluntary citizen organizations, organized and registered according to the Law on Parties and Other Socio-Political Organizations.

"Electoral period" refers to the time period commencing on the day when the date of elections is officially announced and ending on the day when the final election results are confirmed by the competent bodies.

"Individuals entitled to observe the electoral procedures" refers to observers of the electoral contestants at precincts, foreign observers accredited by the Ministry of Foreign Affairs, observers accredited by the Central Electoral Commission, as well as representatives of mass media.

"Referendum" refers to the vote of the people with respect to major issues of the state and the society as a whole, intended to solve these, as well as to citizen consultation on local issues of special interest.

"Revocation" refers to withdrawal of a mayor's or other eligible public officer's mandate by a court's decision or by referendum.

[Notion introduced according to the Law no.268-XIV of 04.02.99]

Article 2. Principles of Participation in Elections

(1) Citizens of the Republic of Moldova participate in elections on the basis of universal, equal and direct suffrage, with free and secret voting.

(2) Participation in elections is based on the citizen's free will. No one may exercise pressure on a voter to force him/her to participate or not in the elections, nor on the expression of a voter's free will.

(3) Citizens of the Republic of Moldova residing outside of the country shall enjoy full voting rights under this Code. Representatives of diplomatic and consular missions shall be obliged to help these citizens exercise their voting rights.

Article 3. Universality of Voting

Citizens of the Republic of Moldova have the right to elect and be elected irrespective of race, nationality, ethnic origin, language, religion, gender, opinion, political affiliation, property or social origin.

Article 4. Equality of Voting

Every voter is entitled to one vote in one election. All votes have equal legal effect.

Article 5. Direct Voting

Every voter votes in elections personally. Voting on behalf of other individuals is prohibited.

Article 6. Secret Voting

Voting in elections or referendums is secret. Therefore, any possibility to control a voter's will shall be excluded.

Article 7. Free Voting

No one has the right to exert any pressure on a voter to make him/her vote or not, nor to prevent him/her from expressing his/her will.

Article 8. Election Day
Elections shall be held within one day, on a Sunday, or any other day as indicated in the decree establishing the date of the election, throughout the entire territory of the republic or of the corresponding area.

Article 9. Place to Exercise the Voting Right
The voting right shall be exercised in the locality where the voter is registered for a permanent residence visa, unless otherwise stipulated in this Code.

Article 10. Voting for One Electoral Contestant
In an election a voter votes for one single electoral contestant, and expresses his/her will with respect to a single issue in a referendum.

CHAPTER 2. THE RIGHT TO ELECT AND BE ELECTED

Article 11. The Right to Elect
Citizens of the Republic of Moldova, who by the day of the elections have reached the age of 18, have the right to vote in elections in the Republic of Moldova, except for those deprived of this right.

Article 12. The Right to Be Elected
Citizens of the Republic of Moldova eligible to vote and meeting the requirements set forth in this Code have the right to be elected.

Article 13. Limitations
(1) The following individuals cannot vote:
   a. those who do not meet the requirements specified in Article 11;
   b. those declared incapacitated or deprived of their voting rights by a final decision of a court of law;
   c. those sentenced to imprisonment by a final decision of a court of law.

(2) The following individuals cannot be elected:
   a. military personnel in active service;

[Let.a) in the wording of the Law no.268-XIV of 04.02.99] [Let.b) abrogated, the rest are renumbered according to the Law no.403-XIV of 14.05.99]

   b. persons mentioned in paragraph 1;
   c. persons having unsettled criminal records.

[Let.c (d) introduced via Law no.268-XIV of 04.02.99] [Paragraph.3 abrogated via Law no.268-XIV of 04.02.99]

CHAPTER 3. ELECTORAL BODIES

Article 14. The System of Electoral Bodies
(1) In order to organize and conduct elections, the following shall be established:
   a. Central Electoral Commission (permanent);
   b. District Electoral Councils;
   c. Precinct Electoral Bureaus.

Article 15. Representation in Electoral Bodies
(1) Electoral contestants may appoint to electoral bodies which registered them, as well as to lower level electoral bodies one member-representative entitled to a consultative vote. Parties, other socio-political organizations and electoral blocs running in elections may appoint to Central Electoral Commission one member-representative entitled to consultative vote.

[Paragraph 1 art.15 completed via Law no.894-XIV of 23.03.2000]

(2) Within three days members representing electoral contestants shall be confirmed by the corresponding electoral bodies, and in case they are not accepted they will receive a written answer indicating the grounds for their rejection.

[Paragraph 2 art.15 completed via Law no.268-XIV of 04.02.99]

(3) In the event that electoral contestants join into a bloc after they have nominated their representatives to the corresponding electoral bodies, the member-representatives shall be recalled from the electoral bodies, except for one member, appointed by a decision of the bloc leaders. If the leaders of an electoral bloc fail to do so within three days of the day of forming the bloc, the electoral bodies shall expel the representatives subject to withdrawal. Electoral contestant adhering to an already existing electoral bloc shall recall the representative member from the electoral bodies.

Article 16. Formation of the Central Electoral Commission
(1) The Central Electoral Commission is a state body established to organize and conduct elections.

(2) The Central Electoral Commission shall be composed of nine members nominated in a proportional number by the President of the Republic of Moldova, Parliament and the Supreme Council of Magistracy. The nominal composition of the commission and its president shall be nominated from among magistrates and shall be confirmed by a Parliament Decision.

[Paragraph 2, art.16 modified via Law no.894-XIV of 23.03.2000]

(3) The Central Electoral Commission shall conduct its activity in compliance with the Constitution, this Code and the commission's regulation, approved by its resolution.

(4) The Central Electoral Commission is a legal entity, has its own budget, bank account, and seal representing the state coat of arms.

Article 17. Composition and Mandate of the Central Electoral Commission

(1) The members of the Commission shall elect by a majority vote of its members, from among themselves, the Deputy-Chairperson and the Secretary. The results of the vote shall be entered in a protocol, which shall be signed by all participants in the vote. Re-election for these positions may be initiated by no less than one-third of the members of the commission entitled to deliberative vote. The commission's resolution to that effect shall be adopted by a majority vote of its members.

[Paragraph 1 art.17 modified via Law no.894-XIV of 23.03.2000]

(2) If the candidate for the position of Vice-Chairperson or Secretary of the commission does not receive a majority of votes, another round of elections shall be organized in which the candidates nominated for the same position in the previous round may participate.

[Paragraph 2 art.17 modified via Law no.894-XIV of 23.03.2000]

(3) The Chairperson, Vice-Chairperson and Secretary of the commission shall work on a permanent basis. Other members of the commission shall be summoned by the Chairperson on a case-by-case basis.

[Paragraph 3 art.17 modified via Law no.268-XIV of 04.02.99]

(4) Should any one of the positions mentioned in paragraph (1) become vacant, it shall be filled pursuant to the same procedures as in the case of elections.

(5) Within two days of the date of its establishment, the Central Electoral Commission shall make public its composition, location of its office and its contact data.

(6) The mandate of the CEC is six years. Upon expiration of the mandate, the composition of the Commission may be changed. The same individuals may serve for another term, but for no more than two consecutive terms.

Article 18. Meetings and Resolutions of the Central Electoral Commission

(1) The meetings of the CEC shall be deliberative provided that the majority of its members entitled to deliberative vote participate.

(2) The Central Electoral Commission shall adopt resolutions by a vote of the majority of its members entitled to deliberative vote.

Article 19. Status of CEC Members

(1) Members of the CEC shall be of outstanding character and have an exceptionally high reputation for personal integrity and professional skills to exercise electoral activities.

(2) Members of the Commission entitled to a deliberative vote:

a. may not be members of any political party or other socio-political organization that have nominated b. candidates for eligible public positions;
b. may not engage in political activities;
c. cannot make statements for or against electoral contestants;
d. cannot contribute in any way to the activities unfolded by electoral contestants, except when exercising their competence as provided in this Code.

Article 20. Recall of CEC Members

(1) In the event a member of the commission fails to conform to Article 19 paragraph (2) or acts in a manner which is incompatible with his/her member status, he/she may be recalled.

(2) The request to recall a member of the CEC shall be addressed to the Supreme Court of Justice by the institution that nominated the respective member to the CEC and by the commission members.

(3) Based on the Supreme Court's ruling on recalling a member of the CEC and within ten days thereof, the Supreme Court shall propose a candidate to fill the vacant positions.

Article 21. Release from Other Responsibilities. Compensation

(1) Members of the CEC not working on a permanent basis shall be released from their professional duties for the duration of the electoral period by a CEC Resolution.

(2) The positions of Chairperson, Vice-Chair-man and Secretary of the CEC shall be regarded as public officers of first rank, whereas members of the commission entitled

to a deliberative vote, released from their basic workplace, as public officers of second rank.

(3) Members of the commission shall be paid according to the rank of their position, but not less than the average of their payment at their last permanent workplace plus raises, supplements, allowances and remuneration. Members not working on a permanent basis shall receive a 25% salary raise, for the period they are released from their permanent workplace.

Article 22. General Responsibilities of the Central Electoral Commission

The Central Electoral Commission shall:

a. study the method of organizing and holding elections in order to improve the electoral law and procedures;
b. make recommendations to Government and Parliament concerning the timelines of operating changes to the electoral law;
c. develop regulations and instructions intended to improve the electoral procedures;
d. keep a roster of trained personnel for appointment to District Electoral Councils and Precinct Electoral Bureaus;
e. set up District Electoral Councils and Precinct Electoral Bureaus for the partial elections to the local councils or for the position of mayor;
f. cooperate with the following during the organization and holding of elections:
   • The Ministry of the Interior with respect to establishing security procedures to protect voting sites and materials;
   • State enterprises and institutions whom it shall contract for services such as ballot printing and equipment supply;
   • Media outlets and public associations in conducting civic and voter education activities and informing citizens about the electoral process;
g. analyze the structure of electoral districts, in terms of the existing organization of administrative-territorial units of the republic;

[Let.g) modified via Law no.268-XIV of 04.02.99]

h. implement programs of civic education in-between elections;
i. develop voter information programs during electoral periods;
j. provide the media information on employed election administration practices;
k. report on an annual basis to Parliament and, when specifically requested, to the President, Government or Parliament;
l. communicate election issues to the press and the public at large;
m. establish contacts with political parties, other socio-political and non-governmental organizations entitled to put forward candidates for public offices, and see to their unhindered participation in the electoral process;
n. consult indigenous non-governmental organizations interested to conduct civic education campaigns during elections;
o. organize training courses and seminars for individuals qualified to participate in the electoral process as members of district electoral councils or precinct electoral bureaus, as representatives of political parties, other socio-political organizations or potential candidates, as officers in the apparatus of electoral councils or as members of support groups;
p. analyze electoral frauds, including allegations of fraud, committed past or current elections as well as likely to be committed in future elections and take preventive measures; notify public authorities about issues needing consideration according to current laws;
q. verify on a yearly basis voter rolls (after January 1), and update them based on data supplied by local public administration authorities.

Article 23. Apparatus of the Central Electoral Commission

(1) The CEC may be assisted by an apparatus whose staff shall be appointed by the Government at the recommendation of the CEC. Officers of the apparatus shall be hired by resolution of the commission. Some officers of the apparatus, nominated by the commission, shall work on a permanent basis, whereas the rest of the officers shall be summoned for the electoral period, and shall be released from their professional duties at their basic workplace for the duration of the electoral period.

(2) The salaries and expenses of the CEC apparatus shall be paid by the Commission from its budget. The salary of an apparatus officer shall be equal to one of a second rank public officer, but not lower than the average salary paid at the previous permanent workplace, plus raises, supplements, allowances and remuneration. Equivalence with definite positions shall be determined by the CEC. Members not working on a permanent basis shall receive a

25% salary raise for the period they are released from their basic place of work.

Article 24. Funding of Central Electoral Commission's Activity

Funds for CEC operations shall be provided from the State budget. Each year, at a time determined by the Government, the Commission shall submit a budget request to the Government, for inclusion in the state budget draft of expenditures connected with the the Commission functioning and the ones related to election administration. The request shall include specifications concerning activities the Commission intends to undertake during the course of the upcoming fiscal year.

Article 25. Meetings and Operations of the Central Electoral Commission

(1) Meetings of the Commission may be called by the Chairperson or upon request of a majority of its members. In the event a meeting is requested by a majority of the members, the decision to convene the meeting shall be made within 48 hours of submission of the request.

(2) All meetings in which the Commission discusses electoral matters, including meetings in which the Commission is called upon to make a decision about election issues, shall be open to the press, and also to the public. Meetings of the Commission shall be held only after 48 hours of public notice has been given, except for meetings during electoral periods, in which case shorter notice may be given if the matter to be discussed needs urgent consideration.

(3) The Central Electoral Commission shall ensure that election operations are conducted in an open manner enabling the press and public to follow the commission's activity.

Article 26. Responsibilities of the Central Electoral Commission during the Electoral Period

(1) During an electoral period, the CEC shall have the following responsibilities with respect to elections conducted under this Code:

a. coordinate the activity of all electoral bodies to prepare and conduct elections, according to this Code;
b. oversee the implementation of this Code's provisions and other laws that affect the conduct of elections;
c. establish electoral districts and district electoral councils and supervise their activity;

[Let.c) in the wording of the Law no.268-XIV of 04.02.99]

d. based on the data provided by the Ministry of Justice, publish the list of parties and other socio-political organizations entitled to run in elections, register electoral contestants and their trustees in the event of parliamentary elections;

[Let.d) modified via the Law no.1227-XIV of 21.09.2000]

[Let.d) in the wording of the Law no.894-XIV of 23.03.2000]

e. distribute funds allotted for conducting elections; oversee the provision of electoral councils and bureaus with offices, transportation and telecommunication; and deal with other issues of technical and material support for elections;
f. establish the form of ballots and voter rolls, the records of meetings of electoral councils and bureaus and other documents for conducting elections; and design of voting boxes and stamps for the electoral councils and bureaus;
g. receive and consider communications from state and public bodies on issues concerning the preparation and conduct of elections;
h. resolve issues regarding participation in elections of those citizens that are outside the country at the time of voting;
i. sum up the results of the elections in the entire country and, if necessary, prepare a report on the elections results to be submitted to the Constitutional Court;
j. issue resolutions with regard to the operations of district electoral councils and precinct electoral bureaus, election procedures, the method of organizing and conducting the elections and technical and administrative issues;
k. provide training for poll workers and election information for voters;
l. consider statements and complaints regarding decisions and actions of district electoral councils and precinct electoral bureaus and adopt mandatory resolutions thereupon;
m. issue resolutions regarding the release of electoral council members from their basic workplace for the time period of working with the electoral council;

[Let.m) modified via Law no.268-XIV of 04.02.99]

n. organize the conduct of second round of elections, repeat, new or partial elections, pursuant to the provisions of this Code;

o. collect information about citizen participation in elections, sum up preliminary results and make final results public.

(2) During the electoral campaign, the CEC may exercise full authority even if the member-representatives entitled to a consultative vote have not been appointed to the Commission yet.

Article 27. Formation of Electoral Districts and District Electoral Councils

[Title of art.27 in the wording of the Law no.268-XIV of 04.02.99]

(1) At least 75 days before elections, Central Electoral Commission shall establish electoral districts that shall correspond to administrative-territorial units of second level of the Republic of Moldova, and, at least 65 days before elections, district electoral councils. In early elections, electoral districts and district electoral councils shall be established at least 40 and 35 days correspondingly before the date of the elections.

[Paragraph 1 art.27 completed via the Law no.894-XIV of 23.03.2000]

[Paragraph 1 art.27 in the wording of the Law no.268-XIV of 04.02.99]

(2) District electoral councils shall consist of 7-11 members entitled to deliberative vote. Three of them must be judges and at least three other members must have completed higher legal education.

[Paragraph 2 art.27 in the wording of Law no.268-XIV of 04.02.99]

(3) In local elections and referenda, the district electoral councils are formed on the basis of proposals submitted by executive bodies of representative authorities, and when there's a lack of such proposals, the Central Election Commission will appoint them. To the extent possible, individuals having higher legal education shall be appointed to district electoral councils.

[Paragraph 3 art.27 in the wording of the Law no.268-XIV of 04.02.99]

(4) Candidates for membership in the district electoral councils shall be proposed by judges and executive bodies of the respective representative authorities, or on the basis of the CEC's roster of suitably qualified personnel. Members of district electoral councils may not be councilors on local councils, members of parties or other socio-political organizations running in elections.

[Paragraph 4 art.27 in the wording of the Law no.268-XIV of 04.02.99]

(5) District electoral councils, within three days of their formation, shall elect by secret vote from among their members a chairperson, vice-chairperson and secretary. The district electoral council shall promptly notify the Central Electoral Commission of the results of these elections.

(6) Within four days of the date of its formation, district electoral councils shall make public the names of their members, the location of their office and the means of contacting them.

[Paragraph 6 art.27 in the wording of the Law no.268-XIV of 04.02.99]

(7) District electoral councils may adopt decisions by a majority vote of its members entitled to deliberative vote.

(8) District electoral councils shall be assisted by an apparatus whose personnel shall be approved by the Central Electoral Commission, at the recommendation of the district electoral council.

Article 28. Responsibilities of District Electoral Council

District electoral councils shall have the following responsibilities:

a. oversee the execution of this Code and other laws affecting the conduct of elections;
b. form electoral bureaus and supervise the activity of precinct electoral bureaus; train their members;
c. promote the technique of voting and the importance of the vote;

[Let.b) modified via Law no.268-XIV of 04.02.99]

d. distribute allotted financial funds among precinct electoral bureaus;
e. receive and examine communications of local public administration bodies, directors of state entities, institutions and organizations regarding the preparation and conduct of elections;
f. exercise control over the timely elaboration and review of the voter rolls;
g. ensure precinct electoral bureaus with a supply of forms for voters rolls, protocols and ballots, etc.;
h. register independent candidates and lists of candidates from political parties, socio-political organizations, and electoral blocs and make public information about them;
i. decide the withdrawal of responsibilities that the members of electoral bureaus have to fulfill at their

permanent workplace, for the period during which they work within electoral bureaus;

[Let.h) introduced via Law no.268-XIV of 04.02.99]

j. sum up election results in the district, submit related documents to the Central Electoral Commission and assure that results are published in the local press;
k. collect information from the precinct electoral bureaus about citizen participation in elections, sum up preliminary results of the election and submit them to CEC;
l. consider statements and complaints about decisions and actions taken by precinct electoral bureaus, and adopt mandatory decisions regarding them;
m. take other actions connected with the organization and conduct of elections.

Article 29. Establishment of Precincts and Precinct Electoral Bureaus

(1) To conduct voting and count the votes, electoral districts shall be divided into precincts.

(2) Precincts will be established by district electoral councils in localities based on the recommendation of mayors of villages (communes) and cities (municipalities) no later than 35 days before elections. Each precinct shall have no less than 30 and no more than 3,000 voters. In elections at any level and in republican referendum, precincts shall be established in the same term.

[Paragraph 2 art.29 completed via Law no.894-XIV of 23.03.2000]

[Paragraph 2 art.29 modified via Law no.268-XIV of 04.02.99]

[Paragraph 2 art.29 modified via the Law no.796-XV of 25.01.2002]

(3) Special precincts may also be established at hospitals, sanatoriums, maternity wards, asylums and homes for elderly. Such precincts must have no less than 30 voters.

(4) Military personnel shall vote at general precincts where military units are located.

(5) In parliamentary elections and republican referendums, precincts shall also be formed at Moldovan diplomatic and consular missions for workers of these representatives and members of their families, as well as for Moldovan citizens traveling to these countries, regardless of their number. These precincts shall be considered to belong to the electoral district of Chisinau Municipality.

[Paragraph 5 art.29 modified via Law no.1227-XIV of 19.10.2000]

(6) In new local, partial elections and local referenda, when the second level district electoral council is not constituted, it is the Central Electoral Commission that shall establish the precincts and their electoral bureaus.

[Paragraph 6 art.29 introduced by the Law no.268-XIV of 04.02.99]

[Paragraph 6 art. 29 modified via the Law no.796-XV of 25.01.2002]

(7) A district electoral council shall number its precincts and make information available about the size of each precinct bureau, its polling station location, its telephone number, and means of contacting it.

(8) Precincts shall be ordered alphabetically according to the locality where the district electoral council is situated and continuing with those in municipalities, towns, communes and villages.

[Paragraph 8 art.29 completed by the Law no.268-XIV of 04.02.99]

(9) Mayoralties shall provide information and necessary assistance to precinct bureaus to ensure proper fulfillment of their duties as stipulated in this Code.

(10) Precinct electoral bureaus shall be formed by the district councils no later than 20 days before the election and will consist of 5 -11 members entitled to deliberative vote. In elections at any level and in republican referendum, precinct electoral bureaus shall be established in the same term.

[Paragraph 10 art.29 completed via Law no.894-XIV of 23.03.2000]

[Paragraph 10 art.29 completed via Law no.268-XIV of 04.02.99]

[Paragraph 10 art. 29 modified via the Law no.796-XV of 25.01.2002]

(11) Lists of precinct electoral bureau members shall be proposed by local councils. Should such lists fail to be presented, precinct electoral bureau members shall be appointed by district electoral council within five days of the expiration of the term indicated in the paragraph (10) of this Article.

[Paragraph 11 art.29 modified via Law no.268-XIV of 04.02.99]

(12) The precinct electoral bureau shall elect, within two days of its formation, from among its members a chairperson, a vice-chairperson and a secretary of the bureau, will immediately notify the district electoral council of its decision, and will make public membership and location of electoral bureau and means of contacting it.

(13) At diplomatic missions and consulates, a chairperson and secretary of the precinct bureau shall be elected. At diplomatic missions and consulates with less than three workers, voting shall be done by diplomatic mail, in which case the ballots must be sent to the Central Electoral Commission by election day.

(14) To ensure the exercise of the constitutional right to vote, the Central Electoral Commission may form precincts and precinct electoral bureaus in other instances as well.

(15) Members of a precinct electoral bureau entitled to deliberative vote may not be councilors in local councils, party members or members of any other socio-political organization running in elections.

[Paragraph 15 art.29 completed via the Law no.268-XIV of 04.02.99]

Article 30. Responsibilities of Precinct Electoral Bureaus

Precinct electoral bureaus shall have the following responsibilities:

a. together with public administration bodies provide for the review of voter rolls, ensure integrity of the lists and electoral ballots, and be responsible for their correct and complete development;

[Let.a) modified via Law no.268-XIV of 04.02.99]

b. consider statements about mistakes in voter rolls, make changes in them, and issue certificates of the right to vote to voters who, on election day, will be away from their place of residence;
c. develop supplementary voter rolls on which persons who vote based on voting certificates are entered, as well as voters who, for various reasons, were not included on the main voter rolls;
d. notify the public residing within the precinct about the election day and the location of the polling place, prepare the polling station premises for voting and install ballot boxes and booths; organize voting on the scheduled day, ensure public order in the premises of the polling station;
e. tabulate election results in the precinct, complete the protocols, and convey them along with all ballots to the district electoral council;
f. consider requests and complaints regarding preparation for elections and organization of voting, and make decisions regarding them which shall be attached to the bureau's protocols;
g. convey to the district electoral council data regarding citizens participation in elections, as well as the data required for tabulation of the preliminary results of the elections;
h. exercise other responsibilities in keeping with this law.

Article 31. Assistance to Electoral Councils and Bureaus

(1) Public bodies, enterprises, organizations and institutions, official persons, parties and other socio-political organizations and their bodies shall be obliged to provide support to electoral councils and bureaus in fulfilling their duties and supply information and materials necessary for their activity.

(2) In matters relating to the preparation and conduct of elections, electoral councils and bureaus may address requests to public bodies, enterprises, organizations and institutions, official persons, parties and other socio-political organizations and their bodies which shall consider the matter and respond within three days of receiving the request, but no later than election day.

Article 32. Organization of the Activity of Electoral Councils and Bureaus

(1) Meetings of electoral councils and bureaus during electoral period shall be called and convened by the chairperson, and, in case of his/her absence or at his/her request, by the vice-chairperson. In addition, a meeting may be called at the request of at least one-third of the voting members of the council/bureau.

(2) A quorum for conducting a meeting of an electoral council/bureau shall be more than half of its voting members. All decisions of electoral councils and bureaus shall be taken by an open vote of the majority of its voting members, signed by the chairperson and the secretary. Upon a tie vote, the chairperson's vote shall decide. Members of the council or bureau who do not agree with adopted decisions have the right to put in writing their own opinion, which shall be attached to the record of the meeting.

(3) The decisions of electoral councils or bureaus adopted within the scope of their authority must be complied with by all public bodies, enterprises, institutions and organizations, parties, other socio-political organizations, and all citizens.

(4) The Central Electoral Commission shall establish by a resolution the number of electoral body members who shall be released from their basic professional duties and the time period of release. Such individuals shall receive from the electoral fund a 25% salary increase to the average monthly wage at their normal workplace, plus raises, supplements, allowances and remuneration, but not less than an average wage per republic.

[Paragraph 4 art.32 in the wording of the Law no.268-XIV of 04.02.99]

(5) Members of electoral councils or bureaus entitled to deliberative vote may not campaign for or against candidates running for eligible public office; engage in any other political activity on behalf of any electoral contestant; be affiliated with any of them; make any financial or other contribution, directly or indirectly, to any electoral contestant. In local elections members of electoral councils and bureaus entitled to deliberative vote may not be relatives by blood or by law with a candidate running in elections

Article 33. Changes in the Membership of Electoral Councils and Bureaus

(1) The membership of the electoral council or bureau shall cease:

a. upon request;
b. upon recall.

(2) The institution or the electoral contestant who nominated or appointed a member to the electoral council or bureau shall have the right to recall that member.

(3) If a member resigns or is recalled from the electoral council or bureau before elections day, a replacement can be nominated or appointed as established by this Code.

Article 34. Termination of Electoral Councils and Bureaus

(1) Electoral councils and bureaus established under this Code shall terminate their activities and be dissolved by a decision of the electoral body that has established them, as soon as practicable after the elections for which they were formed were concluded.

[Paragraph 1 art.34 modified via Law no.268-XIV of 04.02.99]

(2) Ordinarily, district electoral councils and precinct electoral bureaus shall cease to exist as soon as the Central Electoral Commission (or the relevant district electoral council) makes public the results of the elections.

(3) After dissolution of electoral councils or bureaus in compliance with this Code, their members shall cease to be remunerated and return to their normal employment.

[Paragraph 3 art.34 modified via Law no.268-XIV of 04.02.99]

CHAPTER 4. MATERIAL SUPPORT OF ELECTIONS

Article 35. Supply of Materials Necessary for Conducting Elections

(1) Expenses connected with the preparation and conduct of elections shall be borne by the State.

(2) The amount of these expenses shall be established by Parliament within the limits of the provisions of the law on the state budget for the year when the elections are conducted. The relevant proposals shall be submitted by the Central Electoral Commission to the Government. The Government shall examine them and then present them to Parliament for approval. In the event that the expenses are not foreseen in the ongoing year budget, their amount shall be established by Parliament, at the proposal of the CEC.

(3) As soon as possible after the conclusion of the election, the Central Electoral Commission shall submit to Parliament a report on the management of the allotted sum along with a statement of the Court of Accounts.

(4) Funds not used shall be transferred back to the state budget.

(5) The method of distribution and spending of funds, as well as the method of publication of the final expense report, shall be established by the Central Electoral Commission under the conditions provided for by this Code.

(6) Public authorities, enterprises, institutions and organizations shall make available office space and equipment necessary for preparation and conduct of elections and for results tabulation, for use by electoral councils and bureaus.

(7) State mass media shall, free of charge, publish statements and materials presented by the electoral councils, electoral programs of electoral contestants, and other election-related materials, including materials designed for civic education or voter information purposes.

Article 36. Prohibition of Foreign Support to Electoral Campaign

(1) Direct or indirect funding or material support of any kind for the electoral campaign of a contestant in an election by foreign countries, international or joint enterprises, institutions, organizations, as well as by natural persons who are not citizens of the Republic of Moldova is prohibited. Such funds shall by confiscated to the state budget.

(2) In the event that a contestant in an election receives on his/her account undeclared funds from abroad or has knowingly used such funds, the Central Electoral Commission shall ask the Supreme Court to nullify the registration of the contestant. The Supreme Court shall examine the complaint and render its judgment within five days, but no later than the elections day.

Article 37. State Material Support for Electoral Campaigns

(1) Electoral contestants may receive interest free loans from the state. The amount of the loans shall be established by the CEC.

(2) Loans from the state budget may be received by the agency or a financial agent only, appointed for this purpose by the contestant. Financial agents shall be natural or legal entities, registered with the Ministry of Finance. They shall share all responsibilities with the contestants who appointed them.

(3) Loans received from the state shall be paid fully or partially by the state depending on the overall number of votes received by the electoral contestant in the respective district. The sum to be paid by the state shall be established by dividing the sum of the credit by the number of voters who participated in the elections and then multiplying it by the number of valid votes cast for the contestant.

(4) Electoral contestants who fail to receive at least six percent of the valid votes cast in the election throughout the republic, or in the relevant district, including the independent candidates who were not elected, shall pay back loans from the state within two months of the conclusion of voting. Other electoral contestants shall repay the loans within four months.

[Paragraph 4 art.37 modified via Law no.894-XIV of 23.03.2000]

Article 38. Conditions and Method of Support for Electoral Campaigns

(1) Direct or indirect financing and material support in any form for the electoral campaign of a contestant in an election by natural and legal entities may be used only under the following conditions:

a. financial or other support for the candidates in elections, within one month of the announcement of the campaign period, shall be announced in the press, including a newspaper of Republic-wide circulation in the case of independent candidates or lists of candidates in an election for Parliament, or a newspaper with regional circulation in the relevant rayon, in the case of independent candidates or lists of candidates in local elections;

[Let.a) modified via the Law no.1227-XIV of 21.09.2000]
[Let.a) modified via the Law no.268-XIV of 04.02.99]
[Letter a) modified via the Law no.796-XV of 25.01.2002]

b. after the appropriate electoral council or bureau is formed, electoral contestants shall also report any funds or other support they obtain from the sources described in this Article, prior to making use of them.

(2) Electoral contestants shall open a bank account which will be specified as an "Electoral Account", to which the participants shall transfer their own money, funds granted by natural and legal entities of the country. These funds may only be transferred into the account with the candidate's prior consent. The ceiling of funds to be wired to the electoral accounts shall be established by the CEC.

(3) Electoral contestants shall confirm with the Central Electoral Commission the person responsible for the finances (treasurer). Electoral contestant who fail to open a bank account under “Electoral Fund” shall communicate the fact to the Central Electoral Commission.

(4) Legal entities may wire money to the "Electoral Fund" only through bank transfer, which is to be accompanied by a note on the existence or non-existence of a foreign share in the statutory capital.

(5) The following may not, under any circumstances, fund or support electoral campaigns:

a. citizens of the Republic of Moldova who haven’t reached the age of 18 years;
b. state funded organizations;
c. anonymous persons;

d. charity or religious organizations.

(6) Legal and natural entities may not order electoral advertising materials for the electoral contestants and may not cover the expenses related to their production without electoral contestants' consent, and from the funds not wired to "Electoral Fund" of the relevant candidate.

(7) Funds wired to the "Electoral Fund" may not be used for personal interests. Electoral contestants may not offer voters money or gifts, may not distribute goods free of charge, including humanitarian aid or other charity.

(8) Electoral contestants shall submit bi-weekly financial reports to the electoral bodies, which will include data on the income and expenses and their sources.

[Paragraphs 3,4,5,6,7,8 art. 32 introduced via the Law no.796-XV of 25.01.2002]

(9) The bank will notify the Central Electoral Commission and the relevant electoral council of the funds transferred to a contestant's account within 24 hours of the day of the transfer. To check the sources of income, the accuracy of the record and spending of funds by candidates, the CEC or the district electoral council may request that the Court of Accounts or the Fiscal Inspector of the Ministry of Finances review the correctness of book-keeping and usage of these funds.

(10) The Central Electoral Commission or district electoral councils shall maintain a file including all the data refered to in this Article, and shall make the file available to the public for information purposes. In addition, the respective electoral body shall compile this information on a weekly basis and issue a weekly report on the amount of contributions received by each electoral contestant, and the sources from which it has been received. The respective electoral body shall release its final pre-election report two days prior to election day, and shall also prepare a final report compiling all the information it has received concerning the amount and sources of contributions to the contestants in an election.

[Paragraph 4 art.38 modified via Law no.268-XIV of 04.02.99]

CHAPTER 5. VOTER ROLLS

Article 39. Voter Rolls

(1) Voter rolls shall be developed by the mayoralty in two copies for every polling station. After being developed, the rolls will be checked with voters who are on the lists, at their domicile. Then the rolls will be signed by the mayor and made public no later than 15 days before election day.

[Paragraph 1 art.39 modified via the Law no.268-XIV of 04.02.99]

[Paragraph 1 art.39 modified via the Law no.894-XIV of 23.03.2000]

(2) The voter rolls will include the voter's last name and first name, year of birth, place of residence, type and number of the voter's identification document. The order on the lists shall be established by the mayoralties.

(3) Voter rolls of citizens in the military residing in military units, their family members, other voters residing in military units, will be compiled on the basis of data submitted by military unit commanders. Military personnel residing outside military units, and their family members, shall be included on the voter rolls at their place of residence.

(4) Voter rolls for electoral precincts formed in rest houses, hospitals and other curative institutions shall be compiled on the basis of data presented by the heads of the above-mentioned institutions.

[Paragraph 4 art.39 modified via the Law no.268-XIV of 04.02.99]

(5) Voter rolls for electoral precincts constituted outside the Republic of Moldova shall be compiled on the basis of data collected by heads of diplomatic missions and consular offices who operate on the soil of the respective countries.

(6) A voter may be included on only one voter roll and at only one electoral precinct, based on acts attesting their domicile within the perimeter of the respective polling station.

[Paragraph 6 art.39 modified via the Law no.268-XIV of 04.02.99]

[Phrase "based on residence visa" of art.39 paragraph (6) is declared unconstitutional via resolution of Constitutional Court no 15 of 27.05.98]

(7) In the event that the voter changes his/her residence in the period between the day of determining the rolls and election day, the precinct bureaus, at the voter's request and upon presentation of his/her passport or some other form of identification, shall issue the voter a voting right certificate. The voter who receives such a certificate shall confirm it by signing the voter list next to his/her name.

Article 40. Review of Voter Rolls

(1) Fifteen days before elections the voter roll shall be made available for inspection in a public place within the precinct. The mayoralty shall keep a copy of the list. Not later than seven days prior to elections, voters shall be notified of the location of the precinct at which they must vote.

[Paragraph 1 art.40 modified via the Law no.894-XIV of 23.03.2000]

(2) Citizens shall be provided with an opportunity to become familiar with the voter rolls and to verify the accuracy of their compilation. They have the right to appeal against their names being incorrectly omitted or excluded from the list, as well as mistaken personal data introduced in the list.

CHAPTER 6. NOMINATION AND REGISTRATION OF CANDIDATES

Article 41. Nominating Candidates

(1) In parliamentary elections the process of nominating candidates commences as soon as the election is announced and ends 40 days before election day. In local elections the candidates are nominated after electoral districts and district electoral councils are established according to Article 120.

[Paragraph 1 art.41 modified via Law no.1227-XIV of 21.09.2000]

[Paragraph 1 art.41 in the wording of Law no.268-XIV of 04.02.99]

(2) The following have the right to nominate a candidate for election, provided they meet all applicable requirements set forth in this Code:

a. Parties and other socio-political organizations registered prior to the announcement of elections, in accordance with their statutes and current legislation.
b. Electoral blocs formed on the basis of decisions adopted according to the statutes of parties and other socio-political organizations, registered with the CEC within 15 days of their formation - or, if they were formed prior to the electoral period, within 15 days of the commencement of that period;
c. Citizens of the Republic of Moldova who nominate themselves (independent candidates).

(3) Candidate statements of agreement to run in an election shall be submitted as follows:

a. Statements by candidates for the office of deputies to Parliament shall be submitted to the Central Electoral Commission;

[Letter a) paragraph 3 art.41 modified via Law no.1227-XIV of 21.09.2000]

b. Statements by candidates for mayor or council local elections shall be submitted to district electoral councils.

Article 42. Collection of Signatures in Support of a Candidate

(1) Signatures are collected only in support of an independent candidate or for initiating a referendum. In local election signatures are collected only in the districts where independent candidates are running in elections.

[Paragraph 1 art.42 completed via the Law no.894-XIV of 23.03.2000]

(2) Only members of a citizen initiative group, who appoint and/or support independent candidates, their trustees, as well as members of initiative group for holding a referendum, have the right to collect signatures.

(3) Lists for collecting signatures in support of an independent candidate, as well as for initiating a referendum (hereinafter petitions) must contain the last and first name, year of birth, profession, position (occupation), place of work, place of residence and party membership of the candidate, as well as the last and first name of the voter who collects the signatures. Individual sheets of the petitions shall contain only signatures of voters who live in a single locality.

(4) Voters who support the candidate, as well as initiating a referendum, shall indicate on the petition their first and last names, year of birth, place of residence, type and number of identification document, date of signing, and signature.

[Paragraph 4 art.42 modified via Law no.268-XIV of 04.02.99]

(5) Each voter may sign the petition for only one candidate in any particular election.

[Paragraph 5 art.42 modified via the Law no.268-XIV of 04.02.99]

(6) The individual who gathers voters' signatures must sign every sheet of the petition in the presence of the head of local public administration authority where signatures were collected. Signature collectors shall introduce at the end of each sheet of names an attestation to the effect that

the collector personally collected the signatures and confirmed the identity of the persons whose names appear on that sheet. The petition shall be certified on each page with the official stamp of the respective local public administration.

Article 43. Submission and Review of Nominating Petitions

(1) No later than 30 days before general elections and at least 20 days before early elections, the appropriate electoral body shall review the accuracy of the signature lists that are submitted to it, in terms of the eligibility of the persons whose names appear on the petitions to vote in the elections, their residence, and the authenticity of their signatures. The petitions shall be verified within five days of the day of submission.

[Paragraph 1 art.43 completed via the Law no.894-XIV of 23.03.2000]

[Paragraph 1 art.43 modified via the Law no.268-XIV of 04.02.99]

(2) The electoral council shall inform submitters of such lists about the results of the review and shall announce the total number of names included on the petitions submitted by individual contestants in elections, as well as the number of signatures found valid.

(3) Persons collecting signatures for nominating petitions shall be held responsible for the authenticity of the data on petitions.

(4) Petitions in which names have been entered prior to the official start of the nomination period or petitions which have not been signed by the signature collector, or have not been certified by the stamp of the local public administration authority, shall be considered null and void.

Article 44. Registration of Candidates

(1) To register a candidate for an election, the following documents must be submitted to the Central Electoral Commission or district electoral councils no later than 30 days before election day:

a. an official record of the meeting of the supreme or territorial body of the party, other socio-political organization or electoral bloc regarding the nomination of the candidate (list of candidates);
b. petitions containing the required number of signatures in support of independent candidates;
c. biographical data about the candidate;
d. the candidate statement of agreement to run for the office for which his/her candidacy has been proposed;
e. a declaration by the candidate stating his/her income over the two years preceding the election year, and the sources of that income.

[Letter f) paragraph 1 art.44 excluded according to the Law no.1227-XIV of 21.09.2000]

(2) The relevant electoral body shall register candidates for elections within seven days of the date of submission of the documents enumerated in paragraph (1).

(3) Candidates in an election may not serve on any electoral council or bureau during the period of that election.

(4) The relevant electoral body shall issue a certificate of candidacy to registered candidates as soon as possible but no later than three days of the day of registration.

(5) The relevant electoral body shall have published in the state mass media its rulings on whether to register independent candidates or lists of candidates.

(6) Upon expiration of the term for registration of candidates, the relevant electoral body shall publish the integral list of candidates that it has registered, providing their names, surnames, year of birth, locality of residence, political affiliation, professions (occupations), and the party or socio-political organization, if any, that has nominated them.

[Art. 44 modified via the Law no.268-XIV of 04.02.99]

CHAPTER 7. ELECTORAL CAMPAIGN

Article 45. Trustees of Electoral Contestants

(1) Contestants in an election may designate trustees in every district. Trustees assist the contestants in conducting their electoral campaign, campaign for them and represent their interests in relations with public bodies, the voters and electoral councils and bureaus. The number of trustees for each electoral contestant shall be determined by the CEC or the relevant district electoral council.

(2) The contestants shall independently choose their trustees and notify the relevant election council, which shall register and certify them.

(3) Trustees of contestants in parliamentary elections shall be registered by the Central Electoral Commission. Trustees of candidates for mayor or local councilor

positions shall be registered by the district electoral council.

[Paragraph 3 art.45 modified via Law no.1227-XIV of 21.09.2000]

(4) Contestants in an election may, at any time before the day preceding elections, suspend a trustee's authority, and replace him/her with other persons.

(5) Trustees of candidates shall upon request be granted leave from their normal place of employment without remuneration. Neither could they be remunerated from funds allotted for the conduct of elections. For the electoral period they may not be dismissed or transferred from their usual job responsibilities without their consent.

[Paragraph 5 art.45 in the wording of the Law no.268-XIV of 04.02.99]

(6) Trustees of candidates having public functions may not use public means and goods for electoral campaigns.

Article 46. Guaranteed Rights of Electoral Candidates and Contestants in Elections

(1) The electoral contestants shall participate in the electoral campaign on an equal basis and have equal access to mass media, including radio and television, financed by the state budget.

(2) All electoral contestants shall be guaranteed equal opportunities for technical and material support and funding of the electoral campaign.

(3) Candidates may be relieved from their job duties at their normal place of employment throughout the electoral campaign and shall be paid an average amount of the salary from their place of employment from allotted electoral funds.

[Paragraph 3 art.46 modified via Law no.268-XIV of 04.02.99]

(4) Candidates for parliamentary elections may use all state-owned means of transportation (except taxi) on the soil of the entire country free of charge. In local elections candidates shall exercise this right within the relevant electoral district only.

[Paragraph 4 art.46 modified via Law no.1227-XIV of 21.09.2000]

[Paragraph 4 art.46 modified via Law no.268-XIV of 04.02.99]

(5) During the electoral period, candidates may not be fired or transferred to another place of work or position without their consent.

[Paragraph 5 art.46 modified via the Law no.268-XIV of 04.02.99]

[Paragraph 6 art.46 is declared unconstitutional via resolution of the Constitutional Court no.43 of 27.07.99]

[Paragraph 6 art.46 modified via the Law no.268-XIV of 04.02.99]

(6) Candidates in an election may, no latter than five days prior to election, withdraw their candidacy by addressing in writing a declaration to this effect to the electoral body which registered their candidacy. Parties, socio-political organizations and electoral blocs may modify their registered nominating petitions, within the same term and in conformity with Articles 79 and 126 thereof.

[Paragraph 6 art.46 modified via Law no.480-XIV of 02.07.99]

[Paragraph 6 art.46 in the wording of the Law no.268-XIV of 04.02.99]

(7) If a candidate in an election withdraws his/her candidacy after ballot papers have already been printed, the precinct electoral bureau shall stamp "withdrawn" next to his/her name, on the ballot.

(8) Electoral contestant who has withdrawn his/her candidacy is obliged to return the material and financial supplies which he/she has been allotted from the state budget to conduct the electoral campaign.

Article 47. Pre-election Campaigning

(1) Citizens of the Republic of Moldova, parties and other socio-political organizations, electoral blocs, candidates and trustees of candidates have the right to put forward for free discussion all aspects of candidates' electoral programs, and the political, professional and personal qualities of the candidates; and to campaign for or against candidates in elections at meetings, reunions, meetings with the electorate, using means of mass media and other forms of communication except for those that disturb public order or are unethical. Electioneering for an electoral contestant is allowed only after his/her registration with an electoral body.

[Paragraph 1 art.47 completed via the Law no.894-XIV of 23.03.2000]

(2) Electioneering via foreign audiovisual institutions broadcasting their programs on the territory of the

Republic of Moldova, as well as via audiovisual institutions set up by joint ventures in compliance with the law, shall be prohibited. Electioneering in foreign papers published and distributed in the Republic as well as in their supplements shall be prohibited also. Registration of electoral contestants who violate this provision will be cancelled and so will be the licenses on broadcasting or publishing of the relevant audiovisual and press institutions.

(3) During electoral campaigns, public audiovisual institutions will grant free of charge air time, within the limits set by Central Electoral Commission, to electoral contestants for public debates. For electioneering purposes, each electoral contestant will be granted against charge air time not exceeding two hours for the entire electoral campaign, including no more than two minutes per day.

(4) During roundtables private audiovisual institutions may organize free of charge three debates not exceeding two hours each and inviting representatives of all electoral contestants. All electoral contestants' speeches shall be chronometered during the show, all electoral contestants shall be granted equal time. Electoral contestants shall be informed on the time of broadcasting the relevant shows seven days prior to launching electoral campaign. The air time granted against charge shall not exceed two minutes per day for each electoral contestant.

(5) It is prohibited to air, apart from the air time granted free of charge during debates, spots and TV or radio reports, on the activity of the electoral contestant or on their or their trustees participation in meetings with the voters, on working visits of the electoral contestants who hold offices at republican or county level. No electoral candidate shall be entitled to privileges due to the offices they hold.

(6) Electoral contestants shall be liable for the content of published or aired electoral materials.

(7) Public or private audiovisual institutions shall provide equal opportunities for electoral candidates to buy air time, by establishing equal fees. Conditions of booking air time and the relevant fees shall be announced seven days prior to the launch of the electoral campaign. Fees for the air time granted to electoral contestants may not exceed fees for the commercials. Air time for electoral spots shall be granted at the same broadcasting hours.

(8) Results of the opinion polls shall cease to be published ten days prior to the election day.

(9) On election day, prior to closing polling stations mass media shall refrain from announcing results of questioning electorate regarding their vote "for" or "against" electoral contestants, or failure to vote for them.

(10) Refusal to broadcast or publish free of charge or against fee electoral spots in compliance with this law may be appealed in court.

[Paragraphs 2-10 art.47 introduced via Law no.894-XIV of 23.03.2000]

(11) Electoral contestants may organize meetings with the electorate. Electoral councils and bureaus and local public administration authorities shall ensure that opportunity to organize such meetings is provided on equal terms and conditions to all contestants.

(12) For the time period of electoral campaign, as well as for the time period of conducting a referendum, air time granted to Parliament, Presidency, and Government press service may not be used to electioneer or to campaign for or against the issues put up for referendum.

[Paragraph 3 art.47 introduced via Law no.480-XIV of 02.07.99]

(13) After registration of electoral contestants by the relevant electoral body, they shall have the right to post their slogans, which may not run counter to law or ethics.

[Paragraph 13 (4) (3) art.47 modified via the Law no.268-XIV of 04.02.99]

(14) The local public administration must, within five days of the registration of the candidate, establish and guarantee a minimum of special places for electoral posters. The area provided for electoral posters shall be equal for all candidates.

(15) Campaign activity on election day and the day preceding the elections is prohibited.

[Paragraph 6 (5) art.47 completed via the Law no.268-XIV of 04.02.99]

CHAPTER 8. BALLOT PREPARATION

Article 48. Form of Ballot-Papers

(1) The design and the text of the electoral ballot for the election of Parliament shall be approved by a vote of the Central Electoral Commission. In local elections, the design of ballots shall be approved by the CEC whereas their text by the relevant district electoral council.

[Paragraph 1 art.48 modified via Law no.1227-XIV of 21.09.2000]

(2) The ballot shall be divided into as many rectangles as there are electoral contestants. The size of the rectangle must be large enough to include the first and last name, the date of birth, occupation and place of employment of the independent candidate, as well as the name of the party, socio-political organization or electoral bloc that nominated the respective candidate list or candidate and the electoral symbol of the contestant. Identical electoral symbols or signs shall be prohibited.

(3) Electoral contestants shall be entered on the ballot in the order of their registration with the relevant electoral body.

(4) In the left side of the rectangle shall be printed the electoral sign or the symbol of the electoral contestant that nominated the list of candidates or the relevant candidate, or the electoral sign of the independent candidate at his/her desire. The electoral signs and symbols shall be presented to the relevant electoral body by the contestants no later than the last day of candidates registration.

(5) In the right side of every rectangle, and at an equal distance from the top and bottom margins, a 15 mm diameter circle shall be printed in which the voter applies the stamp with the inscription "voted" on it to select a candidate.

[Paragraph 5 art.48 modified via Law no.894-XIV of 23.03.2000]

(6) Electoral ballots shall be drawn up in accordance with the Law of the Republic of Moldova "On the Functioning of Languages Spoken in the Republic of Moldova".

(7) In the event that several types of elections are held simultaneously, the ballots shall be of different colors.

Article 49. Preparation of Ballot-Papers

(1) Electoral ballots shall be printed based on instructions from the responsible electoral bodies. Members of electoral bodies and members' representatives of electoral contestants may assist at the drafting of voter rolls and at their printing.

(2) Ballots shall be printed no later than five days prior to elections, in a quantity not to exceed the number of voters, plus one percent.

(3) Printed ballots shall be stored by the responsible district electoral council and delivered to precinct electoral bureaus two days before the elections based on an act of delivery.

(4) The premises where ballots are stored shall be guarded by the police. Only the chairperson of the relevant district electoral council or precinct electoral bureau, accompanied by at least two other members of the council or bureau, shall have access to them during this period.

(5) Representatives of electoral contestants, as well as any voter, shall have the right to inspect sample ballots at the precinct electoral bureau.

(6) The ballots for parliamentary elections shall be delivered to district electoral councils by the Central Electoral Commission not later than five days before the election.

[Paragraph 6 art.49 modified via Law no.1227-XIV of 21.09.2000]

CHAPTER 9. VOTING

Article 50. Time and Place of Voting

Voting is carried out on election day between (7:00 and 21:00). The precinct electoral bureau shall publicly announce the time and place of voting no later than 10 days before election day.

Article 51. Voting Conditions

(1) During the time allotted for voting the polling place may not be closed nor may voting be terminated, with the exception of cases of mass disorders, natural disasters, or other unforeseen circumstances which make conducting the elections impossible or dangerous for the voters. In such cases the chairperson of the precinct electoral bureau may suspend voting for no more than two hours to put the electoral precinct into its proper condition or move it to other place, having notified the voters of this fact.

(2) Individuals with the right to be in attendance at the voting may not be compelled to leave the polling place during a time when voting has been suspended.

Article 52. Organization of Voting

(1) Voting shall be carried out at specially equipped places with desks for ballot issue, voting booths or rooms for secret voting and voting boxes. Boxes must be placed in such a way that to approach them the voters shall enter voting booths to vote in secret. The premises shall have a sufficient number of booths or rooms so as to avoid a large accumulation of voters.

(2) For purposes of maintaining order in the electoral precinct and avoiding a large accumulation of voters, the precinct electoral bureau shall establish a path for the movement of voters, beginning with the entry to the tables where the ballots are passed out, then to the secret voting booths, and on to the ballot boxes.

(3) The polling station shall be laid out in a way to allow the members of the precinct electoral bureau and other authorized persons present at the precinct to continuously observe all aspects of the voting process, including voter identification and issuance of ballots, and voters' placing of ballots into ballot boxes.

(4) The provision of the electoral precinct with booths, ballot boxes, and other necessary materials shall be the responsibility of local government.

(5) Precinct bureaus shall be responsible for organizing voting, ensuring the secret expression of the voters' will, equipping the premises and maintaining order at polling stations.

Article 53. Voting

(1) Every voter must vote in person. Voting for other individuals is not allowed. The precinct electoral bureau shall hand out ballots to voters based on the voter roll, only upon the presentation of an identification document. Voters shall confirm receipt of the ballot by signing the voter roll next to his/her name.

(2) Citizens residing on the territory of the electoral precinct not included on the voter rolls shall be entered on a supplementary voter roll upon presentation of an identification document showing their place of residence within the precinct. Citizens who have presented the precinct bureau a certificate of the right to vote shall be included on the same list. The certificate shall remain at the precinct electoral bureau and be attached to the protocol.

[Paragraph 2 art.53 in the wording of Law no.268-XIV of 04.02.99]

(3) The chairperson and precinct electoral bureau members shall vote at the polling station where they conduct their activity, and shall be entered to supplementary lists based on the certificate of the right to vote.

(4) The chairperson of the precinct electoral bureau shall keep a record of the events during voting and vote counting. At the request of bureau members, of the persons authorized to attend electoral procedures, or of any voter, the chairperson shall note their comments and complaints regarding electoral procedures, which shall be attached to the protocol of the precinct electoral bureau.

Article 54. Balloting Procedure

(1) The ballot shall be filled out by the voter in a secret voting booth or room. A voter who is unable to fill out the ballot him/herself has the right to invite another individual into the booth, with the exception of members of the electoral bureau, representatives of candidates, and other accredited individuals entitled to attend electoral procedures.

(2) The voter shall apply the stamp with the inscription "voted" in the circle of only one of the rectangles on the ballot, which shall signify that he/she has voted for the corresponding electoral contestant. The circles in the rest of the rectangles should be left blank.

[Paragraph 2 art.54 modified via Law no.894-XIV of 23.03.2000]

(3) It shall be prohibited for any person to take a ballot out of the polling place.

(4) A voter may not vote for more than one electoral contestant.

(5) Before depositing the ballot in the ballot box, one of the precinct electoral bureau members shall apply the control stamp of the precinct electoral bureau on the reverse side of the ballot.

[Paragraph 5 art.54 added via Law no.894-XIV of 23.03.2000]

(6) If a voter has inadvertently spoiled a ballot, at his/her request the precinct electoral bureau shall cancel it and issue a new ballot only once. In this event, a note shall be made in the minutes of the voting and in the voter roll.

(7) The voter shall deposit the completed ballot in the ballot box.

Article 55. Voting Security

(1) At 07:00 a.m. on election day the chairperson of the precinct electoral bureau, in the presence of no less than half of the members of the bureau, shall check the ballot boxes and seal them. The chairperson shall also check the voter rolls, ballots, and seals, and announce the beginning of the voting. The chairperson shall invite the other members of the bureau, any other persons authorized to attend voting operations at the polling station, as well as the voters who may be present at the time of opening to observe his/her actions.

(2) Ballots shall be stored in a secure place in the electoral precinct, packed in bundles of 100, and issued by the precinct chairperson in necessary quantities to members of the bureau for distribution to voters whenever necessary.

(3) Members of the precinct electoral bureau as well as representatives of the electoral contestants and persons authorized to attend the polling station shall be obliged to have and display identification badges. Persons who enter polling stations shall be prohibited from displaying any emblems, badges or other symbols having to do with the electoral campaign.

(4) If, for health or other well grounded reasons, the voter is unable to be present in the polling place, the precinct electoral bureau, at his/her oral or written request, shall send no less than two members of the bureau with a special ballot box and everything necessary for voting in the place where the voter is located in order to conduct the voting. On the voter roll beside the name of the respective persons a specification shall be made "voted at the place of stay".

[Paragraph 4 art.55 modified via Law no.268-XIV of 04.02.99]

(5) Individuals being detained on the basis of an arrest order until a court sentence is handed down, individuals sentenced to incarceration under a court decision which has not taken legal force, and individuals serving terms for committing an administrative legal violation shall also vote following the procedure described in paragraph (4).

(6) In the event the chairperson of the precinct bureau authorizes a special ballot box to leave the polling station, he/she shall announce this fact beforehand to the member representing the contestants and the individuals accredited to observe electoral procedures, and shall give them the opportunity to accompany the mobile box using their own transportation if necessary.

(7) The responsibility for maintaining order on election day in the polling place and territory adjacent to it within a radius of 100 meters shall be assigned to the chairperson of the precinct electoral bureau. The decisions he/she makes to maintain order shall be mandatory for all.

(8) No individuals other than members of the precinct electoral bureau, electoral contestants and member representatives and other persons authorized to observe the electoral procedures may remain in the polling section longer than it takes one to vote.

(9) It shall be strictly prohibited for anyone to enter a polling place with a firearm or bladed weapon, except for a security officer coming to vote or a security officer responding to a request by the chairperson of the precinct electoral bureau to assist in reestablishing order.

[Article 55 modified via Law no.894-XIV of 23.03.2000]

CHAPTER 10. VOTE COUNTING

Article 56. Votes Counting by the Precinct Electoral Bureau

(1) Upon completion of voting, the chairperson of the precinct electoral bureau shall announce the end of voting and give instructions to close the premises. The electoral bureau then begins counting the votes.

(2) Prior to opening the ballot box, all unused ballots shall be counted, and canceled by the precinct electoral bureau by applying the stamp "canceled" thereupon.

(3) After checking the seals on the ballot boxes, the chairperson of the precinct bureau in the presence of the members of the bureau and other individuals with the right to attend shall open the ballot boxes. Mobile boxes shall be opened first, the votes counted, and then the other boxes shall be opened.

(4) The electoral precinct must be provided with a sufficient number of tables so that all ballots taken from the ballot boxes may be counted in one place visible to all members of the precinct bureau and others in attendance. Markers with the names of the electoral contestants shall be installed on the table for vote counting.

(5) Prior to counting the votes for the various contestants in the election, the precinct electoral bureau shall count the total number of ballots which were deposited in the ballot boxes. The bureau shall also count the number of voters issued ballots, as determined by the number of names on the voter roll and supplementary list which were counter signed by voters.

(6) The number of ballots contained in mobile boxes shall first be counted separately, and reconciled with the number of ballots issued for this purpose, prior to including them in the count of votes for the various contestants in the election.

(7) Using a procedure determined by the precinct electoral bureau, or upon instructions from the Central Electoral Commission or relevant district electoral council, members of the precinct electoral bureau shall unfold the ballots and determine for which electoral contestant the ballot was cast. The ballots for each shall be counted and bound

together separately, and the results of the counting shall be entered on a special counting form as they are determined.

(8) Before the number of votes obtained by each electoral contestant is entered on the protocol, observers and other accredited individuals shall be granted an opportunity to recheck the figures entered on the counting form.

(9) The precinct electoral bureau shall not include invalid ballots in vote counting.

(10) After closing the polling place, the precinct electoral bureau shall remain in continuous session during the count and until the preparation of the protocol and minutes has been completed. All members of the precinct bureau shall remain at the precinct and participate in the operations of the bureau during this entire period, unless prevented from doing so by a physical disability or other extraordinary circumstances.

Article 57. Invalid Ballots

(1) The following types of ballots shall be considered invalid:

a. ballots on which there is no control stamp of the electoral precinct;
b. ballots of other than the legally approved form;
c. ballots on which the seal with the inscription "voted" has been applied in more than one rectangle;

[Letter c) paragraph 1 art.57 modified via Law no.894-XIV of 23.03.2000]

d. ballots on which the seal with the inscription "voted" has not been applied in any rectangle;

[Letter d) paragraph 1 art.57 modified via Law no.894-XIV of 23.03.2000]

e. ballots in which the voter has added the name of other additional electoral contestants;
f. spoiled ballots, either mutilated or de-faced, in which the voter's option is not clear.

(2) Prior to declaring a ballot invalid, the chairperson of the precinct electoral bureau shall provide all members of the bureau, observers, and other accredited individuals present at the precinct with an opportunity to inspect it.

(3) If members of the precinct electoral bureau have doubts about the validity of a ballot, the question shall be decided by a vote, and the results of the vote entered in the protocol.

Article 58. Protocol and Minutes of the Precinct Electoral Bureau

(1) The precinct electoral bureau shall develop a protocol, in two copies, including:

a. the number of voters included on the voter rolls;
b. the number of voters added on supplementary lists;
c. the number of voters who have been issued ballots;
d. the number of voters who participated in the voting;
e. the number of electoral ballots declared invalid;
f. the number of valid votes cast for each electoral contestant/for each issue put up for referendum;
g. the total number of valid votes cast;

[Let.g) introduced via the Law no.268-XIV of 04.02.99]

h. the number of ballots received by the precinct electoral bureau;
i. the number of unused and canceled ballots.

(2) In parliamentary elections, the format of the protocol shall be established by the CEC, whereas in local elections by the relevant district electoral council. Prior to election day the relevant electoral council shall provide precinct electoral bureaus with the necessary number of protocol forms.

[Paragraph 2 art.58 modified via Law no.1227-XIV of 21.09.2000]

(3) The results of the vote counting shall be considered at a meeting of the precinct electoral bureau and entered into the protocol, which shall be signed by the chairperson, deputy chairperson, secretary, and other members of the bureau. The absence of signatures of individual members of the precinct electoral bureau shall not make the protocol invalid. However, the reasons for the absence of these signatures shall be indicated in the minutes of the electoral bureau.

(4) The protocol on the voting results shall be prepared in several copies in the presence of precinct electoral bureau members, representatives of electoral contestants and other persons entitled to assist at the electoral procedures. One copy of the protocol shall be retained in the records of the precinct electoral bureau, one shall be submitted to the district electoral council, and the rest for binding distribution to representatives of electoral contestants.

[Paragraph 4 modified via the Law no.894-XIV of 23.03.2000]

(5) The chairperson of the precinct bureau shall also prepare the minutes of the bureau based on the written record of the bureau's activities during the period of voting

and thereafter. The minutes will include a brief account of statements and complaints and decisions adopted regarding them made by the bureau. The chairperson shall also give the other members an opportunity to provide written comments and additions to the minutes. The chairperson shall then sign the minutes and request the other members of the bureau to do so and to express their comments on the minutes. Complaints shall be attached to the minutes.

(6) The chairperson of the precinct electoral bureau shall deliver as soon as practicable, but in no event later than 18 hours after the announcement of the closing of the electoral precincts, to the district electoral council the protocol, minutes, invalid, unused, or protested ballots, and the stamps of the electoral precinct, in a sealed box. The sealed box shall be transported under police guard, with the chairperson and at least two members of the precinct bureau in attendance at all times.

(7) Electoral bureau stamps shall be kept in a box at the polling station. After elections stamps shall be delivered to district electoral councils at their request.

Article 59. Tabulation of Votes by the District Electoral Council

(1) After receiving from the precinct electoral bureaus the protocols and reports showing the results of the vote in the precincts, the district electoral council shall first establish the number of voters who participated in the election. The district electoral council shall promptly report this figure to the Central Electoral Commission. In the event the number of votes cast throughout the entire electoral district was less than the one required for the validity of the elections in that district, the district council should also indicate that fact to the Central Electoral Commission. Either the Central Electoral Commission or the district electoral council should promptly announce publicly that the election in the Republic or that district was invalid.

(2) On the basis of the records of precinct electoral bureaus, the district electoral council shall determine, with respect to the entire district:

a. the overall number of voters included in the voter rolls;
b. the number of voters on supplementary lists;
c. the number of voters who have been issued ballots;
d. the number of voters who voted;
e. the number of ballots declared invalid;
f. the number of valid votes cast for each electoral contestant / for each question subject to referendum;
g. the total number of valid votes cast;

[Let.g) introduced via the Law no.268-XIV of 04.02.99]

h. the number of ballots received by the district electoral council;
i. the number of canceled and unused electoral ballots.

(3) The district electoral council shall then draw up a record on vote tabulation throughout the entire electoral district. This record shall be signed by all members of the district electoral council, who shall also have the opportunity to have whatever comments they wish to make attached in writing to the record.

(4) The district electoral council shall submit the record of its vote tabulation in the district to the Central Electoral Commission as soon as possible, but no later than 48 hours after the closing of the voting places.

Article 60. Review of Election Results by the Central Electoral Commission

(1) Upon parliamentary or local elections, or republican referendums, based on the documents received from district electoral councils the CEC shall develop within five days a protocol including:

[Paragraph 1 art.60 modified via Law no.1227-XIV of 21.09.2000]

a. the overall number of voters included on the voter rolls;
b. the number of voters on supplementary lists;
c. the number of voters who have been issued ballots;
d. the number of voters who voted;
e. the number of ballots declared invalid;
f. the number of valid votes cast for each electoral contestant / for each issue put up for referendum;
g. the total number of valid votes cast.

[Let.g) introduced via the Law no.268-XIV of 04.02.99]

(2) The CEC shall then draw up a record indicating the summing up of the voting results nationally, which shall be signed by all members of the commission, and shall draw up minutes on the election results.

(3) If necessary, the documents mentioned in paragraph (2) shall be submitted to the Constitutional Court for confirmation of results and validation of mandates.

Article 61. Announcement of Preliminary Results

(1) Prior to receiving all election results from subordinate electoral councils and bureaus, the electoral body responsible for determining the overall results of an election shall periodically announce partial results as soon as practicable upon reception.

(2) The electoral body responsible for determining the results of an election shall publicly announce the overall results of that election as soon as practicable once all the results have been received from the subordinate electoral councils and bureaus, unless appeals filed with it or the competent court are likely to affect the outcome of the election.

(3) Responsible for determining the results of an election shall be:

a. the Central Electoral Commission with respect to parliamentary elections, general local elections and republican referenda; or

[Letter a) paragraph 3 art.61 modified via Law no.1227-XIV of 21.09.2000]

b. the appropriate district electoral council, in case of local elections and referendums.

Article 62. Retention of Election Records

(1) The Central Electoral Commission shall retain the electoral materials.

(2) Upon expiration of the electoral period, district electoral councils shall dispose of the electoral documents and materials as follows:

a. Candidate lists, unused/canceled voter ballots, invalid and contested ballots, protocols and minutes received by district electoral councils from precinct electoral bureaus, shall be delivered to the Central Electoral Commission;
b. Valid ballots received from precinct electoral bureaus shall be submitted to the court in the relevant electoral district;
c. Other sensitive voting materials, such as stamps of precinct electoral bureaus and the district electoral councils, shall be returned to the Central Electoral Commission.

(3) The Central Electoral Commission shall issue regulations allowing access to the materials described in this Article when it is necessary to prolong elections (to validate deputy candidates' mandates) or for historical research, investigation into election administration techniques and practices, and in other justified instances.

[Paragraph 3 art.62 modified via the Law no.480-XIV of 02.07.99]

CHAPTER 11. OBSERVATION AND PRESS COVERAGE

Article 63. Observers

(1) At the request of any electoral contestant in an election, the district electoral council shall accredit for any precinct a representative to observe the election. The trustee of a candidate in the election may also be accredited as an observer. In the event the district council finds that an individual proposed for accreditation under this subsection is unacceptable, it shall promptly inform the electoral contestant who proposed that person of its reasons.

(2) The Ministry of Foreign Affairs will accredit representatives of international organizations, foreign governments, and international non-governmental organizations as observers.

(3) By a Central Electoral Commission Resolution, the district electoral councils shall accredit representatives of qualified public associations from the Republic of Moldova to observe the election at the precincts. For purposes of this subsection, a "qualified" public association is one which is committed under its statute to promote human rights and democratic values, and is found by the Central Election Commission (or, in the case of regional organizations, the district electoral council) to be capable of exercising civic functions with respect to the election.

(4) Accredited observers shall have the right to attend any electoral operation, including on the election day, without interfering with the voting process or other election operations carried out by electoral bureaus, and shall report any irregularities observed to the chairperson of an electoral bureau. Observers may, at their expense, make copies of the electoral documents.

Article 64. Press Coverage of Elections

(1) During electoral campaign, the press and media shall cover elections pursuant to regulations adopted by the CEC.

(2) Mass media representatives shall have the same rights as accredited observers.

(3) On election day, prior to the closing of all polling places, the media shall refrain from making public materials, including interviews with voters, indicating how

the contestants in the election are faring or how likely they are to obtain votes.

(4) On election day and for two days prior to election day, the media may not publish or broadcast the results of any poll or survey conducted among voters or a sample of the population, and supposed to indicate the likely outcome of the vote.

CHAPTER 12. JUDICIAL PROCEEDINGS

Article 65. Complaints

(1) Any voter or any electoral contestant may appeal a decision or action by an electoral council and bureau to court or higher level electoral bodies.

(2) The appeal (complaint) shall describe the motives and evidence of the action complained about, and be signed by and bear the identity data of the complainant.

Article 66. Submission of Appeals

(1) Actions and decisions of electoral bodies may be appealed within three days of discovering the action or taking the decision.

[Paragraph 1 art.66 in the wording of the Law no.403-XIV of 14.05.99]

(2) Appeals (complaints) against decisions and actions by the precinct bureaus and district electoral councils shall be filed with the court in the population point where the respective council or bureau is located.

(3) Actions and decisions by the CEC shall be appealed to the Supreme Court of Justice.

Article 67. Consideration of Appeals (Complaints)

(1) Appeals against actions and decisions by the CEC filed during an electoral period shall be acted upon within five days of their filling.

(2) Appeals based on actions of district electoral councils or precinct electoral bureaus shall be examined within 3 days of filling, but no later than election day.

(3) Appeals submitted to court on the day of elections shall be considered on the same day, whereas appeals regarding electoral body decisions on results tabulation and mandate award shall be examined by court simultaneously with the legality of the election and the validation of mandates.

[Paragraph 3 art.67 in the wording of the Law no.403-XIV of 14.05.99]

(4) The activity of the courts during an electoral period shall be organized in such a way that statements, complaints and appeals can be submitted freely and in due time.

(5) Complaints submitted to court shall be considered pursuant to the Code of Civil Procedure.

Article 68. Decisions by Courts with Respect to Appeals (complaints

(1) A court of law shall adopt and pass judicial decisions under the Code of Civil Procedure.

(2) After examining the materials regarding the legality of the election and validation of mandates, a court shall adopt a resolution on confirming validity of elections in the relevant electoral district, validate mandates of the elected councilors and mayors, as well as the list of deputy candidates.

(3) In the event that a court has confirmed legality of elections, whereas tabulation mistakes are found in protocols, the court shall, on its own initiative, or at the request of contesting part, annul, totally of partially, the protocol and shall exclude the electoral contestant, who has been cast a smaller number of valid votes, replacing him/her with the electoral contestant who has been cast a greater number of valid votes on sequential division.

(4) A court of law shall not validate results of local elections in the relevant electoral district if frauds committed during elections or during vote tabulation have affected the election results.

(5) Court decisions shall be final and binding for execution from the moment they are made.

(6) Court decisions may be appealed within three days of their adoption.

(7) Such appeals shall be examined within three days of submission.

[Art.68 in the wording of the Law no.403-XIV of 14.05.99]

Article 69. Juridical Penalties

Individuals who, by violence, treachery, threat, substitution or other method prevent citizens from freely exercising their voting rights; purposefully distribute false information about electoral contestants; commit any other action against the honor and dignity of candidates; conduct electoral propaganda on the day preceding the elections and on the day of elections; hinder the activity of electoral councils and bureaus or the voting at precincts shall be held accountable according to current laws.

[Art.69 completed via the Law no.268-XIV of 04.02.99]

Article 70. Criminal Penalties

(1) The following acts shall constitute crimes and be punished in keeping with the Criminal Code:

a. using any means to stand in the way of free exercise of the right to vote or be elected and if the same actions are combined with causing serious bodily harm or a threat to human life;
b. falsifying by any means voting results;
c. opening ballot boxes before the termination of voting as established by law;
d. damaging or forcibly entering the premises of the electoral precincts, or stealing ballot boxes or electoral documents.

(2) Criminal cases for crimes described in paragraph (1) shall be pursued by prosecution bodies.

(3) The chairpersons of electoral bodies and other officials are obliged to inform the prosecution bodies immediately whenever they become aware of evidence that an action, which in their opinion includes elements of a crime, related to conducting elections has been committed.

[Paragraph 3 art.70 modified via the Law no.268-XIV of 04.02.99]

Article 71. Administrative Offenses

(1) The following shall constitute administrative legal violations and be punished in accordance with the Code on Administrative Offences, and Article 70 of this Code, unless they also constitute crimes:

[Paragraph 1 art.71 completed via the Law no.268-XIV of 04.02.99]

a. failure by official persons to provide data and materials to electoral bodies as well as failure to abide by their decisions;
b. destroying, smudging, or making unusable by other means voter rolls and electoral posters;
c. officials organizing public meetings at which the sale and consumption of alcoholic beverages is permitted, or failing to take measures to conduct such meetings in an orderly manner;
d. deliberately entering on the voter rolls individuals who do not have the right to vote in accordance with this Code, individuals who do not really exist, or intentionally including the same individuals on more than one list; unjustifiably refusing to accept and consider complaints pertaining to actions related to the elections;
e. knowingly agreeing to entering an individual on more than one list of candidates;
f. members of electoral bodies failing to make public proposals for the registration of candidates;
g. using funds obtained from abroad or not publicly declaring funds received;
h. preventing people with the right of vote from entering the polling place or exercising their right to vote;
i. refusing to follow the instructions of the chairperson of the precinct electoral bureau to provide for order in the polling place and the area adjacent to it;
j. unjustifiably failing to issue a ballot to a voter included on the lists or issuing one and the same individual more ballots than he/she is entitled to cast in the election;
k. members of precinct electoral bureau unjustifiably leaving from the polling places before the election results are summed up and they have signed the record;
l. continuing to campaign on the day preceding the elections and on election day;

[Let.l) completed via Law no.268-XIV of 04.02.99]

m. taking an electoral ballot issued for voting off of the premises of an electoral precinct;
n. falsifying signatures on lists in support of an independent candidate.

(2) The administrative legal violations specified in paragraph (1), depending on the case, shall be based on records drawn up by the mayor of the locality; the chairperson of electoral bodies, and on records drawn up by police bodies which exercise their functions with respect to supervision of electoral operation.

(3) Records stating administrative offences shall be submitted to the court in the location of the population point where the legal violation has been committed.

Article 72. Applicability of this Chapter

This Title (Articles 72-94) shall be applicable only to elections for mandates to serve in Parliament of the Republic of Moldova.

Article 73. Elections to Parliament

(1) Parliament of the Republic of Moldova shall be elected by an universal, equal, direct, secret and freely expressed vote, for a period of four years.

(2) Elections to Parliament shall be conducted based on one national electoral district in which 101 deputies shall be elected.

Article 74. Administrative Electoral Districts and Precincts. District Electoral Councils and Precinct Electoral Bureaus

(1) For administrative purposes, the Central Electoral Commission shall establish, at least 75 days prior to election day, administrative electoral districts corresponding to the territorial-administrative units of the second level of the Republic of Moldova, and at least 65 days prior to elections, electoral councils, pursuant to the provisions of Article 27 of this Code, to be correspondingly applied. The responsibilities of the district electoral councils shall include those put forth in Article 28 of this Code, to be applied correspondingly except for letter (g).

[Paragraph 1 art.74 modified via the Law no.268-XIV of 04.02.99]

(2) Electoral districts shall be divided into precincts, pursuant to Article 29 of this Code, to be applied correspondingly.

(3) The precinct electoral bureaus shall be formed and shall exercise their responsibilities, pursuant to Article 29 and 30 of this Code, to be applied correspondingly.

Article 75. Candidates for Election to Parliament

Citizens of the Republic of Moldova, eligible to vote, who have reached the age of 18 years by and on election day, live permanently in the country and meet the requirements provided herein may be candidates for deputy mandates.

Article 76. Declaration and Date of Elections

(1) The election of deputies shall be held within three months of the expiration of Parliament's mandate.

(2) The day of elections to Parliament shall be scheduled by a resolution of Parliament no later than three months before election day.

(3) In the event of Parliament dissolution, elections of the new Parliament shall be determined by the same decree of the President of the Republic of Moldova. Early elections shall be conducted no later than 45 days of the day when the decree becomes effective.

[Paragraph 3 art.76 modified via the Law no.894-XIV of 23.03.2000]

Article 77. Registration of Electoral Candidates

In order to be registered electoral candidates shall submit to the Central Electoral Commission the documents described in Article 44 of this Code.

Article 78. Special Requirements for Petitions

(1) Petitions in support of an independent candidate are developed and verified pursuant to Article, the independent candidate shall not be registered and the decision to that effect shall be conveyed to him/her within 24 hours of adoption.

(2) To be registered by the Central Electoral Commission, independent candidates shall submit petitions containing signatures of at least 2,000 and at most 2,500 supporters eligible to vote.

[Paragraph 2 art.78 completed via the Law no.268-XIV of 04.02.99]

(3) Upon verification of petitions, the Central Electoral Commission shall nullify false signatures and signatures that were applied to several petitions.

(4) In the event that, upon verification, the sumbitted number of signatures is found insufficient or if in the result of invalid signatures being excluded from the petition the overall number of signatures decreases under the minimum threshold provided for in paragraph (2) of this Article, the independent candidate shall not be registered and the decision to that effect shall be conveyed to him/her within 24 hours of adoption.

[Paragraph 4 art.78 in the wording of the Law no.268-XIV of 04.02.99]

(5) Submitting supplementary petitions after verification by the Central Electoral Commission shall not be allowed.

Article 79. Special Requirements for Candidate List Registration

At least 51 registered candidates and at most the number of deputies in Parliament provided for in the Constitution, plus two deputy candidates, shall be included on a list.

Article 80. Replacement of Candidates on Lists

(1) Electoral contestants shall have the right to recall their candidacy, their entire list of candidates or reverse their decision to include any particular candidate on the list. Parties or socio-political organizations shall also have the right to withdraw from an electoral bloc and withdraw their candidates from the list at any time before the elections, but no later than five days prior to election day.

[Paragraph 1 art.80 modified via the Law no.268-XIV of 04.02.99]

(2) A decision to withdraw an entire list of candidates or an individual candidate shall be adopted by the nominating person or organization, submitted to the Central Electoral Commission and then made public.

(3) Replacement of a candidate must be done before the expiration of the term of candidate registration. The Central Electoral Commission shall make public the decision to register the new candidate.

(4) In the event a party and/or a socio-political organization withdraws from an electoral bloc and at the same time withdraws its candidates after the expiration of the term of registration, the list of the electoral bloc shall be remade excluding the candidates of the respective party or socio-political organization. The same procedure will be applied in the event of the withdrawal of candidates from the lists by parties and/or socio-political organizations.

Article 81. Voter Rolls

Voter rolls for elections of deputies to Parliament shall be developed pursuant to Chapter (5) Articles 39-40 of this Code, to be correspondingly applied.

Article 82. Electoral Propaganda during Parliamentary Elections

Propaganda during parliamentary elections shall be carried out pursuant to Chapter (7) Articles 45-47 of this Code, to be correspondingly applied.

Article 83. Voting Ballots

(1) Voting ballots shall be developed pursuant to Chapter (8) Articles 48-49 of this Code, to be correspondingly applied.

(2) On the ballot-paper independent candidate shall be listed in a separate rectangle where his/her first and last name shall be written, including the specification "independent candidate."

Article 84. Voting

Voting during the parliamentary elections shall be carried out pursuant to Chapter (9) Articles 50-55 of this Code, to be correspondingly applied.

Article 85. Vote Counting and Election Results Tabulation

Election results are summed up pursuant to Chapter (10) Articles 56-60 of this Code, to be correspondingly applied.

Article 86. Determination of the Threshold of Representation

(1) Upon receiving records of the voting results in all districts from all district electoral councils, the Central Electoral Commission shall sum up the number of votes cast for each party, other socio-political organization, and electoral bloc in order to establish whether or not they have obtained no less than six percent of the valid votes in the country as a whole.

(2) Parties, other socio-political organizations and electoral blocs receiving less than six percent of the valid votes shall be excluded from the award of mandates by a decision of the Central Electoral Commission.

[Article 86 modified via the Law no.894-XIV of 23.03.2000]

Article 87. Calculation of the Number of Mandates Obtained by the Electoral Contestants

(1) The distribution of parliamentary seats among the electoral contestants shall be conducted by the Central Electoral Commission through a sequential division of the number of valid votes cast for each electoral candidate, except for independent candidates, by 1, 2, 3, 4..., etc. up to the figure that corresponds to the number of seats in Parliament.

(2) Of the results of all divisions and of the number of valid votes cast for independent candidates, as many numbers shall be selected in declining order as there are mandates to be distributed. Parties, other social-poltical orgamnizations and electoral blocs shall receive as many mandates as they own numbers in the declining range.

(3) Independent candidates shall be considered elected if they receive at least three percent of the valid votes cast in the election throughout the republic.

[Paragraph 3 art.87 excluded via the Law no.268-XIV of 04.02.99]

[Paragraph 3 art.87 included via the Law no.894-XIV of 23.03.2000]

Article 88. Award of Mandates

(1) The Central Electoral Commission shall award mandates to electoral contestants in the order of their inclusion on the candidate lists, beginning with the first candidate on the list.

(2) If the last mandate to be awarded stands for more candidates with the same number of votes cast, the Central

Electoral Commission shall award the mandate by lots, which fact shall be entered in a record.

(3) In the event a party, other socio-political organization or an electoral bloc is awarded a number of mandates higher than the number of candidates on the list, the extra number selected in declining order of the relevant organization shall be eliminated, and replaced by a number selected in declining order of the other electoral contestants.

(4) Individuals included on candidate lists who are not elected shall be declared deputy candidates. A deputy candidate shall be declared elected by the Constitutional Court in the event that, for certain reasons, a deputy mandate owned by a party, socio-polticial organization or electoral bloc becomes vacant. The deputy candidate may refuse the deputy mandate by submitting a statement to that effect to the Constitutional Court.

[Paragraph 4 art.88 in the wording of the Law no.1107-XIV of 30.06.2000]

Note: The phrase "deputy candidates" introduced via modification of the Law no.480 of 02.07.99 is declared unconstitutional via resolution of the Constitutional Court no.1 of 11.01.2000

[Paragraph 4 art.88 in the wording of the Law no.480-XIV of 02.07.99]

(5) In the event that, after the election is held and the mandates are awarded, the electoral contestant who put forward a candidate list is found not to have deputy candidates on it, the vacant mandates shall be attributed to the electoral contestants following next in the declining order formed upon mandate award.

[Paragraph 5 art.88 included via Law no.1107-XIV of 30.06.2000]

[Paragraph 5 art.88 excluded via Law no.480-XIV of 02.07.99]

(6) In the event that the deputy mandate obtained by the independent candidate becomes vacant, the Central Electoral Commission shall restore the declining order excluding the number of the respective candidate and including the following one.

Article 89. Confirmation of Results and Mandate Validation by the Constitutional Court

(1) The Central Electoral Commission shall, within 48 hours of the election results tabulation, submit to Constitutional Court the acts mentioned in Article 60 and the lists of elected deputies and deputy candidates.

[Paragraph 1 art.89 modified via Law no.1107-XIV of 30.06.2000]

Note: The phrase "deputy candidates" introduced via modification of the Law no.480 of 02.07.99 is declared unconstitutional via resolution of the Constitutional Court no.1 of 11.01.2000

(2) Within 10 days of the date of receiving documents from the Central Electoral Commission, the Constitutional Court shall either confirm or not, through a decision, the legality of the elections. Simultaneously, the Constitutional Court shall validate the mandates of the elected deputies.

(3) If the elections are declared valid, the Central Electoral Commission shall issue deputy licenses to elected candidates.

Note: The phrase "deputy candidates" introduced via modification of the Law no.480 of 02.07.99 is declared unconstitutional via resolution of the Constitutional Court no.1 of 11.01.2000

[Art.89 modified and completed via Law no.480-XIV of 02.07.99]

Article 90. Validation of Election Results by the Central Electoral Commission

(1) The protocol with respect to election results, along with the decision of the Constitutional Court validating elections and at least two-thirds of the number of mandates, shall be submitted, within two days, to Parliament. A copy of these documents shall be submitted to the Central Electoral Commission.

(2) The Central Electoral Commission shall cause the final election results to be published within 24 hours of receiving them from the Constitutional Court.

Article 91. Invalid Elections

Elections under this Chapter shall be invalid if less than half of the voters included on the voter rolls have participated.

Article 92. Null Elections

Should the Constitutional Court determine that during the voting and vote counting the provisions of this Code were violated and affected the voting results and awarding of mandates, the elections shall be declared null.

Article 93. Repeat Elections

(1) If elections are declared null and void, the Central Electoral Commission shall within two weeks organize repeat elections of the same electoral candidates and based on the same voter rolls and the same electoral councils and bureaus.

(2) Electoral candidates who committed fraud shall be excluded from the voting ballots, and electoral councils and bureaus which committed such frauds shall be replaced.

(3) The repeat election shall be considered valid if at least one-third of the voters included on the voter rolls voted.

Article 94. New Elections

(1) In the event that the repeat elections are declared null or invalid, Central Electoral Commission shall declare new elections which shall be scheduled no sooner than 65 days and no later than three months of the day last elections were declared null and invalid.

[Paragraph 1 art.94 modified via the Law no.894-XIV of 23.03.2000]

(2) Upon early elections, if even the repeat elections are declared void and null, President of the Republic of Moldova shall establish by decree the date of new elections observing the term indicated in Article 76 paragraph (3) of this Code.

[Paragraph 2 art.94 included via the Law no.894-XIV of 23.03.2000]

(3) New elections shall be conducted pursuant to this Code.

[Title IV (Art. Art. 95-117) excluded via Law no. 1227-XIV of 21.09.2000]

Article 118. Applicability of this Title

Provisions of this Title (Articles 118-140) shall be applicable only to elections of mayors and councilors in local councils.

Article 119. Local Elections

(1) The mayors of towns (municipalities) and villages (communes), and councilors of county, town (municipality) and village (commune) councils shall be elected by a universal, equal, direct, secret and freely expressed vote, for a four year term, which begins from the date of conducting local general elections.

(2) Number of councilors shall be established by the Law on Local Public Administration.

(3) In special status administrative-territorial units, local elections shall be conducted under provisions of this Code and acts adopted by the representative authorities of the relevant administrative-territorial units.

Article 120. Electoral Districts and Precincts. District Electoral Councils and Precinct Electoral Bureaus

(1) For conducting elections of local councils and mayors, each county, special status autonomous administrative territorial unit, city (municipality), village (commune) shall constitute one electoral district. City (municipality), village (communal) electoral districts shall be formed by the district electoral councils of the second level administrative-territorial units of the Republic of Moldova at least 55 days prior to election day.

[Paragraph 1 art.120 in the wording of the Law no.268-XIV of 04.02.99]

(2) City (municipality), village (communal) district electoral councils shall be established by the second level administrative-territorial units' district electoral councils of the Republic of Moldova at least 50 days prior to election day. District electoral councils are formed and exercise their responsibilities, pursuant to Articles 27 and 28 of this Code, to be correspondingly applied.

[Paragraph 2 art.120 introduced via the Law no.268-XIV of 04.02.99]

(3) Electoral districts for the election of local councils and mayors shall be divided into precincts for which electoral bureaus shall be set up. Precinct electoral bureaus are formed and exercise their responsibilities, pursuant to Articles 29 and 30, to be correspondingly applied.

Article 121. Special Responsibilities of the Electoral Councils

In localities where only one electoral precinct is formed for local elections, district electoral council shall exercise the responsibilities of precinct electoral bureau as well.

Article 122. Determination of Election Day

(1) The date of the general local elections shall be established by a resolution of Parliament no later than 90 days before the election day.

(2) The date of the repeat, new and partial elections shall be determined by the Central Electoral Commission under this Code.

Article 123. Special Limitations on Voting Right
The active-duty military shall not participate in local elections.

Article 124. Special Qualifications for Being Elected
(1) The right to be elected as councilors to local councils is granted to the citizens of the Republic of Moldova who are eligible to vote, and have reached 18 years of age by and including on election day.

(2) The right to be elected as mayors shall be granted to citizens of the Republic of Moldova eligible to vote, who have reached 25 years of age by and including on election day.

[Art.124 modified via the Law no.268-XIV of 04.02.99]

Article 125. Nomination, Submission of Candidacy and Registration of Candidates
Nomination, submission of candidacy and registration of candidates shall be conducted according to Chapter 6 (Articles 41-44), to be applied correspondingly.

Article 126. Special Requirements for Nomination of Candidates by Parties, Socio-Political Organizations and Electoral Blocs
(1) Number of candidates on lists should contain at least 1/2 from the number of mandates available for the respective electoral district and at most two deputy candidates.

(2) Parties, other socio-political organizations and electoral blocs can nominate one candidate for mayor position in each electoral district. One person may not run in several electoral districts.

(3) An individual may run for councilor position in councils of first level administrative-territorial units of the Republic of Moldova, as well as in that of the second level administrative-territorial unit. A person may run for mayor and local councilor position, but may not run in several electoral districts of the same level.

[Paragraph 3 art.126 modified via the Law no.480-XIV of 02.07.99]

[Paragraph 3 art.126 introduced via the Law no.268-XIV of 04.02.99]

Article 127. Special Requirements for Nomination of Independent Candidates
Citizens of the Republic of Moldova may propose themselves as independent candidates for election of local council, provided they are supported by two percent of the district voters, divided by the number of positions available to be filled through the election, but not less than 50 persons; and, for election as mayor, provided they are supported by five percent of the district voters, but not less than 150 individuals and no more than 10,000 individuals.

Article 128. Voter rolls
Voter rolls for local elections shall be developed pursuant to Chapter 5 (Articles 39-40), to be applied correspondingly.

Article 129. Electoral Campaign
Electoral campaign shall be carried on during local elections pursuant to Chapter 7 of (Articles 45-47), to be applied correspondingly.

Article 130. Ballot-Papers
For election to councils of counties, towns (municipalities), villages (communes) and for election of mayors of towns (municipalities), villages (communes), separate ballots shall be developed pursuant to Chapter 8 of (Articles 48-49), to be applied correspondingly.

Article 131. Voting
Voting in local elections shall be conducted pursuant to Chapter 9 (Articles 50-55), to be applied correspondingly.

Article 132. Summing up the Votes and Tabulation of Election Results
(1) Votes shall be counted and local elections results shall be tabulated pursuant to Chapter 10 (Articles 56-62), to be applied correspondingly.

(2) Number of votes cast for each candidate running for a mayor or councilor position; name and surname of the elected mayors and councilors; name of party, other socio-political organization, or electoral bloc which nominated them; and/or specification "independent candidate", shall be entered into the protocol.

Article 133. Award of Council Mandates
(1) The mandate of councilor for district, town (municipality) or village (commune) councils shall be awarded by the relevant district electoral councils.

(2) Seats in council shall be distributed among parties, other socio-political organizations and electoral blocs through sequential division of the number of valid votes cast for each party, socio-political organization or electoral bloc by 1,2,3,4... etc., up to the figure that corresponds to

the number of seats established for the respective electoral district.

(3) From the results of all the divisions and the number of valid votes cast for independent candidates they shall select in declining order as many numbers as there are mandates to be distributed in the electoral district. The quantity of numbers chosen in declining order at the disposal of party, other socio-political organization, or electoral bloc shall correspond to the number of seats due to them.

(4) An independent candidate shall be considered elected provided number of votes cast for him/her frames into the numbers selected in declining order.

(5) Council seats shall be distributed to candidates running for council in the order of their registration on the lists, beginning with the list which received the most votes.

(6) If there is more than one candidate with the same number of votes for the last non-distributed seat, district electoral council shall award the mandate by lots, fact that shall be entered in a record.

(7) If a party, other socio-political organization or electoral bloc is awarded a number of mandates higher than the number of candidates on its list, the extra number selected in declining order of the relevant organization shall be eliminated and replaced by a number selected in declining order of the other electoral contestants.

(8) If only independent candidates run for councils, district electoral council shall draw up a list with the number of votes cast for them in declining order and award every candidate one mandate until the mandates are exhausted.

(9) Candidates included in the lists but who are not elected shall be declared deputy candidates. In the event a council mandate belonging to a party, other socio-political organization, or electoral bloc becomes vacant, it will be awarded to the deputy candidate of the respective party, in the order of his/her recording on the list.

(10) In the event that the mandate awarded to an independent candidate becomes vacant, the vacancy shall be completed by restoring the declining order, excluding number belonging to the respective candidate and including the number following in the range.

(11) If only independent candidates are included on the ballot papers, those who received votes but were not elected shall be awarded council mandates as described in the subsection (10).

(12) Mandates to deputy candidates shall be awarded by the Central Electoral Commission, pursuant to this Article and based on the documents stored by CEC.

Article 134. Election of the Mayor

(1) Candidates running for mayor shall be considered elected provided that they are cast more than half of the valid votes cast by all the voters who attended voting.

(2) If neither candidate running for the mayor gathered more than half of the valid votes cast, in two weeks a second-round election shall be conducted between the two candidates who gathered the greatest number of votes. If more contestants in the first round obtained an equal number of votes, district electoral council shall select by lots who shall run in the second round and conclude a protocol thereupon, fact that shall be entered to a record.

(3) In the second-round election the candidate who gains the greatest number of votes shall be considered elected. Upon tie vote the candidate who was cast the highest number of votes in the first round shall be considered elected.

[Paragraph 3 art.134 completed via the Law no.268-XIV of 04.02.99]

Article 135. Confirmation of Legality of the Elections and Validation of the Elected Candidates

(1) District electoral councils of the first level administrative-territorial units submit protocols regarding the results of the elections to the relevant district or municipality courts, whereas that of the second level administrative-territorial units to the courts where the electoral councils of the second level administrative-territorial units are situated. Chisinau county district electoral council shall submit the relevant acts to the Ialoveni district court, whereas that of Chisinau Municipality to municipality district court where the municipal electoral council is situated.

[Paragraph 1 art.135 in the wording of the Law no.403-XIV of 14.05.99]

(2) The courts, within 10 days of receiving the district electoral councils' reports, shall either confirm or not the legality of the elections in every district by a decision which they, within 24 hours of adoption, shall submit to the Central Electoral Commission and the respective district electoral councils, which will publish the final results.

(3) At the same time the courts shall validate the mandates of elected councillors and mayors and mention

this in the decision. The courts shall also confirm the deputy candidates.

(4) The council shall be considered legally constituted when mandates of at least 2/3 of the total number of councilors are validated.

(5) The district electoral council shall issue to the elected councilors and mayors licensees according to the design approved by the Central Electoral Commission.

Article 136. Invalid Elections

The election shall be considered invalid in certain districts if less than 1/3 of the number of voters included on voter rolls have participated in the election. The decision to declare the election invalid shall be adopted by the Central Election Commission based on the decisions and documents received from the district electoral councils.

Article 137. Null Elections

The election shall be declared null if serious violations of this Code have been committed during the electoral operations affecting the results of voting and the award of mandates. The decision regarding the declaration of elections null shall be adopted by the CEC based on the decisions by the respective courts.

Article 138. Repeat Elections

(1) If elections have been declared null or invalid, the Central Electoral Commission within two weeks shall organize repeat elections with the same candidates and electoral councils and bureaus and using the same voter rolls.

(2) Electoral contestants found guilty of fraud shall not participate in the repeat election and shall be excluded (deleted) from the voting ballots. The electoral councils and bureaus, which committed such frauds shall be replaced.

(3) Repeat voting shall be considered valid provided no less than 1/3 of the voters included on the voter rolls vote in the relevant electoral district.

[Paragraph 3 art.138 introduced via the Law no.268-XIV of 04.02.99]

Article 139. New Elections

(1) New elections shall be declared if:

a. the local council has resigned, has been dissolved, or has become less than 1/3 in the number established by the Law on Local Public Administration;
b. the mayor has resigned, has been ousted or is unable to exercise his/her duties;
c. after the repeat election the council and/or mayor has not been elected;
d. one or two candidates were registered for a district and neither received the necessary number of votes to be elected;
e. if local elections were not held in certain localities;

[Let.e) introduced via the Law no.778-XIV of 03.02.2000]

f. if upon administrative-territorial reorganization, local public administration bodies (councilors, mayors) have to be elected in the newly established administrative-territorial units.

[Let.f) introduced via the Law no.778-XIV of 03.02.2000]

(2) The new elections date shall be determined by the Central Electoral Commission no later than 65 days before the day of election.

(3) The new elections shall be conducted in compliance with the provisions of this Code.

Article 140. Partial Elections

(1) The Central Electoral Commission within two weeks shall determine partial elections in one or several districts if after the elections the established number of councilors have not been elected.

(2) Partial elections for the vacant mandates shall be conducted pursuant to the provisions of the Titles I, II and V.

(3) The partial elections shall be determined by the resolution of the Central Electoral Commission no later than 60 days before the election day.

Article 141. Applicability of this Chapter

The provisions of this Title (Articles 141 - 202) shall be applicable only to the organization and conduct of republican and local referenda.

CHAPTER 13. REPUBLICAN REFERENDUM

Article 142. Republican Referendum

(1) Republican referenda are held in view of fulfillment of the power of the people and of citizen right to participate directly in the administration of public affairs.

(2) The vote in the referendum is universal, equal, secret and freely expressed, pursuant to the Constitution and this Code.

[Paragraph.3 art.142 abrogated via the Law no.268-XIV of 04.02.99,]

[the rest of the paragraphs are renumbered]

[Paragraph 3 art.142 was declared unconstitutional via resolution of the Constitutional Court no 15 of 27.05.98]

(3) The decisions adopted based on republican referenda have supreme juridical power upon their confirmation by the Constitutional Court, and have binding effect everywhere on the territory of the Republic of Moldova.

[Paragraph 3 art.142 in the wording of the Law no.268-XIV of 04.02.99]

[The phrase "do not need confirmation" from art.142 paragraph(4) was declared unconstitutional via the resolution of the Constitutional Court no 15 of 27.05.98]

Article 143. Types of Republican Referenda

(1) Upon the type of question subject to referenda, republican referenda may be constitutional and consultative.

[Paragraph 1 art.143 modified via the Law no.1107-XIV of 30.06.2000]

(2) Republican referenda consider issues related to approval of the constitutional laws adopted by the Parliament regarding the revision provided for in Article 142 (1) of the Constitution.

[Paragraph 2 art.143 in the wording of the Law no.1107-XIV of 30.06.2000]

[Paragraph 3 art.143 excluded based on the Law no.1107-XIV of 30.06.2000]

[Paragraphs to follow are renumbered]

(3) Consultative referenda consider issues of national interest, in order to consult public opinion on such issues and for further adoption of relevant final decisions by competent public bodies.

Article 144. Initiating Republican Referendum

(1) A republican referendum may be initiated by:

a. at least 200,000 citizens of the Republic of Moldova eligible to vote. In case of constitutional referendum, provisions of Article 141 letter a) paragraph (1) of the Constitution shall be applied;

[Letter a) paragraph 1 art.144 modified via the Law no.1107-XIV of 30.06.2000]

[Let.a) modified via the Law no.268-XIV of 04.02.99]

b. no less than 1/3 of the members of Parliament;
d. President of the Republic of Moldova;
e. Government.

(2) Those mentioned in paragraph (1) may initiate any type of referendum provided in Article 143.

(3) If the referendum is initiated by those mentioned in paragraph (1) letter a), petitions shall be attached to the proposal on initiating the referendum.

(4) The proposal on initiating the referendum shall include problems subject to referendum stated clearly, avoiding misinterpretation as well as the aim of conducting the referendum and the date. Issues running counter to each other shall not be subject to referendum.

[Paragraph 4 art.144 completed via the Law no.268-XIV of 04.02.99]

Article 145. Restrictions Imposed on Conducting Republican Referendum

(1) A republican referendum may not be held in territories under a state of war or emergency, nor within 120 days after the respective state is suspended or terminated. If the referendum was already established prior to the first day of the state of war or emergency being declared, then the referendum shall be countermanded or postponed, pursuant to the terms of determining referenda provided for by this Code. The decision to postpone or countermand a referendum shall be adopted by the body which issued the decision to hold the republican referendum.

(2) A republican referendum cannot take place in a period within 120 days before or after the day of parliamentary, or local elections or the day of another referendum, as well as on the day of their conduct.

[Paragraph 2 art.145 completed via the Law no.480-XIV of 02.07.99]

[Paragraph 2 art.145 modified via the Law no.1227-XIV of 21.09.2000]

Article 146. Issues which May be Proposed for Republican Referendum

(1) The following may be questions for republican referendum:

a. adoption of the Constitution of the Republic of Moldova;

b. approval of constitutional laws adopted by the Parliament revising provisions regarding the sovereignty, independence and unity of the state, as well as issues related to the permanent neutrality of the state;
c. other issues of national interest.

[Paragraph 1 art.143 modified via the Law no.1227-XIV of 21.09.2000]
[Paragraph 1 art.146 modified via the Law no.1107-XIV of 30.06.2000]

(2) It is binding to organize and hold referenda on the issues indicated in letter b) paragraph (1).

[Paragraph (2) art. 146 introduced via the Law no.1107-XIV of 30.06.2000]

Article 147. Issues which May not Be Subject to Republican Referendum

The following may not be questions for Republican referendum:

a. issues related to Constitution revision, except for approval through referendum of the constitutional laws regarding the revision provided for in Article 142 paragraph (1) of the Constitution;

[Letter a) introduced via the Law no.1107-XIV of 30.06.2000]

b. issues related to adoption, modification, completion and abrogation of the laws;

[Letter b) introduced via the Law no.1107-XIV of 30.06.2000]
c. issues related to the state budget, taxes;
d. issues regarding amnesty or pardon;
e. extraordinary or emergency measures for establishing public order, health or security;
f. electing, appointing or dismissing persons for/on/from positions which is the competence of Parliament, Government or President of the Republic of Moldova;
g. issues which are the competence of judicial and prosecution bodies may not be proposed for referendum either.

[Article 148 excluded by Law no.1107-XIV of 30.06.2000]
[Article 149 excluded by Law no.1227-XIV of 21.09.2000]

Article 150. Resolution or Decree on Establishing of Republican Referenda

(1) Within six months of receiving proposals on initiating a referendum, Parliament shall adopt one of the following resolutions:

a. regarding establishing of the referendum within at least 60 days of adopting the resolution;
b. regarding the refusal to conduct the proposed referendum, in case the latter is initiated by deputies;

[Letter b) modified via the Law no. 1107-XIV of 30.06.2000]
[The phrase "or by citizens" from Article 150 paragraph (1) letter b) was declared unconstitutional based on the Resolution of the Constitutional Court no. 15 of 11.04.200]

c. regarding solving issues proposed for consultative referendum without further conducting it.

[Letter c) completed via the Law no. 1107-XIV of 30.06.2000]

[Paragraph (2) art. 150 excluded based on the Law no. 1107-XIV of 30.06.2000]

[Paragraphs to follow renumbered]

[Paragraph (2) art. 150 was declared unconstitutional based on the Resolution of the Constitutional Court no. 15 of 11.04.2000]

(3) In the resolution or the decree regarding the conduct of the republican referendum shall be specified the determined date of referendum, name of the law or resolution to be adopted, and questions proposed for referendum.

[Art.150 modified and completed via the Law no.480-XIV of 02.07.99]

[Paragraph 3 art.150 abrogated via the Law no.268-XIV of 04.02.99]

Article 151. Determining the Referendum

(1) The date of republican referendum shall be determined by Parliament, through resolution, if the initiative to conduct the referendum belongs to citizens or members of Parliament; by the President of the Republic of Moldova, if the initiative to hold the referendum belongs to him/her, and in such a case shall be a consultative one.

[Paragraph 1 art.151 completed via the Law no.480-XIV of 02.07.99]

(2) The referendum shall be determined for no later than 60 days before the date of the referendum.

Article 152. Initiation of Referendum by Citizens

(1) Citizens shall establish a citizen initiative group to initiate a republican referendum. An initiative group is established at citizen meetings attended by at least 300 citizens eligible to vote. No later than 10 days before the meeting, the initiators shall notify the local government of the locality in written form where the meeting shall be held, time, place, and objective of that meeting.

(2) Before the meeting, the participants shall be registered and their last and first names and addresses shall be entered on a list.

(3) A chairperson and a secretary of the meeting shall be elected. During the meeting, the opportunity to hold the referendum shall be discussed and the questions to be proposed for referendum shall be determined.

(4) In the event that the majority of participants in the meeting vote for the referendum, an initiative group shall be established to organize the collection of signatures. The group shall be constituted of at least 100 citizens eligible to vote. The group shall elect from among its members the executive bureau including a chairperson, a vice-chairperson and a secretary who will represent the group and organize its activity.

(5) A protocol of the meeting shall be prepared containing the results of the vote on the issues included in the agenda. The documents of the meeting - list of participants, protocol, clearly and correctly determined questions proposed for referendum, and list of the citizen initiative group members including their identity data, shall be signed by the chairperson and secretary of the meeting.

Article 153. Registration of Citizen Initiative Groups

(1) The citizen initiative group for holding the referendum shall be registered with the Central Electoral Commission. For registration, the group shall submit to the council:

a. documents of the citizen meeting which elected the initiative group, confirmed by the mayor of the locality where the meeting took place;
b. consent of the members of the initiative group to collect signatures in support of the referendum; application for registration.

[Paragraph 1 art.153 modified via the Law no.268-XIV of 04.02.99]

(2) The Central Electoral Commission within 15 days of receiving the documents mentioned in paragraph (1) of this Article shall adopt a resolution regarding either the registration of the initiative group or the refusal to register the group. The resolution regarding the registration of the initiative group shall provide the terms for signature collection, which may be no shorter than two months and no longer than three months.

(3) Upon registration, members of the initiative group shall be issued certificates according to the design established by the Central Electoral Commission.

(4) The data regarding the registration of the initiative group and the questions to be put up for referendum shall be made public through mass media.

Article 154. Signature Collection

(1) From the registration day, members of the initiative group are entitled to freely collect signatures for holding the referendum (hereinafter referred to as petitions).

(2) Signatures shall be collected according to Article 42 hereof, to be correspondingly applied.

Article 155. Special Requirements for Petitions

Prior to collecting the signatures, the question (questions) proposed for referendum shall be written on each sheet of the petition. Collection of signatures on petitions without the text of questions being written on them is prohibited.

Article 156. Responsibility for Accuracy of Petitions

(1) The individual who gathers voters' signatures must sign every sheet of the petition and make a note to the effect that the collector personally collected the signatures and confirmed the identity of the persons whose names appear on that sheet by verifying their ID. Each petition shall be certified by the relevant local public administration bodies.

(2) Members of the initiative group must warn the persons that they can sign only one petition.

(3) Petitions that have data entered before the initiative group was registered or petitions which have not been signed by the signature collector, or have not been certified by the stamp of the local public administration bodies, shall be considered null and void.

Article 157. Submission and Review of Petitions

(1) No later than the last day of the signature collection term, the initiative group shall develop a protocol indicating the number of collected signatures, the date

when initiative group was registered, and the date when the collection of signatures was concluded. The protocol signed by the members of the initiative group together with the petitions shall be submitted to the Central Electoral Commission.

(2) Within 15 days of petitions submission, Central Electoral Commission shall check authenticity of the signatures (all or at random) on the submitted lists. Signatures by persons who have signed twice or more times the petitions shall be excluded. Upon verification of petitions, CEC shall develop a protocol and adopt a resolution regarding holding the referendum.

(3) In the event that the required number of signatures was not submitted, the CEC shall adopt a resolution refusing to hold the referendum and suspending the registration of the citizen initiative group.

(4) Protocol on the verification of petitions, verified petitions, and CEC' resolution regarding the initiation of the referendum shall be submitted to the Permanent Bureau of Parliament within three days.

Article 158. Electoral Districts, Precincts, Electoral Councils and Bureaus

(1) For administration of the republican referendum, CEC shall form, at least 50 days prior to referendum, administrative electoral districts, which shall correspond to the second level administrative-territorial units of the Republic of Moldova, and district electoral councils pursuant to the provisions of the Article 27 hereof, to be correspondingly applied.

[Paragraph 1 art.158 modified via the Law no.268-XIV of 04.02.99]

(2) The responsibilities of the district electoral councils shall be those provided in Article 28 of this Code, to be correspondingly applied.

(3) Electoral district shall be divided into precincts, pursuant to Article 29 of this Code, to be correspondingly applied. A precinct electoral bureau shall be formed for each precinct and exercise its responsibilities, pursuant to Article 29 and 30 of this Code, to be correspondingly applied.

(4) Authority of district councils and precinct bureaus shall expire upon the confirmation of republican referendum results by the Constitutional Court.

(5) Where the electoral district stands for only one locality and only one precinct, no precinct bureau shall be established, its responsibilities shall be exercised by the district electoral council.

[Art.159 excluded via the Law no.480-XIV of 02.07.99]

Article 160. Granting Support, Organizing Activity, Changing Membership and Disbanding Electoral Councils and Bureaus for Referendum

Granting support, organizing activity, changing membership and dismissing councils and bureaus for referendum shall be conducted pursuant to Articles 31-34 of this Code, to be correspondingly applied.

Article 161. Lists of Citizens Eligible to Participate in Referenda

The lists of citizens eligible to participate in the republican referenda (voter rolls) shall be developed in compliance with Chapter 5 (Articles 39-40) hereof, to be correspondingly applied.

Article 162. Ballot Papers

(1) Ballot papers shall contain the text of the question or the draft law proposed for republican referendum. To the right of the question or draft law two rectangles with the words "for" and "against" shall be placed on the horizontal, and under them two circles shall be placed.

[Paragraph 1 art.162 in the wording of the Law no.480-XIV of 02.07.99]

(2) In case the referendum proposal contains more than one separate question, each question shall be printed on a different ballot-paper. In case several referenda are held at the same time, the ballot-papers shall be of different color.

[Paragraph 2 art.162 modified via the Law no.480-XIV of 02.07.99]

(3) Ballot papers shall be developed in accordance with the Law on languages spoken in the Republic of Moldova.

(4) Ballots shall be printed in a quantity that does not exceed the number of voters in the district, plus one percent.

(5) Ballots with the same question shall be printed in the same format, with the same font, on paper of the same color and density.

(6) The design and text of ballots and the model of protocols of electoral councils and bureaus for the republican referendum shall be approved by the Central Electoral Commission.

[Paragraph 6 art.162 modified via the Law no.268-XIV of 04.02.99]

(7) Ballots shall be distributed to district electoral councils five days prior to the republican referendum and to the precinct electoral bureaus two days prior to the referendum.

Article 163. Agitation for Referendum

Debates on the questions proposed for referendum shall be conducted pursuant to Article 47 of this Code, to be correspondingly applied.

Article 164. Voting

(1) Voting in the republican referendum shall be performed pursuant to Chapter 9 (Articles 50-55) of this Code, to be correspondingly applied.

(2) Voters shall fill out the ballots by crossing two lines inside one of the two circles under the rectangles with the words "for" or "against", thus expressing their will.

[Paragraph 2 art.164 in the wording of the Law no.480-XIV of 02.07.99]

Article 165. Monitoring Republican Referendum and its Mass Media Coverage

Observation and coverage of the organization and holding the referendum shall be conducted, pursuant to Chapter 11 (Articles 63-64) of this Code, to be correspondingly applied.

Article 166. Counting the Votes and Summing up Referendum Results

(1) The results of the republican referendum shall be summed up under Chapter 10 (Articles 56-60) of this Code, to be correspondingly applied.

(2) The number of votes cast for " for " and "against " shall be entered into record on summing up the referendum results.

[Paragraph 2 art.166 modified via Law no.480-XIV of 02.07.99]

(3) The results of the referendum shall be examined by CEC, which shall adopt a resolution on this.

Article 167. Validation of Republican Referendum Results

(1) The CEC resolution and the protocol regarding the results of the referendum shall be submitted to the Constitutional Court.

(2) The Constitutional Court within 10 days shall examine the documents received from the CEC and shall either confirm or contest the results of the republican referendum.

Article 168. Adoption, Publication and Enactment of Referendum Proposal

(1) A republican referendum proposal shall be considered adopted if it gains the majority of voters who participated in the referendum. In the event that the draft of a constitutional law is proposed for referendum, it shall be considered adopted if it obtains at least half of the voter's votes entered on voter rolls.

[Paragraph (1) art. 168 modified via Law no.1107-XIV of 30.06.2000]

(2) The adopted referendum proposal shall be published in a special issue of the Official Monitor of the Republic of Moldova. Date of adoption is considered the day upon which the referendum was conducted. The proposal shall come into effect upon its publishing in the Official Monitor or on the date specified in its text.

Article 169. Repeal and Amendment of Resolution Adopted during Republican Referendum

A referendum proposal may be repealed or amended through republican referendum, or through the procedures provided for the repeal of the Constitution.

[Article 169 modified via the Law no.1227-XIV of 21.09.2000]

Article 170. Documents of Republican Referendum

Referendum documents shall be stored pursuant to Article 62 of this Code to be correspondingly applied.

Article 171. Invalid Republican Referendum

The CEC shall declare a referendum invalid if less than 3/5 of the voters included on voter rolls participated in the referendum.

[Art.171 modified via the Law no.480-XIV of 02.07.99]

Article 172. Null Referendum

The Constitutional Court shall declare a referendum null throughout the republic or in certain administrative-territorial units, if serious violations of this Code occurred during the voting and vote counting and affected the results of the referendum.

Article 173. Repeat Republican Referendum

(1) In the event that the referendum is declared null, the CEC within one month shall organize a repeat referendum, throughout the republic or in certain administrative-territorial units.

(2) The electoral councils and bureaus guilty of fraud shall be replaced.

(3) The repeat republican referendum shall be organized and conducted under this Title and Code.

Article 174. New Referendum

A republican referendum for the same proposal may be held in at least two years after the day of the previous referendum.

CHAPTER 14. LOCAL REFERENDUM

Article 175. Local Referendum

Local referendum is the vote of the people on issues of special interest for the village (commune), town (municipality), county, special status administrative-territorial unit. Mayors of villages (communes), towns (municipalities) may be recalled through local referendum.

Article 176. Restrictions on Holding Local Referendum

(1) A local referendum may not be held in territories under a state of war or emergency. If the referendum was already established for the day of declaration of the state of war or emergency, then the referendum shall be countermanded or postponed, pursuant to the terms of determining referenda provided for by this Code.

(2) Local referendum may not be conducted 120 days prior or after the day of conducting any type of elections or referendum in the same territory, unless conducted on the same day.

(3) The decision to postpone or countermand a local referendum shall be adopted by the local council or the representative authority of the special status administrative-territorial unit which issued the decision to hold the referendum.

(4) The referendum proposal to recall the mayor may be initiated upon the expiration of one year of office or of the date of holding a referendum regarding the dismissal of the same mayor.

Article 177. Issues which May be Proposed for Local Referendum

(1) Issues which are of special importance for the respective locality and which are in the competence of local public administration bodies may be proposed for local referendum.

(2) A mayor may be recalled through referendum if he/she does not observe local community interests, does not fulfil his/her responsibilities or violates moral and ethic norms.

Article 178. Issues which May not be Proposed for Local Referendum

(1) The following issues may not be proposed for referendum:

a. taxes and budget;
b. extraordinary or emergency measures for establishing public order, health or security;
c. electing, appointing or dismissing persons for/on/from positions which are the competence of Parliament, Government or President of the Republic of Moldova;
d. issues in the competence of Court and Prosecutor's office;
e. modifying administrative-territorial subordination of localities, except for the cases provided in the Law on Special Legal Status of Gagauzia (Gagauz-Yeri).

[Let.e) completed via the Law no.480-XIV of 02.07.99]
[Let.e) introduced via the Law no.268-XIV of 04.02.99]

(2) The mayor may be recalled from his/her position without initiating or conducting a referendum for this purpose, based on the final ruling of the court to that effect, if he/she does not observe the Constitution and the laws, is involved in the activity of non-constitutional organizations and is incompatible with the position of mayor, according to current law. Procedures of recalling in the conditions mentioned above shall be initiated by the prosecutor, upon the request of the interested persons.

Article 179. Determining the Date of Local Referendum

The date of local referendum is determined by the village (commune), town (municipality), or county council or representative bodies of special status administrative-territorial units.

Article 180. Initiating Local Referendum

A local referendum may be initiated by:

a. half of the elected councilors;
b. mayor of the village (commune), town (municipality), except when the issue of recalling the mayor is proposed for referendum;
c. representative bodies of special status administrative-territorial units;
d. 10% of the citizens eligible to vote, residents of the respective administrative-territorial unit.

Article 181. Registration of Citizen Initiative Group

(1) In the event that the initiative to hold a referendum comes from citizens, a citizen initiative group shall be established, including no less than 20 citizens eligible to

vote and residing in the respective administrative-territorial unit.

(2) A citizen initiative group is registered by the local public administration bodies, within three days of the date of submitting the application, the protocol of establishment, and the questions proposed for the referendum. In the case of a referendum on the recall of the mayor, the citizen initiative group is registered by precinct or municipal court in the population point where the respective initiative group is located.

[Paragraph 2 modified via the Law no.1217-XIV of 31.07.2000]

(3) In the decision of registration the term for signature collection, no less than 30 days and no more than 60 days, as well as the questions subject to the referendum shall be stated.

(4) Upon registration of the citizen initiative group, its members shall be issued certificates according to a design established by the Central Electoral Commission.

(5) The information regarding the registration of the citizen initiative group shall be published in the local press.

Article 182. Collecting Signatures

(1) Members of the citizen initiative group registered in keeping with Article 181 shall have the right to collect signatures for holding local referendum.

(2) Signatures shall be collected according to Article 42 of this Code, to be correspondingly applied.

(3) For holding a local referendum, at least 10% of voters signatures entitled to vote and residing in the relevant administrative-territorial unit are necessary.

Article 183. Special Requirements for Petitions

The question (questions) proposed for referendum shall be written on each sheet of the petition. Collection of signatures on petitions without the text of questions being written on them is prohibited.

Article 184. Responsibility for Accuracy of Petitions

(1) The person collecting the signatures shall sign each sheet of the petitions. Above the signature collector's signature at the end of each sheet of names shall appear an attestation to the effect that the collector personally collected the signatures and verified the identity of the persons whose names appear on that sheet, based on their ID. Each petition shall be authenticated by applying the stamp of the local authorities.

(2) Persons collecting signatures on the petitions shall bear responsibility for the authenticity of the data on the petitions, and shall avert the person who signs that he/she may sign only one petition list.

(3) Petitions on which data have been entered before the initiative group was registered or petitions which have not been signed by the signature collector, or have not been certified by the stamp of the local public administration bodies, shall be considered null and void.

Article 185. Submission and Review of Petitions

(1) Petitions shall be submitted, after authentication, to the local council or to the representative bodies of the special status administrative-territorial units. In the case of the referendum on the recall of the mayor, petitions shall be submitted to the precinct or municipal court in the population point where the respective initiative group is located.

[Paragraph 1 modified via the Law no.1217-XIV of 31.07.2000]

(2) Petitions submitted by citizen initiative group shall be reviewed within 15 days. Signatures by persons who have signed the petitions twice or more times, shall be excluded. If upon the review it is found out that the required number of signatures has not been collected, then the procedure shall be suspended and the registration of the citizen initiative group shall be canceled.

Article 186. Adoption and Publication of the Decision Regarding The Conduct of Local Referendum

(1) Within 15 days after submitting the petitions or the adoption of the decision of the local council, executive body of the administrative-territorial unit or of the mayor, the respective local council or the representative bodies of special status administrative-territorial unit shall either approve or reject the proposal to hold the local referendum.

(2) The decision on conducting the referendum shall contain:

date of the referendum, no sooner than one month and no latter than 45 days of the day the decision was adopted;

a. questions proposed for referendum;
b. grounds for the recall, upon the referendum on recall of the mayor.

(3) Language of the questions subject to referendum shall be clear so that a double interpretation is not possible. Conflicting issues may not be proposed for the same referendum.

(4) The decision to conduct local referendum shall be made public within three days of the day of adoption.

Article 187. Electoral Districts and Precincts

(1) For conducting local referendum, the following electoral districts (according to the case) shall be established: villages (communes), towns (municipalities), counties, or special status administrative-territorial units.

(2) Electoral districts shall be established by the Central Electoral Commission at the recommendation of local public administration bodies, at least 30 days prior to local referendum.

(3) Precincts shall be formed by the relevant district electoral councils at least 20 days prior to local referendum.

(4) Precincts shall be formed pursuant to administrative-territorial principles, by dividing localities into precincts including at least 30 and at most 3,000 voters. Precincts shall be numbered.

(5) Where the electoral district includes only one locality and only one precinct has been established therein, district electoral council shall exercise the responsibilities of precinct electoral bureau.

Article 188. Establishment of Electoral Councils and Bureaus for Local Referendum

(1) District councils for referendum shall be formed by the Central Electoral Commission, at the recommendation of local councils or representative bodies of special status administrative-territorial units, including no more than 11 members, no later than 25 days prior to the date of local referendum.

(2) Precinct bureaus established for the local referendum shall be formed by district electoral councils established for the local referendum, at the recommendation of local public administration bodies, including at least seven members, no later than 15 days prior to the date of local referendum.

(3) Chairpersons of county, municipal and special status administrative-territorial units' electoral councils established for the conduct of local referendum shall be elected at the meeting of judges of the respective county, municipality or administrative-territorial unit.

(4) Electoral councils and bureaus formed to conduct the referendum may not include councilors of local councils, members of parties or other socio-political organizations running in elections.

(5) During the first session of the electoral council the deputy-chairperson and the secretary of the council shall be elected by a vote of the majority of its members, whereas at the first session of the electoral bureau the chairperson, deputy-chairperson, and the secretary of the bureau shall be elected.

(6) Within two days of the date of establishment, electoral councils and bureaus shall make public their membership, address, and telephone numbers.

(7) The authority of the electoral councils and bureaus shall expire after validation of the referendum results.

Article 189. Cumulating Electoral Councils and Bureaus Mandate

In the event that the local referendum is held simultaneously with (local, parliamentary) elections or republican referendum, electoral councils and bureaus established and functioning pursuant to Chapter 3 of this Code, shall exert the functions and responsibilities of the councils and bureaus for the conduct of the referendum.

[Article 189 modified via Law no.1227-XIV of 21.09.2000]

Article 190. Granting Assistance, Organizing the Activity, Modifying the Composition, and Disbanding Councils and Bureaus for Referendum

Granting assistance, organizing the activity, modifying the composition, and disbanding the councils and bureaus for referendum shall be conducted pursuant to Article 31-34 of this Code, to be correspondingly applied.

Article 191. Responsibilities of Councils and Bureaus for the Conduct of the Local Referendum

Electoral councils and bureaus established for the conduct of local referendum shall have the responsibilities provided in Articles 28, 30 of this Code, to be correspondingly applied.

Article 192. Lists of Citizens Eligible to Participate in Referendum

The lists of citizens eligible to participate in the local referendum (voter rolls) shall be developed pursuant to Chapter 5, (Article 39-40) of this Code, to be correspondingly applied.

Article 193. Ballot Papers

(1) The ballot papers shall contain the text of the question proposed for referendum, to the right of the text on the horizontal two rectangles shall be placed with the words "for" and "against", and under them two circles shall be placed.

[Paragraph 1 art.193 modified via the Law no.480-XIV of 02.07.99]

(2) In case the referendum proposal contains more than one separate question, each question shall be printed on a different ballot-paper. In the event that several referenda are held at the same time or the referendum is held at the same time with elections, the ballot papers shall be of different color.

(3) Ballots shall be compiled pursuant to the Law on languages spoken on the territory of the Republic of Moldova.

(4) Ballots shall be printed in a quantity that does not exceed the number of voters in the district, plus one percent.

(5) Ballots with the same question shall be printed in the same format, with the same font, on paper of the same color and density.

(6) Design of the ballots and of the protocols of councils established for local referendum shall be established by the Central Electoral Commission, whereas the text of the ballots by the district electoral councils.

(7) Ballots shall be distributed to precinct bureaus two days prior to the date of the referendum.

Article 194. Agitation

Free debates upon the issues proposed for local referendum shall be conducted pursuant to Article 47 of this Code, to be correspondingly applied.

Article 195. Voting

(1) Voting in the referendum shall be carried out pursuant to Chapter 9, (Articles 50-55) of this Code, to be correspondingly applied.

(2) Voters shall fill out the ballot by crossing two lines inside one of the two circles under the rectangles with the words "for" and "against", thus expressing their will.

[Paragraph 2 art.195 in the wording of the Law no.480-XIV of 02.07.99]

Article 196. Counting the Votes and Summing up Local Referendum Results

(1) Local referendum results shall be summed up pursuant to Chapter 10 (Articles 56-60) of this Code, to be correspondingly applied.

(2) The number of the votes cast for "for" and "against" shall be entered separately on a protocol on summing the results.

[Paragraph 2 art.196 modified via the Law no.480-XIV of 02.07.99]

(3) The results of the referendum shall be examined by the district electoral council which shall adopt a resolution in this respect.

Article 197. Validation of the Local Referendum Results

(1) The district council, within two days of the determination of results, shall submit to the court of the respective territory the report on the conduct of the referendum, to which the protocol and the complaints, as well as a description on their solution, shall be attached. Chisinau municipality council shall submit the respective acts to the Tribunal of the Chisinau municipality.

(2) The court, within ten days of receiving the acts mentioned in paragraph (1) of this Article, shall confirm or not the legality of the conduct of local referendum and its results.

(3) Within 24 hours of adoption, the court rulings shall be transmitted to the Central Electoral Commission and district electoral council established for referendum, which shall publish the final results of the local referendum.

[Paragraph 3 art.197 completed via the Law no.268-XIV of 04.02.99]

Article 198. Adoption, Repeal, and Amendment of Referendum Proposal by Referendum

(1) A local referendum proposal shall be considered adopted by referendum if it gains the majority of voters votes who participated in the referendum. A referendum proposal is referred to as being adopted on the day upon which the referendum was conducted.

(2) In the event that the mayor is recalled by referendum, the Central Electoral Commission shall determine new elections, pursuant to Title V (Article 118-140) of this Code, to be correspondingly applied.

(3) Adopted referendum proposal may be repealed or amended by local referendum, or by the decision of the relevant local council, adopted by the vote of 2/3 of the councillors, pursuant to the Law on Local Public Administration.

Article 199. Invalid Local Referendum
The referendum shall be declared invalid, if less than half of voters included on the voter rolls have voted.

Article 200. Null Local Referendum
Local referendum shall be declared null by court throughout the entire district or only in the precinct, if serious violations of this Code occurred during the voting and vote counting affecting the results of the referendum.

Article 201. Repeat Local Referendum
If the referendum is declared null, bodies which adopted the decision to conduct the referendum shall organize, within two weeks, a repeat referendum. The councils and bureaus for conduct of referendum, held responsible for frauds, shall be replaced.

Article 202. New Local Referendum
New local referendum on the same issues may be conducted no sooner than a year of the previous referendum.

Article 203. Effective Date
This Code shall enter into effect on the day of its publication.

[Art.203 modified via the Law no.268-XIV of 04.02.99]

[The phrase "enter into effect on the day of its adoption" from art.203 was declared unconstitutional based on the resolution of the Constitutional Court no.15 of 27.05.98]

Article 204. Transition Provisions
After the Electoral Code is enforced:

1. Parliament, within ten days, shall adopt a resolution on setting up a (permanent) Central Electoral Commission, pursuant to the provisions of Section I, Chapter 3 (Articles 16-22) of this Code.
2. Bodies mentioned in Article 16, paragraph (2), shall submit to the Parliament, within five days, candidates for the Central Electoral Commission.
3. The Government, -
   a. within a month:
      - will submit proposals to Parliament on adjusting the legislation to the Electoral Code provisions;
      - will provide headquarters, financial-material support and necessary equipment to the Central Electoral Commission.
   b. will include in the draft of the state budget for the 1998 fiscal year, funds necessary for the activity of the Central Electoral Commission and for the organization and conduct of elections;
4. Elections to Parliament of the XIVth legislature, shall be conducted on March 22, 1998, pursuant to the President's decree No. 371-II, of November 18, 1997. All the terms related to elections to Parliament of the XIVth legislature shall commence at the date of the Code' s publication.
5. Central Electoral Commission, -
   a. will draft and adopt its Regulation within ten days;
   b. will submit to the Government an estimation of expenses necessary for the commission's activity and for holding elections;
   c. after formation, will start fulfilling the responsibilities provided in Article 22.
6. Formation and functioning of electoral bodies not provided under this Code shall be prohibited.

Article 205. Final Provisions
On the date of coming into effect of this Code, the Law No. 1040-XII, enacted on 05.26.92 on referendum, the Law No. 1609-XII, enacted on 10.14.93 on elections to the Parliament, the Law No. 308-XIII, enacted on 12.7.94 on local elections, the Law No. 833-XIII, enacted on 05.16.96 on the election of the President of the Republic of Moldova, the Law No. 1133-XIII, enacted on 04.02.97 on the recall of the mayor of the village (commune), towns, shall be abrogated.

Republic of

POLAND

THE ACT OF 12 APRIL 2001 ON ELECTIONS TO THE SEJM OF THE REPUBLIC OF POLAND AND TO THE SENATE OF THE REPUBLIC OF POLAND

CHAPTER 1. GENERAL PRINCIPALS

Article 1

This Act regulates the principles and methods of: nominating candidates for deputies and senators; the conduct of elections, and conditions to ensure the validity of elections to the Sejm of the Republic of Poland and to the Senate of the Republic of Poland, as well as the principles of conducting and financing election campaigning.

Article 2

In elections to the Sejm and to the Senate the elector shall vote in person only and only once.

Article 3

The elections to the Sejm and to the Senate shall be conducted jointly, on a non-working day.

Article 4

The provisions of this Part shall apply to elections to the Sejm and the Senate if special provisions do not state otherwise.

Article 5

Whenever in this Act there is a reference to elections this shall be understood as elections to the Sejm and to the Senate.

CHAPTER 2. ELECTORAL RIGHTS

Article 6

Every citizen of Poland who has reached the age at least 18 years on the day of the poll is eligible to vote.

Article 7

The following persons shall not be entitled to vote:

1) those deprived of public rights by a final ruling of the court;
2) those deprived of electoral rights by final ruling of the Tribunal of State;
3) those deprived of legal capacity by final ruling of the court.

Article 8

1. A person who has electoral rights and is qualified according to the special provisions of this Act, shall be eligible to stand for election.

2. A person may not simultaneously be a candidate in elections to the Sejm and the Senate.

CHAPTER 3. ISSUE OF AN ORDER ON ELECTIONS

Article 9

1. The elections shall be ordered by the President of the Republic of Poland by order, issued no later than 90 days prior to expiry of 4 years from the beginning of the term of office of the Sejm, and shall assign the date of elections to a non-working day, within 30 days prior to the expiry of the 4- year term of duration mentioned above. The order of the President shall be published and announced in the Journal of Laws of the Republic of Poland (Dziennik Ustaw) no later than the 5th day after the proclamation of the elections.

2. In the proclamation referred to in paragraph 1 above, the President of the Republic shall, after obtaining the view of the National Electoral Commission, specify the days on which the time limits for the realisation of the election procedures indicated in this Act expire.

Article 10

1. Where the term of office of the Sejm is shortened as the consequence of a resolution taken by the Sejm itself, or if it is dissolved by the President of the Republic in a proclamation– the President shall order elections to be held and shall assign their date to a day within 45 days, beginning on the day of the coming into force of the Sejm's resolution shortening its duration, or the publication of the proclamation by the President of the Republic shortening the term of the Sejm. The proclamation of the President of the Republic of an election to be conducted, shall be published and announced in the Journal of Laws of the Republic of Poland (Dziennik Ustaw) no later than the 5th day after the proclamation of the elections. The provisions of Article 9, paragraph 2, above shall be applied respectively.

2. The elections referred to in paragraph 1 above shall be conducted according to the principles and methods described in this Act, and:

1) the time-limits for the implementation of the election procedures described in the Act shall be shortened and shall expire as follows:
   a) in Article 29, paragraph 2, Article 30, paragraph 3 and Article 44, paragraph 2 – on the 38th day before polling day;
   b) in Article 30, paragraph 4, Article 44, paragraph 3 , Article 96, paragraph 3, Article 97, paragraphs 4 and 7, and Article 98, paragraph 4 – on the 35th day before polling day;
   c) in Article 137, paragraph 3,– on the 40th day before polling day;
   d) in Article 142, paragraph 3, and in Article 143, paragraph 1,– on the 25th day before polling day;
2) the time limits for submission of complaints or appeals described in the Act shall be reduced to 2 days;
3) the random selection of a uniform number for the lists of election committees, referred to in Article 150, paragraph 1, and Article 151, paragraph 1, shall be limited to those committees that did not register their lists in the previous elections. Election committees that participated in the previous elections and which registered their list for the current elections shall retain the list number determined previously.

CHAPTER 4. REGISTER OF ELECTORS

Article 11

1. A permanent register of electors shall comprise all persons that permanently reside on the territory of a commune and have the right to vote.

2. A person may be registered on one register of electors only.

3. The electoral register shall be used to prepare the list of eligible voters for elections of the President of the Republic, elections to the Sejm and the Senate, and elections to commune councils, district councils and voivodeship councils, as well as the list of those having the right to participate in national and local referendums.

4. The electoral register shall contain the surname and names, father's name, the identity document (PESEL) number, and the address of the elector.

5. The commune shall currently maintain the register as a task prescribed to it.

6. The register shall be open to inspection, on written request, in the office of the relevant commune.

Article 12

1. Electors that permanently reside on the territory of a commune shall be inserted "ex officio" onto the register of electors.

2. Electors, who permanently reside on the territory of a commune without registration of their residence, shall be entered in the register of electors on submission of a written application specifying the data referred to in Article 11, paragraph 4, together with the address of their last permanent registration outside the commune.

3. The provisions of paragraph 2 above shall be applied to electors living on the territory of a commune that are registered nowhere.

4. Electors who permanently reside on the territory of a commune at an address different from the address of their registration as permanent residents may be added to the register of electors with their actual residential address if they submit an application, with the data referred to in Article 11, paragraph 4, together with the address of their last permanent registration on the territory of the commune to the office of the commune.

Article 13

1. The decision whether or not to add to the register a person referred to in Article 12, paragraphs 2 – 4 shall be taken by the head of the commune or mayor (or the president of a town) within 3 days following delivery of the application and shall ensure its delivery to the applicant.

2. The office of the commune of the last registration of the elector as a permanent resident shall be immediately notified of the decision to add an elector to the register to ensure the elector's deletion from the electoral register in that commune.

3. The decision to refuse to add an elector to the register may be appealed to the competent regional court. The complaint shall be submitted via the head of the commune or mayor (president of a town) within 3 days following the date of delivery of the decision. The head of a commune or mayor (president of a town) shall immediately submit the appeal to the court, together with the decision and the relevant case files. The head of commune, mayor (president of a town) may also immediately change or amend his/her decision if the appeal is deemed justified.

4. The court shall examine the complaint referred to in paragraph 3, in non-litigious proceedings, with one judge,

within 3 days following its delivery. The copy of the court's decision shall be delivered to the person who submitted the complaint to the head of commune or mayor (president of the town). There shall be no legal recourse against the court's decision.

Article 14

1. A person deprived of their electoral rights shall be deleted from the register of electors upon notification of the commune by courts or the Tribunal of State.

2. When the reasons for deprivation of the right to elect expire, the elector shall be reinstated on the register of electors on the basis of a notification of the court or the Tribunal of the State.

3. The Minister of Justice, in agreement with the National Electoral Commission, shall describe, in an order, the methods and time-limits for notification of communes concerning persons deprived of their electoral rights and the expiry of the reasons for deprivation of these rights, as well as a specimen of the notification to be issued in such cases, to ensure the continual updating of the electoral register according to the data concerning persons deprived of electoral rights and persons possessing such rights.

Article 15

1. Each person has the right to submit a motion to a head of the commune or mayor (president of a town) on inaccuracies in the register of electors, in particular concerning:
   1) the omission of an elector from the register;
   2) the inclusion, in the register, of a person not possessing electoral rights;
   3) incorrect details about persons included in the register;
   4) the inclusion of a person who does not permanently reside on the territory of a commune.

2. The complaint shall be submitted orally or in writing to a protocol.

3. The head of a commune, mayor (president of a town) shall be obliged to examine the complaint within 3 days following its delivery and to issue a decision.

4. The decision, together with its justification, shall be immediately delivered to the applicant, and if it concerns others – then also to such persons.

5. A decision rejecting a complaint or one that results in deletion from the electoral register may be appealed to the relevant regional court. The appeal shall be delivered via the head of a commune, mayor (president of the town) within 3 days following the receipt of the decision. The head of the commune, mayor (president of the town) shall immediately submit the appeal to the court along with the decision and files of the case. The head of the commune, mayor (president of the town), when approving the claim, may immediately change or quash the earlier decision if the appeal is justified. The provisions of Article 13, paragraphs 3 and 4, shall apply respectively.

Article 16

The Minister responsible for public administration shall, on request of the National Electoral Commission, specify, by directive: the methods of maintaining the electoral register, a specimen example of a register, the methods of its updating and opening to public inspection, and a specimen application by a person to view the register, a specimen application by a person to have his/her name entered in the register, and a specimen notification informing a person that his/her name has been entered in register, as well as the method of delivery by commune offices to the proper electoral organs of periodic information on the number of electors on the electoral register.

CHAPTER 5. ROLL OF VOTERS

Article 17

1. Persons entitled to vote shall be entered in the list of voters.

2. An elector may enter only one list of voters.

3. The list of voters shall be used in elections to the Sejm and to the Senate, for which elections have been ordered.

4. The data, specified in Article 11, paragraph 4, shall be entered in the list of voters.

5. The list of voters, with reference to Article 25, paragraph 1 and Article 26, paragraph 1, shall be maintained and updated by the commune as a public task ascribed to it.

6. The list of voters shall be prepared in two copies, separately for each electoral ward, according to the place of residence of electors, no later than on the 14th day before polling day.

7. A copy of the list of voters shall be delivered to the chairperson of the ward electoral commission on the day preceding the poll.

Article 18

1. A handicapped voter may, no later than on the 10th day before the election, submit an application to the office of the commune, to be entered on the list of voters in the chosen electoral ward of those electoral wards that have the polling stations referred to in Article 53, paragraph 1, situated on the territory of the commune appropriate to the place of residence of the voter.

2. The data specified in Article 11, paragraph 4, shall be included in the application referred to in paragraph 1 above.

Article 19

1. A voter staying temporarily within the territory of a commune for a period of time including polling day may, on request submitted to the office of the commune no later than on the 10th day before polling day, be entered on the list of voters.

2. The provisions of paragraph 1 above, shall be respectively applied to an elector of no place of residence who resides on the territory of the commune.

3. The data specified in Article 11, paragraph 4, shall be included in the application referred to in paragraph 1 above.

Article 20

1. The list of voters in hospitals and social welfare institutions shall be prepared from the list of persons who will be present there on polling day.

2. The list of persons referred to in paragraph 1 above shall be delivered by directors of hospitals and social welfare institutions no later than on the 10th day before polling day.

3. The list of voters in penal institutions and remand centres, as well as extramural departments of such establishments, shall be created from the list of persons who will be present there on the day of the poll.

4. The list of persons referred to in paragraph 3 above shall be delivered by the heads of penal institutions and remand centres no later than on the 10th day before polling day.

5. Persons deprived of public rights by final ruling of the court shall not be included on the list of voters referred to in paragraph 3.

Article 21

1. Soldiers performing basic or temporary terms of military service, those serving as candidates for professional soldiering or those undertaking military training and exercises, as well as conscripts performing their military service in civil defence units beyond their place of residence, shall be added, on their request, to the list of voters of their choice created for the locality in which they are serving. Any such request shall be submitted between the 21st and 14th day before polling day unless the persons referred to in the first sentence arrived at the actual place of their quartering after that day. Any such request shall include the data specified in Article 11, paragraph 4.

2. The provisions of paragraph 1 shall apply equally to police serving in quartered units.

3. Commanders of military units, civil defence units and police units shall be under an obligation to ensure soldiers, conscripts and police an opportunity to exercise the rights specified in the provisions of paragraph 1.

4. The Minister of National Defence and the Minister responsible for internal affairs shall, in agreement with the National Electoral Commission, determine the procedure for performance of the duties of commanders referred to in paragraph 3, taking into account the obligation referred to in paragraphs 1 and 2 to assure voters their rights to perform the function of members of ward electoral commissions and election observers.

Article 22

The fact of including on the list of voters persons referred to in Article 19, Article 20, paragraphs 1 and 3, and Article 21, paragraphs 1 and 2, shall be notified to the commune administration proper to their permanent residence or their last registration of permanent residence.

Article 23

1. A voter changing his/her place of residence before polling day shall obtain on his/her request, a certificate confirming the right to vote on polling day at the new place of residence. The certificate shall be issued:
   - before the list of voters has been prepared – on the basis of the electoral register, and
   - after the list of voters has been prepared – on the basis of the list of voters.

2. The office of the commune shall supply the certificates referred to in paragraph 1.

Article 24

The Minister responsible for public administration, on a motion of the National Electoral Commission, shall, by directive, specify the methods of maintaining and rendering accessible the list of voters, a specimen of the list, the method of its updating and availability for public inspection, and a specimen of an application by a person to view the list of voters, and a specimen of an application by a person to have his/her name entered on the list, specimens of lists of persons in hospitals, welfare homes, prisons or who are under arrest where polling wards are created, and a specimen of a notification informing that a person has been entered or added to the list of voters of another electoral ward, and a specimen and methods of issue of a certificate confirming the right to vote.

Article 25

1. Voters aboard Polish maritime vessels at sea on polling day shall be entered on the list of voters established by the captain of the ship.

2. Such inclusion shall be made, upon application by the concerned person submitted no later than the 5th day before polling day. Such application shall specify the voter's surname, forenames, father's name, date of birth, identity document (PESEL) number or valid passport, and the address of residence.

3. The provisions of Article 23, paragraph 1, shall apply respectively to electors on board Polish maritime vessels, and the certificate shall be issued by the captain of the ship who has created the list of voters.

4. The Minister responsible for the marine economy, in agreement with the National Electoral Commission, shall issue a directive specifying the procedure for creating and updating the list of voters referred to in paragraph 1, as well as the method of notifying commune offices about persons who permanently reside on the territory of Poland that are included in the roll of voters, and the method of issuing certificates confirming the right to vote.

Article 26

1. Polish citizens abroad who posses valid Polish passports shall be entered on the list of voters created by the territorially appropriate consul of the Republic of Poland.

2. The inclusion on the list of voters shall be made on application by the concerned person either orally, or in writing, by telephone, by cable or fax. Such an application shall specify the voter's name, forenames, father's name, date of birth and the place of residence, the number of a valid Polish passport, and the date and place of issue of the passport. Applications may be made no later than the 5th day before polling day.

3. The provisions of Article 23, paragraph 1, shall apply respectively to electors abroad who possess a valid Polish passport, and the certificate shall be issued by the consul who has created the list of voters.

4. The Minister responsible for foreign affairs, in agreement with the National Electoral Commission, shall issue a directive specifying the procedure for creating and updating the list of voters referred to in paragraph 1, as well as the method of notifying commune offices about persons who reside permanently on the territory of Poland, who are included in the list of voters, and the method of issuing certificates confirming their right to vote.

Article 27

1. The list of voters shall be open to inspection, upon written motion, at the office of the commune or the seat of the office that prepared it.

2. The head of the commune (mayor, president of a town) or the office that prepared the list of voters shall notify voters, in the customary manner, of the preparation of the list of voters and of the time and place of access thereto.

Article 28

1. Each person may submit complaints concerning inaccuracies in the list of voters to the head of commune, mayor (president of town) or to the body that prepared the list.

2. The provisions of Article 15 shall be applied respectively to the cases referred to in paragraph 1 and the complaint shall be considered within 2 days.

3. Complaints against a list of voters that concern persons referred to in Article 25, paragraph 1, and Article 26, paragraph 1, shall be considered by the captain of the ship or the consul, respectively. There shall be no legal recourse against the above decision.

CHAPTER 6. POLLING PRECINCTS

Article 29

1. Voting in elections shall take place in permanent electoral wards established on the territory of a commune on the basis of the provisions of the Act of 16 July 1998 on Elections to commune councils, district councils and voivodeship councils (Journal of Laws N. 95, item 602 and

No. 160, item 1060 and of 2001, No. 45, item 497); the provisions of Article 30, paragraphs 1 and 2, and Article 31, paragraphs 1 and 4, shall apply accordingly.

2. Changes in the division into polling wards, should such necessity result from changes in the boundaries of a commune or changes in the number of inhabitants on the territory of an electoral ward of a commune, are executed pursuant to the principles and procedures specified in provisions of the Act, mentioned in paragraph 1 above, no later than 45 days before polling day.

Article 30

1. Polling wards may be established in hospitals and welfare homes with at least fifty resident voters; should the number of voters be lower, a ward may be created after consultation with the head of a hospital or welfare home.

2. Electoral wards may be established for voters in prison or under arrest, as well as external departments of such institutions. Relinquishment of the creation of such a ward shall be possible on the motivated application of the head of a prison or custody centre respectively.

3. The council of a commune shall establish, at the request of the head of a commune (mayor, president of a town), the electoral wards mentioned in paragraphs 1 and 2, and shall specify their number, boundaries, and the seats of ward electoral commissions. The creation of such wards shall take place no later than 45 days before polling day.

4. Should the time-limit mentioned in paragraph 3 expire without the wards having been determined, the appropriate Voivode shall realise the above duties on the 42nd day before polling day at the very latest.

Article 31

1. Electoral wards shall be established for Polish citizens abroad.

2. The wards mentioned in paragraph 1 above shall be created by the Minister responsible for foreign affairs, by order, after consultation with the National Electoral Commission, and shall indicate the seats of the ward electoral commissions.

3. Those wards referred to in paragraph 1 shall constitute a part of the appropriate Constituency Electoral Commission of the commune Warszawa Centrum.

4. Election wards shall be established for voters aboard Polish maritime vessels continuing their voyage for a period of time including polling day if there are at least 15 voters aboard, and if there is the capacity to transmit the results of voting immediately after its conclusion.

5. According to the above Act, the expression: "Polish maritime vessel" means a ship that is exclusively the property of a Polish shipowner, has its seat in Poland, bears the flag of Poland, and is under the command of a Polish captain.

6. The electoral wards referred to in paragraph 4 shall be created by directive of the Minister responsible for the marine economy in agreement with the National Electoral Commission, at the request of the shipowner, made no later than 30 days before polling day.

7. The wards referred to in paragraph 4 shall constitute a part of the electoral constituency where the shipowner has its headquarters.

Article 32

1. Information on the number and boundaries of electoral wards, as well as on the location of the ward Electoral Commissions referred to in Article 29, Article 30, paragraphs 1 and 2, and Article 53, paragraph 1, shall be made public, in an announcement by the head of a commune (mayor, president of a town) no later than the 30th day before polling day.

2. The obligation referred to in paragraph 1 in respect of polling wards established abroad, shall lie with consuls. Realisation of this task shall be executed no later than 21st day before polling day.

3. The captain of a ship shall inform voters of the creation of an electoral ward.

CHAPTER 7. ELECTORAL COMMISSIONS, THE NATIONAL ELECTORAL COMMISSION, PRECINCT ELECTORAL COMMISSION, THE NATIONAL ELECTORAL OFFICE

Article 33

Elections shall be conducted by:

1) The National Electoral Commission;
2) Constituency Electoral Commissions;
3) Ward Electoral Commissions.

Article 34

1. A person may be a member of one commission only. Candidates for deputies and senators, agents (of election committees) and financial agents as well as poll observers cannot be members of a commission.

2. Members of commissions shall forfeit their membership on the day of signing a written consent for nomination as candidate for deputy or senator, or as an agent, financial agent or poll observer*, referred to in paragraph 1.

3. Members of commissions are prohibited from involvement in election campaigning for any candidate for deputy or senator or for any list of candidates.

Article 35

1. A member of an electoral commissions shall be entitled to:
   1) a per diem allowance and compensation for travel and accommodation expenses;
   2) lump sum allowances for the time devoted to conduct of the vote as well as for establishing the result of the vote

2. Members of the National Electoral Commission and chairpersons of constituency electoral commissions who act officially as Voivodeship Electoral Commissioners or their deputies shall not be entitled to the lump sum allowances referred to in paragraph 1.

3. Members of electoral commissions shall be entitled to a maximum of 5 days' leave from work without pay from their employers for the time devoted to the conduct of the vote; during which time they shall retain their rights to social insurance benefits and benefits resulting from work relations.

4. Members of electoral commissions shall have the benefit of the legal protection provided to public functionaries and shall bear responsibility equal to the responsibility of public functionaries.

5. Members of a commission shall be entitled to recompense in an amount and according to the rules on social insurance benefits of employees for accidents at work or occupational diseases, if they meet with an accident while performing the commission's duties or on the way to or from the place of their duties. Recompense shall be paid by the Social Insurance Institution (ZUS), and the head of the territorially competent unit of the National Electoral Bureau shall institute accident proceedings.

6. The Minister responsible for public administration after seeking the view of the National Electoral Commission shall, in a directive, establish the amount and specify the principles of establishing the per diem allowances and lump sum allowances referred to in paragraph 1 above, to which they are entitled, as well as compensation for travel and accommodation expenses, and also the manner of granting the leave from work referred to in paragraph 3.

Article 36

1. The National Electoral Commission shall be the permanent, supreme institution competent in the conduct of elections.

2. The National Electoral Commission shall be composed of:
   1) 3 judges of the Constitutional Tribunal, designated by the President of the Constitutional Tribunal;
   2) 3 judges of the Supreme Court, designated by the President of the Supreme Court;
   3) 3 judges of the Supreme Administrative Court, designated by the President of the Supreme Administrative Court.

3. The President of the Republic by a resolution, shall appoint the judges referred to in paragraph 2 above to the National Electoral Commission.

4. The National Electoral Commission shall elect a chairperson and two deputies from amongst its own members.

5. The post of Secretary of the National Electoral Commission shall be discharged by the Head of the National Election Office, who shall participate in the meetings of the Commission in an advisory capacity.

6. The resolution referred to in paragraph 3 above shall be made public and announced in the Official Gazette of the Republic of Poland, Monitor Polski.

Article 37

1. The expiration of membership of the National Electoral Commission shall result from:
   1) resignation from its membership;
   2) the signing of written consent to nomination as a candidate for the President of the Republic, deputy or senator;
   3) the death of the member of the Commission;
   4) achieving the age of 70 years by a member of the Commission who is a retired judge;
   5) the motion of the President of the Court who designated the judge to be a member of the Commission.

2. A vacancy in the National Electoral Commission shall be filled pursuant to the provisions on appointment thereof. The provisions of Article 36, paragraph 7, shall be applied respectively.

Article 38

1. Members of the National Electoral Commission shall fulfil their posts in the Commission independent of their judicial functions.

2. Members of the National Electoral Commission shall have the right to monthly remuneration, established on the basis of the primary amount taken in establishing the remuneration of persons in State executive posts, with the multiplier being used as follows:

1) a chairperson - 3,5;
2) a deputy chairperson - 3,2;
3) a member - 3,0.

3. A member of the Commission shall be entitled to the above remuneration irrespective of the salary to which he is entitled to for his work as a judge or of a pension obtained as a retired judge.

Article 39

1. The duties of the National Electoral Commission shall include, in particular:

1) supervision of the observance of electoral law;
2) supervision of the maintenance and updating of the electoral register and of the creation of the list of voters;
3) the appointment of Constituency Electoral Commissions and the dissolution of constituency and ward electoral commissions upon the conclusion of their statutory duties;
4) the investigation of complaints against the actions of Constituency Electoral Commissions;
5) the creation of specimens of official forms and printed materials relating to elections, as well as specimens of seals of constituency and ward electoral commissions;
6) the determination and publication of the result of voting and of the elections pursuant to the specific provisions of this Act;
7) the submission to the President of the Republic, to the Marshal of the Sejm and to the Marshal of the Senate, after each election, information concerning the realisation of the provisions of this Act together with proposals for possible amendments to this Act.
8) the performance of other duties specified by statute.

2. The National Electoral Commission shall establish its own regulations and regulations for constituency and ward electoral commissions, specifying, in particular:

1) the rules and procedure of work;
2) the method of performing duties;
3) the method of exercising supervision of the observance of electoral law.

Article 40

1. The National Electoral Commission shall issue guidelines binding upon lower ranking electoral commission and shall issue interpretations to organs of government and local government administration as well as subordinate organs thereof that perform duties in relation to the conduct of elections, as well as to election committees and radio and television broadcasters.

2. The National Electoral Commission shall rescind any resolution of a constituency electoral commission passed contrary to law or inconsistent with its guidelines and shall refer any such case to the appropriate commission for reconsideration or shall itself take a decision on the matter.

3. The National Electoral Commission may, for the period of elections, create its own inspection unit and specify its duties, or shall entrust those duties to the inspection unit of a constituency electoral commission. The provisions of Article 35, paragraphs 1 and 3 – 5 shall be applied to the persons nominated to the inspection unit. The directive referred to in Article 35, paragraph 6, shall establish the amount and shall specify the principles of establishing per diem allowances and lump sum allowances to which the members of an inspection unit are entitled, as well as compensation for travel and accommodation expenses, and also the manner of granting days leave from work for persons nominated to the inspection unit.

4. The National Electoral Commission shall adopt resolutions within the scope of its authority.

Article 41

1. The National Electoral Commission shall establish rules and procedures for the exploitation of electronic systems of transmitting and processing voting data and the results of the elections.

2. The Minister responsible for communications, acting on a motion of the National Electoral Commission, shall establish, in a directive, the rules and conditions of exploiting devices and systems of telecommunication as well as the telecommunications network for election purposes.

Article 42

The National Electoral Commission shall publish a statistical study containing detailed information on the results of voting and the results of elections, and shall

ensure access to the results of the vote and of the elections, processed in electronic form, at cost price.

Article 43

The National Electoral Commission shall have the right to use an official seal, as defined in relevant provisions concerning State seals. The seal shall be 35mm in diameter.

Article 44

1. The Constituency Electoral Commission shall be composed of 7 to 11 judges, and ex officio, as its chairperson, the Voivodeship Electoral Commissioner or his/her deputy, appointed pursuant to separate provisions. A retired judge, no older than 70, may be also appointed to the commission.

2. The judges shall be designated by the Minister of Justice, no later than the 52nd day before the polling day, in the number agreed with the National Electoral Commission.

3. The National Electoral Commission shall appoint constituency electoral commissions no later than the 48th day before Polling Day.

4. If the Voivodeship Electoral Commissioner or his/her deputy is unable to perform the office of a chairperson of the commission, the commission shall itself elect its chairperson from amongst its own members. In such a case the Minister of Justice shall designate one more judge to the commission.

5. The first meeting of the commission shall be organised by the head of the local unit of the National Elector Office, authorised by the National Electoral Commission.

6. The commission shall elect, at its first meeting, two deputy chairs. The head of the locally appropriate unit of the National Electoral Bureau a person designated by him shall be appointed as a secretary. The secretary shall participate in the activities of the commission in an advisory capacity.

7. The composition of Constituency Electoral Commissions shall be promptly published in a customary manner.

8. Services and technical-administrative provision for constituency electoral commissions shall be ensured by the National Election Office.

Article 45

1. The expiration of membership in the constituency electoral commission shall be result from:

1) the resignation of its membership;
2) occurrence of reasons, referred to in Article 34, paragraph 2;
3) the death of the member of the commission;
4) recall by the National Electoral Commission, acting on a motion of the Minister of Justice.

2. A vacancy in a Constituency Electoral Commission shall be filled pursuant to the provisions on appointment thereof. The provisions of Article 44, paragraph 7 shall be applied respectively.

Article 46

1. The duties of the Constituency Electoral Commission shall include:

1) the supervision of the implementation of electoral law by ward electoral commissions,
2) the registration of constituency lists of candidates for deputies and candidates for senators;
3) the establishment of aggregate results of votes cast for candidates and of the results of the elections in the electoral constituency pursuant to the specified provisions of this Act;
4) the investigation of complaints against actions of ward electoral commissions;
5) the assurance, in co-operation with the Voivode (Head of the Voivodeship) and the organs of appropriate local administration units, of the proper conduct of elections;
6) the performance of other tasks, laid down in this Act or assigned by the National Electoral Commission.

2. A constituency electoral commission shall adopt resolutions within the scope of its authority.

Article 47

1. A constituency electoral commission may, on the basis of rules and procedures described by the National Electoral Commission, nominate plenipotentiaries to execute tasks specified in Article 74, paragraph 2.

2. A constituency electoral commission may create its own inspection unit and specify its duties. The provisions of Article 35, paragraphs 1 and 3 – 5 shall be applied to the persons nominated to the inspection unit. The directive referred to in Article 35, paragraph 6, shall specify the amount and principles of establishing the per diem allowances and lump sum allowances, as well as reimbursement of travel and accommodation expenses, and also the manner of granting days' leave from work for persons nominated to the inspection unit.

Article 48

1. A ward electoral commission shall be appointed from electors, with regard to the provisions of Article 49, no later than on the 21st day before polling day, by the executive committee of the relevant commune.

2. The ward electoral commission shall be composed of :
   1) 6 to 10 persons from among those designated by agents of election committees or by persons authorised by them;
   2) one person designated by the head of a commune (mayor, president of town):
      a) for electoral wards referred to in Article 29, this shall be a person designated from amongst the local-government employees of the commune or their subordinate units;
      b) for electoral wards established in hospitals and social welfare institutions this shall be a person designated from amongst employees of those hospitals or institutions;
      c) for electoral wards established in penal institutions and arrests, it shall be a person designated from amongst employees of those institutions or arrests.

3. The candidates referred to in paragraph 2 above shall be persons that are included in the permanent electoral register of the given commune.

4. The agent or person authorised by him has the right to nominate for each of the commissions only one candidate, referred to in Article 21, paragraph 1. The submission of a candidacy shall be realised up to the 30th day before the polling day.

5. Should the number of candidates nominated exceed 10 persons, the composition of the commission will be decided by drawing lots, carried out publicly by the board of a commune.

6. Should the number of candidates, nominated pursuant to the provisions of paragraph 4 be fewer than 6 persons, the vacancy in the commission shall be filled to the minimal number, referred to in paragraph 2, subparagraph 1, by the board of a commune from amongst voters that are included in the permanent register of electors for a given commune.

7. The first meeting of the commission shall be organised by the head of of a commune (mayor, president of town).

8. The commission shall elect, at its first meeting, a chairperson and a deputy chair. The composition of the ward electoral commissions shall be promptly published in a customary manner.

9. A person designated by the head of a commune (mayor, president of town) cannot be a chairperson or deputy chair of a ward electoral commission.

10. If the commission is not appointed during the time period specified in paragraph 1, the functions specified in that provision shall be realised by the relevant constituency electoral commission no later than on the 15th day before polling day.

11. The Minister responsible for public administration shall, on the motion of the National Electoral Commission establish, by ordinance, the method of submitting candidates to ward electoral commissions, specimens of such submission and shall specify the rules for creation of ward electoral commissions, including the method of drawing lots.

Article 49

1. The ward electoral commission existing in wards created on board Polish maritime vessels, referred to in Article 23, para. 4, and those abroad, shall be appointed from amongst voters by captains of those ships and consuls respectively. The provisions of Article 48, paragraph 2, subparagraphs 1 and 2 a) as well as paragraphs 4 – 9 shall apply respectively.

2. The rules, procedure and the time-limits for setting up such commissions referred to in paragraph 1 above shall be laid down in an ordinance, on the motion of the National Electoral Commission, by the Minister responsible for the marine economy and the minister responsible for foreign affairs, respectively.

Article 50

1. The expiration of membership in the ward electoral commission shall be in result of:
   1) resignation of its membership;
   2) recall for reasons referred to in paragraph 2;
   3) the occurrence of the reasons referred to in Article 34, paragraph 2;
   4) the death of a member of the commission;
   5) the deprivation of electoral rights, or lack of statutory conditions referred to in Article 48, paragraph 3.

2. A member of a ward electoral commission may be recalled if s/he is absent from the first meeting of the commission and the reason for absence has not been explained within 2 days.

3. A vacancy on a ward electoral commission shall be filled pursuant to the provisions on appointment thereof.

Article 51

The duties of the Ward Electoral Commission shall include, in particular:

1) the conduct of voting in the polling ward;
2) the supervision of the observance of electoral law at the time and place of voting;
3) the establishment of voting returns in the wards and their delivery to the relevant Constituency Electoral Commission.

Article 52

1. Services and technical and material assistance for the work of the ward electoral commissions and the realisation of tasks connected with the organisation and conduct of elections on the territory of a commune shall be ensured, as a duty ascribed to the commune, by the head of the commune, the mayor (president of a town).

2. Organisational entities responsible for State and communal property shall be responsible for rendering free of charge any accommodation indicated by:

1) the head of the relevant local unit of the National Election Office and intended for seats of constituency electoral commissions;
2) the head of a commune or mayor (president of town) - and intended for seats of ward electoral commissions.
   Accommodation designated as the seats of constituency and ward electoral commissions should be easily accessible to disabled persons.

3. The seats of electoral organs may also be located in accommodation belonging to bodies other than those mentioned in paragraph 2, after arranging matters with the administrators of such accommodation.

4. The provisions of paragraphs 1 – 3 shall apply, respectively, to captains of Polish maritime vessels and consuls.

Article 53

1. The head of a commune or mayor (president of town) shall ensure accommodation of ward electoral commissions appropriate to the needs of disabled voters.

2. The Minister for public administration, in agreement with the Minister responsible for social policy and the National Electoral Commission, shall establish, by ordinance:

1) technical conditions, taking into account the needs of disabled voters, for adapting the premises of ward electoral commissions to the needs of such voters;
2) the number of premises of ward electoral commissions adapted to the needs of disabled voters, taking into account the proportions of the number of inhabitants of the commune to the number of disabled persons that reside on the territory of a commune, and the fact, that in every commune there should be at least one premise adapted to the needs of the disabled.

Article 54

1. The National Election Office shall be the executive organ of the National Electoral Commission.

2. The National Election Office shall realise tasks that arise from this Act as well as other acts of law.

3. The duty of the National Electionl Office is to ensure the organisational, financial and technical conditions for the preparation and conduct of elections and referenda, pursuant to this Act and other acts of law.

4. The National Electoral Office shall ensure services for the National Electoral Commission and other electoral bodies pursuant to this Act and other acts of law.

Article 55

1. The Head of the National Election Office shall manage the work of the National Election Office.

2. Organisational units of the National Election Office are:

1) teams;
2) branch offices.

3. The organisation of the National Election Office, as well as the scope of activity and territorial competence of its organisational units shall be determined by the statute issued by the National Electoral Commission on a motion of the Head of the National Election Office. The Statute of the National Election Office shall be published in the Official Gazette of the Republic of Poland: "Monitor Polski".

4. The Head of the National Election Office, on the basis of the statute, shall specify in a direction the internal organisation of organisational units of the National Electoral Bureau and the scope of their competence.

Article 56

1. The National Election Office in realisation of its duties in the field of the organisation and conduct of elections and referenda shall co-operate with ministers, heads of central organ of government administration, voivodes and units of local government administration.

2. The Minister responsible for public administration in agreement with the Head of the National Election Office shall establish, in a directive, the basis of co-operation of the territorial organs of government administration with the National Election Office in the matters referred to in paragraph 1.

3. The provisions of the Act on elections to commune councils, district councils and voivodeship councils shall be applied respectively to the principles of co-operation between the organs of territorial self-government and the National Election Office in the matters, referred to in paragraph 1 above.

Article 57

1. The Head of the National Election Office shall be appointed and removed by the Marshal of the Sejm upon the motion of the National Electoral Commission.

2. To the post of Head of the National Election Office shall apply relevant provisions concerning the persons appointed to senior offices of the state administration.

3. The Head of the National Election Office shall have the use of the financial resources allocated for the National Electoral Commission in the State Budget.

4. The expenses, connected with the daily activity of the National Electoral Commission and other permanent electoral organs and of the National Election Office, as well as allocations to cover permanent tasks connected with the organisation and conduct of elections and referenda that are delegated to the units of territorial self-government shall be covered from the financial resources referred to in paragraph 3 above.

5. The Head of the National Election Office shall have the use, pursuant to the respective acts of law, of the financial resources of the special reserve fund of the State Budget, created for the organisation and conduct of elections and referenda.

6. Allocations to the units of territorial self-government for the realisation of tasks connected with the organisation and conduct of elections and referenda shall be transferred to those units by the Head of the National Election Office or heads of organisational units authorised by the Head of the Office.

Article 58

1. The provisions of the Act of the 16th of September 1982 on Civil Servants, with subsequent amendments, shall apply to employees of the National Election Office (Dz.U. Nr 31, poz. 214, z 1984 r. Nr 35, poz. 187, z 1988 r. Nr 19, poz. 132, z 1989 r. Nr 4, poz. 24 i Nr 34, poz. 178 i 182, z 1990 r. Nr 20, poz. 121, z 1991 r. Nr 55, poz. 234, Nr 88, poz. 400 i Nr 95, poz. 425, z 1992 r. Nr 54, poz. 254 i Nr 90, poz. 451, z 1994 r. Nr 136, poz. 704, z 1995 r. Nr 132, poz. 640, z 1996 r. Nr 89, poz. 402 i Nr 106, poz. 496, z 1997 r. Nr 98, poz. 604, Nr 133, poz. 882 i 883, Nr 141, poz. 943, z 1998 r. Nr 131, poz. 860, Nr 155, poz. 1016 i Nr 162, poz. 1118, z 1999 r. Nr 49, poz. 483 i Nr 70, poz. 778 oraz z 2000 r. Nr 6, poz. 69, Nr 66, poz. 787 i Nr 109, poz. 1165).

2. The post of the Head of the National Election Office is the director of an administrative office, in the meaning of the law referred to in paragraph 1 above. The Head of the National Election Office shall realise the tasks described in those acts of law, and shall specify, by ordinance, the functions and remuneration of employees, as well as working time regulations.

3. Neither the Head of the Office nor employees of the National Election Office may belong to any political party nor perform any political activities.

CHAPTER 8. VOTING

Article 59

1. Voting shall take place at the polling stations of the ward electoral commission, later called: "polling stations", within one day and without a break, between 6 a.m. and 8 p.m.

2. Voting in the wards set up on Polish ships or abroad shall be held between 6 a.m. and 8 p.m. local time. If voting would be concluded on the day following polling day in Poland, then polling shall be held on the preceding day.

3. Voting in wards created in hospitals and social welfare institutions may start later than the hour referred to in paragraph 1 above. Voting may be concluded earlier than described in paragraph 1 above, if all voters have cast their votes. The ward electoral commission may order the conclusion of voting earlier, after consultation with the manager of the hospital or social welfare institution, and

shall notify voters, the head of the commune, mayor (president of town) and the relevant constituency electoral commission.

Article 60

1. Voting shall be carried out with official ballot papers.

2. The specific provisions of this Act establish the content of the ballot paper.

Article 61

1. The ward electoral commission shall, before voting begins, ensure that the ballot box is empty - and thereafter shall lock and seal the ballot box with the commission's seal; and shall determine whether the voting list has been provided, along with the necessary number of ballot papers appropriate for conducting elections in that place, as well as the necessary number of voting places guaranteeing secrecy of voting with easy access.

2. The ballot box shall not be opened from the moment it is sealed until the conclusion of voting.

3. At least 3 persons from the ward electoral commission, one of them being the chairperson or deputy chair of the commission, shall be present at all times from the commencement of voting until its conclusion.

4. Poll observers may be present on polling day at the polling station, on the basis of a certificate issued pursuant to the provisions of this Act, during all activities pursued by the ward electoral commission.

Article 62

1. The ward electoral commission, in consultation with the constituency electoral commission may order the additional use of a second ballot box.

2. The ballot box referred to in paragraph 1 above shall be treated as an auxiliary box and such a ballot box shall be used exclusively by voters of electoral wards established in hospitals and social welfare institutions.

3. In event where the voter requires the use an auxiliary ballot box, the act of inserting a ballot paper into the box requires the presence of at least two persons – members of the ward electoral commission from two different election committees.

4. The provisions of this chapter shall apply to the use of an auxiliary ballot box.

Article 63

Persons bearing arms shall be forbidden entry to the polling station.

Article 64

1. Voting shall not be interrupted. When, due to extraordinary events, voting is temporary impossible, the chairperson of the ward electoral commission or his/her deputy may interrupt, prolong or adjourn voting until the following day. Such a decision shall immediately be made known to the public and delivered to the constituency electoral commission, to the head of a commune (mayor, president of a town) and through the constituency electoral commission to the National Electoral Commission.

2. The commission shall, in the event of any interruption or adjournment of voting, seal the aperture of the ballot box and deposit it in, together with the voters' list, in the custody of its chairperson. The seal of the commission shall be deposited in the custody of the deputy chair or other member of the commission. The commission shall establish the number of ballots unused, place them in a sealed packet and deposit them in the custody of the chairperson of the commission. The commission shall, before the resumption of voting, confirm in an official record that the seals on the ballot box and on the packet with unused ballot papers have remained intact.

Article 65

1. Only official election notices shall be placed at the polling station.

2. In the polling station and in inside the booths ensuring secrecy there shall be affixed concise information from the National Electoral Commission on the manner of voting in the given elections.

Article 66

1. The chairperson of the ward electoral commission shall ensure the secrecy of voting and is personally responsible for the maintenance of peace and public order during voting.

2. The chairperson of the ward electoral commission may demand that any person disturbing the peace or hindering public order shall leave the polling station.

3. On the demand of the chairperson of the ward electoral commission, the commandant of a competent police station shall be obliged to provide any necessary police assistance.

4. In the event of a disturbance of order in the polling station, the provisions of Article 63 shall not apply.

Article 67

1. Only a voter whose name occurs on the list of voters, or a voter added to the list pursuant to the provisions of paragraphs 2 and 3, may cast a vote.

2. The ward electoral commission shall add on polling day to the list of voters:

1) a person who submits a certificate of the right to vote, appending such certificate to the list of voters;
2) a person omitted from the list of voters who proves permanent residence on the territory of given electoral ward, provided that the office of a commune has confirmed that it has not received a notice of this person's forfeiture of the right to vote or notice of the inclusion of that person on the list of voters of another ward,
3) a person deleted from the roll of voters of given electoral ward because of inclusion on the list of voters of a hospital or social welfare institution, referred to in Article 20, paragraph 1, if that person submits a document confirming that s/he has left the hospital or social welfare institution on the day preceding polling day.
4) a Polish citizen residing abroad, voting in Poland on the basis of a valid Polish passport, on submission of a document confirming permanent residence abroad. In such case the commission shall insert the number of the passport and the place and date of its issue in the section "remarks" on the voting list, and shall insert on the last blank page of the passport, devoted for annotations, the imprint of its seal and the date of the poll.

3. The provision of paragraph 2 above shall be applied to the arrival of a person at a hospital or social welfare institution on the day preceding polling day.

Article 68

1. A voter shall, before casting the vote, produce to the ward electoral commission a document giving proof of his/her identity.

2. A voter, after fulfilling the obligation referred to in paragraph 1 above, shall receive a ballot paper, stamped with the electoral commission's seal, from the commission. A voter shall confirm the receipt of the ballot paper with his/her signature in the section of the list of voters designated for such purpose.

3. A voter voting abroad shall obtain the ballot paper only after producing a valid Polish passport.

4. Upon receiving the ballot paper, a voter shall proceed forthwith to the the polling station booth guaranteeing secrecy for voting.

5. A voter shall insert his/her ballot paper into the ballot box, which shall be situated in an accessible and visible place at the polling station.

Article 69

A disabled voter, upon request, may be assisted in voting by another person who is not a member of a ward electoral commission or a poll observer authorised by the candidates.

CHAPTER 9. ESTABLISHMENTS OF RESULTS OF VOTING IN PRECINCT

Article 70

1. The ward electoral commission, immediately after voting has been concluded, shall establish the results of voting in the ward.

2. The ward electoral commission shall establish the results of voting in the ward appropriately to the elections being held.

3. Specific provisions of this Act establish the principles of validity of the vote.

Article 71

1. The commission shall establish, on the basis of the actual list of voters, the number of persons entitled to vote and the number of voters to whom ballot papers were delivered.

2. The commission shall establish the number of unused ballot papers and then shall place them into sealed packages.

3. The chairperson, assisted by the commission, shall open the ballot box, following which the commission shall count the ballot papers contained therein.

4. Ballot papers torn completely into two or more pieces shall not be included in the count referred to in paragraph 3.

5. Should the number of ballot papers taken from the ballot box exceed the number of ballot papers delivered, the commission shall indicate the probable cause of such discrepancy.

6. The commission shall prepare, in three copies, the record of voting in the ward.

Article 72

Ballot papers other than those officially established or those without the seal of the ward electoral commission shall be invalid.

Article 73

1. The ward electoral commission shall draw up, in two copies, the record of voting in the ward in elections to the Sejm and in elections to the Senate.

2. The records of voting in the ward, referred to in paragraph 1 above, shall specify the respective data referred to in Article 71, paragraph 1, as well as the number of valid votes cast for each list of candidates for deputies and the votes validly cast for each of the candidates from such lists or for individual candidates for senators.

3. The record shall additionally specify the number of ballot papers delivered and the number of received but unused ballot papers, as well as the number of invalid ballot papers taken from the ballot box.

4. The record shall specify the time of commencement and conclusion of voting and a summary of the orders and decisions issued as well as of other matters related to the conduct of voting.

5. All members of the ward electoral commission present at the making of the record shall sign it. The record shall be stamped with the seal of the commission.

6. Poll observers shall have the right to enter comments upon the record, specifying precise complaints. Annotations on the complaints entered shall be inserted in the record.

7. The provisions of paragraph 6 shall be applied accordingly to the members of the ward electoral commission; the application of provisions of paragraph 6 shall not exempt members from the duty to sign the record.

8. The National Electoral Commission shall establish a specimen of the records referred to in paragraph 1 above.

Article 74

1. The figures from the record of voting in the ward referred to in Article 73, paragraphs 2 and 3, shall be inserted by the ward electoral commission on the balance sheet and immediately delivered to the plenipotentiary, referred to in Article 47, paragraph 1, nominated by the respective constituency electoral commission.

2. The plenipotentiary, referred to in paragraph 1 above, shall examine the calculation of results of voting in the ward, and shall confirm the given figures, or shall indicate calculation errors in the figures of a record. The ward electoral commission must explain and correct possible errors and publish the results according to the methods described in Article 75.

3. The specimen of the balance sheet referred to in paragraph 1, the method of its delivery and receipt as well as the method of proceeding with the sheet shall be established by the National Electoral Commission.

Article 75

The ward electoral commission shall immediately announce the results of voting, considering all the circumstances referred to in Article 162, paragraph 1 and in Article 203, paragraph 1, by affixing one copy of the record of voting in the ward inside the polling station in a place open to the public.

Article 76

1. The chairperson of the ward electoral commission shall immediately deliver to the appropriate constituency electoral commission, in a sealed envelope, one copy of the record of voting in the ward, as well as explanations of the complaints lodged, referred to in Article 73, paragraphs 6 and 7, made by the commission. Poll observers may be present at the delivery of the record.

2. The National Electoral Commission shall establish the procedure for delivery and acceptance of the records referred to in paragraph 1 above, having regard to paragraph 4.

3. The National Electoral Commission may establish rules and procedures for transmitting, in advance, information from the record via public telecommunications or computerised data-transmission networks.

4. The results of the vote from ward electoral commissions established abroad shall be delivered to the constituency electoral commission for the commune Warszawa-Centrum and from electoral wards on Polish maritime vessels to the constituency electoral commission appropriate for the seat of the shipowner.

5. The rules and method of delivery of the results of the vote and records of the vote from wards, referred to in paragraph 4, to the constituency electoral commission,

shall be determined by the National Electoral Commission, after consultation with the Minister responsible for foreign affairs and the Minister for the marine economy respectively.

Article 77

After concluding the actions, referred to in Article 76, the chairperson of the ward electoral commission shall immediately transfer the documents concerning the voting and the seal of the commission to the head of the commune, mayor (president of town), consul or ship's captain respectively.

CHAPTER 10. ELECTIONS PROTESTS. VALIDITY OF ELECTIONS

Article 78

1. A protest against the validity of elections or the validity of the election in a constituency or the election of a deputy to the Sejm or senator may be lodged on the basis of allegations of an offence committed against the election, or violation of this Act regarding the conduct of the poll or establishment of the results of the vote.

2. If an offence committed against the elections or a violation by the National Electoral Commission of the provisions of this Act regarding voting, establishing the results of voting or results of elections gives grounds for lodging a protest, it may be lodged by any voter.

3. A protest against the validity of elections in a constituency or against the election of a deputy to the Sejm or a senator may be lodged by any voter whose name occurred on the list of voters of any electoral ward of the respective electoral constituency on polling day.

4. The right to lodge a protest shall be also vested in a chairperson of the respective election commission as well as in an agent of an election committee.

5. Should a protest be lodged against the validity of the elections or the election of a deputy to the Sejm or a senator up to the time of the conclusion of proceedings pursuant to the provisions of Article 82 - the rules concerning the duties and rights of deputies to the Sejm and of senators shall be applied to the persons elected.

Article 79

1. A protest shall be lodged with the Supreme Court in writing no later than the 7th day after the date of the announcement of the election results of the election by the National Electoral Commission. The mailing of such protest within the above time-limit at a post office in Poland shall be treated equally to lodging it with the Supreme Court.

2. In respect of voters abroad or aboard Polish ships, the requirement specified in paragraph 1 shall be deemed fulfilled if the protest has been lodged with either the territorially competent consul or the captain of the Polish ship. The voter shall enclose with the protest a notification of authorisation of his/her plenipotentiary residing in Poland or plenipotentiary residing in Poland who is authorised to receive delivery, failing which the examination of such protest shall be discontinued.

3. A person lodging a protest shall specify the complaints and furnish or indicate the evidence on which he/she bases such complaints.

Article 80

1. The Supreme Court shall, by a bench of 3 judges, examine the protest in non-litigious proceedings, applying the appropriate provisions of the Code of Civil Procedure and shall give its opinion in the matter, formulated in a decision.

2. The opinion referred to in paragraph 1 above should present a conclusion as to the validity of the allegations specified in the protest, and if such allegations are confirmed, a judgement as to whether the offence influenced the results of the elections.

3. The participants in the proceedings shall be, by virtue of statute, the person lodging the protest, the head of the appropriate electoral commission or his/her deputy, and the Procurator General.

Article 81

1. The Supreme Court shall refuse to hear a protest lodged by a person not entitled to do so pursuant to Article 78, paragraphs 2 - 4, or a protest that fails to comply with the requirements referred to in Article 79. The changing of the time-limit for lodging a protest is inadmissible.

2. The Supreme Court may refuse to hear the protest that concerns a case in which, according to the rules of this Act, it would have been possible to lodge, before polling day, a complaint or an appeal to the court or to the National Electoral Commission.

3. The Supreme Court shall immediately notify the Procurator General if a protest includes allegations of an offence committed against the elections.

Article 82

1. The Supreme Court shall, by a bench of the whole Chamber of Administration, Labour and Social Insurance, determine the validity of the elections, and of the election of a deputy to the Sejm or a senator against whom a protest has been lodged on the basis of a report submitted by the National Electoral Commission and judgements resulting from the examination of the protests. In such proceedings, the provisions of Articles 18 and 19 of the Act of the 20th September 1984 – on the Supreme Court (Journal of Laws of 1994, No. 13, item 48, of 199r No. 34, item 163, of 1996, No. 77, item 367, of 1997, No. 75, item 471, No. 98, item 604, No. 106, item 679 and No. 124, item 782, and of 1999, No. 75, item 853 and No. 110, item 1255) shall be applied respectively.

2. The Supreme Court shall take the decisions referred to in paragraph 1 in the form of a resolution adopted no later than the 90th day after polling day, at a sitting attended by the Procurator General and the Chair of the National Electoral Commission.

3. If the Supreme Court, following a decision invalidating the election in a constituency or the election of a deputy to the Sejm or a senator, shall resolve the seat/s to be vacant by reason of invalidation, then repeat elections or other appropriate electoral procedures must be conducted on Polish territory according to the principles and procedures of this Act.

4. The resolution of the Supreme Court shall be immediately submitted to the President of the Republic and to the Marshal of the Sejm or the Marshal of the Senate respectively, and to the National Electoral Commission.

5. The resolution of the Supreme Court shall be announced in the Journal of Laws of the Republic of Poland.

6. In cases referred to in paragraph 3 above seats shall be vacant on the day of publication of the resolution of the Supreme Court.

Article 83

1. In the case of the adoption by the Supreme Court of a resolution on the invalidity of elections in a constituency or invalidity of the election of a deputy to the Sejm or a senator, the repeat elections or electoral activities shall be carried out exclusively within the territory of the Republic of Poland, pursuant to the rules and procedure provided in this Act.

2. The order of the President of the Republic on a repeat election or conduct of defined electoral activities shall be made public and announced in the Journal of Laws of the Republic of Poland no later than the 5th day after the day of announcement of the Supreme Court's resolution referred to in Article 82, paragraph 3. The provisions of Article 10 shall be applied respectively.

3. The results of repeat elections or electoral activities carried out shall be published by the National Electoral Commission in an announcement. The announcement shall also specify the persons who, as a result of the repeat elections or repeated electoral activities have lost their seats, indicating the number of the electoral constituency and in the case of a seat of a deputy – also the number and name of the list of candidates.

4. The announcement, referred to in paragraph 3 above, shall be published in the Journal of Laws of the Republic of Poland and shall be submitted to the Marshal of the Sejm or the Marshal of the Senate respectively.

Article 84

In situations where the Supreme Court invalidates the elections, and the invalidation is published in the Journal of Laws of the Republic of Poland, there will be repeat elections based on the rules and procedures outlined in Article 83, statute 2.

CHAPTER 11. ELECTION CAMPAIGN

Article 85

1. The election campaign shall start on the day of proclamation by the President of the Republic's order on elections and shall end 24 hours before polling day.

2. Political parties and electors may engage in the activities described in this Act beginning from the day on which the proclamation, referred to in paragraph 1 above, was published. Any activities that have begun before that day shall be invalid.

3. During an election campaign electoral agitation shall be performed according to the rules, forms and time periods described by this Act.

Article 86

From the end of the election campaign up until the conclusion of voting it shall be forbidden to publish the results of public opinion polls (pre-election surveys) on probable voting behaviour and election results.

Article 87

1. From the end of the election campaign up until the conclusion of voting it shall be forbidden to organise voters' assemblies, marches and demonstrations, to make speeches or distribute leaflets or engage in any other agitation in support of candidates and lists of candidates.

2. It shall be forbidden to carry out any form of election campaigning on the premises of a polling station and inside the building where such premises have been located.

Article 88

1. It shall be forbidden to carry out election campaigning in work places and in public institutions in a way and by methods disturbing their ordinary functioning.

2. It shall be forbidden to carry out election campaigning within the areas of military units and other units subordinated to the Minister of National Defence, and in civil defence units, as well as in quartered police units subordinate to the Minister for internal affairs.

3. It shall be forbidden to carry out election campaigning, within the areas of primary and secondary schools, addressed to pupils that have no electoral rights.

4. There shall be forbidden in election campaigns any raffles, lotteries, gambling or contests rewarded in money or goods if their value is higher then the value of articles used normally in advertising or promotion.

5. It shall be forbidden to serve and supply alcoholic beverages free of charge or at their prevailing net prices, no higher than the normal purchase price or the cost of production.

Article 89

1. All campaign materials shall bear clear indications of their origin.

2. The Law protects campaign materials that bear an indication of their origin.

Article 90

1. Election posters and slogans may be affixed to the walls of buildings, fences, lanterns, energy and telecommunication devices only with the consent of the owner or administrator of the property.

2. It shall be forbidden to affix election posters to the interior and exterior walls of government buildings or those of local administration and courts or on the territory of army and civil defence units as well as quartered units subject to the minister for internal affairs.

3. The council of a commune may prohibit affixing posters and slogans on certain public buildings as well as on specified parts of public places on the grounds of protection of historic heritage or the environment.

4. While constructing private announcements related to election campaigning, the rules in force shall be observed.

5. Posters shall be affixed in a manner enabling their removal without causing damage.

6. The police (city guard) shall be obliged to remove posters and slogans affixed in such a way as to risk danger to life or health or may be dangerous to the security of property or to road traffic – at the cost of the relevant election committee.

7. The appropriate election committees shall remove the posters, election slogans and other instruments of publicity installed for the purpose of the election campaign within 30 days following polling day.

8. The executive committee of a commune shall order the removal of election posters and slogans as well as other instruments of publicity placed in contravention to the provisions of paragraphs 1 – 5 or have not been removed by the appropriate election committees within the time limit referred to in paragraph 5. The expenses entailed in such removal shall be borne by the election committees concerned.

Article 91

1. If posters, slogans leaflets, announcements or other forms of election propaganda and agitation shall contain false or inaccurate details and information, the candidate for a deputy to the Sejm or candidate for a senator, or an agent of any concerned election committee shall have the right to petition the district court to issue a ruling for:
   1) prohibition of publication of such details and information;
   2) confiscation of such materials;
   3) rectifying such information;
   4) publication of a reply in the case of infringement of an individual's rights,
   5) apologising to the person libelled.

2. The district court, by a bench of one judge, shall examine a petition referred to in paragraph 1 within 24 hours in non-litigious proceedings. The court may examine the case in the reasonable absence of the petitioner or participant if they have been properly notified of the time of the proceedings. A ruling that terminates proceedings in a case shall be notified immediately by the court to the person concerned, referred to in paragraph 1, the

appropriate constituency electoral commission, and any person duly obliged to observe the court's ruling.

3. Within 24 hours any such ruling of a district court may be subject to appeal to the court of appeal, which shall be obliged to examine it within 24 hours following its proclamation. There shall be no legal recourse against the ruling of a court of appeal and it shall be subject to immediate execution.

4. False details and information related to elections and concerning election campaign, published in the press, shall be subject to rectification within 48 hours at the expense of the person so obliged. The court shall indicate the daily newspaper, within the meaning of the press Act, in which the rectification must be published, and the time limit for its publication.

5. In the event of refusal or failure to publish such rectification by a person so obliged by a court ruling, the court, on the motion of a person concerned, shall order publication of rectification by a writ of execution, at the expense of the person obliged so to do.

Article 92

The exercise of rights under this Act shall not prevent any wronged or injured person from asserting his/her rights under other statutes.

Article 93

The rules concerning advertisement in television and radio broadcasts, of both public and private broadcasters, shall be defined in specific provisions of this Act.

Article 94

1. Polish Television and Polish Radio shall assure the National Electoral Commission, in the period of time which begins with the declaration of elections to the Sejm and to the Senate the opportunity for cost-free presentation of information, explanation and communications connected with the elections and with the regulations of the election law in force, on nationwide television and radio channels.

2. The National Council of Radio and Television shall, in agreement with the National Electoral Commission and the Boards of Polish Television and Polish Radio determine in regulations the procedures for the matters referred to in paragraph 1 above.

CHAPTER 12. ELECTION COMMITTEES

Article 95

Election committees shall, in the name of political parties and of voters, engage in electoral activities, in particular the nomination of candidates for deputies to the Sejm and candidates for senators, and shall exclusively conduct the election campaign on their behalf.

Article 96

1. The organ of a political party that is authorised to represent a party in its external contacts shall act as the election committee of the political party.

2. The organ of the political party referred to in paragraph 1 above shall be obliged to notify the National Electoral Commission of its intention to submit candidates for deputies to the Sejm or candidates for senators, and also provide information regarding:

1) the agent of the election committee – who is authorised, with regard to Article 109, to act for and in the name of the election committee;
2) the financial agent of the election committee referred to in Article 109.

3. The notification referred to in paragraph 2 above may be realised within the period of time that begins on the day of publication of the proclamation of elections and ends on the 50th day before the poll.

4. The notification referred to in paragraph 2, shall also include the following data:

1) the name of the election committee, given in conformity with Articles 99 and 100, as well as a short name and the address of the seat of the committee and the registration number of the political party in the register of political parties;
2) the name (names), surname, address of residence and identity card (PESEL) number of the agent referred to in paragraph 2, subparagraph 1;
3) the name (names), surname, address of residence and identity card (PESEL) number of the financial agent referred to in paragraph 2, subparagraph 2.

5. The following documents shall be enclosed with the notification referred to in paragraph 2:

1) the declaration of the agents referred to in paragraph 2 accepting the power of attorney, and additionally, in the case of a financial agent – also a statement, that s/he fulfils all the obligations referred to in Article 109, paragraphs 2 and 3;
2) a lawful copy of the register of political parties;

3) an excerpt from the statute of the political party, to indicate which of the party organs is authorised to represent the party externally.

Article 97

1. Political parties may form an election coalition in order to submit joint list of candidates for deputies to the Sejm or candidates for senators.

2. A political party shall be a member of one election coalition only.

3. Election activities carried out in the name of an election coalition shall be realised by the election committee, later called: "election committee of a coalition", that has been created by the organs of the political parties authorised to represent those parties in external contacts which are members of that coalition.

4. The election committee of a coalition may be created in the period of time that begins on the day of publication of the order on elections and ends on the 50th day before the poll.

5. The election committee of a coalition shall consist of at least 10 persons, nominated by organs of the political parties referred to in paragraph 3 above.

6. The election committee of a coalition shall establish:
   1) the agent of the election committee – who is authorised, with regard to Article 109, to act for and in the name of the election committee;
   2) the financial agent of the election committee referred to in Article 109.

7. The agent referred to in paragraph 6, subparagraph 1, shall notify the National Electoral Commission, no later than the 50th day before the poll, that the election committee of a coalition has been created.

8. The notification referred to in paragraph 7 shall also include the following data:
   1) the name of the election committee, given in conformity with Articles 99 and 100, as well as a shortened name and the address of the seat of the committee;
   2) the name (names), surname, address of residence and identity card (PESEL) number of the agent referred to in paragraph 6, subparagraph. 1;
   3) the name (names), surname, address of residence and identity card (PESEL) number of the financial agent referred to in paragraph 6, subparagraph 2.

9. The following documents shall be enclosed with the notification referred to in paragraph 7 above:
   1) a copy of the agreement about the creation of a coalition that includes the following: names, surnames, addresses of residence and identity cards (PESEL) numbers of the persons referred to in paragraph 5 above;
   2) the declaration of the agents referred to in paragraph 6 above accepting the power of attorney, and additionally, in the case of a financial agent – also a statement that s/he fulfils all the obligations referred to in Article 109, paragraphs 2 and 3;
   3) evidence of the registration of the political parties that form the coalition;
   4) excerpts from the statutes of the political parties forming the coalition which shall indicate the party organs authorised to represent the party externally.

Article 98

1. Citizens that have electoral rights, at least 15 in number, shall have the right to create an election committee of electors, by submitting a written declaration of the creation of the committee, entering their names, surnames, addresses of residence and (PESEL) numbers of their identity cards.

2. The election committee of electors shall establish:
   1) the agent of the election committee – who is authorised, with regard to Article 109, to act for and in the name of the election committee;
   2) the financial agent of the election committee referred to in Article 109.

3. The agent and the financial agent shall be nominated from among the persons that create an election committee of electors.

4. After collecting at least 1,000 signatures of citizens, eligible to vote, who support the creation of the committee, the agent referred to in paragraph 2, subparagraph 1, shall notify the National Electoral Commission that the election committee has been created. This notification shall be delivered no later than the 50th day before the poll.

5. The notification referred to in paragraph 4 shall also include the following data:
   1) the name of the election committee, given in conformity with Articles 99 and 100, as well as a short name and the address of the seat of the committee;
   2) the name (names), surname, address of residence and identity card (PESEL) number of the agent referred to in paragraph 2, subparagraph. 1;

3) the name (names), surname, address of residence and identity card (PESEL) number of the financial agent referred to in paragraph 2, subparagraph 2.

6. The following documents shall be enclosed with the notification referred to in paragraph 4 above:
1) a declaration of the creation of an election committee, referred to in paragraph 1;
2) the declaration of the agents referred to in paragraph 2 accepting power of attorney, and additionally, in the case of the financial agent – also a statement that s/he fulfils all the obligations referred to in Article 109, paragraphs 2 and 3;
3) the list referred to in paragraph 4 of at least 1,000 signatures of citizens, including the following data: names, surnames, addresses of residence and identity card (PESEL) numbers, as well as the handwritten signatures.

Article 99

1. The name of the election committee of a political party shall contain the words: "election committee" and the name of the political party. The name of the election committee of a political party may also include a short version of the party's name.

2. The name of the election committee of a coalition shall contain the words: "election committee of a coalition" and the name of the election coalition.

3. The name of an election committee of electors shall contain the words: "election committee of electors" and a description different from the names of other committees.

Article 100

1. The name, shortened name and emblem of an election committee shall be legally protected.

2. The name, shortened name and emblem of an election committee of a coalition and of an election committee of the voters have to differ distinctly from the names, short names and emblems of other election committees of a coalition and the election committees of voters.

3. The name and shortened name of an election committee of electors must differ distinctly, with regard to paragraph 4, from the names and short names of political parties and social organisations which have been entered into the register maintained by the respective evidential administration.

4. The name and shortened name of an election committee of electors that is associated with organisations of national minorities may be identical with the name of such an organisation. Th provisions of Article 134, paragraph 1, second sentence, shall apply.

Article 101

Agents of election committees referred to in Article 96, paragraph 2, subparagraph 1, Article 97, paragraph 6, subparagraph 1, Article 96, paragraph 2, subparagraph 1, shall be called "agents".

Article 102

1. When the notification:
1) referred to Article 96, paragraph 2;
2) referred to Article 97, paragraph 7;
3) referred to Article 98, paragraph 4;

meets all the requirements of this Act, the National Electoral Commission, within 3 days following its delivery shall decide on its acceptance. The decision shall be delivered to the agent immediately.

2. If the notification is inaccurate, the National Electoral Commission shall, within three days following delivery, notify the agent to remedy any defects in the course of five days. In the event a defect has not been removed within the time limit, the commission shall refuse to accept the notification. The decision, with reasons given, shall be delivered immediately to the agent.

3. An agent may appeal to the Supreme Court against a decision of the National Electoral Commission rejecting the notification. The appeal shall be made within three days of the date of the refusal to accept the notification.

4. The Supreme Court, sitting with a bench of seven judges, shall examine the petition and issue its ruling within five days in non-litigious proceedings. There shall be no legal recourse against a ruling of the Supreme Court. The ruling shall be submitted to the agent and to the National Electoral Commission. If the Supreme Court grants the petition, the National Electoral Commission shall immediately take a decision to accept the notification.

Article 103

1. The committee shall acquire legal personality to exercise the duties arising from this Act on the day of the decision of the National Electoral Commission to accept the notification referred to in Article 96, paragraph 2.

2. An election committee of a coalition and an election committee of electors shall acquire legal personality to exercise the duties arising from this Act on the day of the decision of the National Electoral Commission to accept

the notification referred to in Article 97, paragraph 7, or in Article 98, paragraph 4.

Article 104

The responsibility for liabilities:

1) of an election committee shall be borne by the political party which created that election committee;
2) of an election committee of a coalition shall be borne jointly by the political parties that are members of that election committee;
3) of an election committee of electors shall be borne jointly by the persons who are members of that election committee.

Article 105

The National Electoral Commission shall announce the information on receiving of the notifications, referred to in Article 96, paragraph 2, Article 97, paragraph 7, or in Article 98, paragraph 4, in the Official Gazette "Monitor Polski" and shall publish it in a newspaper of nation-wide circulation.

Article 106

1. An election committee, with regard to paragraphs 2 and 3, shall be dissolved by virtue of law:
   1) after acceptance of its election report by the National Electoral Commission;
   2) after the expiry of the time-limit for lodging a complaint referred to in Article 123, paragraph 1; or
   3) after a ruling, referred to in Article 123, paragraph 2, which upholds a complaint lodged against the decision of the National Electoral Commission to reject an election report.

2. The election committees that have the right to obtain the subject allocation referred to in Article 128 shall be dissolved by virtue of law after six months following the day of receiving the allocation.

3. An election committee may be dissolved before polling day pursuant to the provisions concerning the creation of such a committee. The National Electoral Commission shall be immediately notified of the dissolution of a committee, and if the dissolution of the committee has occurred after the registration of candidates for deputies to the Sejm or candidates for senators – the proper constituency electoral commission should also be notified.

CHAPTER 13. FINANCING OF THE ELECTION CAMPAIGNING

Article 107

The financing of an election campaign shall be public.

Article 108

Election expenses of election committees incurred as result of an announced election shall be covered by their own means.

Article 109

1. Its financial agent shall bear responsibility for the management of the financial resources of an election committee.

2. The following persons cannot be a financial agent:
   1) a candidate for deputy or senator;
   2) an election agent;
   3) a public functionary within the meaning of the Article115 § 13 of the Criminal Code.

3. A person may be a financial agent for one committee only.

Article 110

1. An election committee may raise and spend funds for election purposes only.

2. An election committee may raise and spend funds beginning from the day of adopting of the resolution by the National Electoral Commission on accepting the notification referred to in Article 96, paragraph 2.

3. An election committee of a coalition and an election committee of electors may raise and spend funds beginning from the day of the resolution of the National Electoral Commission on accepting the notification referred to in Article 97, paragraph 7, or in Article 98, paragraph 4, respectively.

4. It shall be forbidden:
   1) for an election committee to raise funds after the day of the election;
   2) for an election committee to spend funds after the day of the submission of the report referred to in Article 120.

Article 111

1. The funds of an election committee of a political party may be derived only from the Election Fund of the political party concerned, created on the basis of provisions of the Act of 27 June 1997 on political parties

(Journal of Laws of the Republic of Poland No. 98, item 604 of 1998, No. 106, item 668 and No.46, item 499 of 2001).

2. The funds for an election committee of a coalition and an election committee of electors may be submitted by natural persons only, on conditions laid down in paragraphs 3 to 6 and in Article 106.

3. An election committee of a coalition and an election committee of electors shall not accept funds from:
1) natural persons, excluding Polish citizens residing abroad, who are not resident in the territory of the Republic of Poland;
2) foreign nationals, having their residence in the territory of the Republic of Poland.

4. The provisions of paragraphs 1 to 3 shall apply as appropriate to in-kind contributions.

5. The funds of an election committee of a coalition may be derived from resources collected on the basis of the Act of law referred to in paragraph 1, that is from the Election Fund of the political parties which are members of such an election coalition.

6. An election committee may contract bank loans for purposes connected with the election.

Article 112

1. The transfer of financial resources and in-kind contributions belonging to a committee for the benefit of another committee shall be prohibited.

2. It shall be forbidden to organise public collections to raise funds for an election committee.

Article 113

1. Financial resources of an election committee shall be deposited in a bank account only.

2. Financial contributions must be made only by cheque, bank transfer, or credit card.

3. The total amount of the sums contributed by an individual for one election committee of a coalition or an election committee of electors cannot exceed fifteen times the minimum monthly wage of a worker on the day preceding the day of the announcement of elections.

Article 114

1. An election committees may not exceed the following expenditure limits on election campaigning:
1) a constituency limit – established for an election committee which, in elections to the Sejm or to the Senate, has registered a candidate or candidates in one election constituency only; or
2) a multi-constituency limit - established for an election committee, which, in elections to the Sejm or to the Senate, has registered candidates in more than one constituency.

2. The expenditure limit is calculated as the sum of 1 (one) Polish zloty for each elector of the country included on the electoral register, on condition that:
1) the constituency limit is calculated by dividing all the registered voters of the country by 560 (five hundred and sixty) and the result obtained is multiplied by the number of deputies or senators elected in a given electoral constituency where a committee has registered a candidate or candidates;
2) the multi-constituency limit for a given committee is derived as a sum of constituency limits referred in paragraph 1 above.
3) the National Electoral Commission shall, within 14 days, announce by a communiqué in the Official Gazette of the Republic of Poland ("Monitor Polski") and shall publicise in a daily paper with nationwide circulation – the number of voters registered in the territory of the whole country at the end of the quarter of the year preceding the day of announcement of elections to the Sejm.

Article 115

The election campaigning expenditures of an election committee on advertising, realised in the manner and on the basis common for advertising, including press publications as defined by the provisions of the press law, cannot exceed eight per cent of the limit established in compliance with the provisions of Article 114, paragraph 1, subparagraph 1 or 2, for the given election committee.

Article 116

1. If an election committee contributes more funds for election campaigning than the expenditures incurred – excess campaign funds should be transferred to the Election Fund of a political party established according to the provisions of the Act on political parties. The financial agent shall notify of such transfer in a daily paper with nationwide circulation, no later than 30 days following the receipt of the election report by the National Electoral Commission or acceptance of a complaint referred to in Article 123, paragraph 1.

2. If an election committee of a coalition contributes more funds for election campaigning than the expenditures incurred, then its excess campaign funds

should be transferred to the Election Funds of parties that created the coalition which are established according to the provisions of the Act on political parties, in proportions determined by a coalition agreement; if no such provisions are fixed in the coalition agreement, the excess funds shall be transferred to a charitable institution. The financial agent shall notify of such transfer in a daily paper with nationwide circulation, no later than 30 days following the receipt of the election report by the National Electoral Commission or acceptance of a complaint referred to in Article 123, paragraph 1.

3. If an election committee of electors contributes more funds, including allocations referred to in Article 128, for election campaigning than the expenditures incurred, excess campaign funds shall be transferred to a charitable institution. The financial agent shall notify of such transfer in a daily paper with nationwide circulation, no later than six months following the receipt of the election report by the National Electoral Commission or acceptance of a complaint, referred to in Article 123, paragraph 1.

Article 117

All appeals and written information submitted by a coalition committee of a coalition and by an election committee of electors issued to solicit contributions in support of elections shall bear a note informing of the provisions of Article 111, paragraph 1 to 4; Article 113, paragraph 2 and 3; Article 127; Article 223, paragraph 3 and Article 224, paragraph 3.

Article 118

Election committees shall provide bookkeeping in the form required by separate provisions for organisational units not engaged in economic activity, with regard to the provisions of this Act.

Article 119

1. The rules of the Act on political parties shall apply to the problems of financing of election committees of political parties that are not regulated by this Act.

2. Beginning from the day of acceptance by the National Electoral Commission of the notification referred to in Article 96, paragraph 2, or Article 97, paragraph 7, and ending on polling day, a political party which independently creates an election committee or which is a member of a election coalition has the right to provide and finance all forms of agitation to disseminate the goals of political party programmes exclusively on the basis, forms, time and in places described by this Act.

Article 120

1. The financial agent shall submit to the National Electoral Commission, within three months following polling day a report, later called the "election report", on receipts, disbursements and financial liabilities of the committee, including bank loans, and specifying the conditions set forth by lending institutions, along with the written opinion of a competent auditor concerning the report.

2. The National Electoral Commission shall appoint competent auditors from amongst candidates submitted by the National Council of Auditors in a number agreed with the National Electoral Commission.

3. The cost of preparing the opinions referred to in paragraph 1 shall be covered by the State Budget's sections on the budget, public finance and financial institutions.

4. The Minister responsible for public finance, after seeking the opinion of the National Electoral Commission, shall specify, in a regulation, a specimen election report and itemised information, as well as a list of the documents which shall be added to the report to enable verification of the information provided.

5. In-kind contributions, i.e. goods and services offered free of charge, shall be included in the expenditures of an election committee.

6. In-kind contributions, i.e. goods and services offered free of charge, shall be valued at their prevailing net prices, no higher than the normal purchase price or the cost of production reduced by an amortisation quota.

7. The provision of paragraph 6 above shall not apply to the unpaid dissemination of posters and election leaflets realised by subjects other than businessmen.

Article 121

1. The National Electoral Commission shall publish the election reports of election committees in the Official Gazette of the Republic of Poland "Monitor Polski" within a month following the date referred to in Article 120, paragraph 1.

2. The National Election Commission shall facilitate access to the list of contributions made by individuals to the benefit of an election committee of a coalition or to the election committee of electors, on the motion and rules provided by the Act on protection of personal data of 29 August 1997 (Journal of Laws No. 133, item 883 and of 2000 No. 12, item 136; No. 50, item 580 and No. 116, item 1216).

3. The remaining documents enclosed with an election reports shall be made accessible to the subjects referred to in Article 122, paragraph 5, in the period of time established for submitting complaints against election reports.

Article 122

1. The National Electoral Committee shall, within four months following the day on which an election report is submitted accept it or shall reject if it is found that the committee has violated provisions of this Act related to the financing of an election campaign.

2. If there are any doubts as to the correctness of an election report, the National Electoral Commission may request the given committee to remove defects or submit explanations within a specified time limit.

3. In the course of its examination of an election report, the National Electoral Commission may order the preparation of expert reports or opinions.

4. In the examination of election reports, the National Electoral Commission may request that necessary assistance be given by State organs.

5. Within seven days following the publication of an election report :

1) political parties;
2) committees which took part in the given elections;
3) associations and foundations which in their statute include tasks connected with the analysis of election campaign financing – have the right to submit to the National Electoral Commission their written reservations to committees' election reports, specifying their reasons.

6. The National Electoral Commission shall, within 60 days following submission of reservations referred to in paragraph 5 above, respond in writing.

Article 123

1. In the event that the National Electoral Commission rejects an election report, its committee may lodge, within the seven days following delivery of the decision rejecting the report, a complaint to the Supreme Court against the decision of the National Electoral Commission.

2. The Supreme Court shall examine the complaint and shall issue a ruling in a case within the 60 days following the delivery of a complaint. The resolution of the Supreme Court shall be submitted to the financial agent concerned and to the National Electoral Commission.

3. The Supreme Court, by a bench of seven judges, examines such a complaint in a non-litigious procedure.

4. There shall be no legal recourse against the ruling of the Supreme Court.

5. If the Supreme Court admits a complaint submitted by a financial agent, the National Electoral Commission shall immediately accept the election report.

Article 124

The National Electoral Commission shall publish in the Official Gazette of the Republic of Poland "Monitor Polski" and shall publicise in the form of a communiqué, information on accepted and rejected reports of election committees.

Article 125

1. If the election report has not been submitted in the prescribed time by:

1) an election committee of a political party- such party is denied the right to allocation referred to in Article 128 and the right to subvention referred to in Article 28 of the Act on political parties;
2) an election committee of a coalition – the political party that is a member of the election coalition is denied the right to allocation referred to in Article 128 and the right to subvention referred to in Article 28 of the Act on political parties;
3) an election committee of electors – it has no right to the allocation referred to in Article 128.

2. The provisions of Articles 120 – 123 shall be applied to an election report submitted after the expiration of the prescribed time.

Article 126

1. If an election report or a complaint referred to in Article 123, paragraph 1, has been refused, the election committee is denied the right to the allocation referred to in Article 128.

2. In the case noted in paragraph 1 above, a political party that created the election committee of a political party or the election committee of a coalition committee is denied the right to the allocation referred to in Article 128.

Article 127

1. Financial assets transferred to or accepted by an election committee in violation of the prohibitions specified in Article 110, paragraph 4; Article 111, paragraphs 1-4; Article 112, paragraph 1; Article 113; Article 114, paragraph 1, or Article 115 shall be forfeited

to the State Treasury. In event such a asset has been exhausted or lost, its value shall be forfeited.

2. The District Court in Warsaw shall have jurisdiction in cases of the financial assets referred to in paragraph 1 above.

3. The National Electoral Commission shall file a motion with the court concerning the forfeit of financial assets.

4. The provisions of the Code of Civil Procedure shall apply to cases of forfeit of financial assets.

Article 128

1. A political party whose election committee participated in elections or a political party that is a member of a coalition election committee or an election committee of electors has the right to an allocation from the State Budged, hereafter called "a subject allocation", for each mandate of a deputy or senator gained. The expenditures connected with the subject allocation shall be covered by sections of the State Budget for the Budget, public finances and financial institutions.

2. The amount of the subject allocation due for one mandate gained shall be established by dividing the amount of expenditures shown in the election reports of committees which have obtained at least one seat (mandate) by the number 560. (*translator's note: the number 560 is obtained by adding the number of members of the Sejm [460] and of the Senate [100])

The expenditures shown in election reports shall be included in the above calculation in the amount not exceeding the expenditure limits referred to in Article 114, to which a given committee is entitled.

3. The amount of a subject allocation shall be determined according to the formula:

$$Dp = \frac{W}{560} \times M,$$

Where:

Dp – is the amount of the subject allocation

W – is the sum of campaign election expenditures of election committees (calculated according to the rules given in paragraph 2 above, i.e. expenditures of committees that obtained at least one mandate, in an amount not exceeding the limits established)

M – is the total number of seats of Deputies and Senators gained.

4. The subject allocation shall be limited to the amount shown in an election report.

5. The subject allocation, in the amount calculated according to the provisions of paragraphs 2 – 4 above, shall be calculated for each mandate of a Deputy or a Senator gained in a repeat elections to the Sejm and to the Senate and in by-elections.

6. The subject allocation to a political party that is a member of an election coalition shall be divided among the parties forming such a coalition in proportions determined in the agreement creating the election coalition. The agreed proportion shall not be changed. If the political parties creating the coalition failed to fix such proportions in the agreement creating the coalition, the subject allocation shall not be due.

7. The subject allocation shall be transferred by the Minister responsible for public finance to a bank account indicated by the subjects referred to in paragraph 1 above, on the basis of information on subjects having the right to obtain a subject allocation and on the number of seats gained by the election committee in question provided by the National Electoral Commission. The allocation shall be paid within 6 months following the declaration of the validity of the elections.

8. In event of a division, merger or dissolution of a political party, its rights to the subject allocation shall be resolved in accordance with the provisions of Article 37 of the Act on political parties.

CHAPTER 14. FINANCING OF ELECTIONS BY THE STATE BUDGET

Article 129

1. Expenditures related to the organisation and preparation and conduct of elections shall be covered by the State Budget's section on Intentional reserves.

2. The State Budget shall cover expenditures related to:
   1) duties of the National Electoral Commission and the National Election Office prescribed in this Act;
   2) duties of electoral commissions of a subordinate level as well as tasks connected with ensuring services to them by assigned organs and organisational units;

3) election duties ascribed to the organs of government administration and organisational units as well as other organs of the State;
4) election duties ascribed to the units of territorial self-government.

3. The financial resources for expenses ascribed to the units of territorial self-government shall be transferred in sufficient time to enable realisation of the expenditure.

4. The information concerning expenditures referred to in paragraph 2 above shall be published by the Head of the National Election Office no later, than within five months following polling day.

5. Provisions of public financing rules shall apply to the financial planning and realisation of the expenditures referred to in paragraphs 2 and 3 and to financial statistics.

6. The Head of the National Election Office shall administer the financial resources referred to in paragraph 1 above.

CHAPTER 15. GENERAL RULES

Article 130
The election shall be universal, equal, direct and proportional and shall be performed by secret ballot.

Article 131
A citizen of Poland who is over 21 years of age on polling day and is entitled to vote shall have the right to be elected as a deputy.

Article 132
460 deputies shall be elected to the Sejm in multi-member electoral constituencies from constituency lists of candidates.

Article 133
1. Only those constituency lists of candidates for deputies of election committees that have gained at least five per cent of valid votes cast throughout the entire country shall take part in the allocation of seats.

2. The constituency lists of candidates for deputies of coalition election committees shall take part in the allocation of seats in election constituencies if those lists have gained at least eight per cent of valid votes cast throughout the entire country.

Article 134
1. The lists of election committees created by electors associated as registered organisations of national minorities are exempt from the requirement referred to in Article 133, paragraph 1, if they submit to the National Electoral Commission a relevant declaration no later than five days before the poll. Together with the declaration specified in the first sentence, the committee shall be obliged to submit a document issued by the appropriate statutory body of an organisation of a national minority in which the creation of the committee by electors – the members of such organisation - is confirmed.

2. The National Electoral Commission shall immediately confirm the submission of the statement referred to in paragraph 1. The confirmation of a statement is binding.

Article 135
It the requirements referred to in Article 133, paragraph 1 or 2, shall not be fulfilled by lists of candidates for deputies of any of the constituency lists of candidates of any election committee, or if any of the specified requirements shall be fulfilled by one election committee only - the seats in those constituencies shall be allocated between those lists which have gained at least three per cent of valid votes cast throughout the entire country. The lists of coalition election committees shall participate in the allocation of seats if they have gained at least five per cent of valid votes cast throughout the entire country.

CHAPTER 16. ELECTORAL CONSTITUENCIES

Article 136
1. For the purpose of elections to the Sejm electoral constituencies are created, later called: "electoral constituencies".

2. At least seven deputies shall be elected in an electoral constituency.

3. The electoral constituency covers the territory of a voivodeship or a part thereof. Boundaries of the electoral constituency shall not disturb the boundaries of any counties* or towns holding rights of a county that form the territory of a voivodeship.

Article 137
1. The number of deputies elected in electoral constituencies and divisions of a voivodeship into electoral constituencies shall be established according to a uniform quota of representation, calculated by dividing the population of the whole country by the number of deputies elected in electoral constituencies, giving attention to the provisions of Article 136 as well as to the following principles:

1) fractions of numbers of mandates to be elected in an electoral constituency equal or larger than ½ , obtained as a result of adopting the uniform quota of representation, shall be rounded up to form whole numbers;
2) if, as a result of the calculation referred to in point 1 above the number of deputies elected in the electoral constituencies is larger than that fixed in Article 132 , the surplus mandates shall be taken from the electoral constituencies where there is the lowest quota of representation. If the number of mandates is lower than fixed in Article 132, the supplementary mandates are added to electoral constituencies where there is the largest quota of representation.

2. The division into electoral constituencies, their consecutive numbers and boundaries and the number of deputies elected in each of the constituencies as well as the location of the constituency electoral commissions shall be specified in Appendix No. 1 of this Act.

3. Information concerning electoral constituencies shall be notified to the electors of a given electoral constituency in an announcement by the National Electoral Commission, published no later than on the 52nd day before polling day. The National Electoral Commission shall assure the publication and posting of announcements.

Article 138

1. The National Electoral Commission shall submit to the Sejm its proposals concerning changes in the boundaries of electoral constituencies and in the number of deputies to be elected in a given constituency, if such necessity occurs as an effect of changes in the basic territorial division of the country or changes in the population of the given constituency or in the whole country.

2. Any changes of boundaries of counties that may cause changes of boundaries of electoral constituencies shall be inadmissible in the period of time that begins 12 months prior to the expiry of the Sejm's term of office, (or in the period of time that begins from the issue of the order for elections if the Sejm's term of office has been curtailed) - and ends on the day of the announcement of the validity of the elections.

3. With regard to paragraph 4 below, the Sejm shall make changes in divisions into electoral constituencies as an effect of the reasons specified in paragraph 1 above no later than 3 months before the day on which elections should be ordered.

4. If the term of office of the Sejm has been curtailed, no changes in divisions into electoral constituencies shall be made.

CHAPTER 17. SUBMISSION OF THE LISTS FOR CANDIDATES DOR DEPUTIES

Article 139

1. An election committee shall have the right to submit in each electoral constituency only one constituency list of candidates for deputies, later called: "the constituency list".

2. A candidate may stand for election in one electoral constituency and from one constituency list only.

3. Political parties which participate in an election coalition shall have no right to individual submission of a constituency list of candidates.

Article 140

1. A voter may give written support to more than one constituency list. The withdrawal of support given has no effect.

2. A voter who supports a constituency list shall place his signature beside his/her legibly written surname and fore-name, address of residence and the number of his/her identity card (PESEL).

3. Each page of signatures shall include thereon the name of the election committee submitting the list, the number of the electoral constituency where the list is submitted and the annotation:

"I support the list of candidates for deputies, submitted by:.....in the electoral constituency.....

(name of an electoral committee) (number of constituency)

in elections to the Sejm of the Republic of Po-land:....."

(day, month, year)

Article 141

1. The collection of signatures of persons who support a constituency list may be realised in a place, time and manner that excludes any threat, deceit or pressure brought to obtain such signatures.

2. It shall be forbidden to collect signatures of support for a constituency list within military units and other units subordinated to the Minister of National Defence and in

civil defence units as well as in quartered police units subordinate to the Minister of internal affairs.

3. It shall be forbidden to grant a salary for collecting or signing a constituency list.

Article 142

1. A constituency list shall be supported, according to the provisions of Article 140, paragraphs 1 and 2, by the signatures of at least 5,000 voters who permanently reside in a given electoral constituency.

2. An election committee, which has fulfilled the requirements specified in paragraph 1 above and registered constituency lists in at least half of the electoral constituencies shall have the right to submit further lists without signatures of voters supporting them.

3. The submission of constituency lists by election committees which have fulfilled the requirements specified in paragraph 2 above, shall be valid if confirmed by a certificate of the National Electoral Commission, issued on a motion of the election committee concerned that is submitted no later than 40 days before polling day.

Article 143

1. A constituency list shall be submitted to the constituency electoral commission up to 12 PM at the latest, on the 40th day before polling day.

2. The number of candidates for deputies shall not be smaller than the total number of deputies elected in a given electoral constituency nor greater than twice the total number of deputies elected in a given electoral constituency.

3. The submission of a constituency list shall be done personally in written form by an election agent or a person authorised by him/her, later called: "the person submitting the list". If the list has been submitted by a person authorised by an agent, a document should be appended confirming the conferral of power of attorney and its scope and including the personal data of the person authorised, specifically: name (names), surname, address of residence and identity document (PESEL) number.

Article 144

1. The submission of a constituency list of candidates shall include the surname, name (names), profession and place of residence of each of the candidates. The surnames of candidates on the list shall be placed in the order specified by the election committee.

2. The name or short version of the name of the party of which he/she is a member (of no more than 40 characters) shall describe the candidate.

3. A person submitting a list may ask to denote a candidate who is not a member of any political party solely by the name or shortened name of the political party supporting that candidate; the provisions of paragraph 2 shall apply accordingly. The act of support for the candidate should be confirmed, in writing, by the party's proper statutory body. The motion and its confirmation shall be filed with the submission of the list.

4. In the submission, the person submitting the list may make application to denote a registered list with a shortened name of an election committee in official announcements and on the ballot paper.

5. To each submitted list there shall be appended:
   1) a statement of the number of signatures of voters who support the list, together with the signatures of voters supporting the list or a certificate issued by the National Electoral Commission referred to in Article 142, paragraph 3;
   2) the written consent of a candidate to stand in elections from the given constituency list. The consent for standing in election shall include the name (names), surname and age of the candidate and his/her number of identity card (PESEL) as well as an indication of his/her political party affiliation or none; the statement of the candidate confirming acceptance of standing for election shall be personally dated and signed by the candidate;
   3) the statement referred to in Article 6, paragraph 1 of the Act of 11 April 1997 on Disclosure of Work or Service in the Organs of State Security and Collaboration with such organs in the years 1944 – 1990 by Persons Performing Public Functions (Journal of Laws No. 70, item 443 with further amendments) or information on the earlier submission of such a statement in connection with standing for a public office where such statement has been necessary.

6. After submitting the list it is inadmissible to insert additional names of candidates or to change the order in which their names have been placed on the list, or to change the denotation referred to in paragraph 3 above.

Article 145

If a candidate for deputy completes only Part A of the statement referred to in Article 144 paragraph 5.3, such a statement shall be annexed to the submission of the list. If

Part B of the statement is also completed – then Part A shall be annexed to the submission of the list with annotation on the submission of Part B, and Part B shall be submitted directly to the National Electoral Commission by the candidate for deputy.

Article 146

1. While receiving a submission, the constituency electoral commission shall, in the presence of the person submitting a list, examine whether it conforms to the provisions of Article 144 and shall issue a written receipt of the submission. The National Electoral Commission shall provide a specimen receipt.

2. The commission shall number and stamp each page of signatures.

3. After examination of the accuracy of the data provided in the list of signatures, the commission shall retain the signatures in sealed packages. Access to the packages and unsealing them may take place only for the purposes of legal proceedings in courts or the organs of the procuracy and in the presence of a member of the constituency electoral commission; the person who submitted the list shall be notified immediately of the date of proceedings.

Article 147

1. The relevant constituency electoral commission shall register a constituency list submitted pursuant to the provisions of this Act and shall make a record of the registration. A copy of such record shall be provided to the person who submitted the list and shall be delivered to the National Electoral Commission together with the statements of candidates for deputies or the information referred to in Article 144, paragraph 5.3.

2. If the submission has defects other than the lack of the required number of signatures of voters, then the commission shall summon the person who submitted the list to have such defects removed within three days. If the defects are not removed within this time limit, the commission shall refuse to register the list either wholly or in respect of certain candidates. If the commission refuses to register only certain candidates, the list shall be registered, having regard to the provisions of Article 143 paragraph 2, with its contents free of defects.

3. A decision of a Constituency Electoral Commission to refuse registration referred to in paragraph 2, together with the justification for refusal, shall be immediately delivered to the person submitting the list. The person submitting the list has the right to appeal against such a decision to the National Electoral Commission within three days of the date of delivery. There shall be no legal recourse against the decision of the National Electoral Commission.

Article 148

1. If the number of validly recorded signatures of voters who support a constituency list is fewer than that required by this Act, the constituency electoral commission shall summon the person submitting the list to complete the list of signatures, if the time limit referred to in Article 143 paragraph 1, has not elapsed. Completion may be done up to the end of the time limit specified in Article 143, paragraph 1.

2. If the completion is not realised within the time limit referred to in Article 143, paragraph 1, or such time has elapsed, the constituency electoral commission shall refuse registration of the constituency list. The decision shall be immediately delivered to the person submitting the list.

3. The declaration referred to in paragraph 2 above may be appealed to the territorially competent constituency court within three days of the date of delivery. The constituency court, by a bench of 3 judges, shall examine the appeal in non-litigious proceedings. There shall be no legal recourse against the decision of the court. If the court determines the complaint to be valid, the constituency electoral commission shall immediately register the list.

Article 149

1. If there is reasonable doubt as to the reliability of data included in the list of signatures, or the credibility of signatures, the constituency electoral commission shall verify, within three days, the number and reliability of signatures by reference to officially accessible documents, including the electoral register and the official register of residents, and also, if necessary, clarification by voters. The person who submitted the list shall be immediately notified of the onset of explanatory proceedings.

2. If as a result of verification it is determined that the list lacks the officially required signatures of support, the constituency electoral commission shall declare its refusal to register the constituency list submitted and provide its reasons.

3. The declaration referred to in paragraph 2 above may be appealed to the court competent for that electoral constituency within three days of the date of delivery by the person who submitted the list. The court, by bench of 3 judges, shall examine the complaint in non-litigious proceedings and shall give a decision. There shall be no legal recourse against the decision of the court. If the court determines the complaint to be valid, the constituency

electoral commission shall immediately register the constituency list.

Article 150

1. The National Electoral Commission shall, on the basis of protocols confirming the registration of constituency lists, establish by random lottery, no later than 30 day before the polling day, a single number for the lists of a given election committee registered in more than one electoral constituency. The election agents shall be informed of the date of selection and his/her absence shall not prevent the lottery.

2. Numbers for election committees with lists registered in all electoral constituencies are drawn first. Then numbers shall be drawn for the lists of remaining election committees.

3. The National Electoral Commission shall immediately notify constituency electoral commission and elections agents of the numbers selected for constituency lists.

Article 151

1. After receiving the notification referred to in Article 150, paragraph 3 above, the constituency electoral commission shall conduct, no later than the 25th day before polling day, a random lottery to select numbers for lists of election committees which have registered lists only in the given constituency. Persons who submitted lists shall be notified of the date of the lottery and their absence shall not prevent it.

2. The constituency electoral commission shall immediately notify the National Election Commission and election agents of the numbers selected for the constituency lists referred in paragraph 1 above.

Article 152

1. The constituency electoral commission shall prepare an announcement on the constituency lists registered, including information on the numbers, names and short names of election committees and details of the candidates included on the lists submitted, along with the contents of the statement referred to in Article 6, paragraph 1 of the Act of 11 April 1997 on Disclosure of Work or Service in Organs of State Security and Collaboration with such Organs in the years 1944 – 1990 by Persons Performing Public Functions, in the part specified in Article 11, paragraph 2, of that Act.

2. The announcement referred to in paragraph 1 above shall be delivered to the head of the territorially competent unit of the National Election Office, who shall ensure its printing and posting within the constituency area no later then on the tenth day before polling day. A copy of the announcement shall be immediately provided to the National Electoral Commission.

Article 153

1. The constituency electoral commission shall delete from the registered constituency list the name of a candidate for a deputy who has died, forfeited his/her eligibility or submitted to the commission a written statement of withdrawal of his/her acceptance of candidacy.

2. If the deletion of a candidate's name from the registered list has occurred due to death of a candidate and means that there are fewer candidates then the number of deputies to be elected in a given electoral constituency, the commission shall inform the person who submitted the list that there exists the opportunity to submit a new candidate. The list shall be supplemented no later than on the fifteenth day before polling day; the provisions of Article 142, paragraph 1, shall not apply in such case.

3. If the deletion of a candidate has occurred for reasons other than the death of a candidate or if the list has not been completed within the time limit referred to in paragraph 2 above, and there are fewer candidates than the number of deputies to be elected in a given electoral constituency, the commission shall nullify the registration of the list. There shall be no legal recourse against a decision made in such case.

4. In the event of the dissolution of an election committee in accordance with to the provisions of Article 106, paragraph 3, the constituency electoral commission shall nullify the registration of the list of that committee. The procedure laid down by Article 142, paragraph 1, shall apply accordingly.

5. The constituency electoral commission shall immediately notify the person who submitted the list and the National Electoral Commission, in the form of an announcement, of the deletion of a candidate and decisions arising from paragraphs 2-4.

Article 154

1. The election agent or a person authorised by him/her may appoint one poll observer to each ward electoral commission acting on the territory of the electoral constituency in which a constituency list submitted by him/her has been registered.

2. The election agent or a person authorised by him/her shall issue to poll observers a certificate pursuant to the specimen provided by the National Electoral Commission.

3. The election agent or a person authorised by him/her shall hold the post of an election observer at the National Electoral Commission.

CHAPTER 18. BALLOT PAPERS

Article 155
The constituency electoral commission shall, after registration of constituency lists, order the printing of ballot papers and shall ensure their delivery to ward electoral commissions pursuant to the procedures laid down by the National Electoral Commission.

Article 156
The ballot paper shall denote the lists registered in a given constituency, including the number of a lists, provided in ascending order, and the name or shortened name of the election committee. Under the denotation of the list shall be placed the surnames and forenames of all candidates registered on the list.

Article 157
1. Each ballot paper shall bear concise information on the manner of voting.

2. The ballot paper shall be printed with the imprint of the seal of the appropriate constituency electoral commission and there shall be marked a place for the seal of the ward electoral commission.

3. The ballot paper shall be printed on one side only. The size and style of printing shall be identical in form for all lists and all names of candidates.

4. The National Electoral Commission shall specify the design of the ballot paper.

Article 158
1. If a constituency electoral commission has deleted a candidate from the list of candidates for reasons referred to in Article 153, paragraph 1, after printing the ballot papers, the name of such a candidate remains on the ballot paper. Information on the deletion and on the conditions of validity of the process of voting with such a ballot paper shall be published in the form of an announcement and posted in polling stations on polling day.

2. The provision of paragraph 1 above shall be applied when the commission nullifies the registration of a constituency list for reasons referred to in Article 153, paragraphs 3 or 4.

Article 159
The rules for organising and delivering ballot papers for polling wards set up on Polish maritime vessels or abroad shall be established by the National Electoral Commission, in agreement with the minister for the marine economy and the minister of foreign affairs respectively.

CHAPTER 19. VOTING PROCEDURE AND VALIDITY OF THE VOTE

Article 160
1. A voter shall cast his/her vote for one constituency list only by putting an "x" mark in the box on the ballot paper on the left–hand side thereof, adjacent to the name of one candidate on the list and by so doing shall indicate priority for such candidate in the allocation of seats.

2. If, on the ballot paper an "x" mark has been put on the left-hand side thereof adjacent to the names of two or more candidates from different lists, or an "x" mark has not been put in the box on the left-hand side adjacent to the name of any candidate of any list, then such a vote shall be deemed invalid, except as provided in paragraph 4 below.

3. If, on the ballot paper the "x" mark has been put on the left-hand side thereof adjacent solely to the name of a candidate of a constituency list that has been invalidated, such a vote shall be deemed invalid.

4. If, on the ballot paper the "x" mark has been placed on the left-hand side thereof, adjacent solely to the name of a candidate of only one constituency list, whose name has been deleted from the list, then such vote shall be valid and given for the list.

5. If, on the ballot paper the "x" mark has been put on the left-hand side thereof adjacent to the names of two or more candidates from the same constituency list, such a vote shall be deemed validly cast for the list indicated, with assignment of priority in obtaining seats for that candidate whose name on the list is placed first in sequence.

Article 161
The validity of a vote shall not be affected by the writing in of any additional names or descriptions or making any other remarks on the ballot paper.

CHAPTER 20. ESTABLISHMENTS OF RESULTS OF VOTING AND ELECTIONS

Article 162

1. The ward electoral commission shall establish the numbers of:
   1) persons entitled to vote;
   2) voters to whom ballot papers were issued;
   3) ballot papers taken from the ballot box, specifying:
      a) the number of invalid ballot papers, taking into account the provisions of Article 72;
      b) the number of valid ballot papers;
   4) invalid votes on valid ballot papers, taking into account the provisions of Article 160, paragraphs 2 and 3;
   5) valid votes on valid ballot papers cast for all the lists of candidates;
   6) valid votes on valid ballot papers cast for each list of candidates;
   7) valid votes on valid ballot papers cast for individual candidates from each list.

2. The numbers referred to in paragraph 1 shall be inscribed in the record of voting in the ward.

Article 163

After having received the record of voting in the ward, the constituency electoral commission shall immediately examine the accuracy of the results of voting in the ward. If there are inaccuracies in the results established, then the commission shall order the ward electoral commission to recalculate them and shall notify the National Electoral Commission of that fact. The provisions of Article 70, paragraph 2, Article 71, Article 72 and Article 162 shall apply accordingly.

Article 164

1. The constituency electoral commission shall, on the basis of the records referred to in Article 76, paragraph 1, establish the results of voting for each constituency list and shall prepare, in two copies, the record of the results of voting in the electoral constituency.

2. If the competent constituency electoral commission has not received the results of the vote from electoral wards created abroad or on board Polish sea-going vessels within 24 hours after the close of the poll, referred to in Article 59, paragraph 2 –voting in those wards shall be deemed null and void. Such fact shall be inscribed in the record of the vote in an electoral constituency, specifying the electoral wards and probable reasons.

3. The total numbers, referred to in Article 162, paragraph 1, shall be specified in the record.

4. All members of the commission present at its creation shall sign the record. The record shall be stamped with the commission's seal.

5. The persons submitting lists may be present at the establishment and creation of the record and shall have the right to make comments on record, specifying precise complaints.

6. The chairperson of the constituency electoral commission shall immediately transmit the data from the record, concerning the number of valid votes and votes validly cast for each constituency list, and validly cast for each of the candidates on each list, to the National Electoral Commission, according to the procedure prescribed by the commission, via public telecommunications or computerised data transmission networks. The agents may be present at such transmissions of recorded data.

7. The chairperson of the constituency electoral commission shall immediately deliver the record of results of voting to the National Electoral Commission according to the procedure prescribed by it.

8. The specimen of the record of results of voting shall be prescribed by the National Electoral Commission.

Article 165

1. On the basis of the data referred to in Article 164, paragraph 6, taking into account the provisions of Article 134, paragraph 1, the National Electoral Commission shall make a preliminary determination of number of valid votes and votes validly cast for constituency lists of individual election committees throughout the whole country and of those lists which fulfil the requirements for entitlement to participate in the allocation seats in election constituencies. The above information shall be published.

2. After receiving the records of the results of voting in constituencies the National Electoral Commission shall establish the aggregated results of voting for constituency lists throughout the entire country and shall determine, taking into account the provisions of Article 134, paragraph 1, which of the lists fulfil the requirements for entitlement to the allocation of seats in electoral constituencies, and shall notify in writing the constituency electoral commissions of its decision. The above information shall be published.

Article 166

1. After receiving the notification referred to in Article 165, paragraph 2 above, the constituency electoral commission shall conduct allocate seats to the entitled constituency lists in the following manner:
   1) number of votes validly cast for each of the list in the electoral constituency shall be divided successively by 1.4 (one and four-tenths); 3; 5; 7; and so on by sequence of odd numbers up to the point when from the quotients thus obtained it is possible to establish a sequence of as many successively highest numbers as there are seats to be allocated among the lists;
   2) to each list shall be allotted as many seats as it has received highest consecutive numbers attributed by the sequence of quotients obtained in the manner prescribed above.

2. Where several lists have achieved quotients equal to the last number from among the numbers arranged in the manner prescribed above, and there are more such lists than the number of seats to be allocated, priority shall be given to the lists with the highest total number of votes cast. Where an identical number of votes has been cast for two or more lists, priority shall be determined by the number of electoral wards in which a larger number of votes was cast for a given list.

Article 167

1. The seats allocated to a list shall be distributed to its candidates according to their ranking in votes obtained.

2. Where, after the counting the votes is complete, two or more candidates from the same list are found to have received an equal number of votes, priority shall be determined by the number of electoral wards in which a larger number votes were cast for one of the candidates, and where an identical number has been found in the number of wards, priority shall be determined by the drawing of lots by the chairperson of the commission made in the presence of members of the commission and the persons that submitted the list; the absence of the person that submitted the list shall not invalidate the results of the lottery.

3. The method of drawing lots referred to in paragraph 2 shall be decided by the National Electoral Commission.

Article 168

1. After establishing the results of the election in an electoral constituency the electoral commission shall draw up, in two copies, a record of the election of deputies in the electoral constituency.

2. The record shall specify the number of deputies elected in the constituency, the constituency lists registered in a given constituency, and the lists that participated in the allocation of seats, as well as the numbers of:
   1) voters entitled to vote;
   2) voters to whom ballot papers were issued;
   3) ballot papers taken from the ballot box, specifying:
      a) the number of invalid ballots,
      b) the number of valid ballots;
   4) invalid votes
   5) valid votes cast for each list of candidates;
   6) valid votes out cast for individual candidates from each list as well as the surnames and forenames of deputies elected from each constituency list.

3. All members of the commission present at its creation shall sign the record. The record shall be stamped with the commission's seal.

4. Persons submitting lists may be present at the establishment and creation of the record and shall have the right to make comments on record, specifying precise complaints. The annotation of those comments shall be placed in the record.

5. The National Electoral Commission shall prescribe the specimen of the record of results of elections.

Article 169

The constituency electoral commission shall immediately publish the results of voting and of elections, taking into account data referred to in Article 168, paragraph 2.

Article 170

1. The chairperson of the constituency electoral commission shall immediately transmit the data from the record of the election of deputies to the National Electoral Commission, according to the procedure prescribed by the Commission, via public telecommunications or computerised data transmission networks.

2. The chairperson of the constituency electoral commission shall immediately deliver the record referred to in Article168, paragraph 1, in a sealed envelope to the National Electoral Commission, in accordance with the procedure established by it. The remaining documents concerning the elections shall be retained by the head of the unit of the National Election Office territorially competent for the seat of the commission.

Article 171

1. After having received the records referred to in Article 168, paragraph 1, the National Electoral Commission shall examine the accuracy of the allocation of seats of deputies in the electoral constituencies.

2. The National Electoral Commission shall order, in the event of any inaccuracies in establishing the results of elections, a further establishment of those results. The provisions of Articles 166 – 170 shall apply accordingly.

Article 172

The National Electoral Commission shall publicise the aggregated results of voting referred to in Article 168, paragraph2, established by the constituency electoral commissions.

CHAPTER 21. ANNOUNCEMENT OF THE RESULTS OF VOTING AND OF ELECTIONS TO THE SEJM

Article 173

The National Electoral Commission shall announce the results of elections to the Sejm and shall publish them in the Journal of Laws of the Republic of Poland in an announcement. The announcement shall comprise basic information contained in the records of elections of deputies to the Sejm in electoral constituencies.

Article 174

The National Electoral Commission shall submit to the Court of Appeal in Warsaw, immediately after the results of elections to the Sejm have been declared, the declarations or information referred to in Article 144, paragraph 5, subparagraph 3, delivered by the candidates elected as deputies.

Article 175

The National Electoral Commission shall issue to deputies certificates confirming their election.

Article 176

The National Electoral Commission shall submit to the Marshal of the Sejm and to the Supreme Court a report on elections no later than the fourteenth day following the announcement referred to in Article 173.

CHAPTER 22. VACANCY IN SEAT OF A DEPUTY AND COMPLETION OF MEMEBERSHIP OF THE SEJM

Article 177

1. The seat of a deputy to the Sejm shall become vacant as a result of:
   1) forfeiture of eligibility;
   2) removal from a seat by a valid resolution of the Tribunal of State;
   3) resignation from the seat;
   4) the death of a deputy;
   5) the holding on the day of election by the deputy of the Sejm of a post or function, which according to the provisions of the Constitution of the Republic of Poland or by law cannot be discharged by a deputy, with regard to the provisions of paragraph 3 below;
   6) appointment to a post or the entrusting with a function which cannot be discharged in conjunction with holding the position of deputy to the Sejm according to the provisions of the Constitution of the Republic of Poland or by law
   7) the holding by a deputy or his/her appointment to a post or function:
      a) of a councillor of the council of a commune, a county or a voivodeship;
      b) on the board of a commune, of a county, of a voivodeship, or of an association of communes;
      c) on the board or council of a regional or sectoral health care fund
   8) the submission of a false declaration, as referred to in Article 144, paragraph 5, subpara. 3.

2. A refusal to take the oath of deputy to the Sejm shall be taken as resignation of the seat.

3. The seat of a deputy to the Sejm who, during his/her term of office has been appointed to a post or function referred to in paragraph 1, subparagraph 5, and paragraph 7, shall become vacant, if he/she fails to submit to the Marshal of the Sejm resignation from the office held, within fourteen days following the announcement by the National Electoral Commission of the results of elections to the Sejm.

4. A vacancy for the seat of a deputy nominated during the term of office to a post or function referred in paragraph 1, subparagraphs 6 and 7, shall become vacant on the day of such appointment.

Article 178

1. The Marshal of the Sejm shall certify a vacancy in the seat of a deputy.

2. The statement referred to in paragraph 1 shall be published in the Official Gazette of the Republic of Poland "Monitor Polski".

3. The above mentioned statement shall be immediately delivered to the National Electoral Commission.

Article 179

1. In the event of a vacancy in the seat of a deputy, the Marshal of the Sejm, acting on the basis of information from the National Electoral Commission, shall notify the candidate from the same constituency list who gained the next highest number of votes in the elections, of his/her right to the seat. In the that an equal number of votes was gained by candidates, priority shall be decided according to the order in which the candidate was placed on the constituency list.

2. A candidate may resign his/her priority for the seat in favour of a candidate from the same list who gained the next highest number of votes. A statement of resignation shall be submitted to the Marshal of the Sejm within seven days following delivery of the notification referred to in paragraph 1 above.

3. The Marshal of the Sejm shall decide on the filling of the seat.

4. In the case where the filling of a vacant seat pursuant to the procedure specified in paragraph 1 above would be impossible because of lack of candidates on the list, the Marshal of the Sejm shall declare that such a seat shall remain vacant to the end of the Sejm's term.

CHAPTER 23. ELECTION CAMPAIGNING IN RADIO AND TELEVISION PROGRAMMES

Article 180

1. Election committees shall have the right to election campaigning in radio and television programmes pursuant to the provisions of this Act, in the form of election broadcasts and election announcements.

2. An election broadcast is a part of a radio or television programme, not provided by the broadcaster, that is broadcast free of charge and constituting a separate entity in content or form, which enables an election committee to exercise the right to broadcasting time referred to in Article 181 for conducting their election campaign.

3. The act of broadcasting an election programme shall be realised by a public broadcaster by registration embracing the emission of an election programme prepared by a given election committee – or by free access to a studio operated by professional personnel that shall record an election programme of an election committee and ensure its broadcast.

4. An election announcement constitutes an advertisement in the meaning of Article 4, paragraph 6 of the Act of 29 December 1992 on radio and television (Journal of laws of 1993, No, 7, item 34; of 1995, No. 66 item 335 and No. 142, item 701; of 1996, No. 106, item 496; of 1997, No. 88, item 554 and No. 121, item 770; of 1999, No. 90, item 999; of 2000, No. 29, item 356 and 358, and No. 73, item 852, and of 2001, No. 422, item 469), prepared and delivered by an election committee to be emitted as an element of its election campaigning.

Article 181

1. In the period of time beginning from the15th day before polling day up to the day ending the election campaign the Polish Television Joint-stock Company and the Polish Radio Joint-stock Company as well as regional radio and television companies, hereinafter called "Polish Television" and "Polish Radio" shall broadcast, without payment, on nationwide and regional channels the election programmes prepared by election committees.

2. The total time of broadcast shall amount to:
   1) on nationwide channels – 15 hours on Polish Television, including up to three hours for TV Polonia, and 30 hours on Polish Radio, including up to five hours broadcast for listeners abroad;
   2) on regional channels - 10 hours on Polish Television and 15 hours on Polish Radio.

3. An election committee shall have the right to broadcast its election materials on:
   1) nationwide channels – if it has registered constituency lists in at least one-half of electoral constituencies;
   2) on regional channels – if it has registered a constituency list in at least one electoral constituency.

4. The length of broadcasting time assigned to an election committee shall not be transferred to another committee.

Article 182

1. The length of time devoted to broadcasting election material referred to in Article 181, paragraph 2, subparagraph 1, shall be divided into equal parts amongst

the election committees so entitled on the basis of information submitted by the National Electoral Commission, specifying the election committees that have registered their constituency lists in at least half the election constituencies.

2. The length of time devoted to broadcasting election material referred to in Article 181, paragraph 2, subparagraph 2, shall be divided proportionally according to the number of constituency lists registered by them amongst the election committees so entitled, on the basis of the information concerning registered constituency lists provided by the constituency electoral commissions territorially competent for the area covered by regional programmes.

3. The National Council of Radio and Television shall, in an agreement with the National Electoral Commission, determine the principles of procedure for allocating broadcasting time for election programmes, the scope of their registration, their method of preparation and broadcast, as well as the methods of publishing information on the timetable for broadcasting such programmes.

4. The National Council of Radio and Television shall, after seeking the opinion of the boards of the companies referred to in Article 181, paragraph 1, as well as the competent programme council, determine in order:

1) the total length of time of broadcasting on each of the national and regional channels;
2) the schedule of time allocation referred to in Article 181, paragraph 2, in the period of time between the 15th day before polling day up to the day ending the election campaign..

Article 183

1. No later than the 18th day before polling day the editors-in-chief of the national television channels and of Television Polonia, as well as the editors-in-chief of Polish Radio, in the presence of the persons who submitted the lists, shall determine by lot the sequence of election programmes to be broadcast each day.

2. A decision on the allocation of broadcasting time referred to in Article 182, paragraphs 1 and 2, may be subject to complaint by the person who submitted a list to the National Electoral Commission. The complaint shall be lodged no later than within two days after the issuing of the decision. The National Electoral Commission shall immediately examine the complaint and shall issue a decision. There shall be no legal recourse against the decision of the National Electoral Commission.

Article 184

1. The election programmes of an election committee shall be delivered to Polish Television or Polish Radio no later than 24 hours before the day of broadcast.

2. The length of time of the programme delivered shall not exceed the time limit determined pursuant to the provisions of Article 182, paragraphs 3 and 4.

3. In the event that Polish Television or the Polish Radio shall ascertain that the election programmes delivered by an election committee exceeds the allotted time limit for such broadcasts, they shall immediately require the respective election committee to shorten the programmes. If that summons has no effect, Polish Television or Polish Radio shall terminate the broadcast of that election programme at the moment when the time limit allocated to the respective election committee expires.

Article 185

1. Notwithstanding the length of time allotted for the broadcast of election programmes, each election committee may broadcast, from the day beginning the election campaign, paid election advertisements emitted by radio and television broadcasters.

2. Rates charged for the broadcast time of election advertisements referred to in paragraph 1 above shall be fixed on equal terms for all participants in accordance with the price list in force on the day of the proclamation of elections.

3. The rules concerning advertising on television and radio shall apply to election programmes, but the time assigned for the broadcasting of paid election advertisements shall not be subject to the time limits for commercials established by other regulations.

Article 186

1. Broadcasters bear no responsibility for the contents of election programmes and election advertisements.

2. Broadcasters shall not refuse access for paid election programmes and advertisements.

CHAPTER 24. GENERAL RULES

Article 187

Elections to the Senate are universal and direct and held by secret ballot.

Article 188
A member of the Senate may be a citizen of Poland who has the right to vote and who is at least 30 years of age on polling day.

Article 189
There shall be 100 senators elected to the Senate of the Republic of Poland by majoritarian principles.

Article 190
The appropriate provisions of Part II shall apply to proceedings in matters that are not regulated by this Part.

CHAPTER 25. ELECTORAL CONSTITUENCIES

Article 191
1. For the purpose of elections to the Senate there shall be created electoral constituencies on the territory of the voivodeships.

2. The number of senators to be elected in an electoral constituency shall range from 2 to 4.

3. An electoral constituency shall cover the territory of a voivodeship or a part thereof. The boundaries of an election constituency shall not cut across the boundaries of electoral constituencies created for elections to the Sejm.

Article 192
1. The number of Senators elected in the respective voivodeship shall be:
   1) the Dolnoslaskie Voivodeship – 8 senators;
   2) the Kujavsko-Pomorskie Voivodeship – 5 senators;
   3) the Lubelskie Voivodeship – 6 senators;
   4) the Lubuskie Voivodeship – 3 senators;
   5) the Lodzkie Voivodeship – 7 senators;
   6) the Malopolskie Voivodeship – 8 senators;
   7) the Mazovieckie Voivodeship – 13 senators;
   8) the Opolskie Voivodeship – 3 senators;
   9) the Podkarpackie Voivodeship –5 senators;
   10) the Podlaskie Voivodeship – 3 senators;
   11) the Pomorskie Voivodeship – 6 senators;
   12) the Slaskie Voivodeship – 13 senators;
   13) the Svietokrzyskie Voivodeship – 3 senators;
   14) the Varminsko-Mazurskie Voivodeship – 4 senators;
   15) the Vielkopolskie Voivodeship – 9 senators;
   16) the Zachodnio-Pomorskie Voivodeship – 4 senators.

2. If the territory of a voivodeship, in elections to the Sejm, does not form one electoral constituency, then the number of senators shall be established on the basis of a uniform quota of representation.

3. The uniform quota of representation referred to in paragraph 2 above, shall be calculated by dividing the number of inhabitants of a voivodeship by the number of senators to be elected in that voivodeship.

4. The number of senators elected in individual electoral constituencies, their number and the boundaries as well as the seats of constituency electoral commissions shall be specified in Appendix No. 2 to this Act.

5. Information about electoral constituencies shall be made public to the voters of each electoral constituency in the form of an announcement by the National Electoral Commission no later then the 52nd day prior to polling day. The Head of the National Electoral Bureau shall ensure the printing and posting of such announcements.

CHAPTER 26. SPECIAL TASKS OF ELECTORAL COMMISSIONS

Article 193
1. Elections to the Senate shall be conducted by:
   1) the National Electoral Commission;
   2) constituency electoral commissions;
   3) ward electoral commissions.

2. The tasks of a constituency electoral commission referred to in paragraph 1, subparagraph 2 above, may be carried out by the constituency electoral commission created for elections to the Sejm, as designated by the National Electoral Commission.

3. In event of a by-election, referred to in Article 215, a constituency electoral commission and ward electoral commissions shall be created pursuant to the provisions of this Act.

CHAPTER 27. SUBMISSION OF CANDIDATES FOR SENATORS

Article 194
The provisions of this Act concerning election committees shall apply to election committees that nominate candidates for senators, except that:
   1) a political party that is a member of an election coalition created to submit jointly candidates for deputies and candidates for senators or for joint submission of candidates for senators cannot submit candidates for senators independently;

2) the name and a short version of the name of an election committee of electors created solely for the purpose of nominating candidates for senators shall be different to the names and shortened names of election committees created to nominate candidates for deputies and senators or candidates for deputies.

Article 195

1. An election committee may submit in each electoral constituency no more candidates for senators than the number of senators to be elected in a given electoral constituency.

2. A candidate for senator may stand for election only in one electoral constituency and may be nominated by one election committee only.

Article 196

1. Nomination of a candidate for a senator shall be supported by the signatures of at least 3,000 voters.

2. A voter may support more than one candidate for senator. A withdrawal of support given shall have no effect.

3. A voter supporting a candidate nominated for a senator shall put his/her signature beside his/her legibly written surname and forename, address of residence and the identity card (PESEL) number.

4. Each page of signatures shall include thereon the name of the election committee that submits the candidate, the number of the electoral constituency in which the candidate is nominated as well as the annotation:

"I hereby declare my support for ..... (forename and surname) as the candidate for senator, submitted by ..... (name of the election committee) in the electoral constituency (number of constituency) in elections to the Senate of the Republic of Poland, held on.....(day, month, year)."

5. Only a voter that resides permanently on the territory of a given electoral constituency may support the nomination of a candidate for a senator.

Article 197

1. The collection of signatures of persons who support candidacy for a senator may be realised in the place, time and in a manner excluding threats, deceits, or other pressures to obtain such signatures.

2. It shall be forbidden to collect signatures supporting a candidacy for senator on the territory of army units and other organisational units subordinated to the Minister of National Defence, and defence units and quartered units subordinated to the minister responsible for internal affairs.

It shall be forbidden to grant payment for collecting signatures or for a signature in support of a candidate for senator.

Article 198

1. Each candidate for senator shall be nominated separately. When an election committee submits more then one candidate for senator, then the submission of each one shall be supported by separate lists of signatures of electors, prepared in the manner indicated in Article 196, paragraphs 3 and 4.

2. The provisions of Article 142, paragraph 2, shall not apply to the nomination of candidates for senators.

CHAPTER 28. BALLOT PAPERS

Article 199

The constituency electoral commission shall, after the registration of candidates for senators, order the printing of ballot papers and shall ensure their delivery to ward electoral commissions pursuant to the method established by the National Electoral Commission.

Article 200

On a ballot paper there shall be placed, in alphabetical order, the surnames and forenames of registered candidates for senator, together with the name or shortened name of an election committee.

CHAPTER 29. VOTING PROCEDURE AND VALIDITY OF THE VOTE

Article 201

1. A voter shall cast a vote for the respective candidates by putting an "x" mark on the left side of the names of as many candidates as are to be elected in the electoral constituency.

2. A voter may vote for fewer candidates than the number of senators elected in the electoral constituency.

Article 202

1. If, on the ballot paper the "x" mark has not been placed in the box on the left side thereof adjacent to the name of any candidate, then such a ballot paper shall be deemed valid with an invalid vote. (cast for no candidates).

2. If, on the ballot paper the "x" mark has been put in the box on the left side thereof adjacent to the names of more candidates than the number of senators elected in given electoral constituency, then such a ballot paper shall be deemed valid but the vote shall be deemed invalid. (cast for no candidates).

3. If, on the ballot paper the "x" mark has only been put in the box on the left side thereof adjacent to the name of a deleted candidate, then such a ballot paper shall be deemed valid with an invalid vote (cast for no candidates).

CHAPTER 30. ESTABLISHMENT OF RESULTS OF VOTING AND OF ELECTIONS IN THE ELECTORAL CONSTITUENCY

Article 203

1. The ward electoral commission shall establish the numbers of:
   1) persons entitled to vote;
   2) voters to whom ballot papers were issued;
   3) ballot papers taken from the ballot box, specifying: the number of invalid ballots as defined in Article 72, and the number of valid ballots, specifying:
      a) the number of valid ballot papers with invalid votes cast, as referred to in Article 202;
      b) the number of valid ballot papers with valid votes cast;
   4) valid votes from valid ballot papers cast for individual candidates.

2. The numbers referred to in paragraph 1 shall be inscribed in the record of voting in the ward.

Article 204

After having received the record of voting in the ward, the constituency electoral commission shall immediately examine the accuracy of the results of voting in the ward. In the event of flaws in the establishment of the voting results, the commission shall order the ward electoral commission to repeat its calculations and shall notify the National Electoral Commission of that fact.

Article 205

1. The constituency electoral commission shall, on the basis of the records referred to in Article 204, determine the results of voting and of elections and shall prepare, in two copies, the record of the results of voting and of the election of senators in the electoral constituency.

2. If the competent constituency electoral commission does not receive the results of the vote from electoral wards created abroad or on board Polish maritime vessels within 24 hours after the end of the poll, specified in Article 59, paragraph 2 – voting in those wards shall be deemed null and void. Such fact shall be inscribed in the record of the vote in an electoral constituency, specifying the electoral wards and probable reasons.

3. The total numbers referred to in Article 203, paragraph 1, shall be specified in the record, as well as the surnames and forenames of senators elected, together with the name or shortened name of an election committee.

4. All the members of the commission present at its creation shall sign the record. The record shall be stamped with the commission's seal.

5. Persons submitting a letter authorising their right to do so may be present at the establishment and creation of the record and shall have the right to make comments on the record, specifying precise complaints.

6. The chairperson of the constituency electoral commission shall immediately transmit the data from the record concerning the number of valid votes and votes validly cast for each of the candidate to the National Electoral Commission, according to the procedure prescribed by the commission, via public telecommunications or computerised data transmission networks. Agents may be present at such transmission of recorded data.

Article 206

1. Candidates elected as senators in a given electoral constituency shall be have received the successive highest numbers of valid votes cast.

2. Where, after counting the votes is completed, two or more candidates are found to have received equal votes, priority shall be decided by the number of electoral wards in which the largest number of votes were cast for one of the candidates, and where the number of wards is identical, priority shall be decided by the drawing of lots by the chairperson of the commission in the presence of members of the commission and persons who submitted letters of authorisation; the absence of the person who submitted a letter shall not invalidate the results of the lottery.

3. The method of drawing lots referred to in paragraph 2 shall be decided by the National Electoral Commission.

Article 207

The constituency electoral commission shall immediately publish the results of the voting and of the election, taking

into account the data referred to in Article 205, paragraph 3.

Article 208

1. The chairperson of the constituency electoral commission shall immediately deliver the record of voting results and of the elections to the National Electoral Commission in a sealed envelope pursuant to the procedure prescribed by it. The remaining documents shall be stored by the head of the unit of the National Electoral Bureau, territorially competent for the seat of the electoral constituency commission.

2. After having received the records referred to in paragraph 1 above, the National Electoral Commission shall examine the accuracy of the results of elections in electoral constituencies.

3. In the event of any inaccuracy in establishing the election results, the National Electoral Commission shall order the repeat establishment of those results.

CHAPTER 31. ANNOUNCEMENT OF RESULTS OF ELECTIONS TO THE SENATE

Article 209

The National Electoral Commission shall announce in the Journal of Laws of the Republic of Poland, in an announcement, and shall publish the results of elections to the Senate. The announcement shall comprise, separately for each electoral constituency, the basic information contained in the records of constituency electoral commissions and the names and surnames of the senators elected..

Article 210

The National Electoral Commission shall submit to the Court of Appeal in Warsaw, immediately after the results of elections to the Senate have been declared, the declarations or information referred to in Article 144, paragraph 5, subparagraph 3, provided by the candidates elected as senators.

Article 211

The National Electoral Commission shall issue senators certificates confirming their election.

Article 212

The National Electoral Commission shall submit to the Marshal of the Senate and to the Supreme Court a report on elections no later, than the 14th day following the announcement referred to in Article 209.

CHAPTER 32. VACANCY IN SEAT OF THE SENATOR AND COMPLETION OF MEMBERSHIP OF THE SENATE

Article 213

1. The seat of a senator shall become vacant as a result of:
   1) the forfeiture of eligibility;
   2) the deprivation of the seat by a valid resolution of the Tribunal of State;
   3) the resignation of the seat;
   4) the death of a senator;
   5) the holding of a post or function, which according to the provisions of the Constitution of the Republic of Poland or by law cannot be discharged by a senator, with regard to the provisions of paragraph 3 below;
   6) the appointment to the post or function which cannot be discharged by a senator according to the provisions of the Constitution of the Republic of Poland or by law, during the term of office as senator;
   7) the holding by a senator or his/her appointment to the post or function:
      a) of councillor of a council of a commune, a county or a voivodeship;
      b) on the executive board of a commune, of a county, of a voivodeship, or in board of a union of communes;
      c) on the board or council of a regional or sectoral health care fund
   8) the submission of a false declaration, as referred to in Article 144, paragraph 5, subparagraph 3, in connection with Article 190.

2. A refusal to take the oath of senator shall be regarded as resignation of the seat.

3. The seat of a senator who, during his/her term of office has been appointed to a post or function referred to in paragraph 1, subparagraph 5, and paragraph 7, shall be forfeited, if he/she fails to submit to the Marshal of the Senate resignation from the office held, within 14 days following the announcement by the National Electoral Commission of the results of elections to the Senate.

4. The forfeiture of a seat of a senator, nominated during his/her term of office to a post or function referred to in paragraph 1, subparagraphs 6 and 7, shall become effective on the day of such appointment.

5. The forfeiture of a seat of a senator for reasons reffered to in paragraph 1, subparagraph 8, shall take effect

if, after a binding decision stating that there has been a submission of a false declaration, as referred to in Article 144, paragraph 5, subparagraph 3, in connection with Article 190:

1) declaration has not been submitted in the timeframe envisioned for the parties;
2) declaration has not been recongnized;
3) declaration has been rejected.

Article 214

1. The Marshal of the Senate shall certify, in a statement, the vacancy in a Senate seat.

2. The statement referred to in paragraph 1 shall be published in the Official Gazette of the Republic of Poland "Monitor Polski".

3. The above mentioned statement shall be immediately delivered to the President of the Republic of Poland and to the National Electoral Commission.

Article 215

1. In the event of vacancy in the Senate, the President of the Republic of Poland shall order by-elections to the Senate to be conducted.

2. A by-election shall be ordered and conducted within three months following the ascertainment of the vacancy in the seat of a senator. The by-election shall not occur within six months prior to the day, on which the term of promulgation of the order on elections to the Sejm elapses.

3. The order of elections, referred to in paragraph 1 above, shall be issued pursuant to the provisions of Article 9, paragraph 2; the statement of the President of the Republic on by-elections shall be immediately published by the National Electoral Commission in an announcement, given in the electoral constituency where the by-election is to take place. The National Electoral Bureau shall ensure printing and posting of announcements.

4. Voting in by-elections shall be conducted only on the territory of the Republic of Poland.

5. The provisions of Article 23 concerning the issue of certificates of eligibility to vote shall apply only to electors residing on the territory of an electoral constituency where the by-election is conducted.

CHAPTER 33. ELECTION CAMPAIGNING IN RADIO AND TELEVISION PROGRAMMES

Article 216

1. An election committee shall have the right to election campaigning in radio and television programmes pursuant to the provisions of this Act, in the form of election broadcasts and election announcements on:

1) nationwide channels – if it has registered candidates for senators in at least half of the electoral constituencies;
2) regional channels – if it has registered at least one candidate for senator.

2. The total time of broadcast shall amount to:

1) on nationwide channels – five hours on Polish Television, and 10 hours on Polish Radio;
2) on regional channels – three hours on Polish Television and 6 hours on Polish Radio.

3. The length of time devoted to the broadcasting of election agitation on nationwide channels shall be divided into equal parts amongst the election committees so entitled.

4. The length of time devoted to broadcasting of election agitation on regional channels shall be divided among the election committees so entitled, proportionally to the number of candidates for senators registered by them in electoral constituencies in the area covered by a regional programme.

5. The National Council of Radio and Television shall, in agreement with the National Electoral Commission, determine the principles and methods of joint conduct of election campaigning in radio and television programmes by election committees so entitled in elections to the Sejm and to the Senate.

Article 217

1. The provisions of Article 216, paragraph 1, shall not apply to by-elections, when the total time of broadcasting, without payment, of election programmes on regional programmes shall amount to two hours on Polish Television and four hours on Polish Radio.

2. The length of time referred to in paragraph 1 above shall be divided proportionally among the election committees so entitled, for each of the regional channels.

CHAPTER 34. SPECIAL RULES OF FINANCING ELECTION CAMPAIGNING TO THE SENATE

Article 218

1. An election committee that has registered a candidate or candidates for senators has the right to an allocation on the basis described in Article 128.

2. In a by-election, the amount of allocation to which an election committee that submitted a candidate is entitled, shall be calculated as follows:

The total amount of allocations gained by all election committees in the most recent elections to the Sejm and to the Senate shall be divided by 560, the result being multiplied by the index of the average increase in the price of consumer goods and services. That ratio shall be calculated by the Central Statistical Office for the period of time beginning from the month of the last general elections to the Sejm and Senate to the month of the by-election in question.

CHAPTER 35. PUNITIVE PROVISIONS

Article 219

Any person who publishes the results of opinion polls on the probable behaviour of voters in violation of the prohibitions referred to in Article 86 shall be punished by a fine of between 500,000 to 1,000,000 zl.

Article 220

Any person who:

1) violates the prohibitions referred to in Article 87, or in Article 88, paragraph 1, 2 or 3;
2) affixes poster and slogans or places announcements in violation of the interdicts referred to in Article 90,

shall be punished by a fine.

Article 221

Any person who, during an election campaign shall organise raffles, lotteries or contests in violation of the interdicts referred to in Article 88, paragraph 4 shall be punished by a fine.

Article 222

Any person who during an election campaign serves or supplies alcoholic beverages in violation of the interdicts referred to in Article 88, paragraph 5 shall be punished by a fine.

Article 223

Any person who:

1) contributes or spends funds of an election committee in violation of the interdicts referred to in Article 110, paragraph 1, 2 or 3;
2) contributes or spends funds of an election committee in violation of the interdicts referred to in Article 110, paragraph 4, or exceeds the limits referred to in Article 114, paragraph 1 and 2, and Article 236;
3) transfers to an election committee of a coalition, or to an election committee of voters, or receives funds or in-kind contributions in the name of such committee, in violation of the interdicts referred to in Article 111, paragraphs 2 – 4;
4) organises public collections in contravention of the prohibitions specified in Article 112, paragraph 2;
5) acting in the name of an election committee of a political party receives funds derived from other sources than the Election Fund of the party,

shall be punished by a fine of between 1,000 and 100,000 zlotys.

Article 224

Any person who:

1) violates the rules referred to in Article 113, paragraph 1 concerning methods of collection of financial resources of an election committee;
2) fails to insert a stipulation in a bank account agreement, concluded in the name of an election committee, that all contributions must be made in accordance with the provisions specified in Article 113, paragraph 2 only;
3) collects funds for the benefit of one election committee of a coalition or election committee of electors in excess of the limitations specified in Article 113, paragraph 3,

shall be punished by a fine.

Article 225

Any person who:

1) transfers financial or in-kind resources to another election committee in contravention of the prohibitions specified in Article 112, paragraph 1, or who collects funds for an election committee after polling day, or incurs expenditure following the submission of the election report;
2) incurs expenditure for election campaigning, produced in the forms and methods proper for

advertisement, in excess of the limit specified in Article 115,

shall be punished by a fine.

Article 226

1. A financial agent, who in a prescribed time shall not fulfil:
   1) the obligation of transferring to a charitable institution the excess of financial resources referred to in Article 116;
   2) the obligation of submitting the election report referred to in Article 120, paragraph 1, to the National Electoral Commission,

shall be liable to a fine, to limitation of liberty, or imprisonment for a term not exceeding two years.

2. Any person who prevents a financial agent from realising the realise duties referred to in paragraph 1, subparagraphs 1 and 2 above, or impedes him or her, shall be liable to penalty, specified in paragraph 1 above.

3. Where the person referred to in paragraph 2, acts unintentionally s/he,

shall be punished by a fine.

Article 227

1. Any person who prevents an auditor to realise the duties of preparing the opinion or report referred in Article 120, paragraph 1, or impedes these duties shall be liable to a fine, to limitation of liberty, or imprisonment for a term not exceeding two years.

2. Where the person referred to in paragraph 1, acts unintentionally he or she shall be punished by a fine

Article 228

Any person who collects signatures on a list of support for a constituency list or for a list of candidate or candidates for senator in violation of the interdicts referred to in Article 141, paragraphs 1, 2 or 3, or Article 197, paragraphs 1, 2 or 3 shall be punished by a fine of between 1,000 up to 10,000 Zl.

Article 229

Any person, who:
   1) conducts election campaigning for a candidate for a deputy or a senator without permission of the election committee, when its cost amounts to a sum from 1,000 up to 50,000 Zl shall be punished by a fine no less than the cost of such action;
   2) realises the acts referred to in paragraph 1 above when their cost exceeds 50,000 zlotys shall be liable to a fine no less than the cost of such action and to limitation of liberty or imprisonment for a term not exceeding two years.

Article 230

The appropriate provisions on procedures in cases of misdemeanour shall apply to proceeding in the matters referred to in Articles 220, 222, 224 and 225.

CHAPTER 36. SPECIAL PROVISIONS

Article 231

All written documentation, judicial and administrative proceedings in election matters shall be without payment.

Article 232

Whenever in this Act references are made to non-litigious proceedings in courts, the appropriate provisions of the Code of Civil Procedure on non-litigious proceedings shall apply.

Article 233

1. Whenever in this Act references are made to the expiry of a time limit for lodging a complaint or an appeal to the court or an electoral body, this shall be understood as the day of filing a complaint or appeal with the court or with the electoral body.

2. If the expiry of time limit for performance of an action specified in the Act falls on a day which is statutorily not a day of work, the time limit shall expire on the first working day after that day.

3. If this Act does not state differently, the electoral actions described in the election calendar as well as the actions referred to in paragraph 1 shall be performed within the working hours of courts and electoral bodies.

Article 234

1. If the date of elections to the Sejm and to the Senate coincides with the election of the President of the Republic, election commissions appointed to the elections of the Sejm shall also administer the election of the President of the Republic.

2. The provisions of paragraph 1 above shall apply when by-elections to the Senate coincide with the election of the President of the Republic.

3. In the cases referred to in paragraphs 1 and 2, there shall be separate records of voting in wards as well as

separate records of the results of voting and establishing results of elections.

Article 235

The minister in charge of matters of culture and protection of the national heritage shall determine by order, issued on the motion of the National Electoral Commission submitted in consultation with the Director General of the State Archives, the manner of delivery, retention and access to documents pertaining to elections.

Article 236

1. If average price index of consumer goods and services shows an increase above five per cent, the minister responsible for public finance shall, by order, raise the quota referred to in Article 114, paragraph 2, relative to the price increase.

2. The index of the increase in the price of consumer goods and services prices referred to in paragraph 1 above shall be established on the basis of a communiqué of the President of the Central Statistical Office, published quarterly, by the 20th of the first month of the quarter, in the Official Gazette of the Republic of Poland "Monitor Polski"

CHAPTER 37. PROVISIONS ON AMENDMENTS TO THE PROVISIONS IN FORCE

Article 237

In the Act of 5 July, 1990 – Law on Assemblies (Journal of Laws No. 51, item 297; of 1999, No. 41, item 412 and of 2000, No. 12, item 136), in Article 4:
1) the comma at the end of the paragraph 2 shall be replaced by a full stop;

2) paragraph 3 shall be deleted.

Article 238

In the Act of 27 June 1997 on Political Parties (Journal of Laws No. 98, item 604 and of 1998, No. 106, item 668) the following amendments shall be made:
1) in Article 11, paragraph 1, term: "Voivodeship" shall be replaced by: "Constituency";

2) the title of Chapter 4 shall read as follows:

"The Finances and Financing of Political Parties"*;

3) in Chapter 4 Article 23a shall be added, to read as follows:

Article 23a.The sources of political party finance are public.

4) Articles 24 and 25 shall read as follows:

"Article 24. 1. The funds of a political party arise from membership fees, donations, and legacies, endowments, interest on funds, allowances and subventions described by acts of law.

2. The funds of a political party may be used for statutory or charitable purposes only.

3. A political party is prohibited from engaging in any economic activities.

4. A political party is allowed to draw income from its funds that arise exclusively from:
1) interest on investments and funds deposited in bank accounts;
2) trading of State Treasury obligations and of Treasury bills;
3) sale of any assets belonging to the political party;
4) activity referred to in Article 27.

5. A political party may hand over its property and premises for exclusive use as offices for deputies, senators, and councillors of a commune, a county or a voivodeship.

6. A political party may not organise public collections.

7. A political party may contract loans for statutory purposes.

8. A political party may accrue its financial resources only in bank accounts.

Article 25. 1. A political party may collect financial resources exclusively from individuals, with regard to the provisions of paragraph 2 below, and Article 24, paragraph 4 and 7, and Article 28, paragraph 1, and to the provisions of Acts relating to elections to the Sejm and to the Senate of the Republic of Poland regarding subject allocations.

2. A political party may not receive any financial resources from:
1) Individuals with no place of residence on the territory of the Republic of Poland, excluding citizens of Poland living abroad;
2) foreign nationals resident on the territory of the Republic of Poland.

3. The provisions of paragraphs 2 and 3 shall apply to non-cash values.

4. The total value of contributions made by an individual to a political party, including membership fees but ex-

cluding contributions transferred to the Election Campaign Fund of a political party, cannot exceed 15-times the minimum monthly wage of a worker on the day preceding transfer.

5. A single transfer that exceeds the minimum monthly wage of a worker may be paid to a political party by cheque, bank transfer or bank card only."

5) Article 26 shall be deleted.

6) Articles 27 – 30 shall read as follows:

"Article 27. Such activities as: the sale of statutes and party programmes, or small items symbolising the political party, or publications informing of its aims and activities, petty paid services for third parties using a party's office fittings - do not constitute economic activity within the meaning of separate Acts of law.

Article 28. 1. A political party that:

1) forms its own election committee in elections to the Sejm and has gained in that elections at least three per cent of valid votes given for its constituency lists of candidates for deputies; or

2) is a member of an election committee in elections to the Sejm and such committee has gained in that elections at least six per cent of valid votes given for its constituency lists of candidates, shall have the right to receive, during the term of office of the Sejm, a subvention for its statutory activities paid by the State budget, later called "a subvention", in the manner and on the basis described by this Act.

2. The subvention vested in an election coalition of political parties shall be divided among the parties that are members of such coalition, in proportions determined in the coalition agreement concluded. The agreed proportions shall not be changed.

3. The National Electoral Commission, having confirmed its validity, shall register an agreement establishing an election coalition.

4. When the political parties that form an election coalition have not determined the proportions referred to paragraph 2 above in the agreement establishing the coalition, they shall not be entitled to the above subvention.

5. In event of dissolution of an election coalition after the right to subvention has been vested, the political parties of such a coalition shall retain their right to subvention in proportions determined in the agreement on creation of the election coalition.

Article 29.1. The amount of subvention granted to a given political party shall be determined in proportion to the valid votes gained for the constituency lists of candidates of a party or for an election coalition, pursuant to the Formula:

$S = W1 \times M1 + W2 \times M2 + W3 \times Ms + W4 \times M4 + W5 \times M5$

Where:

S = the amount of the yearly subvention

W1-5 = the number of valid votes gained in the whole country by constituency lists of candidates of the political party or election coalition, established separately for each line of the table shown below.

M1-5 = the amount valued in Polish Zloty given for consecutive lines of the table:

List	Valid votes gained in the whole country by constituency lists of candidates of a political party or an election coalition		Amount (M) in Polish Zlotych
	Percent (%)	Number of votes	
1	From 3% to 5%		10 złotych
2	Above 5% to 10%		8 złotych
3	Above 10% to 20%		7 złotych
4	Above 20% to 30%		4 złote
5	Above 30%		1 złoty 50 groszy

2. The subvention established pursuant to the provisions of paragraph 1 and 2, and of Article 28 shall be paid to a given political party during the term of office of the Sejm in four equal yearly parts, paid in quarterly instalments.

3. The submission by a statutory organ representing such a political party, no later than 31 March each year, of an official form of request to transfer the annual subvention, notified by the National Electoral Commission as to the rights and value of the subvention, shall create the basis for the payment.

4. The financial resources of the subvention shall be deposited in a separate bank sub-account of the political party. The transfer of the subvention to the bank account indicated by the political party shall be realised by the Minister responsible for public finance.

5. The subvention due to a political party in the year of elections to the Sejm shall be paid within three months following the determination of the validity of the election, no later than 31 March of the following year.

6. The minister responsible for public finance, in a resolution, shall raise the value of the subvention mentioned in paragraph 1 above in an amount equal to the index of price increases if the index of prices of consumer goods and services rises above five per cent.

7. That index shall be fixed by the Central Statistical Office and published as a communiqué of the President of the Office, in the Official Gazette of the Republic of Poland "Monitor Polski", no later than the 20th day of the first month of a quarter.

Article 30. 1. A political party shall create an Expert Fund.

2. Financial resources collected in the Expert Fund may be derived solely from payments from their own party.

3. A political party that receives subvention shall transfer from five per cent to fifteen per cent of the subvention to the Expert Fund.

4. Financial resources collected in the Expert Fund may be used top finance expertise in the field of law, politics, sociology, social-economic matters, as well as for financing education publications connected with the statutory activity of the political party.

5. The financial resources of the Expert Fund shall accrue in a bank in a separate sub-account of the political party.";

7) Article 31 shall read as follows:
   a) "Article 31. 1. In event of a merger of a political party with another party or parties the subvention referred to in Article 28 above shall be granted to the new political party in an amount equal to the subventions for the parties that are merging.
   b) The subvention shall be paid on the basis of a request, submitted by the proper body of the new political party, beginning from the month in which the Court registered it.
   c) In the case referred to in Article 45 the subvention granted to such a political party shall not be paid,

beginning from the month following the month of dissolution or decision of the Court on the liquidation of such party."

8) Articles 32 – 34 shall read as follows:

"Article 32. If the term of office of the Sejm is shortened, the rights to the subvention granted to political parties shall expire at the end of the quarter in which the term of office of the Sejm expires.

Article 33. 1. The expenses connected with subvention shall be covered by the State budget's section on the Budget, public finances and financial institutions.

2. The minister responsible for public finance shall, by order:

1) specify the method of submission of the request referred to in Article 29, paragraph 3, as well as the rules for transferring the subvention;
2) determine a specimen of the form of the request referred to in Article 29, paragraph 3, after seeking the opinion of the National Electoral Commission.

Article 34. 1. Political parties shall prepare a yearly financial statement of the subvention received and the expenditures covered by this subvention, later called "information".

2. Political parties shall submit information covering a calendar year no later than 31 March of the following year.

3. The minister responsible for public finance, after seeking the opinion of the National Electoral Commission, shall determine by order, a specimen that enumerates the detailed scope of the information to be included therein, to enable honest verification of all the data concerning the expenses covered by subvention, and also the expenses covered by Expert Fund.

4. The information shall be submitted together with the opinion of an auditor appointed by the National Electoral Commission. The political party shall cover the cost of the preparation of the above opinion and of the enclosed information.

5. The information shall be published by the National Electoral Commission in the Official Gazette of the Republic of Poland "Monitor Polski" within 14 days following its submission to the National Electoral Commission."

9) Articles 34a – 34c shall be added as follows:

"Article 34a. 1. The National Electoral Commission shall, within four months following the day of submitting information, accept it or shall reject it if it is found that the political party has spent resources of the subvention for purposes not connected with its statutory activity, or if the opinion of the auditor is negative.

2. In the event of doubts concerning the accuracy of the information, the National Electoral Commission may ask the political party concerned to remove defects or submit explanation within a specified time limit.

3. In its examination of election reports, the National Electoral Commission may order submissions from experts.

4. In its examination of election reports, the National Electoral Commission may request necessary assistance to be given by the State organs.

5. Within 14 days following the publication of the information referred to in Article 34, paragraph 5:

1) political parties;
2) associations and foundations which in their statutes include tasks connecting with the analysis of political party finance, have the right to submit to the National Electoral Commission their written reservations on committees' election reports, specifying reasons.

6. The National Electoral Commission shall, within 60 days following the submission of the reservations referred in paragraph 5 above, respond in writing.

Article 34b. 1.In the event that the National Electoral Commission rejects the information lodged by a political party, within 7 days following the delivery of the decision rejecting a report, a complaint may be issued to the Supreme Court against the decision of the National Electoral Commission in that case.

2. The Supreme Court, by bench of 7 judges, shall examine the complaint. The complaint shall be examined pursuant to the provisions of the Code of Civil Procedure in a non - litigious procedure.

3. The Supreme Court shall examine the complaint and shall issue a ruling within 60 days following the delivery of a complaint. There shall be no legal recourse against the ruling of the Supreme Court.

4. If the Supreme Court upholds the complaint referred to in paragraph 1, the National Electoral Commission shall immediately issue a resolution accepting the information in question.

Article 34c. A political party shall forfeit the right to subvention in the following year, if:

1) it does not submit the information within the time limit referred to in Article 34, paragraph 2; or
2) the information submitted is rejected by the National Electoral Commission; or
3) the Supreme Court has decided to reject the complaint referred to in Article 34b, paragraph 1."

10) Article 35 shall read as follows:

"Article 35. 1.A political party shall create an Election Fund to finance the participation of such political party in elections to the Sejm, Senate, to the office of the President of the Republic of Poland, in local elections, as well as in referendum campaigns.

2. The expenditures of a political party for the tasks referred to in paragraph 1 may be realised, from the day the election or referendum campaign begins, exclusively through the Election Fund.

3. A political party shall notify the National Electoral Commission on the establishment or liquidation of the Election Fund.

4. An Election Fund shall bear the name: "The Election Fund of:.....(name of the political party)".

11) Article 35a shall be added :

"Article 35a. 1. The financial agent realises and is responsible for the administration of the Election Fund.

2. The following person shall not be financial agents:

1) a candidate for: the President of the Republic of Poland, a deputy or a councillor;
2) a public functionary, within the meaning of Article 115 paragraph 13 of the Criminal Code.

3. A person may be a financial agent of one Election Fund only."

12) Article 36 shall read as follows:

"Article 36. 1. Financial resources collected for the Election Fund may be derived from transfers of political party's own resources, donations, legacies, and instruments.

2. (Deleted)

3. Financial resources of the Election Fund shall be deposited in a separate bank account."

13) Articles 36a and 36b shall be added as follows:

"Article 36a. 1. The total amount of the sum contributed by an individual for one election committee of a coalition or an election committee of electors cannot exceed 15-times the minimum monthly wage of a worker on the day preceding the day of the announcement of elections.

2. If in a given year more than one election or national referendum is held, the total amount of contributions for the Election Fund referred to in paragraph 1 shall be increased up to 25-times the minimum monthly wage of a worker on the day preceding the day of. payment. The provision of the first sentence does not apply to by-elections to the Senate or generally to by-elections, re-elections or premature elections, or to new elections to the organs of the legislatures of territorial self-government units, held during the term of office.

3. A contribution must be made by cheque, bank transfer, or credit card only.

Article 36b. All appeals and written information issued by a political party to raise resources for elections or referendum shall bear information with the content of the provisions of Article 25, Article 36a, Article 40c and of Aricle 49g, paragraph 2."

14) Article 37 shall read as follows:

"Article 37. Financial resources of the Election Fund of a political party:

1. in event of a merger with another party or parties, shall be transferred to the Election Fund of the new party;
2. in event of the division of a party, shall be transferred to the newly created parties in equal parts, unless another proportion is fixed by the dividing party.
3. In event of dissolution of a party, its financial resources shall be transferred to a charitable institution."

15) Article 38 shall read as follows:

"Article 38. 1. No later than 31 March each year, a political party must submit to the National Electoral Commission a report, later called "report", covering the sources of financial funds gained (including bank loans and specification of conditions set forth to the political party and to the Election Fund by a lending institution) and on expenditures paid from the Election Fund in the previous calendar year.

2. The minister responsible for public finance, after seeking the opinion of the National Electoral Commission, shall specify, in a regulation, the form of the report. The form shall describe, in particular the method of separately accounting for the resources of the Election Fund of a political party.
3. An opinion and an auditor's report on funds raised by an Election Fund of a political party shall be annexed to the report. The National Electoral Commission shall appoint the competent auditor and a political party is obliged to cover the cost of preparing the opinion and report.
4. The National Electoral Commission shall publish the report, together with the opinion and audit report referred to in paragraph 3, in the Official Gazette "Monitor Polski" no later than 14 days following its delivery to the National Electoral Commission.

16) Articles 38a – 38d shall be added as follows:

"Article 38a. The National Electoral Commission shall, within four months following the day of submitting of a report, accept it or reject it if it is found that the political party has violated the provisions of this Act. The provisions of Articles 34a, paragraphs 2-6 shall apply accordingly.

Article 38b. In the event that the National Electoral Commission shall reject the report, a political party may lodge, within seven days following delivery of the decision rejecting the report, a complaint to the Supreme Court against that decision. The provisions of Article 34b, paragraph 2-4 shall apply accordingly."

Article 38c. 1. In the event that the report is not provided within the time limit referred to in Article 38, paragraph 1, the National Electoral Commission shall notify the Court of its motion to delete that political party from the register.

2. The Court after hearing the case referred to in paragraph 1 above, shall decide whether to delete the political party from the register.

Article 38d. If the National Electoral Commission rejects a report or – if the appeal against a decision to reject report is refused by the Supreme Court - the political party is deprived of the rights to obtain subvention for the next three years during which it has such entitlement. The provisions of Article 34c, paragraphs 2 and 3 shall apply accordingly."

17) Article 39 shall be deleted

18) Article 39a shall be added as follows:

"Article 39a. 1. Material benefits transferred or accepted by a political party or by an Election Fund in violation of the prohibitions referred to in Article 24, paragraphs 3-6, Article 25, Article 35, paragraph 2, Article 36, paragraphs 1 and 3, or Article 36a – shall be forfeited to the State treasury. If that benefit is exhausted or lost, its equivalent shall be forfeit.

2. The District Court in Warsaw shall have jurisdiction in cases of the forfeit of material benefits referred to in paragraph 1
3. The National Electoral Commission shall enter a motion with the Court concerning a decision on the forfeit of material benefits.
4. Appropriate provisions of the Code of Civil Procedure shall apply to the forfeit of material benefits."

19) Article 40 shall read as follows:

"Article 40. The provisions on income tax shall apply to political party taxation."

Article 41. Political parties shall assure accounting procedures according to the rules described in separate provisions of law, with the inclusion of this Act.

20) Chapter 6a shall be added, as follows:

"Chapter 6a

Punitive provisions

Article 49a. Any person who organises public collections in violation of the interdicts referred to in Article 24, paragraph 6 -

shall be punished by a fine.

Article 49b. Any person who:

1) acting on behalf of a political party hands over its property or premises for other purposes than for use as of-

fices for deputies, senators, and counsellors of a commune, a district or a voivodeship;

2) violates the rules described in Article 24, paragraph 8, concerning methods of collecting financial resources of a political party,

shall be punished by a fine.

Article 49c. Any person who:

1) provides funds of a political party for other purposes than determined by Article 24, paragraph 2;

2) conducts economic activity on behalf of a political party in violation of Article 24, paragraph 3;

3) transfers to a political party or receives on behalf of a political party financial resources or non-cash assets in violation of the interdicts referred to in Article 25,

shall be punished by a fine of between 1,000 and 100,000 Zl.

Article 49d. Any person who fails to realise or obstructs the performance and submission of the information referred to in Article 34, paragraph 1, or who gives untrue information in such a report,

shall be punished by a fine, or limitation of liberty, or deprivation of liberty for up to 2 years.

Article 49e. Any person who provides financial resources accrued in the Election Fund for other purposes than determined by Article 35, paragraph 1 –

shall be punished by a fine of between 1,000 and 100,000 Zl.

Article 49f. Any person who:

1) spends funds belonging to a political party for financing election or referendum campaigning outside the Election Fund;

2) fails to realise or obstructs the preparation or submission of the report referred to in Article 38 or who gives false information in such a report,

shall be punished by a fine, or limitation of liberty, or deprivation of liberty for up to two years.

Article 49g. Any person who:

1) violates the rules described in Article 36, paragraph 3, concerning methods of collecting the financial resources of an Election Fund,

2) contribute funds to an Election Fund in an amount that exceeds the limitation specified in Article 36a, paragraphs 1 or 2;

3) fails to specify in an agreement concluded on behalf of the Election Fund with the bank holding the account that contributions to the Election Fund may be realised pursuant to the rules specified in Article 36a, paragraph 3,

shall be punished by a fine.

Article 49h. The appropriate provisions on procedure in cases of misdemeanour shall apply to proceedings in the matters referred to in Articles 49b and 49g."

Article 239

In the Act of 26 November 1998 – Law on public finances (Journal of Laws, No. 155, item 1014 and of 1999, No. 38, item 360, No. 49, item 485, No. 70, item 778, and No. 110, item 1255, and of 2000 No. 6, item 69, No. 12, item 136, No. 48, item 550, No. 95, item 1041, No. 119, item 1251, and No. 122, item 1315 and of 2001, No. 45, item 497) the following amendments shall be incorporated:

1) in Article 73, paragraph 1, paragraph 2 shall be added as follows:

"2a) subventions for political parties;"

2) in Article 69, paragraph 2, subparagraph 1a shall be added:

" 1a) subventions for political parties;".

Article 240

In the Act of 20 June 2000 – On publication of legislative acts and other acts of law (Journal of Laws No. 62, item 718) the following amendments shall be incorporated:

1) To Article 9, paragraph 2, paragraph 2a is added, as follows:

"2a) premature expiration of the term of office of the Sejm;"

2) In Article 10, paragraph 2, in subparagraphs 2 and 4- the letter: b). shall be deleted.

CHAPTER 38. TRANSITIONAL, ADJUST AND FINAL PROVISIONS

Article 241

1. The provisions of Articles 177 – 179 and Articles 213 - 215 shall not apply to deputies of the Sejm and senators

who hold office on the day on which this Act enters into force.

2. Provisions of the hitherto valid Act of law shall apply to the deputies and senators referred to in paragraph 1 if a vacancy in the seat of a deputy or senator occurs.

Article 242

The provisions of Article 138, paragraph 3 shall not apply to the first elections held pursuant to this Act.

Article 243

Hitherto provisions refer to the provisions of the Act of 28 May 1993 – On elections to the Sejm of the Republic of Poland (Journal of Laws No. 45, item 205; of 1995, No. 132, item 640; of 1997, No. 47, item 297, No. 70, item 443, No. 88, item 554, No. 98, item 604, No. 121, item 770, and No. 141, item 943, as well as of 1999, No. 49, item 483) or of the Act of 10 May1991 – On elections to the Senate of the Republic of Poland (Journal of Laws No.54 of 1994, No. 54, item 224, and of 1997, No. 70, item 443, and No. 98, item 604) .

Article 244

1. The National Electoral Commission that exists on the day on which this Act enters into force shall become the National Electoral Commission within the meaning of this Act.

2. The National Electoral Bureau that exists on the day on which this Act enters into force shall become the National Election Office within the meaning of this Act.

3. Within 9 months following the day this Act takes effect, the National Electoral Commission shall grant to the National Election Office a Statute and shall adjust its working regulations to the rules of that Act.

4. The provisions of paragraph 3 above shall apply accordingly to the provisions regulating the specific organisation of the units subordinated to the National Election Office and to specification of posts and salaries of the personnel of the National Election Office.

Article 245

1. There shall expire – with exemptions specified in paragraph 2 below:

1) the Act of 28 May 1993 – On elections to the Sejm of the Republic of Poland (Journal of Laws No. 45, item 205; of 1995, No. 132, item 640; of 1997, No. 47, item 297, No. 70, item 443, No. 88, item 554, No. 98, item 604, No. 121, item 770, and No. 141, item 943, as well as of 1999, No. 49, item 483);
2) the Act of 10 May 1991 – On elections to the Senate of the Republic of Poland (Journal of Laws of 1994, No. 54, item 224, and of 1997, No. 70, item 443, and No. 98, item 604).

2. The provisions of the Acts referred to in paragraph 1 shall be applied to changes in the composition of representatives of the Sejm and the Senate, elected in the election conducted on 21 September 1997.

Article 246

This Act shall enter into force after 14 days of its promulgation, with the exception of Article 24, paragraphs 3 – 5 of the Act referred to in Article 238, which shall read as in this Act and shall enter into force after 9 months following the day when this Act become valid.

LAW ON THE ELECTION OF THE PRESIDENT
2000 AMENDMENTS

CHAPTER 1

Article 1

The Act describes the rules and procedures for the submission of candidates, the election of the President of the Republic of Poland and the determination of the validity of the election.

Article 2

The election shall be universal; every citizen of Poland who is at least 18 years of age on Election Day shall have the right to vote.

Article 3

The following persons shall not have the right to vote:

1) those deprived of public rights by a final ruling of a court;
2) those deprived of electoral rights by a ruling of the Tribunal of State;
3) those deprived of legal capacity by a final ruling of a court.

Article 4

The election shall be equal; electors shall take part in the election on an equal basis.

Article 5

The election shall be direct; the President of the Republic shall be elected directly by electors; an elector shall be able to vote in person only.

Article 6

The election shall be performed by secret ballot; in each polling station there must be screened places to ensure secret voting; the ballot paper must be put into a sealed ballot box.

Article 7

1. The election of the President of the Republic shall be ordered by the Marshal of the Sejm no sooner than 7 months and no later than 6 months before the expiry of the term of office of the serving President, and shall fix the date of election on a non-working day, prescribed by law, no sooner than 100 days and no later than 75 days before the expiry of the term of office of the serving President of the Republic.

2. In the event that the President of the Republic resigns his/her post, the Marshal of the Sejm shall order the election not later than the 14th day after the office becomes vacant and shall fix the date of election on a non-working day within 60 days of the date of the abovementioned order.

Article 8

1. The Marshal of the Sejm shall order the election of the President of the Republic and shall fix the date according to Article 7. The decision of the Marshal of the Sejm shall be made public and published in the Journal of Laws of the Republic of Poland no later than the 3rd day following the order.

2. In the order referred to in paragraph 1, the Marshal of the Sejm, after secured the opinion of the National Electoral Commission, shall specify the days on which the time – limits for performance of those activities provided for in this Act (the calendar of elections) expire.

Article 8 (a)

1. The President of the Republic shall hold office for 5 years and may be re-elected only once.

2. The newly-elected President of the Republic takes the oath of office in the presence of the National Assembly on the last day of office of the retiring President of the Republic

3. The retiring President of the Republic shall end his/her tenure in office following the oath-taking of the newly elected President of the Republic.

4. The President of the Republic, elected in an election referred to in Article 7, paragraph 2, shall take the oath in the presence of the National Assembly no later, than the 7th day following the determination of the validity of elections.

5. The President of the Republic shall assume office after taking the oath.

Article 8 (b)

1. If no candidate has gained more than half of the valid votes cast in the election referred to in Article 7, a second ballot shall be held on the 14th day following the first ballot.

2. The second ballot shall be held between the two candidates who have gained the largest number of votes cast in the first ballot.

3. If from among the two candidates mentioned in the paragraph 2, any candidate shall withdraw his/her consent for candidacy, forfeit the right to vote or die, the ballot shall be held with the participation of the candidate with the next highest number of votes cast in the first round. In the event of such a case the date of the second ballot shall be postponed for a further 14 days.

4. A candidate shall be elected President if he/she has gained a majority of valid votes cast on the second ballot.

5. In the circumstances referred to in paragraph 3, the National Electoral Commission shall immediately inform, in a resolution, of the admission of the replacement candidate to stand in the second round of the election and shall publicise the day of the second ballot.

Article 8 (c)

1. If in the elections referred to in Articles 7 and 8b the ballot is to be held with one candidate only, then the National Electoral Commission shall state that fact in its resolution, and shall submit such resolution to the Marshal of the Sejm, publicise and announce it in the Journal of Laws of the Republic of Poland.

2. The Marshal of the Sejm shall order the election for the second time no later than 14 days following the publication of the resolution of the National Electoral Commission in the Journal of Laws. The provisions of Article 7, paragraph 2 and Article 8 shall apply accordingly.

3. If there are no candidates, the provisions of paragraph 1 shall apply accordingly.

CHAPTER 2

Article 9

The election of the President of the Republic shall be conducted by:

1) The National Electoral Commission - established on the basis of separate provisions;
2) Constituency Electoral Commissions;
3) Precinct Electoral Commissions.

Article 10

1. The duties of the National Electoral Commission shall include, in particular:

1) the supervision of the observance of electoral law;
2) the registration of candidates for President of the Republic and the publication of data concerning the candidates who are placed on the electoral list;
3) the ordering of the printing of ballot papers;
4) the appointment of the Constituency Electoral Commissions;
5) the investigation of complaints against the actions of Constituency Electoral Commissions;
6) the determination of the result of voting and of the election of the President of the Republic;
7) the publication of the results of voting and the election of the President of the Republic;
7a) realisation of other duties described in law;
8) (deleted.)

2. The National Electoral Commission shall specify the territorial sphere of activity of the Constituency Electoral Commissions and their seats.

3. The National Electoral Commission shall issue binding instructions to the local electoral commissions and explanations to the organs of government administration and local-government administration as well as to their subordinate units realising tasks connected with the conduct of elections.

4. The National Electoral Commission shall rescind any resolution of the constituency electoral commissions passed contrary to law or inconsistent with their guidelines and shall refer any such case to the appropriate commission for reconsideration, or shall itself take a decision in the matter.

5. The National Electoral Commission may, for the duration of elections, create its own inspectorate and specify its duties. The provisions of article 19, paragraphs 1 and 3 to 5, shall apply accordingly to persons appointed to the inspectorate.

6. The National Electoral Commission shall adopt resolutions within the scope of its authority.

Article 11

The duties of the Constituency Electoral Commission, performed within its territorial jurisdiction shall include:

1) the supervision of the implementation of electoral law by Precinct Electoral Commissions,
2) the assurance, in cooperation with the Voivode*) and the organs of appropriate local administration units, of the conduct of elections;
3) the investigation of complaints against actions of the Precinct Electoral Commissions;

4) the assurance of the delivery of ballot papers to Precinct Electoral Commissions,
6) the establishment of aggregate results of votes cast for candidates for President of the Republic, and the submission of the given results to the National Electoral Commission, together with the voting returns prepared by Precinct Electoral Commissions,
7) the performance of other tasks, laid down in this Act or assigned by the National Electoral Commission.

Article 12
(deleted)

Article 13
The duties of the Precinct Electoral Commission shall include, in particular:
1) the organization and supervision of voting in the polling precinct;
2) the supervision of the observance of electoral law at the time and place of voting;
3) the establishment of voting returns in the precincts and their delivery to the relevant Constituency Electoral Commission.

Article 14
(deleted)

Article 15
1. Constituency Electoral Commissions shall be appointed by the National Electoral Commission no later than the 45th day before Polling Day.

2. The Constituency Electoral Commission shall be composed of 5 judges, including 4 judges designated by the Minister of Justice, and ex officio, as its chairman, the Voivodeship Electoral Commissioner or his/her deputy, appointed pursuant to separate provisions. A retired judge may be appointed to the Commission.

3. If the Voivodeship Electoral Commissioner or his/her deputy is unable to fulfil the functions of chairman of the commission, the commission shall itself elect its chairman from amongst its own members. In such case the Minister of Justice shall designate 5 judges to the Commission.

3a. At its first meeting the commission shall elect a deputy chairman and appoint the secretary of the commission. The head of the locally appropriate unit of the National Electoral Office or a person designated by him/her shall be appointed as secretary. The secretary shall participate in the activities of the commission in an advisory capacity.

4. The composition of Constituency Electoral Commissions shall be promptly published in the customary manner.

Article 16
1. The executive committee of a commune shall appoint Precinct Electoral Commissions, composed of 5 to 9 members, no later than the 21st day before polling day. The candidates to the commission are designated from amongst voters of the given commune by agents of election committees or by persons authorised by them. A person designated by the head of a commune (mayor, president of a town) from amongst the local-government employees of the commune or their subordinate units shall be incorporated "ex officio" as a member of the commission.

2. The election committees shall designate candidates to the precinct electoral commission, one from each election committee, no later than 30 days before polling day. Should the number of candidates submitted exceed the officially established number, the composition of the commission will be decided by the drawing of lots, conducted publicly by the board of a commune.

3. Should the number of candidates submitted pursuant to the provisions of paragraph 1 be lower than permitted by law, the vacancy in the commission shall be filled by the board of a commune from amongst candidates additionally designated by agents of election committees within 3 days of the date specified in paragraph 2.

4. If, despite the prolongation of the time limit, the number of designated candidates is lower than the officially established minimum number of members of the commission, the composition of the commission shall be supplemented, from amongst voters, by the board of a commune.

5. The procedure for the designation of candidates, a specimen of the form of designation, as well as the rules specifying the establishment of precinct electoral commissions, in particular the method of drawing lots, shall be established by order of the minister competent for public administration on a motion of the National Electoral Commission.

6. The Precinct Electoral Commission of precincts created on board Polish sea-vessels, referred to in the Article 23, para. 4, and abroad, shall be appointed from amongst voters by captains of those ships and consuls

respectively. The rules, procedure and the time-limits for setting up such commissions shall be laid down in an order, as requested by the National Electoral Commission, by the minister competent for marine economy and the minister competent for foreign affairs, respectively.

7. Precinct Electoral Commissions shall elect a chairman and his/her deputy at their first plenary meeting. The composition of the commission shall be published in the customary manner.

8. The person designated to the commission by the head of a commune (mayor, president of a town) from amongst the employees of the commune or its units shall not perform the functions of a chairman or deputy-chairman of the commission.

9. In polling precincts created for electors in penal institutions and places of remand, a person designated by the head of a commune (mayor, president of a town) from amongst the employees of such a penal institution shall be incorporated into the commission as its member.

Article 17

The National Electoral Commission shall establish regulations for the constituency and precinct electoral commissions and shall specify in those regulations the procedure of their work and the manner of executing their duties.

Article 18

The National Electoral Commission shall create:

1) specimens of the seal used by electoral commissions,
2) specimens of the record of voting,
3) specimens of the return with the results of the election,
4) specimens of the ballot paper.

Article 19

1. Any member of an electoral commission shall be entitled to:
   1) a per diem allowance and compensation for travel expenses;
   2) lump sum allowances for the time devoted to conduct of the vote, as well as for establishing its result subject to the rules and in the amounts established by order of the minister competent for public administration, after consultation with the National Electoral Commission.

2. Members of the National Electoral Commission, the Voivodeship Electoral Commissioners and Deputies of the Voivodeship Electoral Commissioners shall not be entitled to the lump sum allowances referred to in paragraph 1.

3. Members of electoral commissions shall be entitled to a maximum 5 days' unpaid leave from their employers for the time devoted to the conduct of the vote; during which time they shall retain rights to social insurance benefits and benefits arising from their work status.

4. Members of electoral commissions shall benefit from the legal protection provided to public functionaries and shall bear responsibility equal to the responsibility of public functionaries.

5. If they meet with an accident while performing commission duties or on their way to or from the place they are performed, members of a commission shall be entitled to recompense in an amount and according to the rules on social insurance benefits for employees suffering accidents at work or occupational diseases. Recompense shall be paid by the Social Insurance Institution (ZUS), and the head of the territorially competent unit of the National Electoral Office shall institute the procedures governing accidents.

Article 20

1. The composition of a Constituency Electoral Commission may be changed as a result of:
   1) resignation from its membership;
   2) a motion of the Minister of Justice;
   3) the death of a member.

2. A vacancy in the commission shall be filled pursuant to the provisions of appointment thereof.

Article 21

1. Services for the National Electoral Commission and for Constituency Electoral Commissions shall be ensured by the National Electoral Office, established on the basis of separate provisions.

2. Services and technical and material assistance for the work of Precinct Electoral Commissions shall be ensured, as a duty ascribed to the commune, by the head of the commune, the mayor (president of a town).

3. The duties provided in paragraph 2 also apply to the captains of Polish ships and consuls.

Article 21 (a)

1. Organisational units responsible for the administration of State and communal property shall be responsible for rendering, free of charge, any accommodation indicated by the Marshal of a Voivodeship (or Voivode(head of a

province)), a starost (head of a district) and head of a commune (mayor, president of a town) as the seat of constituency electoral commissions or precinct electoral commissions.

2. Accommodation administered by other subjects than indicated in paragraph 1 may be recommended as the seat of an electoral commission by arrangement with administrators of such accommodation.

CHAPTER 3

Article 22

1. For the election of the President of the Republic, voting shall take place in permanent electoral precincts established on the territory of a commune on the basis of the provisions of the Act of 16th July 1998 – on Elections to commune councils, district councils and voivodeship councils (Journal of Laws N. 95, item 602 and No. 160, item 1060); the provisions of paragraphs 3 and 4 shall apply accordingly.

2. Changes in polling precincts, should such necessity arise from changes in the boundaries of a commune or changes in the number of inhabitants of a commune, are executed pursuant to the principles and procedures specified in provisions of the Act referred to in paragraph 1 above, no later than 45 days before polling day.

3. Polling precincts may be established in hospitals, welfare homes occupied by at least 50 voters; should the number of voters be lower, a polling precinct may be created after consultation with the head of a hospital or welfare home.

4. Polling precincts may be established for voters in prisons and custody centres as well as external departments of such institutions. The requirement to create such a polling precinct may be removed at the request, supported by reasoned justification, of the head of a prison or custody centre respectively.

5. The council of a commune shall establish, at the request of the head of the commune (mayor, president of a town), the polling precincts referred to in paragraphs 3 and 4, and shall specify their number and boundaries and the headquarters of precinct electoral commissions. The creation of such precincts shall be completed no later than 42 days before the polling day.

6. Should the time limit referred to in paragraph 5 expire without effect, the appropriate Voivode realises the above duties on the 42nd day before polling day at the very latest.

Article 23

1. Polling precincts shall be established for Polish citizens abroad.

2. The precincts referred to in paragraph 1 above shall be created by the minister competent for foreign affairs, by order, after consultation with the National Electoral Commission, and shall indicate the headquarters of precinct electoral commissions. The results of the ballot in those precincts shall be transmitted to the appropriate Constituency Electoral Commission of the Warszawa Centrum commune.

3. Polling precincts shall be established for voters aboard Polish maritime vessels at sea in the period including polling day if there are at least 15 voters aboard and if the results of voting can be transmitted immediately after its conclusion to the appropriate Constituency Electoral Commission.

4. According to the above Act, the expression "Polish maritime vessel" refers to a ship which is the exclusive property of a Polish ship owner, with its headquarters in Poland, bearing the flag of Poland and under the command of a Polish captain. The results of the ballot in those precincts shall be transmitted to the Constituency Electoral Commission appropriate to the location of the ship owner.

Article 24

1. Information on the numbers and boundaries of polling precincts, as well as on the location of Precinct Electoral Commissions, shall be made public, in an announcement by the head of a commune (mayor, president of a town) no later than the 35th day before polling day.

2. The obligation referred to in paragraph 1 in respect of polling precincts established abroad, shall lie with consuls. Realisation of such a task shall be executed no later than 21st day before polling day.

3. The ship's captain shall inform voters of the establishment of a polling precinct on board the ship.

CHAPTER 4

Article 25

1. Persons who have the right to vote shall be entered in the electoral roll.

2. A voter may be entered only on one electoral register.

Article 26

1. The electoral register shall be comprised of those persons referred to in Article 2 according to their place of residence.

2. The electoral register shall specify the surname and forenames of the voter, the name of the voter's father, the date of birth and place of residence of the voter.

3. The office of the commune, shall maintain the electoral register as a commissioned task.

Article 27

1. The electoral register shall be drawn up in 2 copies, separately for each polling precinct on the basis of the permanent register of voters of a commune, maintained pursuant to the rules prescribed in the Act of 28th May 1993 – Act on elections to the Sejm of the Republic of Poland (Journal of Laws No. 45, item 205; of 1995 No.132, item 640, of 1997 No. 47, item 297, No. 70, item 443, No. 88, item 554, No. 98, item 604, No. 121, item 770 and No. 141, item 943, and of 1999, No. 49, item 483).

2. The register referred to in paragraph 1 shall be prepared no later than 14 days before polling day. One copy of the register shall be delivered on the day before polling day to the chairman of the appropriate Precinct Electoral Commission.

Article 28

(Deleted)

Article 29

The minister competent for public administration affairs shall, on a motion of the National Electoral Commission, establish, by order, a specimen register of voters, the procedure for its creation and updating, taking into account the possibility of a second round of the election; a specimen of lists of persons in hospitals, welfare homes, prisons and custody centres where polling precincts are established; specimen notification of the addition of a voter to the electoral register in another polling precinct; and a specimen certificate confirming the right to vote.

Article 30

Persons deprived of their electoral rights shall be deleted from the electoral register.

Article 31

1. A voter staying temporarily within the territory of a commune in a period of time which includes polling day shall be included, on his/her own request, made no later than 10 days before polling day, on the electoral register.

2. The provisions of paragraph 1 shall apply equally to a voter without residence staying within the territory of a commune.

Article 32

1. Soldiers performing basic or periodic terms of military service, those serving as candidates for professional soldiering or those undertaking military training and exercises, as well as conscripts performing their military service in civil defence units beyond their place of residence, shall be added, on their request, to an electoral register of their choice, established for the locality where they are performing their service. Any such request shall be submitted between the 21st and 14th day before polling day.

2. The provisions of paragraph 1 shall apply equally to policemen serving in quartered units.

3. Commanders of military units, civil defence units and police units shall be under an obligation to ensure soldiers, conscripts and policemen an opportunity to exercise the rights specified in the provisions of paragraph 1.

4. The Minister of National Defence and the Minister competent for internal affairs shall, in agreement with the National Electoral Commission, determine the procedure for performance of the duties of commanders referred to in paragraph 3, taking into account the obligation to assure the voters, referred to in paragraphs. 1 and 2, their rights to serve as members of precinct electoral commissions or election observers.

Article 32 (a)

The fact of including on the electoral register persons referred to in Article 31, paragraph 1 and in Article 32, paragraphs 1 and 2, shall be notified to the commune administration appropriate to the permanent residence of these persons.

Article 33

1. A voter changing his/her place of residence before the polling day shall obtain, on his/her request:
   - before the roll of voters has been prepared – on the basis of the register of voters, and
   - after the roll of voters has been prepared – on the basis of the register of voters two certificates confirming:
     a) the right to vote in the first round of voting, and
     b) the right to vote in the second round of voting.

2. A voter changing his/her place of residence after the first round of voting shall obtain, on his/her request, a certificate confirming his/her right to vote in the second round of voting.

3. The office of the commune shall supply the certificates referred to in paragraphs 1 and 2.

4. The provisions of paragraph 3 above shall apply, as appropriate, to the captains of Polish maritime vessels and to consuls who prepared the electoral register.

Article 34

The office which prepared the register of voters shall delete from the roll those persons:

1) who have been given a certificate confirming their right to vote and
2) for whom there has been official notification that they have been added to the electoral register in another polling precinct.

Article 35

1. Voters aboard Polish seagoing vessels in voyage from the day of announcement of the election up to and including polling day shall be entered in the register of voters created by the captain of the ship.

2. Such inclusion shall be made, upon application by the concerned person no later than the 3rd day before polling day. Such application shall specify the voter's surname, forenames, father's name, and date of birth and residential address.

3. The Minister competent for the marine economy in agreement with the National Electoral Commission shall determine by order the procedure for creating and updating the register of voters referred to in paragraph 1, taking into account the period between the day of the first round of voting and the day of the second ballot.

Article 36

1. Polish citizens abroad shall be entered in the electoral register created by the territorially appropriate consul of the Republic of Poland.

2. Such inclusion shall be made, upon application by the concerned person either orally, in writing, by phone, by cable or fax. Such an application shall specify the voter's name, forenames, father's name, date of birth and the place of residence. Applications may be made no later than the 3rd day before polling day.

3. The Minister competent for foreign affairs in agreement with the National Electoral Commission shall determine by order the procedure for creating and updating the register of voters referred to in paragraph 1, taking into account the period between the day of the first round of voting and the day of the second ballot.

Article 37

1. The electoral register shall be open to inspection in the office of a commune or in the headquarters of the office that prepared it.

2. The head of the commune (mayor, president of a town) or the office that prepared the register of voters shall notify voters, in the customary manner, of the preparation of the register of voters and of the time and place of access thereto.

Article 38

1. In the period of inspection of electoral register, complaints concerning inaccuracies in the register may be submitted by any individual to the office that prepared it.

2. Complaints shall be submitted in writing or recorded orally.

3. Complaints shall be considered within 48 hours of the lodging thereof.

4. After a complaint has been considered, the office that prepared the register of voters shall:

1) amend or correct the register of voters, or
2) delete the person in question, and shall advise him/her of such a decision, giving reasons, or
3) refuse to consider the complaint, and advise the complaining person of the decision and motivation thereof.

Article 39

1. Any decision failing to uphold the complaint or that results in deletion from the register of voters may be appealed to the territorially competent district court by the applicant or the person deleted from the register of voters. Such an appeal shall be submitted along with the decision.

2. The court, by a bench of one judge, shall examine the appeal, by way of non-litigious procedure within 3 days of the date on which it was lodged. A copy of the court decision shall be served both on the person who lodged the appeal and on the office that compiled the register of voters. There shall be no legal recourse against the decision of the court.

3. Complaints about the electoral register concerning persons to whom the Article 35, paragraph 1 and Article 36, paragraph 1 refer, shall be considered by the captain of

the ship or the consul respectively. There shall be no legal recourse against such decisions.

Article 39 (a)

The precinct electoral commission shall add to the register of voters on polling day:

1) a person that submits a certificate of the right to vote, in which case the certificate shall be appended to the register;
2) a person omitted from the register if s/he proves his/her permanent residence on the territory of the electoral precinct and the office of a commune confirms that it has no information that such person has been deprived of electoral rights;
3) a citizen of Poland who resides permanently abroad, on producing a valid Polish passport, after recording in the column "remarks' the number of the passport and the date of its issue. After entering a Polish citizen living abroad on the register, the precinct commission shall add to the passport, on the last page that serves for visa annotations, the imprint of its seal and the date of the poll.

CHAPTER 5

Article 40

1. A candidate for President of the Republic shall be nominated by at least 100,000 citizens who have electoral rights to the Sejm. The nomination must be supported by the signatures of the citizens supporting the candidate.

2. (deleted)

3. Candidates for President of the Republic shall be nominated no later than on the 45th day before polling day.

Article 40 (a)

1. Citizens, at least 15 in number, shall create an election committee, later called "committee", to nominate a candidate for President of the Republic and to conduct the election campaign for that candidate and no other.

2. To create a committee is required:
   1) the written consent of the candidate confirming acceptance of nomination for election;
   2) the written consent of the candidate for creating his/her committee.

3. A candidate may give his/her consent, referred to in paragraph 2 above, to one committee only.

4. The consent of a candidate to stand for election shall include the forename (forenames), surname and age of the candidate, as well as an indication of his/her political party affiliation, if any. The consent shall additionally indicate the number of his/her identity card "PESEL" and information on his/her education, confirmed by documents, as well as on his/her occupation and place of work, and his/her place of residence. The statement of a candidate confirming acceptance of his/her standing for election shall be dated and signed by the candidate in his/her own hand.

5. Together with the consent to standing for election the candidate shall submit to the National Electoral Commission a statement, referred to in Article 6, paragraph 1, of the Act of 11 April 1997 on Disclosure of Work or Service in the Organs of State Security and Collaboration with such Organs in the years 1944-1990 by Persons Performing Public Functions (Journal of Laws of 1999 No. 42, item 428, No. 57, item 618, No. 62, item 681 and No. 63, item 701).

6. The committee shall act under the name: "The Election Committee of..... a Candidate for a President of the Republic of Poland (forename and surname of the Candidate)".

7. The citizens referred to in paragraph 1 shall make a written statement in which they confirm the creation of the committee giving their forenames and surnames, places of residence and PESEL numbers and shall identify the agent of the committee, later called the "agent", who shall act for and on behalf of a committee, as well as the financial agent referred to in Article 84b. Their acceptance of the roles of agent and financial agent shall be confirmed by signature.

8. A person may be an agent of one committee only. A candidate for President of the Republic cannot act as an agent.

Article 40 (b)

1. The National Electoral Commission shall immediately submit the statement of the candidate referred to in Article 40a, paragraph 5, to the Court of Appeal in Warsaw. The court shall institute "ex officio" lustration proceedings.

2. If the statement referred to in Article 40a paragraph 1 has been submitted previously, as a result of candidacy for a public office requiring such obligation, the candidate for President of the Republic shall inform the National Electoral Commission in writing of that fact.

Article 40 (c)

1. After collecting, according to the requirements referred to in Article 41, paragraph 1, sub-paragraph 3, at least 1,000 signatures of citizens eligible to elect the Sejm, who support the candidate, the agent shall submit the committee to the National Electoral Commission for registration. The signatures mentioned in the above sentence constitute a part of the required number of 100,000 signatures of citizens supporting a candidate.

2. In the application of the committee for registration, there shall be stated:
   1) the name of the committee and the address of its headquarters;
   2) the forename (forenames), surname, address of residence, and PESEL number of the agent and financial agent.

3. To the submission there shall be appended:
   1) the statement of the creation of the committee and on designating the agents referred to in Article 40a, paragraph 7;
   2) the written consent of the candidate indicating consent to stand in the election referred to in Article 40a, paragraph 4, and the consent to creating his/her committee;
   3) the list of at least 1,000 citizens referred to in paragraph 1.

4. The submission of a committee for registration may be done no later than on the 55th day before polling day.

Article 40 (d)

1. If the submitted nomination meets all the requirements established in Article 40a, paragraph 5, Article 40b, paragraph 2 and Article 40c, the National Electoral Commission within 3 days following its submission shall decide on the candidate's registration. The decision shall be delivered to the agent immediately.

2 If the submission of the candidate is inaccurate, the National Electoral Commission shall immediately notify the agent to remedy its deficiencies within 3 days. In the event the defect has not been removed within the time limit, the commission shall refuse to register the committee. The decision shall be immediately delivered to the agent.

3. An agent may appeal to the Supreme Court against a negative decision of the National Electoral Commission on registering the committee. The appeal shall be made within 2 days of the date of the refusal to register the committee.

4. The Supreme Court, by a bench of 3 judges, shall examine the petition and issue its ruling within 3 days, in non-litigious proceedings. There shall be no legal recourse against the ruling of the Supreme Court. The ruling shall be submitted to the agent and to the National Electoral Commission. If the Supreme Court grants the petition, the National Electoral Commission shall immediately register the committee.

Article 40 (e)

The committee shall acquire legal personality to exercise its duties resulting from this Act on the day of registration by the National Electoral Commission.

Article 40 (f)

The National Electoral Commission shall announce the information on registration of a committee in the Official Gazette "Monitor Polski" and shall publish it in a newspaper of nation-wide circulation.

Article 40 (g)

1. The collection of signatures of persons who support the nomination of a candidate to the office of President of the Republic may be realised in the place, time and in a manner excluding threats, deceits, or resort to any other pressures to obtain such signatures.

2. It is forbidden to collect signatures of persons supporting nomination of a candidate for President of the Republic on the territory of army units and other organisational units subordinated to the Minister of National Defence, and defence units and quartered units subordinated to the minister responsible for internal affairs.

3. It is forbidden to grant monetary payment for signature in support of a candidate for the office of President of the Republic.

Article 41

1. The nomination of a candidate for President of the Republic shall be submitted personally by the agent of a committee registered in compliance with Article 40d, no later than at 12 PM on the 45th day before polling day. The nomination of a candidate shall contain:
   1) The forenames, surname, age and place of residence of the candidate nominated for President of the Republic, and an indication of his political party membership, if any;
   2) The name of the committee, the names and addresses of the agent and financial agent;

3) the list of citizens who support the nomination; the list should include legibly written forename (forenames) and surname, place of residence and identity number (PESEL) of a citizen who supports the nomination with his/her personal signature on the list; each page of the list must include the name of the committee nominating the candidate, together with the annotation:
"I support the candidacy of .....(forename (forenames) and surname of the candidate) for President of the Republic of Poland in the election held in....(year)".

2. The support of those signing in support of the candidacy cannot be withdrawn.

3. (deleted)

4. (deleted)

Article 42

1. The National Electoral Commission shall register a candidate for President of the Republic if submission is made in accordance with the rules of this Act, maintain an official record of registration, and notify this fact to the agent.

2. The National Electoral Commission shall examine the conformity to the rules of the nomination submitted by checking:
1) whether the candidate meets the requirements established in Article 127, paragraph 3, first sentence of the Constitution of the Republic of Poland;
2) the conformity of the data, referred to in Article 40a, paragraph 4, with available official documents;
3) whether the nomination submitted has been supported by at least 100,000 citizens, according to Article 41, paragraph 1, sub-paragraph 3.

3. If the nomination submitted is inaccurate, the National Electoral Commission shall immediately notify the agent to remedy the defects identified within 3 days. In the event the defect has not been removed within the time limit, the Commission shall refuse to register the candidate. The decision of the National Electoral Commission shall be immediately delivered to the agent, along with reasons given.

4. An agent may appeal to the Supreme Court against a negative decision of the National Electoral Commission on registering the candidate. The appeal shall be made within 2 days of the date of the refusal to register the candidate.

5. The Supreme Court, by bench of 3 judges, shall examine the petition and issue its ruling within 5 days, in non-litigious proceedings. There shall be no legal recourse against the ruling of the Supreme Court. The ruling shall be submitted to the agent and to the National Electoral Commission. If the Supreme Court grants the petition, the National Electoral Commission shall immediately register the candidate

Article 43

1. The National Electoral Commission shall, after the period of time referred to in Article 40 paragraph 3, subject to Article 42, paragraphs 3 to 5, elapses, establish a list of candidates, and on that list shall insert, in alphabetical order, the following data: surname, forenames, age, and documented education, occupation and place of employment (name of an institution) and the place of residence of the duly registered candidates. There shall be inserted on the list the content of the statement referred to in Article 6, paragraph 1 of the Act of 11 April 1997 on Disclosure of Work or Service in the Organs of State Security and Collaboration with such Organs in the years 1944-1990 by Persons Performing Public Functions, in the part specified in Article 11, paragraph. 2 of that Act.

2. The agent may request specifying on the list of candidates a political or social organization of which the candidate is a member.

3. No later than the 20th day before polling day, the National Electoral Commission makes public the data referred to in paragraphs 1 and 2 in the form of public posters.

Article 44

The National Electoral Commission shall delete from the list of candidates those candidates who withdraw their acceptance to stand for election, have died or forfeited their eligibility. The National Electoral Commission shall immediately publish information about the deletion of a candidate.

Article 45

1. The agents referred to in Article 41 paragraph 1 sub-paragraph 2 may appoint one election observer to each Constituency and Precinct Electoral Commission. The observer for the National Electoral Commission shall be the agent or a person authorised by him/her.

2. The agents or persons authorised by them shall issue to poll observers a certificate confirming their power to act,

pursuant to a specimen provided by the National Electoral Commission.

CHAPTER 6

Article 46

The National Electoral Commission shall, after the establishment of the list of candidates, order the printing of the necessary number of ballot papers and shall ensure, together with Constituency Electoral Commissions, their delivery to Precinct Electoral Commissions.

Article 47

1. On a ballot paper there shall be placed, in alphabetical order, the surnames and forenames of registered candidates for President of the Republic.

2. The ballot paper shall be printed with the imprint of the seal of the National Electoral Commission as well as a denotation of where to place the seal of the precinct electoral commission.

3. Each ballot paper shall bear information on the manner of voting and the validity of votes cast.

4. The ballot paper shall be printed on one side only. Ballot papers shall be standard in form regarding the size of the ballot and style of printing.

Article 47 (a)

If the National Electoral Commission has deleted a candidate from the list of candidates for reasons referred to in Article 44 after printing the ballot papers, the name of such candidate remains on the ballot paper. Information on deletion and on conditions of the validity of the process of voting with such ballot papers shall be published in the form of an announcement and posted in polling stations on polling day.

Article 48

The manner of compiling and delivering ballot papers for polling precincts set up on Polish maritime vessels or abroad shall be established by the National Electoral Commission, in agreement with the minister for the marine economy and the minister of foreign affairs respectively.

CHAPTER 7

Article 49

1. Voting shall take place in the polling station of a precinct electoral commission, within one day and without a break, between 6 a.m. and 8 p.m.

2. Voting in polling precincts on Polish maritime vessels or abroad shall be held between 6 a.m. and 8 p.m. local time. If voting would be concluded on the day following polling day in Poland, it shall be held on the preceding day.

Article 50

1. A voter shall, before casting the vote, produce to the precinct electoral

commission a document, which shall give proof of his/her identity.

2. (deleted)

3. A voter who submits a certificate confirming the right to vote shall be allowed to vote after his/her name is added to the electoral register. The certificate shall be attached to the register of voters.

Article 51

1. A voter, after fulfilling the obligations referred to in Article 50, shall receive a ballot paper, stamped with the electoral commission's seal, from the commission. A voter shall confirm the receipt of the ballot paper with his/her signature in the section of the electoral register designated for such purpose.

2. Upon receiving the ballot paper, a voter shall proceed forthwith to the booth provided in the polling station to guarantee secrecy of voting

Article 52

A voter shall personally cast a vote for one candidate, whose name is included on the ballot paper, by putting an "x" mark on the left side of the candidate's name.

Article 53

A voter shall insert his/her ballot paper into a ballot box, which shall be situated in an accessible and visible place in the polling station.

Article 54

A handicapped voter may be assisted in voting by another person who is not a member of a precinct electoral commission or a poll observer authorised by the candidates.

Article 55
Persons bearing arms shall be forbidden entry to the polling station.

Article 56
1. The Precinct Electoral Commission shall, before voting begins, ensure that the ballot box is empty and that the electoral register and the necessary number of ballot papers are available, as well as the necessary number of voting booths guaranteeing secrecy of voting - and thereafter shall lock and seal the ballot box with the commission's seal.

2. The ballot box shall not be opened from the moment it is sealed until the conclusion of voting.

Article 57
1. At least 3 persons from the Precinct Electoral Commission, one being the chairman or deputy chairman of the commission, shall be present at all times from the commencement of voting until its conclusion.

2. Poll observers may be present in the polling station on polling day on the basis of the certificate issued by an agent referred to in Article 45, paragraph 2.

Article 58
1. The chairman of the Precinct Electoral Commission shall ensure the secrecy of voting and is personally responsible for the maintenance of public peace and order during voting.

2. The chairman of the Precinct Electoral Commission may demand that any person disturbing public peace and order shall leave the polling station.

3. On the demand of the chairman of the Precinct Electoral Commission, the commandant of a competent police station shall be obliged to provide any necessary police assistance.

4. In the event of a disturbance of order in the polling station, the provisions of Article 55 shall not apply.

Article 59
1. It is prohibited to interrupt the voting process. When, due to extraordinary events, voting is temporary impossible, the chairman of the precinct electoral commission or his/her deputy may interrupt, prolong or adjourn the voting until the following day. Such decision shall immediately be made known to the public in a customary manner and delivered to the Constituency Electoral Commission, to the head of a commune (mayor, president of a town) and by the Constituency Electoral Commission to the National Electoral Commission.

2. The commission shall, in the event of any interruption or adjournment of voting, seal the aperture of the ballot box and deposit it, together with the electoral register, in the custody of its chairman. The seal of the commission shall be deposited in the custody of the deputy chairman or other member of the commission. The commission shall establish the number of ballots unused, put them into a sealed packet and deposit them in the custody of the chairman of the commission. The commission shall, before the resumption of voting, confirm in an official record that the seals on the ballot box and on the packet with unused ballot papers remained intact.

Article 60
A Precinct Electoral Commission may order an early conclusion to the voting if all the voters included in the electoral register have cast their votes. The chairman of the commission immediately informs the Constituency Electoral Commission of such a decision.

Article 60 (a)
1. Only official election notices may be placed in a polling station.

2. In polling stations and in the booths providing for conditions of secrecy, concise information from the National Electoral Commission on the manner of voting in the given elections shall be affixed

CHAPTER 8

Article 61
1. The precinct electoral commission, immediately after voting has been concluded, shall establish the number of unused ballot papers and secure them, and then shall open the ballot box and determine:
   1) the number of persons entitled to vote;
   2) the number of voters who took part in voting;
   3) the number of valid votes;
   4) the number of invalid votes;
   5) the number of votes validly cast for each of the candidates.

2. The establishment of the results referred to in paragraph 1 shall be made on the basis of the electoral register and the ballot papers inserted by voters into the ballot box.

3. Poll observers shall have the right to be present during establishment of the result and the compilation of the record and to enter comments in the record, specifying precise complaints.

Article 62

1. The commission shall recognise as invalid votes:
   1) other than those officially established or those without the seal of the district electoral commission;
   2) ballot papers cast with an "x"mark placed by the names of more than one candidate;
   3) ballot papers with no "x" mark placed by the name of a candidate.

2. The validity of the vote shall not be affected by the writing in of additional names or any other remarks on the ballot paper.

3. Wholly torn ballot papers shall not be taken into account while counting the votes.

Article 63

1. The precinct electoral commission shall draw up, without delay, in two copies, the record of voting in the precinct.

2. The data referred to in Article 61 paragraph. 1 shall be specified in the record of voting, and additionally:
   1) the time of commencement and conclusion of voting;
   2) the number of ballot papers delivered to the electoral commission and the number of ballot papers received but unused;
   3) possible reasons for any difference between the number of voters to whom ballot papers were issued and the number of votes taken by the commission from the ballot box;
   4) orders and decisions issued by the commission, as well as other essential matters related to the conduct of voting;
   5) complaints lodged by poll observers, if any;
   6) other reservations, if any, regarding the process of voting lodged by the commission's members.

3. The record of voting shall be signed by all members of the electoral commission present during its compilation. The record shall be stamped with the commission's seal.

Article 64

The Precinct Electoral Commission shall, after drawing up the record, immediately announce the results of voting referred to in Article 61, paragraph 1.

Article 65

1. The Chairman of a Precinct Electoral Commission shall immediately deliver to the appropriate Constituency Electoral Commission, in a sealed envelope, a copy of the record of voting in the precinct, according to the procedure established by the National Electoral Commission.

2. Each Precinct Electoral Commission shall enclose its explanation of poll observers' comments placed in the voting record.

Article 66

1. The Constituency Electoral Commission shall immediately, on receiving the records of voting from all electoral precincts, establish aggregated results of voting in the constituency and shall draw up in two copies the record of voting. A record of aggregated results of voting in the constituency shall be immediately delivered by the Constituency Electoral Commission, in a sealed envelope, together with the records of all the Precinct Electoral Commissions, to the National Electoral Commission. The provisions of Article 61, paragraph 1, Article 63, paragraphs 2 and 3, Article 64, and of Article 65, paragraph 2, shall apply accordingly.

2. (deleted)

3. The National Electoral Commission shall prescribe the procedure for delivery and acceptance of the records prepared by Constituency Electoral Commissions.

3a. The rules and method of delivery to the appropriate Constituency Electoral Commission of the records of the vote from Precinct Electoral Commissions established abroad and on board of Polish maritime vessels shall be determined by the National Electoral Commission, after consultations with the minister of foreign affairs and the minister of the marine economy respectively.

3b. If the appropriate Constituency Electoral Commission does not obtain the results of the vote in polling precincts established abroad and on board of Polish maritime vessels within 24 hours following its conclusion referred to in Article 49, voting in those precincts shall be treated as null and void. Such fact shall be noted in the record of aggregate results, specifying such polling precincts and the probable reasons that made it impossible to obtain such records from the given precincts.

4. Second copies of records of aggregated results of the vote and all other documents concerning elections shall be delivered by the chairmen of Precinct and Constituency Commissions, to the heads of the commune (mayors or

presidents of towns respectively) and to the heads of locally competent units of the National Electoral Office.

5. (deleted)

Article 66 (a)
The National Electoral Commission shall establish rules and procedures for the use of electronic systems of transmitting and processing electoral data and election results.

Article 66 (b)
The minister responsible for matters of culture and the protection of the national heritage shall determine by order, issued on the motion of the National Electoral Commission submitted in consultation with the Director General of the State Archives, the manner of delivery, retention and access to documents pertaining to elections.

CHAPTER 9

Article 66 (c)
1. After having received the records referred to in Article 66 paragraph 1, the National Electoral Commission shall examine the correctness of the aggregated records of results made by Constituency Electoral Commissions.

2. In the event of any irregularities in the establishment of the aggregate results of the vote, the National Electoral Commission shall order, the repeat establishment of those results. The provisions of Articles 66 and 66a respectively shall apply.

Article 66 (d)
The National Electoral Commission shall publicise the aggregated results of voting, referred to in Article 66c, paragraph 1, established by the Constituency Electoral Commissions.

Article 67
Immediately after having received and examined the records obtained from all the Constituency Electoral Commissions, the National Electoral Commission shall establish the results of voting for candidates for President of the Republic and shall draw up a record of voting.

Article 68
1. The National Electoral Commission, on the basis of the record of voting, shall state in the form of a resolution, the results of the election for the President of the Republic.

2. The National Electoral Commission shall immediately submit the resolution referred to in paragraph 1 to the Marshal of the Sejm and shall convey it by hand to the newly elected President of the Republic.

Article 69
1. The National Electoral Commission shall publicise the results of voting and the election in an announcement.

2. In the circumstances referred to in Article 8b, paragraphs 1 and 3, the National Electoral Commission shall additionally state in that announcement the surnames and forenames of the candidates for President of the Republic who shall take part in the second ballot.

3. The announcement of the results of voting and of the election shall be published by the National Electoral Commission in the Journal of Laws of the Republic of Poland.

4. The National Electoral Commission shall publish a statistical study containing detailed information on the results of voting and the results of elections, and shall ensure access to the results of the vote and of the elections, processed in electronic form, at cost price.

Article 70
1. The second ballot shall be held in polling precincts established for the conduct of elections according to the provisions of this Act.

1a. The second ballot shall be held on the basis of the electoral register prepared for the first ballot and updated. The detailed rules for updating registers shall be specified in an order, referred to in Article 29, Article 35, paragraph 3 and Article 36, paragraph 3.

2. (deleted)

3. The National Electoral Commission shall publish, in an announcement, the results of second ballot and of the election. The announcement shall be published in the Journal of Laws of the Republic of Poland.

Article 71
The National Electoral Commission shall submit to the Supreme Court its report of the election.

CHAPTER 10

Article 72
1. A protest against the validity of the election of the President of the Republic may be lodged, by reason of

violation of the provisions of this Act or on the basis of allegation of offence committed against the elections, if the committed offence could have had an effect on the outcome of the election.

2. Protest against the validity of the election of the President of the Republic may be lodged by any voter whose name, on the day of the election, was on the register of voters in one polling precinct.

3. The right to lodge a protest shall also be vested in a corporate body that has submitted a candidate and in the electoral commissions.

Article 73

1. Protest shall be lodged with the Supreme Court in writing no later than the 3rd day after the date of the announcement of the election results by the National Electoral Commission. The posting of such protest within the above time limit at a post office in Poland shall be treated equally as lodging it with Supreme Court.

2. In respect of voters abroad or aboard Polish ships, the requirement specified in paragraph 1 shall be deemed fulfilled if the protest has been lodged, with either the territorially competent consul or the captain of the Polish ship respectively. The voter shall enclose with the protest a notification of authorisation for his/her plenipotentiary residing in Poland, or plenipotentiary residing in Poland authorised to receive delivery.

3. A person lodging a protest shall specify the complaints and furnish or indicate the evidence on which he/she bases such complaints.

Article 74

1. The Supreme Court shall refuse to hear a protest lodged by a person not entitled to do so pursuant to Article 72, paragraphs. 2 and 3, or a protest that fails to comply with the requirements referred to in Article 73. Exceeding the time limit for lodging a protest is inadmissible.

2. The Supreme Court may refuse to hear a protest that concerns a case in which, according to the rules of this Act, it would have been possible to lodge, before polling day, a complaint or an appeal to the court or to the National Electoral Commission.

3. The Supreme Court shall immediately notify the Prosecutor General if a protest includes allegations of an offence committed against the elections.

Article 75

1. The Supreme Court shall, by a bench of 3 judges, examine the protest in non- litigious proceedings, applying the appropriate provisions of the Code of Civil Procedure and shall give its opinion in the matter, formulated in a decision.

1a. The opinion should present a conclusion as to the validity of the allegations contained in the protest, and if such allegations be confirmed – a judgment as to whether the offence against elections influenced the results of the elections.

2. The participants in the proceedings shall be, by virtue of statute, the person lodging the protest, the appropriate electoral commission and the Prosecutor General, and a representative of the National Electoral Commission.

3. (deleted)

Article 76

1. The Supreme Court shall, by a bench of the whole Chamber of Administration, Labour and Social Insurance, determine the validity of the election of the President of the Republic on the basis of a report submitted by the National Electoral Commission, after examining protests lodged.

2. The Supreme Court shall take the decision referred to in paragraph 1 in the form of a resolution adopted no later than the 30th day after publication, by the National Electoral Commission, of the results of the election, at a sitting attended by the Prosecutor General and the Chairman of the National Electoral Commission.

3. The resolution of the Supreme Court shall be submitted without delay to the Marshal of the Sejm and be communicated to the National Electoral Commission and announced in the Journal of Laws of the Republic of Poland.

Article 76 (a)

1. In the case of the adoption by the Supreme Court of a resolution on the invalidity of the election of the President of the Republic, a repeat election shall be conducted, pursuant to the rules and procedures provided in this Act.

2. The order of the Marshal of the Sejm on a repeat election shall be made public and announced in the Journal of Laws of the Republic of Poland no later than the 5th day after the day of the announcement of the Supreme Court's resolution referred to in paragraph 1.

CHAPTER 11

Article 76 (b)

1. The election campaign shall start on the day the Marshal of the Sejm proclaims the decision to hold elections.

2. Campaigning shall be prohibited during a period commencing 24 hours before polling day and throughout polling day until the conclusion of the vote.

Article 76 (c)

Beginning 24 hours before polling day and ending with the closure of polling it is prohibited to publicise the results of pre-election surveys on the probable behaviour of voters and on the result of the vote, as well as surveys conducted on polling day.

Article 77

1. It is forbidden on polling day and 24 hours before that day, to organise voters' assemblies, marches and demonstrations, and to make public speeches, to distribute leaflets and other agitation promoting candidates.

2. It is forbidden to carry out any forms of election campaigning in polling stations.

Article 78

1. It is forbidden to carry out election campaigning in work places and in public institutions in a way and by methods disturbing their ordinary functioning.

2. It is forbidden to carry out election campaigning within military units and other units subordinated to the Minister of National Defence, and in civil defence units, as well as in quartered police units subordinated to the minister responsible for internal affairs.

3. In election campaign, any raffles, lotteries, gambling or contests rewarded in money or goods are prohibited if their value is higher then the value of articles used normally in advertising or promotion.

4. It is forbidden to serve and supply alcoholic beverages free of charge or sold at prices no higher than the original price or the cost of production (net prices)

Article 78 (a)

All campaign materials shall bear clear indication of their origin.

Article 79

1. Election posters and slogans may be affixed to the walls of buildings, fences, lanterns, energy and telecommunications' devices only with the consent of the owner or administrator of the property.

2. It is forbidden to affix election posters to the interior and exterior walls of buildings of government or local administration, court buildings and on the territory of army and civil defence units as well as quartered units subordinated to the minister responsible for internal affairs.

3. The council of a commune may prohibit affixing posters and slogans on some public buildings as well as on specified parts of public grounds, acting on the basis of protection of the historic heritage or environment.

4. While erecting private advertising hoardings devoted to the election campaign, the rules governing public order shall be observed.

5. Posters shall be affixed in a manner enabling their removal without causing damage.

6. The police (city guard) shall be obliged to remove posters and slogans, affixed in a way that may cause danger to life or the health of the people or may be dangerous to the security of property or to road traffic.

7. Posters, election slogans and advertising devices installed for the purpose of the election campaign shall be removed by the appropriate election committees within 30 days following polling day.

8. The executive committee of a commune shall order the removal of election posters and slogans as well as advertising devices, placed in contravention of the provisions of paragraphs 1 – 5 or those which have not been removed by the appropriate election committees within the time limit referred to in paragraph 5. The expenses of such removal shall be born by the committees concerned.

Article 80

1. If posters, slogans, leaflets, announcements or other forms of election propaganda and agitation shall contain false or inaccurate details and information, any concerned person shall have the right to petition the district court for:
   1) confiscation of such materials;
   2) prohibition of publication of such details and information;
   3) an order to rectify such information;
   4) an order to apologise to a person libelled;

5) an order to pay a sum up to 50,000 zloty to a charitable institution
6) requiring the payment of up to 50,000 zloty in compensation for the petitioner.

2. The district court, by a bench of one judge, shall examine a petition referred to in paragraph 1 within 24 hours, in non-litigious proceedings. The court may examine the case in the reasonable absence of the petitioner or participant in the proceedings if they have been properly notified of the time of the trial. A ruling that terminates the proceedings shall be notified immediately by the court to the person concerned referred to in paragraph 1; to the appropriate constituency electoral commission and to the person duly obliged to observe the court's ruling. Within 24 hours any such ruling of the district court may be appealed to the court of appeal, which shall examine it within 24 hours following its proclamation. There shall be no legal recourse against the ruling of a court of appeal and it shall be subject to immediate execution.

3. False details and information related to elections and concerning the election campaign, published in the press, shall be subject to rectification within 48 hours.

4. In respect of rectification of details and information published in press publications other than daily newspapers, the court shall indicate a daily newspaper in which the rectification must be published, at the expense of the person so obliged, within 48 hours.

5. In the event of refusal or failure to publish such rectification by a person so obliged by a court ruling, the court, on the motion of the person concerned, shall order publication of rectification by a writ of execution, at the expense of the person obliged to do so.

6. The provisions of the Article 76b paragraph 2 shall not apply to matters referred to in paragraphs 3 to 5.

Article 81

(deleted)

Article 82

The exercise of rights under this Act shall not prevent any wronged or injured person from asserting his/her rights under other statutes.

Article 83

1. In the period beginning from the 15th day before polling day up to the day ending the election campaign "the Polish Television Joint-stock Company" and "the Polish Radio Joint stock Company" hereinafter called "Polish Television" and "Polish Radio", shall broadcast on nation-wide channels cost-free election programmes prepared by election committees pursuant to the provisions of this Act.

2. The total time of cost-free broadcasting shall amount to 25 hours for Polish Television, including up to 5 hours for TV Polonia and 35 hours for Polish Radio, including 5 hours broadcast for listeners abroad.

3. The "cost-free broadcast" of election campaigning shall include both registering and broadcasting the presentations of the representatives of committees or candidates for the post of President of the Republic, as well as the recording and broadcasting of election materials prepared by committees.

4. The National Council of Radio and Television shall, in agreement with the National Electoral Commission, determine, in a regulation, the principles of procedure in the allotment of the broadcasting of cost-free election programmes, the methods of their preparation and broadcasting, as well as the methods of publishing information on the timetable for broadcasting such programmes.

5. The National Council of Radio and Television shall, after seeking the opinion of the boards of the companies referred to in paragraph 1 and the respective council of programme, determine:
1) the total length of time of cost-free broadcasting on each of the nation-wide channels;
2) the schedule of time allocation, referred to in paragraph 2, in the period between the 15th day before the polling day and the day ending the election campaign.

6. Editors-in-chief of the respective nationwide television channels, including Television Polonia, as well as the editors-in-chief of Polish Radio, shall determine the sequence of each day's broadcasting of election programmes by drawing lots in the presence of election agents no later than on the 18th day before polling day.

7. The broadcasting time limit assigned to an election committee cannot be transferred to another committee. Neither Polish Television nor Polish Radio shall interfere with the intent and timing of committee programmes in the absence of a relevant final court ruling.

8. The decision on the allotment of time for election committees shall be subject to lodging a complaint by an election agent to the National Electoral Commission. The

complaint shall be lodged no later than within 24 hours after the issuing of the decision. The National Electoral Commission shall examine the complaint forthwith and shall issue a decision. There shall be no legal recourse against the decision of the National Electoral Commission.

9. In the event that the second ballot referred to in Article 8b has been ordered, within the period beginning from the 9th day before polling day up to the day ending the election campaign preceding the second round, Polish Television and Polish Radio shall broadcast cost-free election programmes, prepared by election committees of each of the two candidates, and their total time shall amount to 6 hours for Polish Television and 8 hours for Polish Radio. The provisions of paragraphs 3 to 8 shall be applied respectively, provided that drawing lots to select the sequence of broadcasting the daily election programmes during each day shall be held on the 10th day before the second ballot.

Article 83 (a)

1. Notwithstanding the length of time allotted for the broadcast of cost-free election programmes, each election committee may broadcast, between the 15th day before polling day and the day ending the election campaign, paid election programmes within public and non-public programmes published by radio and television broadcasters. The total time assigned for paid broadcasting shall be no longer than 15 percent of the total time allotted to the given committee for broadcasting cost-free election programmes.
2. The broadcasters shall not refuse access to the broadcast paid election programmes referred to in paragraph 1.

3. Rates charged for the broadcast time of election programmes referred to in paragraph 1 cannot exceed 50 percent of rates for commercial advertisements and shall be fixed on equal terms for all participants in accordance with the price list in force on the day of the proclamation of elections.

4. The rules concerning advertising on television and radio broadcasting shall apply to election programmes, referred to in paragraph 1, subject to the provisions of paragraph 5.

5. The time assigned for broadcasting paid election programmes shall not be subject to time limits for advertising established by other regulations.

Article 83 (b)

1. Polish Television and Polish Radio shall assure the National Electoral Commission, in the period beginning with the ordering of the election of the President of the Republic, the opportunity for cost-free presentation of information, explanations and communications connected with that election and the regulations of the election law in force, on nationwide television and radio channels.

2. The National Council of Radio and Television shall, in agreement with the National Electoral Commission and the Boards of Polish Television and Polish Radio determine by a regulation the procedures for matters referred to in paragraph 1.

CHAPTER 12

Article 84

The financing of election campaigning shall be public.

Article 84 (a)

1. Election expenses of election committees shall be covered by their own means.

2. A committee may raise and spend funds beginning from the day it attains the status of a legal entity.

3. The committee may spend the funds raised on election purposes only.

Article 84 (b)

1. The financial agent shall bear responsibility for management of the financial resources of the committee.

2. The following persons cannot be a financial agent:
   1) a candidate for President of the Republic;
   2) an agent referred to in Article 40, paragraph 7;
   3) a public functionary within the meaning of Article 115, paragraph 13 of the Criminal Code

3. A person may be the financial agent of one committee only.

Article 84 (c)

Committees shall keep accounts on the basis of principles specified in separate provisions for persons that are not engaged in economic activity, in compliance with the provisions of this Act.

Article 84 (d)

The expenditures of a committee shall not exceed the sum of 12,000,000 zlotys.

Article 85

1. Individuals, legal entities and other organisational units, subject to Article 86, may contribute funds for the election campaign purposes realised by a committee.

2. Financial resources of legal entities contributed for election campaigning may be derived solely from their profits.

3. The provisions of paragraph 2 shall apply to services rendered cost-free.

4. The financial resources of a committee shall be deposited in a bank account; however, funds from legal entities, excluding political parties, and from anonymous donors, gained in public collections, shall be deposited in separate sub-accounts of a committee's account.

5. The total amount contributed by an individual to one committee cannot exceed the equivalent of 15 times the minimum monthly wage of a worker on the day preceding the start of the election campaign.

6. The total amount contributed by a subject other than mentioned in paragraph 5 above, with the exclusion of political parties, may contribute to one committee no more than 100-times the minimum monthly wage of a worker on the day preceding the start of the election campaign.

7. The total amount of a contribution exceeding twice the minimum monthly wage of a worker, excepting funds gained in public collections, may be paid only by a cheque, bank draft or bank card.

8. The value of in-kind contributions gained by a committee shall be included in its expenditures.

Article 86

1. Election campaign expenditures cannot be met from sources derived from:
   1) the State Budget;
   2) State organisational units;
   3) the budgets of local government units, municipal unions and self-government councils;
   4) State-owned enterprises, and other economic subjects with the participation of the State Treasury, units of local administration, municipal unions and other municipal legal persons, as well as associations and other corporations of units of local administration – excluding public companies;
   5) legal entities and organisational units, excluding political parties, which have used public funds within two years of the proclamation of election;
   6) subjects dependent, in the meaning of the Act on Public Trading in Securities, on subjects listed in sub-paragraphs 2 to 5.

2. The committee shall not accept funds from:
   1) natural persons, excluding Polish citizens residing abroad, not resident in the territory of the Republic of Poland;
   2) foreign nationals resident in the territory of the Republic of Poland;
   3) legal entities not located on the territory of the Republic of Poland;
   4) other subjects not located in the territory of the Republic of Poland but have the legal capacity to enter into commitments and acquirement of rights on its own behalf;
   5) legal entities with participation of foreign subjects, excluding public companies;
   6) foreign diplomatic missions, consular offices, special missions and other foreign and international organisations which exercise the rights to immunity and diplomatic or consular privileges arising from agreements, acts of law or internationally ascertained customs.

3. The provisions of paragraphs 1 and 2 shall apply as appropriate to contributions in kind.

Article 87

1. A financial agent may organise public collections to raise funds for election purposes, in compliance with the rules on public collection.

2. No permit is required for the organisation of public collections referred to in paragraph 1.

3. A financial agent shall be obliged to store documents concerning the public collection of funds for a period of 12 months following polling day.

Article 87 (a)

1. Transfer of financial sources and contributions in-kind of a committee to the benefit of another committee is prohibited.

2. After the day of submission of the report referred to in Article 87d, raising or spending funds by a committee is prohibited.

Article 87 (b)

Expenditures incurred by an election committee and devoted to election campaigning used in the proper manner for advertising, including press advertising within

the meaning of the press law, shall not exceed 80 per cent of the amount referred to in Article 84d.

Article 87 (c)
The total expenses incurred by a committee from the sources of legal entities, excluding political parties, shall not exceed 60 per cent of the spending limit referred to in Article 84d.

Article 87 (d)
The total expenses incurred by a committee from funds collected in public collections in compliance with the law on public collections from anonymous donors shall not exceed 10 per cent of the limit referred to in Article 84d.

Article 87 (e)
All appeals and written notices submitted by a committee to raise funds for elections must include information on the content of the provisions of Article 85, paragraphs 2 and 3 and 5 to 7; Article 85; Article 88f , item. 1 and 3, and of Article 88g, item 2.

Article 87 (f)
1. Financial benefits transferred or accepted by a committee in violation of the prohibitions specified in Article 84d; Article 85, paragraphs. 2-7; Article 86; Article 87a, Article 87b; Article 87c; Article 87d shall be forfeited for the benefit of the State Treasury. In the event that such a benefit has been exhausted or lost, its value shall be forfeited.

2. The District Court in Warsaw shall have jurisdiction in cases of the financial benefits referred to in paragraph 1.

3. The National Electoral Commission files motions to the court on the forfeit of financial benefit.

4. The provisions of the Code of Civil Procedure apply to cases of forfeit of financial benefits.

Article 87 (g)
1. A financial agent shall submit to the National Electoral Commission, within 3 months following polling day, a report on the receipts, disbursements and financial liabilities of the committee, later called "election report", along with the opinion of a competent auditor concerning the report and materials referred to in paragraph 4.

2. The National Electoral Commission shall appoint the competent auditor referred to in paragraph 1.

3. The cost of preparing the opinion referred to in paragraph 1 shall be covered by the State Budget - Part 19: Public finances and finance institutions.

4. The Minister responsible for public finance, after seeking the view of the National Electoral Commission, shall specify by a regulation, the form of the election report and itemised information, as well as the list of documents to be added to the report to enable the verification of the information delivered. The form should disclose:

1) all legal entities which have donated funds to the committee;
2) a list of the sub-accounts referred to in Article 85, paragraph 4.

5. The value of non-cash donations and services derived by a committee shall be determined in the report at the prevailing commercial rate, no higher than the cost-price or the cost of production reduced by an amortisation quota.

6. The provisions of paragraph 5 above shall not apply to contributions in-kind used for the dissemination of posters and election leaflets by subjects other than businessmen.

7. The election report of a committee shall be published by the National Electoral Commission in the Official Gazette of the Republic of Poland "Monitor Polski" within 7 days after submitting it to the National Electoral Commission.

8. A financial agent who has collected funds for election purposes in excess of the disbursements incurred shall be obliged to transfer such excess to a charitable institution. The information on transfer of such surplus shall be published by the financial agent in a daily paper with nationwide circulation no later than 30 days following the receipt of the election report by the National Electoral Commission.

Article 87 (h)
1. The National Electoral Commission shall, within 4 months following the day of submission of an election report, accept it or reject if it is found that the committee has violated the provisions of this Act on financing the election campaign. If there are doubts concerning the accuracy of an election report, the National Electoral Commission may ask the given committee to remove defects or submit explanations within a specified time limit.

2. In examining election reports, the National Electoral Commission may order additional expertise or opinions.

3. In its examination of election reports, the National Electoral Commission may request the necessary assistance to be given by State organs.

4. Within 7 days following the publication of the election report referred to in Article 87g, paragraph 7:
1) political parties;
2) committees which took part in the given elections;
3) associations and foundations which prescribe in their statute tasks connected with the analysis of campaign finance have the right to submit to the National Electoral Commission their written reservations regarding committees' election reports, specifying their reasons.

5. The National Electoral Commission shall within 60 days following the submission of reservations referred in paragraph 5 above, give a response in writing.

Article 87 (i)

1. If the National Electoral Commission rejects a committee's election report, that committee may lodge, within 7 days following delivery of the decision to reject a report, a complaint to the Supreme Court against the decision of the National Electoral Commission in that case.

2. The Supreme Court shall examine the complaint and shall issue a ruling within 60 days following the delivery of the complaint.

3. The Supreme Court, by bench of 7 judges, shall examine the complaint in non - litigious procedure.

4. There shall be no legal recourse against the ruling of the Supreme Court.

Article 87 (j)

The committee shall be dissolved by virtue of law:
1) after acceptance of the election report by the National Electoral Commission;
2) after the expiration of the time limit for lodging a complaint referred to in Article 87i paragraph 1; or
3) after a ruling, as referred to in Article 87i, paragraph 2, upholding a complaint lodged against a decision of the National Electoral Commission to reject a report.

Article 87 (k)

The National Electoral Commission shall publish in the Official Gazette of the Republic of Poland "Monitor Polski" and shall publicise in the form of a communiqué, information on election committees' reports, whether accepted or rejected.

Article 88

1. Expenditures related to the organisation, preparation, and conduct of elections shall be covered by the State budged.

2. The State budget shall cover expenditures related to:
1) duties of the National Electoral Commission and the National Electoral Office prescribed in this Act;
2) duties of electoral commissions of subordinate levels and tasks connected with ensuring services to them by assigned organs and organisational units;
3) election duties ascribed to the organs of government administration and organisational units as well as other organs of the State;
4) election duties ascribed to the units of territorial self-government.

3. The financial resources for expenses ascribed to the units of territorial self-government shall be provided no later than 30 days following the day of proclamation of elections by the Marshal of the Sejm.

4. Information concerning expenditures referred to in paragraph 2 above shall be published by the Head of the National Electoral Office within 5 months of polling day and no later.

5. The rules of financial planning and realisation of expenditures referred to in paragraphs 2 and 3, as well as of the financial statistics, are determined by public financing rules.

6. The Director of the National Electoral Office shall administer the financial resources referred to in paragraph 1 above.

CHAPTER 12 (A)

Article 88 (a)

Any person who collects signatures supporting the nomination for President of the Republic in violation of the interdicts referred to in Article 40g, paragraphs 1, 2, or 3 shall be punished by a fine of between 1,000 and 10,000 zlotys.

Article 88 (b)

Any person who conducts an election campaign in violation of the interdicts referred to in Article 76b paragraph 2,

shall be punished by a fine.

Article 88 (c)

Any person who publishes the results of an opinion poll on the probable behaviour of voters on polling day and the results of elections or election surveys conducted on polling day in violation of the interdicts referred to Article 76c shall be punished by a fine of between 500,000 and 1,000,000 zlotys.

Article 88 (d)

Any person who organises, in an election campaign for the President of the Republic, any raffles, lotteries or contests in violation of the interdicts referred to in Article 78, paragraph 3,

shall be punished by a fine.

Article 88 (e)

Any person who in an election campaign for the President of the Republic, serves and supplies alcoholic beverages in violation of interdicts referred to in Article 78, paragraph 4,

shall be punished by a fine.

Article 88 (f)

Any person who:

1) contributes funds or in-kind contributions for election campaign purposes in violation of the interdicts referred to in Article 85, paragraph 2 or 3;
2) violates the rules described in Article 85 paragraph 4 concerning methods of collecting the financial resources of a committee;
3) contributes funds for the benefit of one committee in excess of the limit specified in Article 85, paragraph 5 or 6;
4) fails to insert a restriction in the agreement establishing a bank account concluded by him/her on behalf of a committee providing that any contribution given for a committee shall be made in a manner described in Article 85 paragraph 7,

shall be punished by a fine.

Article 88 (g)

Any person who:

1) spends resources belonging to the committee in violation of the rules of Article 84a, paragraph 2 or 3, or the limitation specified in Article 4d;
2) transfers to the committee or accepts on behalf of the committee financial resources or in-kind contributions in contravention of the prohibitions specified in Article 86;
3) spends funds of the committee in violation of the limits specified in Article 87c or 87d,

shall be punished by a fine of between 1,000 and 100,000 zlotys.

Article 88 (h)

Any person who:

1) transfers funds or non-cash assets for the purpose of other committee in violation of the prohibition specified in Article 87a, paragraph 1, or receives or disburses a committee's funds after the day of submission of the election report referred to in Article 87a, paragraph 1;
2) incurs expenditures for an election campaign produced in forms and methods proper for advertisement in excess of the limit specified in Article 87b,

shall be punished by a fine.

Article 88 (I)

1. A financial agent who fails to realise within a given time limit:

1) the obligation to transfer any surplus funds referred to in Article 87b paragraph 8 to a charitable institution;
2) the obligation to submit to the National Electoral Commission the election report referred to in Article 87g, paragraph 1,

shall be liable to a fine or to limitation of liberty, or imprisonment for a term not exceeding 2 years.

2. Where any person prevents or obstructs the performance of the duties referred to in paragraph 1, sub-paragraph 1 or 2 above, s/he shall be liable to the same penalties prescribed in paragraph 1.

3. Where a person referred to in paragraph 1 acts unintentionally,

s/he shall be punished by a fine.

Article 88 (j)

Any person who:

1) conducts election campaign without permission of the committee, and its cost amounts to between 5,000 and 50,000 zlotys

-s/he shall be punished by a fine no less than the cost of such action;

2) realises acts referred to in paragraph 1 above when their cost exceeds 50,000 zlotys,

shall be liable to a fine no less than the cost of such action and to limitation of liberty, or imprisonment for a term not exceeding 2 years.

Article 88 (k)
The appropriate provisions on procedure in cases of misdemeanour shall apply to proceedings in the matters referred to in Articles: 88b, 88e, 88f and 88h.

CHAPTER 13

Article 88 (l)
1. In the event that the index of prices of consumer goods and services shows an increase in prices by more than 5 per cent, the minister responsible for matters of public finance shall proportionally increase, by a regulation, the sum of money referred to in Article 84d.

2. The above-mentioned index of prices shall be established on the basis of a communiqué by the President of the Main Statistics Office in the Official Gazette of the Republic of Poland "Monitor Polski" no later than on the 20th of the first month of each quarter of the year.

Article 89
(deleted)

Article 90
All written documentation, judicial and administrative proceedings in election matters shall be without payment.

Article 90 (a)
1. Whenever in this Act references are made to the expiry of a time limit for lodging a complaint or an appeal to the court or an electoral commission, this shall be understood as the day of filing a complaint or appeal with the court or with the electoral body.

2. If the expiry of the time limit for performance of an action specified in the Act fails on a day which is statutorily not a day of work, the time limit shall expire on the first working day after that day.

3. If this Act does not state differently, the electoral actions described in the election calendar and the actions referred to in paragraph 1 shall be performed within the working hours of courts and electoral bodies.

Article 91
The Act shall enter into force on the day of its promulgation.

ROMANIA

LAW [1] 68/1992
ON THE ELECTION TO THE CHAMBER OF DEPUTIES AND THE SENATE

CHAPTER I. GENERAL PROVISIONS

Article 1.
The Chamber of Deputies and the Senate shall be elected by universal, equal, direct, secret, and freely expressed suffrage, under the conditions of the present law.

Article 2.
Each voter has the right to cast a single vote for the election to the Chamber of Deputies and a single vote for the election of the Senate.

Article 3.
1. Deputies and Senators shall be elected in constituencies on the basis of a list system and independent candidatures, according to the principle of proportional representation.

2. The norm of representation for the election to the Chamber of Deputies shall be of one Deputy to seventy thousand inhabitants.

3. The norm of representation for the election to the Senate shall be of one Senator to one hundred and sixty thousand inhabitants.

4. The number of Deputies and Senators which will be elected shall be determined by relating the number of inhabitants of each constituency to the norms of representation provided under paragraphs (2) and (3), to which it shall be added one Deputy or Senator seat for what exceeds half the representation norm, without the number of Deputies being smaller than four, and that of Senators smaller than two.

5. The number of inhabitants taken into account, according to paragraph (4), shall be that existing on July 1 of the preceding year, published in the Statistical Year Book of Romania. If, at least five months before the date of elections, a general census of the population takes place, the number of inhabitants taken into account shall be that resulting from the census, and published by the National Committee for Statistics.

6. The numbering of the constituencies, and the number of Deputies and Senators which are to be elected in each constituency are provided in Schedule No. 1.

Article 4.
1. Legally constituted organizations of citizens belonging to a national minority, which in the elections have not obtained at least one Deputy or Senator mandate shall have the right, together, according to Article 59, paragraph (2) of the Constitution, to a deputy mandate, if they have obtained throughout the country at least five per sent of the average number of validly expressed votes throughout the country for the election of one Deputy.

2. The organizations of citizens belonging to national minorities participating in the elections shall be, as far as electoral operations are concerned, juridically equivalent to political parties.

3. Organizations of citizens belonging to national minorities which have participated in the elections on the common list of these organizations shall also benefit by the provisions under paragraph (1); in this case, if no candidate from the common list has been elected, a Deputy mandate shall be assigned for all the organizations which have proposed the list, under the observance of the provisions under paragraph (1).

4. The provisions under paragraph (3) shall not apply to an organization of citizens belonging to a national minority which has participated in the elections on the common list with a party or another political formation, or both on common lists, according to paragraph (3), and on their own separate lists.

5. The Deputy mandate assigned according to paragraph (1) or (3) shall be granted over and above the total number of Deputies resulting from the norm of representation.

Article 5.
1. The candidacies for the Chamber of Deputies and for the Senate shall be proposed on separate lists of candidates only by parties and other political formations constituted according to the law.

2. The number of candidates on each list can be greater than the number of mandates resulting from the norm of representation by two to one quarter of these mandates; fractions shall be rounded up to the figure one.

3. In the same constituency, a party, a political formation, or a coalition of these ones shall be allowed to propose, for each of the Chambers of Parliament, only a single list of candidates. Coalitions of parties and of political formations shall be allowed to be made only at the national level. Parties and political formations from electoral coalitions shall be allowed to participate in elections only

on the lists of the coalition. A party or a political formation can belong only to a single electoral coalition.

4. The lists of candidates shall also specify the political affiliation of the candidates, as the case may be.

5. An independent candidate can participate in elections only individually, and if he or she has the support of at least 0.5% of the total number of voters registered in the permanent lists of the localities situated in the constituency in which he or she has put up their candidature. Independent candidatures on lists of candidates proposed by parties or political formations, or by coalitions of these ones shall not be permitted, nor shall be permitted lists of independent candidates.

6. One person may stand as candidate either for a Deputy mandate, or for a Senator one, and only in a single constituency.

7. Candidatures on several lists of candidates, or both on lists and as independents shall be void.

Article 6.

1. The date of elections shall be settled, and publicly announced by the Government, at least sixty days before the election day, and up to the passage of five days since the date when the terms provided under Article 60, paragraph (2) of the Constitution start to be counted.

2. Elections shall take place in a single day, which shall be only Sunday.

3. The sequential number of the ballot on the voter's card shall be established and announced publicly by the Government at the same time as the date of elections.

4. The public announcement shall be made through the "Monitorul Oficial" of Romania and through the press.

CHAPTER II. VOTER LIST AND VOTER'S CARDS

Section 1. Voter List

Article 7.

The voter lists shall include the citizens with the right to vote. They shall be permanent or special.

Article 8.

1. The permanent voter lists shall be drawn up for each locality, and they shall include all the citizens with the right to vote who have their domicile in the locality for which these lists were prepared. Romanian citizens residing abroad may, at their request, be registered in the permanent voter lists of the locality where they were born, or where they had their last domicile in the country. The request shall be presented to the Diplomatic Mission of Romania in the country where they reside, or to the local council directly.

2. The permanent voter lists shall be drawn up by the mayors of the communes, towns, municipalities, or of the territorial-administrative subdivisions of the municipalities.

3. The permanent voter lists shall be drawn up at communes by villages, and at towns, municipalities, and territorial-administrative subdivisions of municipalities, by streets.

4. The permanent voter lists shall specify the name and surname, date of birth, and residence of the voters, according to the running number of the buildings in which they live, as well as the number of the constituency.

5. The permanent voter lists shall be drawn up in two official fair copies signed by the mayor and the secretary of the local council, and they shall be filed in two special registers with detachable leaves, one of which shall be kept by the secretary of the local council and the other by the court of first instance in whose territorial area the respective locality is situated.

6. The mayor shall compulsorily inform the court of any changes in the voter lists.

Article 9.

1. The permanent voter lists shall be updated by the mayors, every year in January as well as within fifteen days at the most after the date established as polling day.

2. Deceased persons shall be struck off from the voter list on the basis of a notification received from the local public service where the demise was recorded. The notification shall be transmitted within twenty four hours.

3. Persons who have lost the Romanian citizenship shall be struck off from the voter list on the basis of a notification from the Ministry of Justice.

4. Disfranchised persons shall be struck off from the voter list on the basis of a notification, ex officio, from the judicial instance.

Article 10.

1. Each voter shall be registered only in a single permanent voter list.

2. The registration in the permanent voter lists is compulsory. In case of change of domicile, the authority

competent to effect the change shall be compelled, ex officio, to communicate to the mayor the necessary data for the registration of the respective citizen in the voter list at the new domicile and for correspondingly striking him off from the voter list of the locality of the former domicile.

Article 11.
Special voter lists shall be drawn up in the cases provided by the present law, and they shall specify the name and surname, domicile, date of birth, number and series of the identity paper of the voter. The lists shall be signed by the president of the electoral commission of the polling station where they were drawn up.

Article 12.
1. The voters have the right to verify their registration in the voter lists. Objections against omissions, wrong registrations, and against any possible errors in the lists shall be presented to the authorities which have drawn up the lists, and these shall be compelled to settle the objection by an order within three days at the most after the date of registration.

2. Complaints of the orders passed shall be settled within three days at the most after their registration, by the court of first instance in whose territorial area the voter resides, or, in the case of those recorded in special lists, by the court of first instance in whose territorial area the electoral commission of the polling station which has drawn up the list is situated. The judgment delivered shall be executory. Against the judgment passed an appeal can be made within forty eight hours after its declaration. The appeal shall be settled within three days after its registration.

3. Objections formulated with regard to the special lists from abroad shall be settled by the head of the diplomatic mission or by his deputy. Complaints of the dispositions given by the head of the diplomatic mission or by his deputy shall be registered at the seat of the mission and shall be sent for settling to the court of first instance of the first district of the municipality of Bucuresti, the provisions of paragraph (2) being correspondingly applied.

Article 13.
1. The mayors who have drawn up the permanent voter lists shall send a copy of the lists, including the voters in each polling station, to the electoral commission of the polling stations, within twenty four hours from their setting up.

2. Modifications that have taken place after the copies of the voter lists have been sent shall be notified to the court of first instance and to the electoral commission of the polling station within twenty four hours.

Section 2. Voter's Cards

Article 14.
1. The right to vote shall be exercised only on the basis of a voter's card, issued under the terms of the present law. Romanian citizens from abroad can also vote without a voter's card.

2. The form of the voter's card is presented in Schedule No. 2.

3. Each voter shall receive only one voter's card.

Article 15.
1. The voter's cards shall be permanent and they shall be valid for all electoral consultations with a national character, according to the number of polls provided in their content, and they shall be handed over to the voters registered in the permanent voter lists of the locality in which they leave their domicile.

2. The voter's card shall be kept and used only by the holder.

Article 16.
1. The voter's card shall be drawn up by the mayor of the locality where the voter resides.

2. The voter's card shall be handed over on the basis of the identity paper only to the holder, under his signature, by:

a) the mayor who has drawn it up;
b) the mayor of the locality where the voter has his residence, within ten days after the voter's request; the mayor to whom the request was directed shall ask the mayor of the locality where the voter has his residence to send the voter's card, and the latter, in sending the card, shall make the adequate mention in the permanent voter list of the locality;
c) the electoral commission of the polling station of the locality where the voter has his residence, for voter's cards which have not been taken over; to this end, the voter's cards which have not been taken over shall be handed over by the mayor, three days before the election day, to the electoral commission of the polling station, on the basis of an official report stating the number of voter's

cards, the names, surnames, and residences of the holders.

3. The domicile or place of residence shall be proved only with the identity paper.

4. After the voter lists have been updated according to Article 9, paragraph (1), the voter's cards for citizens who shall be eighteen years of age by January, or who shall reach this age up to the election day inclusive shall be drawn up and handed over according to the provisions of paragraphs (1) and (2).

5. Complaints and objections concerning the drawing up and the delivering of the voter's cards shall be made with the observance of the provisions of Article 12, which shall apply accordingly.

6. An account of the voter's cards shall be kept by the secretary of the local council.

ARTICLE 17.

1. In case of loss or destruction of the voter's card, regardless of the motive, a duplicate may be issued by the mayors provided under Article 16, paragraph (2), sub-paragraphs (a) and (b), who shall make a mention of this on the permanent voter list of the locality.

2. The duplicate shall be issued at the request of the holder and on his responsibility. The original declared lost or destroyed shall be void de jure.

CHAPTER III. POLLING STATIONS

ARTICLE 18.

1. Polling stations shall be organized in localities, as follows:

a) in localities with a population over two thousand inhabitants, one polling station for each lot of one thousand to two thousand inhabitants;
b) in communes with under two thousand inhabitants, one single polling station.

2. Polling stations can also be organized in villages or clusters of villages with a population of up to one thousand inhabitants, located farther than five kilometers from the polling station in the residence of the commune.

Article 19.

1. Separate polling stations can be organized in military units as well as in hospitals, maternity hospitals, sanatoria, invalid homes, and homes for aged people, having at least fifty voters.

2. Polling stations can also be organized in railway stations, bus terminals, ports, and airports, for voters who, on election day, are traveling.

3. For regular day students and for schoolboys and schoolgirls who have the right to vote, and whose residence is not in the locality in which they are educated, a polling station shall be organized in each student's or pupil's hostel, for a number starting from five hundred to two thousand voters.

4. At the polling stations organized in military units there shall vote only the military belonging to the respective unit, and at those for students and pupils, only the students and pupils from the affiliated teaching units.

Article 20.

1. A polling station shall be organized at each of Romania's diplomatic mission and consular office for the voters that are members of these representations and their families as well as for Romanian citizens traveling or living abroad who on election day shall be in the respective countries. These polling stations shall be part of the constituency of the municipality of Bucuresti.

2. On ships flying the Romanian flag, which are navigating on election day, polling stations shall be organized, belonging to the constituency of the place where the ship is registered.

Article 21.

Voters shall vote both for the Chamber of Deputies and for the Senate at the same polling station.

Article 22.

1. The delimitation of the polling stations shall be established by the local councils of the communes, towns, municipalities, or territorial-administrative subdivisions of the municipalities.

2. All polling stations from a constituency shall be numbered, regardless of the localities, starting with the residential locality of the county, respectively with that of the Ilfov Agricultural District, and continuing with those from the municipalities, the other towns, and then with those from the communes, in alphabetical order; in municipalities with territorial-administrative subdivisions, the numbering shall be made under the observance of the order of these subdivisions, provided by the law.

3. The prefects are obliged to carry out the numbering of all polling station within ten days after the fixing of the election date, and to give public notice of this numbering

and of the delimitation of each polling station, indicating also the place where the voting will take place.

4. The mayors of the localities and the secretaries of the local councils shall ensure all the data, information, and support necessary for the prefects to fulfill the obligations provided under paragraph (3).

CHAPTER IV. ELECTORAL COMMISSIONS

Article 23.

1. For the purpose of the proper conduct of electoral proceedings, the Central Electoral Commission, constituency commissions, and electoral commissions of polling stations shall be set up for each voting, under the conditions of the present law.

2. The electoral commissions shall be formed only of citizens which have a vote; candidates cannot be members of the electoral commissions.

3. In achieving the attributions incumbent upon the electoral commissions, all members which they are formed of shall be deemed to exercise a function which implies State authority. The correct and impartial exercise of this function is compulsory.

Article 24.

1. The Central Electoral Commission shall be formed of seven judges of the Supreme Court of Justice and sixteen representatives of the parties, political formations, and their coalitions, participating in the voting.

2. The designation of the seven judges shall be made in a public sitting, within five days after the fixing of the election date, by the president of the Supreme Court of justice, by drawing lots, from among all the active judges of the Court. The result of the lots shall be recorded in a minute signed by the president and the head adviser of the Supreme Court of Justice, which shall also constitute the act of investiture. The date of the sitting shall be made publicly known through the press by the president of the Supreme Court of Justice, at least forty eight hours in advance.

3. Within twenty four hours after the investiture, the designated judges shall elect among them, by secret ballot, the president of the Central Electoral Commission. In this organization, the Central Electoral Commission shall exercise all the attributions that are incumbent upon it, according to the present law, and it shall next be completed with the representatives of the parties, political formations, and their coalitions.

4. Within two days from the date up to which nominations can be made, the parties, political formations, and their coalitions participating in the election shall communicate in writing to the Central Electoral Commission the number of the lists of candidates from all the constituencies, as well as the name and surname of their representatives. Notifications transmitted after this term shall be disconsidered.

5. The designation of the representatives of the parties, political formations or of their coalitions to the Central Electoral Commission shall be made in decreasing order of the share of the number of lists of candidates notified by each party, political formation or their coalitions, according to paragraph (4), in the number of the constituencies throughout the country. A party, political formation, or a coalition of them cannot have more than five representatives.

6. Persons having the quality of representatives of a party, political formation, and their coalitions in the Central Electoral Commission shall be established in the order mentioned in the notification provided under paragraph (4).

7. In case more parties, political formations and their coalitions have handed in the same number of lists, the designation of their representatives shall he made by casting lots, by the president of the Central Electoral Commission, in the presence of the persons delegated by the parties, political formations and their coalitions involved.

8. The completion of the Central Electoral Commission with the representatives of the parties, political formations, and their coalitions shall be made within twenty four hours after the expiration of the term provided under paragraph (4), by the president of the Central Electoral Commission, assisted by three judges, in the presence of the persons delegated by the parties, political formations, and their coalitions which have notified the representatives. The minutes drawn up by the president regarding the way in which the representatives were established shall constitute the act attesting to their quality as members of the Central Electoral Commission.

Article 25.

1. The Central Electoral Commission shall have the following attributions:

a) it shall supervise the updating of the voter lists; it shall follow up the application of the legal provisions regarding the elections throughout the

country's territory; it shall ensure their uniform interpretation;
b) it shall settle objections referring to its own activity and complaints with regard to the proceedings of the constituency commissions;
c) it shall receive from the constituency commissions the minutes stating the number of validly expressed votes for each list of candidates, and it shall establish if there are parties, political formations, and their coalitions which have not accumulated at least three per cent of the votes validly expressed throughout the country; it shall notify within twenty four hours from the finding, the constituency commissions and make public the parties, political formations, or their coalitions which are in this situation;
d) it shall verify and record the result of the voting; it shall calculate the votes that were not taken into account throughout the country for each party, political formation, and their coalitions fulfilling the condition provided under sub-paragraph (c); it shall ensure the centralized distribution and spreading by constituencies of the mandates which are their due;
e) it shall attest to the allotment of a Deputy mandate to organizations of citizens belonging to the national minorities which have met the conditions provided under Article 4; it shall issue a certificate attesting the Deputy designated on this basis;
f) it shall cancel the voting in a constituency in case the voting and the returns have taken place by fraud of a nature to modify the allotment of the mandates, and it shall order the voting to be repeated;
g) it shall carry out any other obligations which devolve upon it in accordance with the present law.

2. In case the settling of a complaint shall require verifications of facts, these shall be carried out in the presence of a judge from the Central Electoral Commission. Such verifications cannot be made on election day.

3. A complaint for the voiding of the voting in a constituency can be presented only by the parties, political formations, and their coalitions, or by independent candidates participating in the election, within forty eight hours after closure of the polling station, under sanction of the loss of this right. The request must be motivated and it shall be presented together with the proofs on which it is based. The petition may be admitted only if the party having signed is not involved in the fraud. The dispositions of paragraph (2) shall apply correspondingly. The petition shall be settled by the Central Electoral Commission up to the date when the election returns shall be published in the "Monitorul Oficial" of Romania.

4. The decisions of the Central Electoral Commission shall be made known in a public meeting.

Article 26.

1. The constituency commission shall be constituted of three judges and not more than eight representatives of the parties, political formations, and their coalitions, participating in the voting in the constituency in which the electoral commission operates.

2. The designation of the three judges shall be made in a public sitting, within five days after the fixing of the election date, by the president of the tribunal, by drawing lots from among the active judges of the county tribunal or of the tribunal of the municipality of Bucuresti. The date of the sitting shall be made publicly known through the press by the president of the tribunal, at least forty eight hours in advance. The result of the drawing of lots shall be recorded in a minute signed by the president, which shall constitute the act of investiture. Within twenty four hours from their designation the judges shall, by secret ballot, elect the president of the constituency commission. The commission thus constituted shall fulfill all the duties incumbent upon it according to the present law, and it shall be completed with the representatives of the parties, political formations, and their coalitions, participating in the elections.

3. Within two days from the date up to which the candidatures can be put forward, the parties, political formations, and their coalitions shall notify in writing to the constituency commissions the number of the candidatures on the lists of candidates registered in the respective constituency as well as the name and surname of the representatives. Notifications transmitted after this term shall not be taken into consideration.

4. The designation of the representatives of the parties, political formations, and their coalitions in the constituency commission shall be made in the decreasing order of the share of the number of candidates notified by each party, political formation, and their coalitions, according to paragraph (3), in the total number of candidates from the notifications received. A party, political formation, or their coalition cannot have more than three representatives.

5. The completion of the electoral commission with the representatives of' the parties, political formations, and their coalitions shall be made according to the provisions of Article 24 paragraphs (6) and (8), which shall apply accordingly. In the event that several parties, political formations, and their coalitions have proposed the same number of candidates, the designation of candidates shall be made by lots, by the president of the constituency commission in the presence of the delegates of the parties, political formations, and coalitions involved.

Article 27.

1. The constituency commissions shall have the following attributions:

a) they shall follow up the application of the statutory provisions regarding the voting in the constituency in which they operate, and they shall supervise the timely organization of the polling stations;
b) they shall record the candidatures put forward and shall certify their final character;
c) they shall make the necessary publications and postings provided by the law with regard to the lists of candidates and independent candidatures;
d) they shall settle the objections regarding their own activity and the complaints regarding the proceedings of the electoral commissions of the polling stations within the framework of the constituencies in which they functioning;
e) they shall distribute to the electoral commissions of the polling stations the ballot papers, control stamp, and the stamps with the mention "Voted";
f) they shall add up the election returns from the polling stations, and send to the Central Electoral Commission the minutes including the number of votes validly expressed for each list of candidates;
g) on the basis of the findings of the Central Electoral Commission with regard to the parties, political formations, and their coalitions which have not received at least three per cent of the votes validly expressed throughout the country, they shall ascertain the election returns for the constituency, and issue to the Deputies or Senators, as the case may be, a certificate attesting their election;
h) they shall submit to the Central Electoral Commission the minutes including the election returns as well as the objections, complaints, and minutes received from the electoral commissions of the polling stations;
i) they shall fulfill any other attributions incumbent upon them according to the law.

2. The decisions of the constituency electoral commission shall be made known in a public sitting.

Article 28.

1. The electoral commissions of the polling stations shall be formed of a president, a deputy-president and not more than seven members.

2. The president and his deputy shall, as a rule, be magistrates or jurists who do not belong to any party or political formation, and are designated by the president of the county tribunal or of the tribunal of the municipality of Bucuresti fifteen days before election day, by lots from a list set up by the prefects and notified by them to the president of the tribunal at least five days before drawing lots.

3. In case the number of jurists is insufficient, the list shall be completed with other persons of blameless reputation and who do not belong to any party or political formation.

4. The list proposed by the prefect shall include a number of persons by ten per cent greater than the necessary one, the excess being a reserve at the disposition of the president of the tribunal; the list shall specify the names and surnames, addresses, telephone numbers and signatures of acceptance of the persons proposed.

5. The grouping in the list of the persons, in order to draw lots, shall be made by taking into consideration the necessity for their homes to be as close as possible to the seat of the electoral commission of the polling station.

6. The electoral commissions of the polling stations shall be constituted at the date of designation of their members.

7. The members of the electoral commissions of the polling stations shall be drawn from one representative of each party, political formation, and their coalitions, participating in the ballot, in decreasing order of the number of candidates put forward in the respective constituency.

8. To this end, the president of the constituency commission shall notify the presidents of the electoral commissions of the polling stations, within twenty four hours after their designation, according to paragraph (2), of the number of candidates proposed by each party, political formation, and their coalitions. Likewise, each of the parties, political formations, and their coalitions shall be compelled to notify the president of the electoral commission of the polling station within the same term of the name and surname of their representative.

9. If two or more parties, political formations or their coalitions have the same number of candidates, their representatives shall enter into the composition of the electoral commission of the polling station within the limit of the seats not occupied by the representatives of the parties, political formations, and their coalitions, which, according to paragraph (7), shall be in a more favorable situation; if, by application of this provision, it shall not be possible for all representatives to be included in the composition of the electoral commission, its president shall proceed to the drawing of lots, with the observance of the provisions of Article 26, paragraph (5), which shall apply correspondingly.

10. In the event the parties, political formations, and their coalitions should not have designated their representatives, or the number of their representatives should be insufficient, the completion of the electoral commissions of the polling stations shall be made by the president of the tribunal with persons from the list provided under paragraph (4), by drawing lots.

11. The designation of the members of the electoral commission of the polling station shall be made by its president, on the basis of the notifications provided under paragraph (8) or, as the case may be, of the provisions under paragraph (9), by a document specifying the method used in establishing the representatives, which shall constitute the document attesting their quality as members in the electoral commission of the polling station; the drawing up of the minute shall be made within twenty four hours after the expiry of the term provided under paragraph (8), with participation of the interested parties, political formations, and their coalitions, if to this end they have sent one delegate each.

Article 29.
The electoral commissions of the polling stations shall have the following attributions:

a) they shall receive the copy of the voter lists notified according to Article 13, paragraph (1), and the voter's cards that have not been claimed according to Article 16, sub-paragraph (c), and from the constituency commissions, the ballot papers for the voters that are to vote at the polling station, the control stamp, and the stamps with the mention "voted";
b) they shall conduct the polling, and shall take all the necessary measures for keeping order in and around the building of the polling station;
c) they shall count the votes and record the voting returns;
d) they shall settle the objections with reference to their own activity;
e) they shall submit to the constituency commissions the minutes attesting to the voting returns, together with the electoral complaints presented and the documents to which they refer;
f) they shall hand over, with a protocol, the cast and uncontested ballot papers as well as the voided ones, the stamps and other materials required for the voting to the court of first instance in whose territorial area they have their seat; the special voter lists from the polling stations constituted in military units shall be transmitted to these units under military guard, and they shall be preserved by the commander of the unit.

Article 30.
The electoral commissions shall sit in the presence of the majority of the members of whom they are composed, and they shall take decisions by the vote of the majority of the present members.

Article 31.
The representatives of the parties, political formations, and of their coalitions in the electoral commissions cannot receive other accreditations provided by the present law.

Article 32.
1. The parties and political formations participating in the voting, as well as the independent candidates may question the mode of formation and the composition of the electoral commissions within forty eight hours at the most after the expire of the term for their setting up or for the completion of these commissions, as the case may be.

2. Complaints shall be settled by the constituency commission, if they concern the electoral commission of the polling station, by the Central Electoral Commission, if they concern the constituency commission, and by the Supreme Court of Justice, if they concern the Central Electoral Commission, within two days after their filing. The decision shall be final.

CHAPTER V. NOMINATIONS

Article 33.
1. Nominations of candidates shall be made by constituencies, and they shall be presented to the

constituency commissions not later than thirty days before the election day.

2. Nominations of candidates shall be made in writing, in four copies, by the parties and political formations participating in the voting, and they shall be signed by their leadership or the persons designated to sign, and in the case of independent candidates, on the basis of the list of supporters.

3. The list of supporters shall specify the polling date, the name and surname of the candidate, the name and surname, date of birth, address, series and number of the identity paper, and signature of the supporters as well as of the person having drawn up the list.

4. The list of supporters shall constitute a public document involving all the consequences provided by the law.

5. Supporters can be only citizens who have the right to vote.

6. One supporter can give his support only to a single candidate for the Chamber of Deputies and for the Senate.

7. The adhesions of the supporters shall be given on their own responsibility.

8. The nominations of candidates provided under paragraph 2 shall specify the name, surname, domicile, place and date of birth, occupation and profession of the candidates, and they shall be attended by the declaration of acceptance of the candidacy, written, signed, and dated by the candidate.

9. The declaration of acceptance shall specify the name, surname, political affiliation, profession and occupation of the candidate, his express consent to stand as a candidate as well as the specification that he meets the conditions provided by the law in order to be nominated for election.

ARTICLE 34.

1. Persons who, at the date of nomination, do not fulfill the conditions provided by Article 35 of the Constitution in order to be eligible, shall be disqualified for standing as candidates.

2. Likewise, prefects, sub-prefects, and heads of the public services and of other governmental authorities decentralized in territorial-administrative units shall be disqualified from standing as candidates in the constituencies constituted in the territorial-administrative units in which they exercise or have exercised their functions for the past six months previous to the election date.

3. The President of Romania, in case he is elected Senator or Deputy, shall be required to choose between the quality of Member of Parliament or president up to the date of validation.

ARTICLE 35.

1. The constituency commission shall examine the observance of the legal conditions for a person to be able to stand as candidate, and it shall register the nominations which meet these conditions.

2. Two copies of the nomination for candidate shall be kept at the constituency commission, another shall be registered at the tribunal whose territorial area covers the constituency, and a fourth, certified by the commission, shall be returned to the person who has made the registration.

ARTICLE 36.

1. Up to and including twenty days before election day, the citizens, parties, and other political formations may question the nominations.

2. To this end, within twenty four hours after the registration of the nomination, one of the copies of the nomination proposal shall be posted at the seat of the constituency commission.

3. Petitions questioning the registration or rejection of the nominations shall be settled by the tribunal whose territorial area covers the constituency within two days at the most after the filing of the petition. The decision shall not be notified.

4. An appeal may be entered with the court of superior instance against the decision on the questioning within twenty four hours after the decision was delivered. The appeal shall be settled within two days after its filing.

5. The complaint shall specify the name, surname, address, and the capacity of the contestant, the name and surname of the candidate, a statement of the grounds for the questioning, the date and signature of the person entering the petition, and of the person designated to represent him or her, as the case may be.

6. The questioning and appeal shall be entered with the competent instance under sanction of nullity.

7. After expiry of the terms provided under paragraphs (l), (3), and (4), the constituency commissions shall draw up a document declaring the nominations final, and they

shall post up the final nominations at their seat and order the printing of the ballot papers.

CHAPTER VI. BALLOT PAPERS

ARTICLE 37.
The ballot papers shall be printed, and the necessary stamps for the voting shall made under observance of the forms provided in Schedule No. 3.

ARTICLE 38.
1. The size of the ballot paper shall be established by the constituency commission, taking into account the number of the lists of candidates, and of the independent candidates, as well as the space required for their printing.

2. The ballot papers shall be printed on white and sufficiently thick paper so that the printed name and the vote cast should not be distinguishable on the back.

3. A sufficient number of quadrilaterals shall be printed on the pages of the ballot paper to include the names of all the candidates, except on the last page which shall remain blank, for the control stamp; the pages shall be numbered.

4. The ballot papers shall be stapled.

5. The quadrilaterals shall be printed parallel to one another, in two columns on the same page.

6. In the upper left hand corner of the quadrilateral there shall be printed the name of the party, political formation, or of their coalition participating in the voting, or, as the case may be, the mention "Independent Candidate", and in the upper right hand corner, the electoral sign.

7. In the quadrilaterals of each ballot paper the lists of candidates shall be printed in the order resulted from the drawing of lots carried out by the constituency commission; the candidates shall be identified on the list by name and, as the case may be, by the political affiliation.

8. For each independent candidate, a distinct quadrilateral shall be printed in the final part of the ballot paper, in the registration order of the nominations.

ARTICLE 39.
1. Electoral signs shall be established by each party, political formation or their coalition, or by each independent candidate, and it shall be notified to the Central Electoral Commission within three days from its establishment.

2. The electoral signs used in the preceding elections cannot be used by other parties, political formations, their coalitions or by independent candidates unless they have the assent of those to whom they belonged, respectively of the parties which formed the initial coalition.

3. In case the same electoral sign should be requested by several parties, political formations, their coalitions, or by independent candidates, the allotment shall be made to the benefit of the party, political formation, their coalitions, or independent candidate having first registered the respective sign, or in case of concomitant registration, or of impossibility to establish the priority, by drawing lots, by the president of the Central Electoral Commission, within twenty-four hours after the expiry of the term provided under paragraph (1).

4. The electoral signs cannot be contrary to the legal order.

5. The Central Electoral Commission shall ensure the publication of the electoral signs on the next day after expiry of the term provided under paragraph (1).

ARTICLE 40.
A coalition of parties having participated in previous elections under a certain denomination can preserve it only if no change has occurred in its initial composition. Likewise, the respective denomination cannot be used by another coalition.

ARTICLE 41.
1. For the entire constituency, the ballot papers shall be printed with letters of the same size and type, and with the same ink, in as many copies as there are voters in the constituency with a supplement of ten per cent.

2. The printing of the ballot papers shall be ensured by the constituency commissions, through the agency of the prefects. The prefects shall be responsible for all the necessary ballot papers to be printed, at least ten days before the date of elections.

ARTICLE 42.
1. The ballot papers shall be handed over to the president of the constituency commission, who shall distribute them to the presidents of the electoral commissions of the polling stations at least two days before the date of elections. The handing over and the distribution shall be made in sealed parcels of one hundred copies, on the basis of minutes.

2. Two copies of the ballot papers, initialed and canceled by the president of the constituency commission, shall be posted one day before polling at the seat of the law courts of first instance as well as at the seat of each polling station.

ARTICLE 43.
At the request of the parties, political formations, their coalitions, or of the independent candidates participating in the voting, the constituency commission shall deliver two initialled and cancelled ballot papers to each of them.

CHAPTER VII. ELECTORAL CAMPAIGN

ARTICLE 44.
1. The electoral campaign shall start when the date of elections has been made public and it shall be closed two days before polling day.

2. In the electoral campaign, the candidates, parties, political formations, all the social organizations, and citizens shall have the right to express their opinions freely and without any discrimination, through meetings, assemblies, the use of radio and television, of the press and of all the other means of mass information.

3. The means used in the electoral campaign shall not violate the law.

4. Any commercial advertising procedure through the press, radio and television for purposes of electoral propaganda shall be prohibited.

5. The organization of the electoral campaign activities in military units shall be prohibited.

ARTICLE 45.
1. The parties and political formations participating in the electoral campaign may, by special law, receive funds from the State budget. The classes of activities carried on within the framework of the electoral campaign which can thus be financed shall be established by the law on the granting of funds. The parties and political formations which have not obtained at least five per cent of the votes validly expressed throughout the country shall return the funds within two months after the election day.

2. The funds received after the opening of the electoral campaign from natural or legal persons in the country, except the subventions provided under paragraph (1), can be used for the electoral campaign of a party or political formation only if they have previously been declared publicly.

3. The funds of the electoral campaign, either directly or indirectly, by natural or legal persons from abroad shall be prohibited. The sums thus received shall be confiscated and paid in as revenue to the State budget.

4. The funds of the electoral campaign of a party, political formation, their coalition, or of an independent candidate by a public authority, a public institution, self-managing public company, or a company in which the State holds most or all of the capital shall be prohibited.

5. Funds for the electoral campaign from the State budget or from other legal or natural persons shall be received only through an authorized financial agent designated for this purpose by the leadership of the party or political formation involved.

6. The authorized financial agent shall be accountable jointly with the party or political formation by which he or she was designated for the lawfulness of the expenses incurred from the subventions granted, and for the observance of the provisions under paragraph (2).

7. The authorized financial agent can be a natural or legal person.

8. A party or political formation can have several authorized financial agents; in this case, the authorization by which they are designated shall specify the limits of their mandate.

9. Several parties or political formations shall be permitted to use the services of one and the same authorized financial agent.

10. The capacity of the authorized financial agent shall be obtained only after official registration with the Ministry of Economic Affairs and Finance and publication in the press.

11. The provisions of the present article shall also apply correspondingly to independent candidates who receive funds from natural and legal persons from the country.

ARTICLE 46.
1. The access to the public services of radio and television broadcasting within the framework of the electoral campaign shall be guaranteed under the conditions of the present article.

2. The parties, political formations, and independent candidates represented in Parliament shall have access to the public services of radio, and television broadcasting subventioned from the State budget. The remaining parties, political formations, and independent candidates

shall have access to the respective services on the basis of contracts concluded by the authorized financial agents representing them with the corresponding institutions of the Romanian Radio and Television Broadcasting Companies, unique tariffs per unit of broadcasting time being charged.

3. The parties and political formations participating in the elections shall be under the obligation, forty-eight hours before the date established for polling day, to apply to the management of the public services of radio and television broadcasting, for the granting of broadcasting time. Requests after this term shall not be taken into account.

4. The time-table for the electoral campaign and the allotment of broadcasting time shall be established by a special parliamentary commission together with representatives of the public services of radio and television broadcasting within not more than five days after the opening of the electoral campaign. The allotment shall be made by taking into account that the broadcasting time allotted to the parties and political formations represented in Parliament, under the conditions of paragraph (2), must be twice as long as that allotted to the other parties and political formations, and that it must be proportional to their parliamentary share.

5. After the conclusion of the period for nominations, a new time-table and a new allotment of broadcasting time shall be made, according to paragraph (4), proportionally to the number of the lists of candidates handed in throughout the country. The parties, political formations, and their coalitions which have not handed in lists of candidates in at least ten constituencies shall forfeit the right to broadcasting time over the central radio and television broadcasting stations. Proof of the nominations shall be made with a certificate issued by the constituency commission.

6. Independent candidates shall exercise their right to broadcasting time only once, equally, for a duration from five minutes to one hour, depending on the established time-table and on their number.

7. Interviews, feature reports, and other similar radio and television broadcasting services of general interest for the information of the citizens shall not be included in the right to broadcasting time.

ARTICLE 47.

1. The mayors shall have the obligation, within five days after the beginning of the electoral campaign, to establish special places for the electoral posting up, taking into account the number of parties, political formations, and their coalitions which declare that they will put up lists of candidates, and of persons who declare that they will stand in the elections as independent candidates.

2. The mayors shall ensure that the special places for electoral posting up is stipulated in market places, streets, and other public places frequented by citizens, without hindering the circulation on public roads and other activities in the respective localities. As a preliminary matter, the mayors shall ensure that any posters, graffiti, and signs left over from previous electoral campaigns are removed.

3. The use of places for electoral posters shall be permitted only for parties, political formations, and their coalitions, and for independent candidates participating in the polls.

4. The use by a party, political formation, their coalition, or by independent candidates of the special places for electoral posters so as to prevent their use by another party, political formation, their coalition, or independent candidate shall be prohibited.

5. In places other than those established according to paragraph (1) the posting of electoral bills shall be permitted only with the agreement of the owners or of the holders, as the case may be.

6. On an electoral panel, each party, political formation, coalition of these, or independent candidates shall not put up more than a single electoral poster.

7. The size of an electoral poster shall not exceed 500 mm by 300 mm, and that for summoning an electoral meeting, 400 mm by 250 mm.

8. Electoral posters combining colors so as to evoke the flag of Romania or that of other countries shall be prohibited.

9. The police are under an obligation to ensure the integrity of the panels and electoral posters.

ARTICLE 48.

1. The constituency commissions shall supervise the correct conduct of the electoral campaign in the constituency in which they function, settling the complaints that are presented to them with regard to the obstruction of a party, political formation, coalition of these, or an independent candidate to carry on their electoral campaign under the conditions provided for by the law and by observing electoral ethics.

2. If the constituency commission shall consider, when settling a complaint, that administrative measures or the application of contraventional or penal sanctions are necessary, they shall notify the competent authorities.

3. A petition questioning the settlement by the constituency commission may be presented to the Central Electoral Commission; the settlement of this contestation shall be final.

4. The settlement of complaints and contests shall be made within three days after their registration, and the decisions given shall be published in the press and visibly posted at the seat of the electoral commission by which they were issued.

CHAPTER VIII. CONDUCT OF THE VOTING

ARTICLE 49.

1. Each polling station shall have a sufficient number of polling-booths, ballot-boxes, and voting stamps, proportional to the number of voters on the lists notified by the mayors.

2. The polling-booths and ballot-boxes shall be placed in the same room with the president's office. The polling-booths, ballot-boxes, stamps, and other materials required by the electoral commission of the polling station shall be ensured and provided by the mayors of the communes, towns, municipalities, and of the territorial-administrative sub-divisions of the municipalities, together with the prefects.

3. The stamps and other materials required by the electoral commissions of the polling stations shall be handed over by the mayors to the presidents of the polling stations on the basis of minutes at least two days before the date of elections. After taking over the ballot papers and the stamps, the president of the ballot station shall ensure their safe storage.

4. The printed forms and other printed matter necessary for the voting shall be handed over to the electoral commission of the polling station on the basis of a document specifying the kind and number of copies of each printed matter.

5. The president of the electoral commission of the polling station shall be present at the seat of the polling station on the eve of election day, at 18:00 hours, and it shall be his duty immediately to take the necessary measures for ensuring order and correctness of voting.

6. The president shall order the fixing of the watch-posts around the polling station.

ARTICLE 50.

1. On election day, at 5:00 hours, the president of the electoral commission of the polling station, in the presence of the other members of the commission, shall verify the ballot-boxes, the existence of the voter lists, of the ballot papers and stamps, after which he shall close and seal the ballot-boxes by applying the control stamp of the polling station.

2. The president shall then make sure that the control stamp is also applied on the ballot papers.

ARTICLE 51.

1. The president of the electoral commission of the polling station shall take the necessary measures for the polling to proceed in good conditions.

2. His powers in this respect shall also extend outside the building of the polling station, in its yard, to the entries into the yard, around the building of the polling station as well as in the streets and public open places, within a radius of five hundred meters.

3. Except members of the electoral commission of the polling station, candidates and accredited delegates, no other person shall remain in the public places from the polling zone or in the polling station more than the necessary time for voting.

4. Accreditation of the delegates shall be made by the Central Electoral Commission for the Romanian press, films, radio and television, and by the Ministry of Foreign Affairs for the foreign press, films, radio and television, and for representatives of certain soliciting international organizations. Infringement of the conditions of accreditation shall, de jure, cancel the accreditation.

5. Accredited observers may attend the voting only if they produce the accreditation document. They shall in no way intervene in the organization and proceeding of the voting, having only the right to inform the president of the electoral commission in case irregularities of which they have become aware. Any act of propaganda for or against a party, political formation, coalition of these ones, or individual candidates or to attempt to influence the voter's option, as well as the violation in any way, of the conditions set out in the accreditation document shall involve application of legal sanctions, suspension of the accreditation by the electoral commission which has ascertained the violation, and, on polling day, the immedi-

immediate removal of the respective person from the polling station.

6. For keeping order, the president of the electoral commission of the polling station shall use the necessary agents provided by the prefects together with the Ministry of Home Affairs.

7. For the duration of the polling, members of the electoral commissions and accredited persons shall be prohibited from wearing or exhibiting any badges, or other signs of electoral propaganda.

ARTICLE 52.
Voting shall start at 6:00 a.m., and it shall take place up to 9:00 p.m., when the polling station shall be closed. The president of the electoral commission of the polling station can extend the voting after 9:00 p.m., but not later than 12:00 a.m., subject to the approval of the constituency commission.

ARTICLE 53.
1. The voters may vote at the polling station where they have their place of permanent residence or at the polling stations organized according to Articles 19 and 20 above. Voters voting at polling stations organized according to Articles 19 and 20 shall be registered in special voter lists.

2. The voters who, on polling day shall be in another locality than that in which they are registered in the lists of voters, can exercise their right to vote on the basis of their voter's card at any polling station, where they shall be registered in a special voter list by the electoral commission of the polling station.

3. The provisions of paragraph (2) above shall also apply to Romanian citizens residing abroad who, 'on polling day, shall be in the country, on the basis of their passport.

ARTICLE 54.
1. The access of the voters to the polling room shall take place in series corresponding to the number of polling booths. Each voter shall present the voter's card and the identity paper to the electoral commission of the polling station; after checking the voter's registration in the voter list or, as the case may be, in the special voter list provided under Article 53, the voter shall be given the ballot papers and the polling stamp, under signature in the voter list. If an voter presents a duplicate of the voter's card, the electoral commission of the polling station shall mention this in the voter list.

2. The voters who, according to Article 16, paragraph (2), sub-paragraph (c) have received their polling card from the polling station shall confirm the receipt by signing in the minutes drawn up by the mayors when handing over the unclaimed voter's cards.

3. If an voter, for reasons found by the president of the commission of the polling station, is not able to sign the voter list, this shall be mentioned in the list, and confirmed under signature by a member of the electoral commission.

4. The voters shall vote separately in closed polling-booths, by applying the stamp bearing the mention "Voted" within the quadrilateral of the ballot paper which includes the list of candidates or the name and surname of the independent candidate whom they wish to vote.

5. The stamp with the mention "Voted" shall be of smaller size than that of the quadrilateral.

6. After voting, the voters shall fold the ballot papers so that the white page bearing the control stamp shall remain on the outside, and they shall introduce them into the ballot-box, taking care that they shall not unfold.

7. The wrong folding of the ballot paper does not entail the voiding of the vote.

8. In case the ballot paper opens by mistake, at the voter's request it shall be made void, and it shall be replaced by a new ballot paper only once, a corresponding mention being made in the minutes of the polling proceedings.

9. The stamp entrusted to the voter for the voting shall be returned to the president of the polling commission, after which the said president shall apply it on the voter's card in the place corresponding to the number of suffrage.

10. The president can take measures that an voter's stay in the polling-booth shall not be unduly extended.

ARTICLE 55.
The presidents and members of the electoral commissions of the polling stations as well as the persons whose duty is to maintain order shall vote at the polling station where they carry on their activity, after their registration in the special voter list provided under Article 53 above.

ARTICLE 56.
1. The candidates as well as any other voter shall have the right to question the identity of the person reporting to the polls. In this case, the person's identity shall be established by the president making use of any lawful means.

2. In case the questioning is found to be justified, the president shall prevent the questioned voter from voting and enter the incident in the minutes, while informing the police authorities of this incident.

ARTICLE 57.

1. The president of the electoral commission of the polling station can, for good reasons, suspend the voting.

2. The suspension cannot exceed one hour, and it shall be announced by posting a bill at the door of the voting building at least one hour earlier. The total duration of the suspensions cannot exceed two hours.

3. During the suspension, the ballot boxes, stamps, polling papers, and other documents and materials of the electoral commission shall remain under permanent guard, while members of the electoral commission shall not leave the polling room all at the same time.

4. Persons who shall assist at the voting, as stipulated in Article 51, paragraph (3), cannot be compelled to leave the polling room during this time.

ARTICLE 58.

1. The presence of any person in the polling-booth except that of the voter shall be prohibited.

2. A voter who, for good reasons, found by the president of the electoral commission of the polling station, cannot vote alone shall have the right to call into the polling-booth an attendant of his or her own choice for helping him. This person cannot be one of the observers or Members of the electoral commission of the polling station.

ARTICLE 59.

For the voters who are not capable of being removed for reasons of illness or invalidity, at the request of those who are in this situation, or of the administration bodies of the health or social protection institutions in which those who are not capable of being removed are confined, the president of the electoral commission of the polling station shall designate, from among members of the commission, a number of persons to go with a special ballot-box and the necessary material for voting to the place where the voter is confined so that the polling may be effected.

ARTICLE 60.

At 9:00 p.m. or at the time up to which the extension of the polling should have been approved under the terms of Article 52, the president of the electoral commission of the polling station shall declare the voting concluded and shall order the polling station to be closed.

CHAPTER IX. COUNTING AND TABULATION OF THE VOTES

Section 1. Tabulation Of Votes At The Polling Stations

ARTICLE 61.

1. After conclusion of the voting, and in the presence of the members of the commission and, as the case may be, of the candidates and persons accredited to assist in the voting, the president of the electoral commission of the polling station shall proceed to make an inventory of and seal the stamps with the mention "Voted", and to count and cancel the ballot papers left unused, to verify the seals on the ballot-boxes, and after conclusion of these operations, to open the ballot-boxes.

2. On opening each ballot paper, the president shall read aloud the list of candidates which was voted or, as the case may be, the name and surname of the independent candidate voted and will show the ballot paper to those present. The opened ballot papers shall be arranged by parties, political formations, and their coalitions as well as by independent candidates, and they shall be counted and bound up separately.

3. Ballot papers which do not bear the control stamp of the polling station, ballot papers of another form than the lawfully approved one, ballot papers which do not bear the stamp "Voted", or in which the stamp is applied on two or more quadrilaterals shall be void. The vote shall also be valid in case that, although the stamp applied has exceeded the limits of the quadrilateral, the option of the voter is obvious.

4. The voided ballot papers shall not enter in the calculation of the validly expressed votes.

5. The result of the voting for the Chamber of Deputies and for the Senate shall be recorded in two separate tables. Each of the tables shall be drawn up by a separate member of the electoral commission of the polling station designated by the president. If, at the recording of the results, the candidates are also present, they too shall have the right to draw up a table for each of the Chambers of Parliament.

6. In the tables provided under paragraph (5) above shall be recorded the void votes, the lists of candidates or names and surnames of the independent candidates and the validly expressed votes for each of them.

ARTICLE 62.

1. After opening the ballot-boxes and counting the votes, the president of the electoral commission of the polling station shall draw up minutes in two copies, one for the Chamber of Deputies and one for the Senate, which shall specify:

a) the number of voters according to the permanent voter lists;
b) the number of voters that have participated in the voting; the breakdown of this number into voters from the permanent voter list and from the special list;
c) the total number of validly expressed votes;
d) the number of void votes;
e) the number of votes validly expressed in favor of each list of candidates or of each independent candidate;
f) a brief statement of the objections and questions and the manner of their settlement as well as of the questions presented for settlement to the constituency's commission;
g) the state of the seals on the ballot boxes at the conclusion of the voting;
h) the number of ballot papers received;
i) the number of unused and voided ballot papers.

2. The minutes shall be signed by the president and by the members of the commission, and they shall have the control stamp applied on them. The signatures shall be put opposite the name, surname, and, as the case may be, political affiliation of each member.

3. On request, a duplicate certified by all those who have signed the minutes shall be issued to all members of the electoral commissions of the polling station who have signed the first copy, the request shall be made before the minutes is drawn up.

4. Missing signatures of some members of the commission shall not affect the validity of the minutes. The president shall mention the reasons which have prevented them from signing.

ARTICLE 63.

1. Throughout the duration of the electoral proceedings and opening of the ballot boxes, objections and questions can be made with regard to these proceedings by the candidates, members of the electoral commission as well as voters (up to the conclusion of the polling).

2. Questionings shall be made in writing, and they shall be presented to the president of the electoral commission of the polling station, who shall issue a certificate of receipt .

3. The president of the electoral commission of the polling station shall decide forthwith on the questions whose settlement suffers no delay.

ARTICLE 64.

1. For the Chamber of Deputies and for the Senate a file shall be created for each which shall include the minutes and the petitions questioning the electoral proceedings of the polling station as well as the void ballot papers and the questioned ones. The sealed files and the stamps shall be forwarded to the constituency commission by the president of the electoral commission of the polling station and by the members of the commission, under military guard, within not more than twenty-four hours after the closure of the polling station.

2. Within twenty-four hours after the receipt of the file, the constituency commission shall send one copy of the minutes to the tribunal in whose territorial area of competence the constituency lies; the parties and political formations as well as the independent candidates may obtain authenticated copies of the minutes.

Section 2. Tabulation Of Votes In The Constituencies

ARTICLE 65.

1. After receiving the minutes with the results of the counting of the votes, the constituency commission shall draw up separate minutes for the Chamber of Deputies and for the Senate specifying the votes validly expressed for each party, political formation, or their coalition, which they shall forward within twenty-four hours to the Central, Electoral Commission.

2. After receiving from the Central Electoral Commission the report with regard to the parties political formations, or their coalitions which have not obtained at least three per cent of the votes validly expressed throughout the country, the constituency commission shall proceed, according to Article 66, to assign the mandates of Deputy, respectively of Senator.

3. Candidates and accredited persons shall also have the right to assist at the proceedings of the constituency commission.

ARTICLE 66.

1. The assignment of mandates to the candidates on the lists shall be made by having in view only the parties, political formations, or their coalitions which have obtained throughout the country at least three per cent of

the votes validly expressed separately for the Chamber of Deputies and for the Senate.

2. The assignment of the mandates shall be made only after the communication of the Central Electoral Commission with regard to the parties, political formations, and their coalitions which have obtained at least three per cent of the total number of validly expressed votes throughout the country, distinctly for the Chamber of Deputies, and for the Senate.

3. The distribution and assignment of the Deputy and Senator mandates shall be carried out in two stages: at the level of each constituency, and at the level of the whole country.

4. At the level of the constituency, the electoral commission shall establish the electoral coefficient of the constituency separately for the Chamber of Deputies and for the Senate, by dividing the number of Deputies and Senators that are to be elected in that constituency into the total number of votes validly expressed for all the lists of candidates, political formations, and their coalitions which meet the condition provided under paragraph (1) and also for the independent candidates; to each list as many mandates shall be assigned as many times the electoral coefficient of the constituency is included in the votes validly for that list; the assignment of mandates shall be made by the constituency commission in the order of registration of the candidates on the list; a mandate shall also be assigned to each independent candidate having obtained a number of votes validly expressed at least equal to the electoral coefficient for Deputies or Senators, as the case may be. The remaining votes, that are those that have not been used, or are inferior to the electoral coefficient, obtained by the lists of candidates of the parties, political formations, and their coalitions which do not meet the condition provided under paragraph (1) above, as well as the mandates that could not be assigned by the constituency commission shall be communicated by it to the Central Electoral Commission to be centrally assigned.

5. The Central Electoral Commission shall total the unused votes and those less than to the constituency coefficient from all constituencies, for each party, political formation, or their coalition which meet the condition provided under paragraph (1), throughout the country, for the Chamber of Deputies and for the Senate separately; the number of votes thus obtained for each party, political formation or their coalition shall be divided by 1,2,3,4, etc., making as many divisions as there are mandates which could not be assigned at the level of the constituencies; the quotients resulting from the division, regardless of the list from which they come, shall be classified in decreasing order down to the number of non-assigned mandates; the smallest of these quotients shall constitute the electoral coefficient throughout the country for Deputies and, seprate for Senators; as many mandates of Deputy or, as the case may be, of Senators shall be assigned to each party, political formation or their coalition as many times the electoral coefficient throughout the country shall enter into the total number of votes validly expressed for the respective party, political formation or coalition, resulting by totalling the unused votes and those less than the constituency coefficient.

6. The spreading of the mandates distributed by the constituencies shall be made by the Central Electoral Commission as follows:

a) For each party, political formation or their coalition, which shall have received mandates according to paragraph (5), the number of unused votes or of those lower than the constituency coefficient, from each constituency, shall be divided by the total number of votes validly expressed for that party, political formation or coalition considered in distributing the mandates throughout the country. The result thus obtained for each constituency shall be multiplied by the number of mandates due to the party, political formation, or their coalition. The data obtained shall be classified in decreasing order at country level, and in separately decreasing order within the framework of each constituency. For each constituency, the first parties, political formations or their coalitions shall be taken into account within the limit of the mandates that have remained undistributed in the respective constituency. The last number in this operation shall represent the distributor of that constituency. The next step shall be the distribution of the mandates by constituencies in the order of the parties, political formations, their coalitions as well as of the constituencies on the ordered list for the entire country as follows: the first number from the ordered list for the whole country shall be divided by the distributor of the constituency from which it originates, resulting the number of mandates that are due to the respective constituency. The procedure shall be continued in the same way with the following numbers from the ordered list for the whole country. If the number of mandates due to a party, political formation, or their coalition from a constituency have been exhausted, the operation

shall be continued without these. If the number from the ordered list for the whole country is less than the constituency distributor, a mandate shall be granted.

b) In case the granting of mandates in the order resulting from the provisions under sub-paragraph (a) should not be possible, the Central Electoral Commission shall take into account the constituency in which the party, political formation, or their coalition have the greatest number of candidates or one candidate to whom no mandates were assigned, and if, in this way too, there should have remained mandates unindividualized by constituencies, it shall take into account the constituency in which the party, political formation, or the respective coalition have the greatest number of unused votes, or the greatest number of votes inferior to the constituency coefficient.

c) If after application of the provisions under sub-paragraphs (a) and (b) there shall have remained mandates not spread over the constituencies, the Central Electoral Commission shall establish, on the basis of an agreement, the parties, political formations, or their coalitions to which these mandates shall be due according to paragraph (5), and failing an agreement, by drawing lots, within twenty-four hours after the previous operations were dosed.

7. The mandates spread over the lists of candidates according to paragraph (6) shall be assigned by the constituency commission to candidates in the order of their registration in the list.

8. Within twenty-four hours after the closing of each assignment operation, the constituency commission shall issue a certificate attesting to the election of the Deputies and Senators to whom mandates have been assigned.

9. The candidates registered in the lists who have not been elected shall be declared alternate candidates on the respective lists. In case of vacancy of the mandates of Deputies or of Senators elected on lists of candidates, the alternate candidates shall occupy the places that have become vacant, in the order in which they are registered in the lists, if up to the date of validation for the occupation of vacant seats, the parties or political formations on whose lists the alternate candidates have been nominated shall confirm in writing that they belong to them.

ARTICLE 67.

1. The constituency commission shall draw up minutes, separately, for the Chamber of Deputies and for the Senate with regard to all the electoral operations, centralization of the votes, counting and returning of the votes, and assigning of the mandates.

2. The minutes shall specify:

a) the number of the voters from the constituency, according to the permanent voter lists;

b) the total number of voters having participated in the polls; the breakdown of this number by voters on the permanent lists and on the special ones;

c) the total number of votes validly expressed;

d) the total number of votes validly expressed on each list of candidates and for each independent candidate;

e) the number of void votes;

f) the manner of assigning the mandates according to Article 66, the name and surname of the elected candidates as well as the party, political formation, or their coalition which has proposed them, as the case may be;

g) the mandates that could not be assigned at the level of the constituency as well as the votes validly expressed that are to be total, according to Article 66, throughout the country;

h) a brief account of the objections and questioning petitions received, and of the decisions taken by the constituency commission.

3. The minutes, together with the objections, questionings, and the minutes received by the electoral commissions of the polling stations, forming a file, closed, sealed, and signed by the members of the electoral commission shall be forwarded, under military guard, to the Central Electoral Commission, within forty-eight hours at the most after receiving the communication from the Central Electoral Commission referring to the spreading by constituencies of the mandates centrally distributed throughout the country.

ARTICLE 68.

1. The Central Electoral Commission shall settle the objections and questions presented, after which they shall draw up separate minutes for the Chamber of Deputies and for the Senate, specifying for the entire country:

a) the total number of voters according to the permanent voter lists;

b) the total number of voters having participated in the polls;

c) the total number of votes validly expressed;

d) the total number of void votes;
e) the finding with regard to the manner of application by the constituency commissions of the provisions under Article 66, paragraph (4);
f) the allotment throughout the country of the mandates according to Article 66, paragraph (5) and their spreading by constituencies according to paragraph (6) of the same article;
g) the organizations of citizens belonging to the national minorities which, although they have participated in the elections, have not obtained a Deputy or Senator mandate; the totality of the votes validly expressed for the lists of each of these organizations, and the finding of the organizations to each of which a Deputy mandate is due according to Article 4; the name and surname of the first candidate on the list entitled to a Deputy mandate, who has total the greatest number of votes; in the case in which the lists of the organization have obtained an equal number of votes, the designation shall be made by drawing lots;
h) the manner of settling the questionings and objections received.

2. The minutes shall be signed by the president and the other members of the commission in whose presence they were drawn up, and they shall be forwarded to the Chamber of Deputies and to the Senate, in view of the validation of the elections, together with the files set up by the constituency commissions.

3. In view of the validation, the Deputies and Senators shall present to the senior president or acting president, as the case may be, a declaration on the wealth they possess. The declaration shall be confidential, and it shall be presented against a receipt of presentation.

4. The program used by the Central Electoral Commission for the centralized allotment of the mandates and their spreading by constituencies shall be approved by the Central Electoral Commission, and it shall constitute an appendix to the official report which shall be forwarded for the validation of the mandates.

ARTICLE 69.
The Central Electoral Commission shall publish the results of the elections in the press and in the "Monitorul Oficial" of Romania, in due time, for the observance of the provisions of Article 60, paragraph (3) of the Constitution.

CHAPTER X. BY-ELECTIONS

ARTICLE 70.
1. In the event elections should be voided in a constituency, according to Article 25, paragraph (1), sub-paragraph (as well as in the case in which a mandate of Deputy or senator should have become vacant and cannot be occupied by the alternate candidate on the list, by-elections shall be organized.

2. No by-elections shall be organized if the vacancy of a Deputy or Senator mandate has occurred in the last twelve months previous to the expiration of the mandate of the Chamber of Deputies and of the Senate, provided under Article 60, paragraph (1) of the Constitution.

ARTICLE 71.
1. If the by-elections take place as a result of the voiding of elections in a constituency, they shall be held on the basis of the same candidacies, electoral commissions, and at the same polling stations, on the third Sunday after the initial elections were voided.

2. Candidates guilty of fraud shall not participate in the new elections.

3. By-elections organized in case of vacancy of a mandate of Deputy or Senator shall take place under the conditions of an adequate application of the present law, within not more than three months after the notification of the Government by the president of the Chamber of Deputies or, as the case may be, by the president of the Senate, regarding the fulfillment of the conditions provided under Article 70.

4. In case the by-elections provided under paragraph (3) above are organized in a single constituency, no Central Electoral Commission shall be constituted, its duties being fulfilled by the constituency commission.

5. In by-elections shall participate only the voters from the permanent voter lists of the localities within the framework of the constituency where the elections shall be organized.

CHAPTER XI. PETTY AND CRIMINAL OFFENSES

ARTICLE 72.
The following deeds, unless according to the law they are criminal offenses, shall constitute petty offenses:
a) the knowingly registration of an voter in several voter lists in the locality of residence, the registration in the voter lists of fictitious persons or

of disfranchised persons, the signing of the list of supporters in violation of the provisions under Article 33 as well as the violation of the provisions referring to the posting up of the lists of candidates and of independent candidates, or to the use of the electoral signs;

b) the unjustified refusal to hand over a voter's card at the written request of the interested person, or to draw up the voter's card within the established terms;
c) the omission, by the organizers, to take the necessary measures for the normal proceeding of the electoral meetings as well as the distribution and consumption of alcoholic drinks during these meetings;
d) the destruction, deterioration, soiling, writing over, or spoiling in any way whatsoever of the posted voter lists, planks, political platforms, or of any printed electoral propaganda posters or notices;
e) the posting up of electoral propaganda materials in other places than those allowed or in violating the provision of the present law;
f) the acceptance by a citizen to be registered in several lists of candidates;
g) the omission, by members of the constituency commissions, to bring the proposed nominations to public notice;
h) the refusal to allow access in the polling to the candidates or persons accredited to assist at the polling proceedings;
i) the refusal to obey the orders of the president of the electoral commission of the polling station concerning the ensuring of order in the polling station and in its surroundings;
j) the unjustified refusal to register an voter in the special list, or to hand over the ballot paper and voting stamp to an voter who has signed the voter list: the handing over of the ballot paper to an voter who does not show the voter's card and the identity paper or who refuses to sign for their receipt in the voter list in which he is registered;
k) the drawing up of official reports by the electoral commission of the polling stations in violating the provisions of the present law;
l) the continuation of electoral propaganda after its closure as well as advising the voters on polling day, at the seat of the polling stations or in the places provided under Article 51, paragraph (2), to vote for or against a certain party, political formation, their coalition, or an independent candidate;
m) the receipt of funding for the electoral campaign other than through an authorized financial agent or in violating, by such an agent, of the obligations that incumbent upon him, according to Article 45, paragraph (4);
n) the wearing of badges, or other electoral propaganda insignia by members of the commission of the polling stations the duration of the voting;
o) the failure, by members of the electoral commissions, to comply with the obligation to participate in the activity of these commissions.

ARTICLE 73.
Petty offenses provided under Article 72, Paragraphs (d), (e), (h), (n), and (o) shall be sanctioned with a fine from 5,000 to 15,000 lei, those under paragraphs (f), (g), (k), (1), and (m), with a fine from 15,000 to 45,000 lei, and those under paragraphs (a), (b), (c), (i), and (j), with a term of imprisonment from one month to six months, or with a fine from 45,000 to 100,000 lei.

ARTICLE 74.
1. The finding of the petty offenses provided under Article 72 shall be made by an official report drawn up by:
   a) police officers and non-commissioned officers for the deeds provided under paragraph (a), (b), (c), (d), (e), (g), (h), (i), (j), (k), (1), and (m);
   b) mayors and their authorized representatives for the deeds provided under paragraphs (d), (e), and (m);
   c) the president of the constituency for the deeds provided under paragraphs (f), (k), (1), (n), and (o).

2. As for the petty offenses provided under Article 72, paragraphs (d), (e), (f), (g), (h), (k), (1), (m), (n), and (o), in his official report, the finding agent shall also settle the fine applied.

3. The provisions of the Law No. 32/1968, except Article 26, shall apply to the petty offenses provided under the previous paragraph.

4. The official report on the finding of the petty offenses provided under Article 72, paragraphs (a), (b), (c), (i), and (j) shall be presented to the law court of first instance in whose territorial area the petty offense was committed, and which shall apply the sanction, taking into account the provisions of the Law No. 61/1991.

ARTICLE 75.
1. The interference by any means with the free exercise of the right to elect or to be elected shall be punished with

imprisonment from six months to five years, and interdiction of certain rights.

2. In case that, by the deed provided under paragraph (1) above, an injury to the corporal integrity or health has been caused which requires medical care for a period exceeding sixty days, or which has caused one of the following consequences: loss of a sense or organ, their failure to function, a permanent physical or psychical infirmity, disfigurement, abortion, or endangering the life of a person, the punishment shall be imprisonment from three to ten years.

3. The attempt at the petty offense provided under paragraphs (1) and (2) shall be punished.

ARTICLE 76.
1. The violation by any means of the secret ballot by members of the electoral commission of the polling station or by other persons shall be punished with imprisonment from six months to three years.

2. The attempt shall be punished.

ARTICLE 77.
1. The promise, offer, or giving of money or other advantages for the purpose of inducing the voter to vote or not to vote for a certain list of candidates or an independent candidate as well as their receipt by an voter, to the same end, shall be punished with imprisonment from six months to five years.

2. If the deed provided under paragraph (1) has been committed by an internal observer, the punishment shall be imprisonment from two to seven years.

3. The punishment provided under paragraph (1) shall also be applied to a person voting without having a vote, or to an voter voting more than once on the election day. The attempt shall be punished.

ARTICLE 78.
1. The use of a voided voter's card, or of a forged voter's card or ballot paper, the introduction into the ballot box of an additional number of ballot papers than those which an voter is entitled to, or the forging by any means of the documents from the electoral commission shall be punished with imprisonment from two to seven years.

2. The attempt shall be punished.

ARTICLE 79.
1. The attack by any means on the building of the polling station, the theft of the ballot box, or of the electoral documents shall be punished with imprisonment from two to seven years, unless the deed shall constitute a heavier offense.

2. The attempt shall be punished.

ARTICLE 80.
The opening of the ballot box before the hour established for the closure of the polling shall be punished with imprisonment from one year to five years.

ARTICLE 81.
For the offenses provided under Articles 75 to 80, the criminal proceeding shall be started ex officio.

ARTICLE 82.
The goods intended for, used for, or resulted from the petty offenses provided under Article 72 or from the offenses provided under Article 75 to 80 shall be confiscated.

CHAPTER XII. TRANSITORY AND FINAL PROVISIONS

ARTICLE 83.
1. Any costs or expenses incurred for carrying out the election proceedings shall be paid out of the State budget.

2. The seat and equipment of the Central Electoral Commission shall be provided by the Government; those of the constituency commissions, by the prefects, and those of the polling stations, by the mayors, together with the prefects.

3. Any deeds drawn up in exercising the electoral rights provided in the present law shall be stamp-tax exempt.

ARTICLE 84.
1. In support of the activity of the electoral commissions, the Government of Romania shall provide the necessary supporting staff and trained statisticians.

2. For the duration in which the electoral commissions shall be operating, their members, the statisticians, and the supporting staff, who at their work places are employed under a contract, shall be considered temporally transferred.

ARTICLE 85.
1. The trial in court of objections, questionings, or any other petitions provided by this law shall be made according to the rules settled by law for presidential orders,

with the compulsory participation of the public prosecutor.

2. No proceedings may be instituted against final decisions passed by courts of justice according to the present law.

ARTICLE 86.
1. The timetable provided in the present law shall be calculated including the first and last day, even if they should not be working days.

2. For the whole duration of the elections, the electoral commissions and courts of justice shall be permanently on duty in order to enable the citizens to exercise their franchise.

ARTICLE 87.
1. Persons disfranchised by a final sentence shall not participate in the voting and shall not be counted in establishing the total number of voters.

2. The provision of Article 59 regarding the special ballot box shall be applied correspondingly to persons under arrest before trial or convicted for an infringement.

ARTICLE 88.
1. The prefects shall verify the correct fulfillment by the mayors of their obligations provided by the present law, and if electoral frauds are found, they shall notify the lawful bodies.

2. Likewise, in case the prefects find that an voter has not been registered in or struck off from the voter lists, according to the law, or that the constituency or polling station commissions have not been lawfully constituted, they shall formulate objections and questionings that shall be settled in agreement with the provisions of the present law.

ARTICLE 89.
For the purpose of the present law, identification paper shall mean the identity paper, the certificate replacing the identity paper, or the diplomatic or service passport, and in the case of conscripts and students at military schools, the military service card.

ARTICLE 90.
Elections for the constitution of a new Parliament shall take place at the date that is to be settled by law.

ARTICLE 91.
For the 1992 elections, in the case of electoral coalitions, to the threshold of three per cent provided under Article 66, paragraph (1) shall be added one per cent of the total validly expressed votes throughout the Country for each member of the coalition, beginning with the second party or political formation, without exceeding eight per cent of these votes.

ARTICLE 92.
1. For the 1992 elections, voting shall be done on the basis of the voter lists used in the local elections, updated within fifteen days from the date when the polling day shall be settled as well as on the basis of the identification paper on which the control stamp of the polling station shall be applied-over the endorsement, written in ink, stating the polling date.

2. The Government shall provide by December 31, 1992 the printing, drawing up and issue of all voter's cards to all citizens having the right to vote from the voter lists of the localities where they have their residence.

3. The voter's cards of conscripts shall be sent by the mayor to the commanders of the military units, who shall hand them over against a signature.

4. For the 1992 elections, if the stapling of the ballot papers is not possible, these shall be introduced into the ballot box after the voter has introduced them into envelopes corresponding to their size, provided by the electoral commission of the polling station.

ARTICLE 93.
1. The provision of Article 51, paragraph (3) shall also apply to the delegates accredited by the Central Electoral Commission as internal observers only for the 1992 elections. As internal observers there can be accredited only voters authorized by a non-governmental organization whose single aim is to defend the rights of man, lawfully constituted by the opening date of the electoral campaign.

2. The persons designated as internal observers cannot be members of a party or of a political formation. Their accreditation shall be made for a single polling station. The Central Electoral Commission may accredit to a polling station only one internal observer, on the basis of his or her written declaration to strictly observe the conditions of the accreditation. The declaration shall be given on his or her own responsibility, and it shall constitute a public document, with all the consequences provided by the law. The conditions of the accreditation shall be specified in the

accreditation deed; if several persons are authorized for one and the same polling station, the accreditation shall be decided by lots.

3. The provisions of Article 45, paragraph (3), and of Article 51 paragraph (5) shall be correspondingly applicable to non-governmental organizations provided under paragraph (1).

ARTICLE 94.

As for the Constituency no. 42, the competencies provided by the present law for the county tribunal shall be exercised by the Tribunal of the Municipality of Bucuresti.

The present law was adopted by the Chamber of Deputies and by the Senate in the joint session of June 17, 1992, duly observing the provisions under Article 74, paragraph (1), and Article 76, paragraph (2) of the Constitution of Romania.

LAW No. 69/1992
ON THE ELECTION OF THE PRESIDENT OF ROMANIA

CHAPTER I. GENERAL PROVISIONS

ARTICLE 1.

1. The President of Romania shall be elected through universal, equal, direct, secret and freely expressed suffrage, under the conditions of this law.

2. A voter has the right to a single vote, on each ballot organized for the election of the President of Romania, according to Art. 81 paragraphs 2 and 3 of the Constitution.

ARTICLE 2.

1. In the territorial-administrative units, the electoral proceedings for the election of the President of Romania shall be carried out in constituencies and polling stations, under the control of the electoral commissions provided for by law for the election to the Chamber of Deputies and to the Senate, on the basis of the same voter lists.

2. The Constitutional Court, according to Art. 144, paragraph d from the Constitution, ensures that the provisions of this law are respected over all the country and confirms the results of the ballot.

ARTICLE 3.

1. Party candidates, political formations, or independent candidates may participate in the elections for the President of Romania. The parties and political formations may nominate, either separately or together, only one candidate.

2. Both the nominated candidate by parties or political formations, and the independent candidates may by registered only if they are supported by at least 100,000 voters. Voters may vote for only one candidate.

ARTICLE 4.

1. The election date is established and made public by the Government, at least 60 (sixty) days previous to voting day, and within 5 (five) days from the expiration of the President's term of Commission, or from the date when the term provided by Art. 96 paragraph 2 of the Constitution begins.

2. The elections are to take place on one day and will be held only on Sunday.

CHAPTER II. ORGANIZATION AND IMPLEMENTATION OF THE ELECTIONS

Section 1. The Duties Of Electoral Commissions

ARTICLE 5.

The Central Electoral Commission has the following duties:

a) oversees up to date voter lists and ensures that the legal dispositions regarding the election of the President of Romania are upheld all over the country and ensures their uniform application;
b) ensures that the provisions of the law are respected and records the candidates which meet the qualifications;
c) communicates to the constituency commissions and makes known through the press the candidates;
d) resolves the contestats for its own activity and the contestats sent by voter constituency commissions; the resolutions are definitive;
e) centralizes the election results, ascertains the elected candidate and presents to the Constitutional Court the necessary documentation for the validation of the mandate for the President of Romania;
f) carries out other obligations which shall devolve upon it according to this law;

ARTICLE 6.

The constituency commissions have the following duties:

a) within 2 (two) days from receipt of notice, to publish and post those candidates registered with the Central Electoral Commission, and to make the publications and posting;
b) to resolve the contests to its own activity and the contestats regarding the operations of the electoral commissions of the voter sections;
c) to distribute the ballots, control stamps and stamps with imprinted "voted" on it, to the electoral commissions and sections;
d) to centralize the election results for the voter constituency and forward them to the Central Electoral Commission. The official reports containing these results, as well as the contests, complaints and official reports received from the electoral commissions of voting;
e) to carry out other obligations provided by law.

ARTICLE 7.
The electoral commissions of the voting carry out adequately, the prerogatives according to the law for electing the Parliament.

ARTICLE 8.
The electoral commissions work with one half of the staff, plus one, from the total number of staff and make decisions with a majority of present members.

Section 2. Nominations

ARTICLE 9.
1. The proposals for candidates for election of the President of Romania are to be filed at the Central Electoral Commission no later than 30 (thirty) days previous to the election date.

2. The proposals are to be made in writing and will be accepted only on the condition that they:
   a) are signed by the leadership of the party or political formation or their leadership, which has nominated the candidate, or the independent candidate, as the case may be;
   b) contain the first and last name, occupation and the profession of the candidate;
   c) are followed by the declaration of acceptance of the candidate, written, signed, and dated by the candidate, as well as the lists of supporters (at least 100,000); the list or lists of supporters must contain first and last names of the candidates, as well as the first and last name, address, the ID number and signature of those who support the candidature.

3. The supporters list is a public right. The agreement of the supporters is their own responsibility.

4. The proposal for candidacy is presented in 4 (four) copies, 2 (two) of them which are to kept at the Central Electoral Commission, another is registered at the Constitution Court, and the fourth, certified by the President of the Central Electoral Commission and handed back.

ARTICLE 10.
Persons who do not fulfill the conditions provided by Art. 35 of the Constitution or have been elected President of Romania twice, may not qualify. The incumbent President of Romania, can qualify only if he has served one previous term.

ARTICLE 11.
1. Within 24 hours from the registration, the Central Electoral Commission shall make public the candidates through the press and posting at its headquarters.

2. Up to 20 days prior to the election date, citizens, parties and other political formations can contest the candidacy.

3. The contests regarding the admission or rejection of the candidacy are resolved by the Constitutional court within 24 hours. The decision of the court is final and published in MONITORUL OFICIAL of Romania.

4. The next day after the deadline for resolving the disputes, provided for in sub paragraph 3, the Central Electoral Commission communicates to the constituency electoral commissions the final list of candidates, in order of registration.

Section 3. The Ballots

ARTICLE 12.
1. The ballots are to be printed according to the model stipulated in the appendix.

2. The dimensions of the ballots will be established by the Central Electoral Commission, taking into consideration the number of candidates and space for printing and are to be transmitted to constituency commissions, with the communication of the candidates.

3. The printing of the ballots is ensured by the constituency electoral commission, upholding the legal provisions referring to ballot printing for Parliament elections. The prefects are held responsible that all ballots are printed at least one day before election day.

ARTICLE 13.
1. The electoral marks are declared to the Central Electoral Commission with the candidature.

2. If the elections for the President of Romania take place at the same time as the elections for the Chamber of Deputies and the Senate, only the marks used for Parliament's section may be used. If the elections for the President of Romania take place on a date different than pardiamentary elections, only marks established in the last election for the Chamber of Deputies and the Senate may be used. As for the parties or political formations which have not participated in these elections as well as for electoral coalitions, the provisions of the Law on the Election of the Chamber of Deputies and the Senate referring to signs and denominations shall be applied.

ARTICLE 14.
The statutory provisions for the election to the Chamber of Deputies and the Senate, referring to the stamps of the polling stations, and to the handing, distribution and posting of the ballot papers, or to the issue of initialled and voided ballot papers, shall also apply to the elections for President of Romania.

Section 4. The Electoral Campaign And The Conduct Of The Elections

ARTICLE 15.
1. The electoral campaign and its development for the President of Romania are conducted according to the legal dispositions regarding the election to the Chamber of Deputies and the Senate, with the exceptions provided for in this section.

2. The president in office may participate in the electoral campaign of the party or political formation which has nominated him or which supports his candidacy, according to Article 9.

ARTICLE 16.
1. For the candidates for President of Romania access to public radio and TV shall be equal and free of charge.

2. The schedule for the electoral campaign and the designation of broadcast space for free access of the candidates is made after the registration of the candidates by the both Chambers of the Parliament, together with the representatives of public radio and TV and the participation of the candidates.

3. If the election of the President takes place at the same time as the election to the Chamber of Deputies and the Senate, the schedule and repatriation of broadcast time for the electoral campaign of Parliament will be taken into consideration.

ARTICLE 17.
Against the decision given by the constituency commission on the complaints entered with regard to the prevention of a party or political formation, or of a candidate to conduct his electoral campaign, complaints shall be resolved by the Constitutional Court within three days after their presentation.

ARTICLE 18.
1. If the elections for President take place simultaneously with those of the Chamber of Deputies and the Senate, persons accredited to observe the elections of deputies and senators can participate in the elections of the President as well.

2. In case the elections for President take place after parliamentary elections, the accreditation of press delegates, cinematography, radio, TV, Romanian or foreign, or representatives of international organizations, must be performed by the Central Electoral Commission.

3. In the situation provided for by subparagraph 2, the parties or political formations who have nominated a candidate may send one delegate for each polling station or constituency commission who shall attend to the perfomance of the electoral proceedings. The designation has to be made by communicating the first and last name and the address, and signed by the leadership of the party or the political formation. If a group of parties or political formation have proposed the same candidate they can designate one common representative.

ARTICLE 19.
1. The voter will vote by applying the stamp "voted" within the square form printed with the first and last name of the candidate.

2. If the elections for President of Romania take place simultaneously with the parliament elections, the stamp is to be applied on one numbered ballot for both elections.

3. If the elections for President of Romania take place on a different date than those for the Chamber of Deputies and the Senate, then the stamp is to be applied on one numbered ballot made public by the government on the voting date.

4. At the second suffrage round, the stamp shall be applied on the next suffrage number.

CHAPTER III. THE DETERMINATION OF THE ELECTION RESULTS

ARTICLE 20.
1. The electoral procedure for determining the results of the elections at the election station as well as the handling of the legal disputes related to those and the opening of the ballot boxes are to be conducted in accordance with the legal provisions regarding the election of the the Chamber of Deputies and the Senate.

2. The results of the election at the election station is to be recorded in writing.

3. The candidates of the parties or political formations who have been proposed for both Parliament or the

Presidency, have the right to put together a written record, as well. The delegates of the parties of political formations have the right to do so in such case where the election for President of Romania does not take place at the same time with the elections for Parliament.

4. The written records will contain both the null votes, and valid ones, as well as the first and last name of the candidates.

ARTICLE 21.

1. After the opening of the ballot boxes and the counting of the votes, the president of the electoral section will make 2 copies of an official report which contains:

a) the number of voters according to the permanent lists;
b) the number of voters present at the ballot boxes. The number will be broken down in reference to the voters from the permanent list and those from the special lists;
c) the total number of freely expressed votes;
d) the number of null votes;
e) the number of freely expressed votes for each candidate;
f) a brief presentation of the legal disputes and the manner of resolving them.

2. The official reports are signed by the president and the commission staff.

3. The lack of some commission staff signatures does not impede the validity of the official report. The president will mention the reasons which impeded the signature.

4. The official report together with all the legal disputes regarding the electoral operations of the polling station, as well as the null ballots and the contested ones are to be sealed and stamped and will be handed to the constituency electoral commission under military escort within 24 hours.

5. The constituency electoral commission will send one of the official reports to the territorial Court; the parties or political formation candidates may obtain a notarized copy upon request.

6. Within the twenty-four hours after receiving the file, the constituency commission shall present one of the copies of the minutes to the tribunal in whose territorial area the constituency is included; the candidates or parties and political formations by which they had been nominated shall be entitled to receive authenticated copies of the minutes.

ARTICLE 22.

1. Upon receipt of all official reports from the electoral commissions of the sections and after the legal disputes have been solved, the constituency electoral commission will conclude an official report containing;

a) the number of voters of the constituency according to the electoral permanent lists;
b) the number of voters present at the ballot boxes, "the number will be broken down in reference to the voters from the permanent lists and those from the special lists;
c) the number of freely expressed votes;
d) the number of null votes;
e) the number of freely expressed votes for each candidate within the constituency electoral commission;
f) a brief presentation of the legal disputes and the decisions taken by the constituency electoral commission.

2. The provisions of Art. 21 subparagraphs 2 and 3 are to be applied adequately.

3. The official report, together with the legal disputes, contestats, and the official reports received from the electoral commissions of the voting sections, forming a folder, will be closed, sealed and signed by the electoral commission staff and handed over to the Central Electoral Commission under military escort, within 48 hours, at the most, from the receipt of the last official report from the voting at the electoral commission.

ARTICLE 23.

1. The Central Electoral Commission resolves the legal disputes and presented contests, its decision being final. Afterward an official report will be made, containing;

a) the total number of the voters according to the voter lists of the locality where the voters reside;
b) the total number of the voters presented at the ballot boxes;
c) the total number of null votes;
d) the total number of freely expressed votes, from throughout the country, for each candidate, and the statement of carrying out the conditions provided by Art. 81 of the Constitution; in case these conditions are not met, the first and last name of the candidates that will participate in the second ballot;
e) the centralization of the results of the second ballot according to the provisions of subarticles a - d, which are to be applied adequately, the first and last name of the elected candidate.

f) the way of resolving the legal disputes;

2. The provisions of Art. 21, subArt. 2 and 3, are applied adequately.

3. The official report, for each ballot, together with the constituency electoral commissions folders, received according to Art. 22, Subart. 3, are handed over under military escort, to the Constitutional Court, within 24 hours from the registration of the last folder.

ARTICLE 24.

1. The Constitutional Court shall declare the elections void in case the voting and returning of results have taken place by fraud in the nature of modifying the assignment of the mandate, or as the case may be, the order of the candidates who may participate in the second voting. In this situation, the Court shall order the voting to be repeated on the third Sunday after the date when the elections were decleared voided.

2. The petition for the voiding of elections can be presented by the parties, political formations, and candidates that have participated in the elections, within three days at the most after the end of the voting; the petition shall be motivated and attended by the proofs on which it is based.

3. The petition can be admitted only if the petitioner is not involved in the fraud.

4. The petition shall be decided by the Constitutional Court up to the date provided by law for making the result of elections publicy known.

ARTICLE 25.

1. The Constitutional Court will publish the results of the elections in the press and MONITORUL OFICAL of Romania for each ballot and validates the election result for the elected President.

2. The validation document is made in 2 copies, one of which is handed to Parliament for the oath, as provided by Art. 82 paragraph 2 - Constitution.

ARTICLE 26.

1. The second ballot takes place under the conditions provided by Art. 81 paragraph 3 of the Constitution in two weeks from the first ballot, in the same voting sections and electoral constituencies, under the leadership of the same electoral commissions, based on the same voter lists from the first ballot.

2. The two candidates who have obtained the highest number of freely expressed votes all over the country in the first ballot will participate in the second ballot. The confirmation of this number is to be done by the Constitutional Court within 24 hours from the receipt of the official reports, provided by Art. 23, subArt. 3, which makes public the first and last names of both candidates among which will participate in the second ballot and the established election day according to subArt. l.

3. The electoral campaign for the second ballot starts from the date of bringing to public knowledge of the election day.

4. The schedule for the public radio service, TV, and the allocation of broadcast time, will be established according to Art. 16 and applied adequately within 2 days of the opening of the electoral campaign.

5. The persons accredited to assist in the electoral operations for the first ballot, are righteously accredited for the second ballot as well.

CHAPTER IV. TRANSITORY AND FINAL PROVISIONS

ARTICLE 27.

The sanctions and penalties provided by the law, for infringing the legal dispositions regarding the election of the Chamber of Deputies and of the Senate, are to be applied for the election of the President as well.

ARTICLE 28.

1. The legal provisions for the Chamber of Deputies and of the Senate election, referring to electoral expenses, legal fees, the government support for electoral commissions and the trial for legal disputes or any other requests, are applied as well for the Presidential election.

2. If the elections for Chamber of Deputies and of the Senate and the President of Romania take place at the same time, the expenses for electoral operations, including the funding for parties and political formations from the state budget are supported from the funds allocated for Parliament election.

3. In the case the elections for President of Romania take place at a different date from that of the parliamentary elections, the funding of the electoral campaign of the parties and political formations which have nominated candidates shall be established by a special law. The parties and political formations which have not obtained at least ten per cent of the validly expressed votes throughout the

Country for the candidate which they have nominated shall refund the funding within two months after the date when the electoral campaign has ceased.

ARTICLE 29.

1. The elections for the President of Romania in 1992 shall take place at the same time as the ones for the Chamber of Deputies and Senate.

2. For the elections under paragraph (1) above, internal observers may also be accredited to attend the electoral operations. Under the conditions provided by the Law on the Election to the Chamber of Deputies and the Senate.

ARTICLE 30.

1. The Executive Order No. 92/1990 on the Election of the Parliament and of the President of Romania shall be abrogated.

2. This law was adopted by the Chamber of Deputies and by the Senate in the joint session of June 8, 1992, duly observing the provisions under Article 74, paragraph (1) and Article 76, paragraph (2) of the Constitution of Romania.

SLOVAK REPUBLIC

PARLIAMENTARY ELECTION LAW OF THE SLOVAK REPUBLIC
PROVISIONAL AND FINAL PROVISIONS
NATIONAL COUNCIL OF THE SLOVAK REPUBLIC LEGISLATIVE ACT of May 20, 1998

by which Act of the Slovak National Council No. 80/1990 Coll. on Elections to the Slovak National Council is changed and amended in the wording of later regulations and in the wording and supplementation of other Acts. The National Council of the Slovak Republic passed the following Act:

Article 1

Act of the Slovak National Council No. 80/1990 Coll. on Elections to the Slovak National Council is in the wording of Act of the Slovak National Council No. 8/1992 Coll., Act of the Slovak National Council No. 104/1992 of the Coll., Act of the National Council of the Slovak Republic No. 518/1992, Act of the National Council of the Slovak Republic No. 157/1994 of the Coll. and Act of the National Council of the Slovak Republic 81/195 are changed and amended as follows: (Note: the preamble is likely to change in the final, published version)

CHAPTER 1. BASIC PROVISIONS

Article 1

The elections to the National Council of the Slovak Republic shall be held on the basis of universal, equal and direct suffrage by secret ballot, pursuant to the principle of proportional representation.

Article 2

(1) Citizens of the Slovak Republic, who have reached the age of 18 on election day, and who stay within the territory of the Slovak Republic on the election day, have the right to vote for the National Council of the Slovak Republic (hereinafter referred to as the "right to vote").

(2) Restraints on the execution of voting rights are as follows:

a) restriction of personal liberty stipulated by law due to protection of public health;
b) execution of imprisonment, 1a;
c) disqualification from legal capacity.

Article 3

A citizen of the Slovak Republic, who has reached the age of 21 on election day and who has permanent residence in the territory of the Slovak Republic, may be elected a Deputy of the National Council of the Slovak Republic (hereinafter referred to as "Deputy").

CHAPTER 2. PERMANENT LIST OF VOTERS

Article 4. Composition and Maintenance of the Permanent List of Voters

(1) The permanent list of voters (hereinafter referred to as "List") shall be composed and maintained by the municipality, and in Bratislava and in Košice, by the city ward (hereinafter referred to as "municipality").

(2) During the electoral term, the municipality shall continuously ascertain facts, which are reasons for changes in the List. Changes in the List shall be carried out on the basis of:

a) the municipality´s own records;
b) notices of state organs;
c) results of legal proceedings.

(3) The state organs that decide about the personal status of citizens or that keep records on the personal status of citizens3a shall immediately notify municipalities about the acquisition or loss of citizenship, death of a voter, or his or her legally defined death, or change of his or her forename or surname. A list of citizens who have reached the age of 18 and change permanent residence in Bratislava, must be declared immediately by the registration office3b to the respective ward.

(4) The municipality is obligated to make it possible for the citizen to look at his or her record in order to make certain if he or she is registered in the list, or if the registered data on his or her person are correct.

Article 5. Requisites and Changes in the List

(1) Electors are registered in the list in alphabetical order according to their surnames.

(2) It is necessary to state the following data for the each voter registered in the List:

a) forename and surname;
b) personal identification number;
c) permanent residence4, which for the purposes of this Act means the name of the municipality, and the name of the street, if the municipality is divided into streets, and the house number.

(3) The municipality shall register in the List those persons who:
a) have acquired citizenship of the Slovak Republic;
b) have been registered in the municipality for permanent residence;
c) have reached the age of 18.

(4) The municipality shall delete from the List those persons who:
a) have lost citizenship of the Slovak Republic,
b) have died or who have been pronounced dead;
c) have been registered for permanent residence in another municipality, on the basis of notification by that municipality.

(5) The municipality shall make a change in the list for that person who has changed:
a) forename or surname;
b) permanent residence within the same municipality.

(6) There must be a space for correction of mistakes in the List.

Article 6. Registration in the List

(1) Citizens of the Slovak Republic who have the right to vote are registered in the List according to the place of their permanent residence. Each elector can be registered only in one list.

(2) Soldiers of armed forces and members of armed security forces and armed forces5 , who are collectively accommodated, shall be registered in the list in the municipality where that unit is located. Registration shall be carried out on the basis of documents furnished by the unit, within the term specified by the mayor of the municipality. Registration in the list is valid only for the time of elections. The municipality, where the unit has its seat, shall immediately notify the municipality of permanent residence of the soldier or member of the armed forces of this registration. The municipality shall ensure that precincts consisting exclusively of soldiers of the armed forces and members of armed security forces and armed forces are not formed.

(3) Persons registered in the list according to paragraph 2 for the time of election should be deleted from the registers of municipalities where they have their permanent residences.

(4) A citizen of the Slovak Republic who does not have permanent residence in the territory of the Slovak Republic, and who presents himself or herself in the polling station on election day, will be registered by the election commission in the list, and entitled to vote in that commission´s electoral district. Registration in the list will be recorded in his or her passport by this election commission. Registration in the list is valid only for the time of elections.

(5) A citizen of the Slovak Republic who presents himself or herself in the respective polling station on election day according to his or her place of permanent residence, and who is not registered in the List, will be registered by the precinct election commission in the List on the basis of the submitted identity card.

Article 7. Voting Certificates

(1) Voters, who will not be able to vote in the election precinct where they are registered in the List, will be given a voting certificate by the municipality after the proclamation of elections and based on their request, and they will be deleted from the List by the municipality on the basis of the voting certificate.

(2) The Voting Certificate entitles registration in the List in another electoral precinct; registration is valid for the time of elections only.

Article 8. Legal proceedings

(1) Each voter can verify at the municipal office whether he or she is registered in the list, and can ask for completion of data or for corrections to be made. The municipality is obligated to comply with the applicant within 48 hours, or to notify the applicant the reason why it was not possible to comply with his or her request within the above term.

(2) Should the municipality fail to correct mistakes or failures in the register, the affected citizen can have recourse to the court of law for the electoral precinct with a request for a ruling on correction or completion of the list. Provisions of a special Act5a are related to these proceedings. A municipality acts on the basis of the decision of the court; the Precinct Election Commission makes changes on election day. Trial by court is not subject to any court fee.

(3) The commander of the armed unit can verify at the municipal office, whether the persons according to section 6, paragraph 2 are registered in the list, and can ask for completion of data or for corrections to be made. The municipality is obligated to comply with the request within 48 hours, or to state in writing the reasons why it was not possible to comply with the request.

Article 8 (a)

(1) The municipality shall furnish two copies of the list of voters who are entitled to vote in its election precinct to the precinct election commission, at the latest two hours before the beginning of polling.

(2) The precinct election commission will also register in the list of voters entitled to vote in its election precinct, also that person who demonstrates with confirmation by the municipality that he or she has permanent residence in a place within that election precinct, in addition to the persons according to section 6, paragraph 2, section 7 and section 8, paragraph 2.

CHAPTER 3. ELECTION DISTRICT AND ELECTION PRECINCTS

Article 9. Election District

(1) Elections to the National Council of the Slovak Republic shall be held on the territory of the Slovak Republic.

(2) The territory of the Slovak Republic forms one election district.

Article 10

(1) The mayor of the municipality or of the city ward6 (hereinafter referred to as the "mayor") shall, no later than 30 days before the day of elections, establish election precincts in order to enable the citizens to cast their ballots and count the votes; the mayor shall also determine the polling stations.

(2) Election precincts shall be created to usually include 1,000 voters; in the electoral precinct, in which persons were additionally registered according to Section 6, paragraph 2, the number of voters can be higher. It shall be possible to create independent election precincts for remote municipalities, if there will be at least 50 voters.

(3) Special election precincts may be created in health care facilities, institutions of social care and similar institutions, provided there are at least 100 voters.

(4) The possibility of the execution of the right to vote on the basis of a Voting Certificate in the cells of police detention7 , jails or other facilities for serving disciplinary sentences shall be provided for by the Precinct Election Commission having the jurisdiction for the respective area, in cooperation with the commander of the relevant facility. The size of the election precinct, as set forth in paragraph 3, need not be observed. Persons who do not have permanent residency in this election precinct shall vote on the basis of the Voting Certificate which they requested. In case of arraignment of a person, the appropriate unit of the police corps shall enable such arraigned persons to execute their right to vote.

CHAPTER 4. ELECTORAL BODIES

Article 11. General Provisions

(1) The Central Election Commission, District Election Commissions and Precinct Election Commissions shall be established for the election to the National Council of the Slovak Republic.

(2) Any citizen with the right to vote and for whom there are no restraints on the execution of voting rights may become a member of an election commission. A candidate for Deputy (hereinafter referred to as "Candidate") may not be a member of the election commission.

(3) Election commissions shall be created by an equal number of representatives of political parties and political movements8 (hereinafter referred to as "political party") or their coalitions which will submit lists of candidates. Forenames and surnames of representatives and of their substitutes, with their addresses, shall be announced by a political party or a coalition to the person who summons the first meeting of the election commission. Failure to register the List of Candidates or its withdrawal by a political party or by a coalition will result in the end of membership of representatives of this political party or coalition in election commissions. Membership in the election commission will cease to exist on the day of delivery of written notice by the party or coalition that has nominated the representative or by the member about his or her resignation from the function, sent to the chairman of the election commission. The chairman of the election commission shall call on the substitute according to the order determined by a political party or by a coalition.

(4) The members of election commissions shall commence their offices on taking the following pledge:

"I do solemnly pledge that I shall exercise my office dutifully and impartially and I will abide by the Law and other legal regulations." The pledge shall be taken by the member of election commission by execution of the written wording of the pledge.

(5) The election commission shall make resolutions in the presence of the simple majority of the members by simple majority of the votes. In case of the equal number of votes, the proposal shall be deemed voted down.

(6) The election commission shall determine by agreement its chairman and vice-chairman. If no agreement will be achieved, the chairman and vice-chairman shall be determined by drawing lots. The chairman and vice-chairman must not be representatives of the same political party or coalition. Drawing lots shall be controlled by the recorder of the election commission.

(7) The Statistical Office of the Slovak Republic shall establish expert summarization bodies consisting of employees assigned for this purpose by the appropriate state statistical bodies for preparation of processing and for processing of election returns for the Central Election Commission and for precinct election commissions. The employees appointed in the expert summarization bodies of the election commissions shall take a vow in the wording and manner specified in paragraph 4.

Article 12. Recorders of Election Commissions

(1) The recorder of an election commission shall ensure organisational and administrative matters related to the preparation and the course of meetings of the election commission. At the same time, the recorder shall fulfill the function of an expert adviser to the election commission.

(2) The recorder:
a) of the Central Election Commission shall be appointed and recalled by the government of the Slovak Republic;
b) of the District Election Commission shall be appointed and recalled by the director of the District Office (prednosta okresného úradu);
c) of the Precinct Election Commission shall be appointed and recalled by the mayor of the municipality.

(3) The recorder of the Central Election Commission shall be appointed by the government of the Slovak Republic at the latest 70 days before election day; the recorders pursuant to paragraph 2, letters b) and c) shall be appointed sufficiently in advance in order to fulfill the tasks according to this Act. The recorder has the right to offer advice at the meetings of the election commission. The recorder shall take an oath in the manner and wording specified in Section 11, paragraph 4.

Article 13. Central Election Commission

(1) Every political party or coalition submitting a List of Candidates shall delegate not later than 65 days before election day, two members and two substitutes to the Central Election Commission.

(2) The first session of the Central Election Commission shall be held within five days after the term stipulated in paragraph 1; this session shall be convened by the Prime Minister of the Slovak Republic.

(3) The Central Election Commission shall:
a) review the lists of candidates and decide on their registration or on rejection of their registration,
b) oversee the preparedness of the election commissions at lower levels to fulfill their tasks according to this Act,
c) discuss information from the Ministry of Interior of the Slovak Republic on organizational and technical preparation of the election and recommend proposals for taking appropriate measures,
d) discuss information from the Statistical Office of the Slovak Republic on preparation of the project of technical processing of election returns in districts and in the Slovak Republic,
e) discuss information on assuring the assignment of equal broadcasting time in television and radio broadcasting during the election campaign,
f) determine and publicize the results of the election,
g) prepare minutes on the election results and deliver them to the Chairman of the National Council of the Slovak Republic,
h) issue Certificates of Election to elected candidates,
i) deliver election documents for the retention by the Ministry of Interior of the Slovak Republic.

(4) The Ministry of Interior of the Slovak Republic shall establish an expert-administrative body for assistance to the Central Election Commission in fulfilling its tasks.

Article 14

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Article 15. District Election Commission

(1) Every political party or coalition whose List of Candidates was registered shall delegate, no later than 45 days before election day, one member and one substitute to the District Election Commission.

(2) The first session of the District Election Commission shall be held within five days after the term specified in paragraph 1; the session shall be convened by the director of the District Office.

(3) The District Election Commission shall:
a) oversee the preparedness of the Precinct Election Commissions to fulfil their tasks according to this Act;

b) discuss information from the District Office on organizational and technical preparation of election in the district and recommend proposals for taking appropriate measures;
c) discuss information on the activity of its expert summarization body;
d) supervise the processing of returns in election precincts;
e) in case of any doubt, have the right to ask the Precinct Election Commission for an explanation and other information; it shall correct apparent mistakes after agreement with the Precinct Election Commission alone, otherwise it shall ask the Precinct Election Commission to meet again and correct any inadequacies;
f) prepare minutes on the course and returns of the election in the district and deliver it to the Central Election Commission;
g) deliver election documents for retention by the District Office.

Article 16. Precinct Election Commission

(1) Every political party or coalition whose List of Candidates was registered shall delegate no later than 30 days before election day, one member and one substitute to the Precinct Election Commission.

(2) The Precinct Election Commission must have at least five members; a Precinct Election Commission whose List of voters includes a person additionally registered according to Section 6, paragraph 2, must have at least 7 members.

(3) If the Precinct Election commission does not have the required number of members stipulated in paragraph 1, the municipality mayor shall immediately make this fact known to the director of the District Office, who, after meeting with the authorized representatives of political parties, shall appoint for the missing members persons who are not members of any political party or coalition.

(4) The first session of the Precinct Election Commission shall be held within seven days after the term stipulated in paragraph 1; the session shall be convened by the mayor of the municipality.

(5) The Precinct Election Commission shall:
a) provide for the correct course of voting and maintain order in the polling station;
b) complete the List of voters and collect Voting Certificates;
c) count the ballots and prepare minutes on the election results, which shall be submitted immediately to the appropriate District Election Commission;
d) deliver other election documents for retention by the municipality.

CHAPTER 5. NOMINATION AND REGISTRATION OF THE LIST OF CANDIDATES

Article 17. The List of Candidates

(1) The List of Candidates shall be delivered by a political party registered according to the special Act 8 or by a coalition of political parties in two copies to the recorder of the Central Election Commission no later than 65 days before the election day by its representative.

(2) The List of Candidates of a coalition for purposes of this Act means a separate List of Candidates of political parties that concluded a written agreement on a coalition. A member of one political party cannot be in the List of Candidates of another political party, nor within a coalition among the candidates of coalition political parties (Translator's note: i.e., nor may a member of a political party in a coalition run on the list of a coalition partner party).

(3) A political party shall attach to the List of Candidates a declaration that it has at least 10,000 individual members; this declaration shall also be attached by every political party which is a part of a coalition.

(4) If a political party has not met the conditions according to paragraph 3, it shall attach a petition signed by such number of voters as will substitute for the missing number of members of the political party according to paragraph 3. Upon signing the petition8a , the voter shall state his or her first name, surname, personal identification number and permanent residence, which for the purposes of this Act means the name of the municipality and the name of the street, if the municipality is divided into streets, and the house number. A signature on this petition cannot be withdrawn.

(5) Observance of the conditions stipulated in paragraph 3 or 4 is not applied to political parties that are represented in the National Council of the Slovak Republic and that have an independent club in the National Council of the Slovak Republic by the day when this Act enters into force.

(6) The List of Candidates shall contain:
a) the name of the political party,
b) the first name, surname, academic title, age, personal identification number, profession,

permanent residence, membership in political party or indication that he or she is not member of any political party and the order within the List of Candidates in the form of an Arabic numeral for all candidates.

(7) The political party may place its graphic symbol on the List of Candidates.

(8) The political party or coalition may nominate a maximum of 150 candidates on the List of Candidates.

(9) The declaration of the candidate signed by his or her own hand must be attached to the List of Candidates saying that he or she agrees with his or her candidacy, and that he or she is not a candidate on another List of Candidates, and that he or she knows of no obstacles to eligibility, and certification of his or her membership in the political party, or an affidavit that he or she is not a member of any political party.

(10) Political parties may agree in writing to form a coalition. Every political party represented in the coalition must observe the conditions stipulated in paragraphs 3 to 9.

(11) In an attachment to the List of Candidates, the political party shall determine its representative and two substitutes, and state their first names, surnames and exact addresses. The representative or his or her substitute cannot be a candidate. The political party shall be bound by actions of its representative. If a substitute takes the place of the representative, the political party shall make this fact known to the Central Election Commission. The coalition shall determine a common representative and common members of the election commissions. Actions of the representatives and members of the election commissions shall bind all political parties and political movements represented in the coalition.

(12) The recorder shall ascertain if the submitted List of Candidates observes the stipulated requirements. If this is not the case, the recorder shall make known this fact to the representative of the political party or coalition. The recorder shall certify the delivery of the List of Candidates to the representative of the political party or coalition.

(13) The recorder shall immediately convey the List of Candidates to the expert summarization body of the Central Election Commission for the purpose of verification and processing of election returns.

Article 18. Review of the Lists of Candidates

(1) The Central Election Commission shall start to review the submitted Lists of Candidates no later than 55 days before election day.

(2) The Central Election Commission shall review the List of Candidates as to whether it meets the conditions according to this Act. The Central Election Commission shall delete:

a) candidates who do not meet the conditions stipulated in Section 3;
b) a candidate to whose name the affidavit according to Section 17, paragraph 9 has not been attached;
c) a candidate whose name is included on the List of Candidates of several political parties, on that List of Candidates to which the affidavit according to Section 17, paragraph 9 has not been attached; if the candidate signed the affidavit attached to several List of Candidates, he or she shall be removed from all lists of candidates;
d) candidates, who have been nominated above the numerical limit according to Section 17, paragraph 8.

Article 19. Registration of Lists of Candidates

(1) The Central Election Commission shall register the Lists of Candidates which are in accordance with this Act, as well as the Lists of Candidates which were modified according to Section 18, paragraph 2, no later than 45 days before election day. Registration is a prerequisite for printing ballots. Ballots for coalition parties shall be printed in such a way to make it obvious that this is a coalition, and each party has a separate ballot.

(2) The Central Election Commission shall refuse registration of a List of Candidates which is not in accordance with this Act, and which cannot be modified according to Section 18, paragraph 2, within the term according to paragraph 1.

(3) The recorder of the Central Election commission shall deliver the decision according to paragraphs 1 and 2 to the respective political party within 24 hours of the decision of the Central Election Commission.

(4) Political parties may appeal a decision of the Central Election Commission on registration of the List of Candidates, on registration of the List of Candidates with modifications according to Section 18, paragraph 2, and a decision on refusal of registration of the Lists of Candidates, to the Supreme Court of the Slovak Republic, and may submit a proposal for giving a ruling on cancellation of registration, or a proposal for giving a

ruling on withholding a candidate from the List of Candidates, or a proposal for giving a ruling on registration of the List of Candidates. The proposal shall be submitted within three days of the decision of the Central Election Commission. It is not possible to appeal a decision of the Supreme Court of the Slovak Republic. The Supreme Court of the Slovak Republic shall decide within five days.

(5) The Ministry of Interior of the Slovak Republic shall send the municipalities a list of registered candidates through the Regional Offices and District Offices no later than 25 days before election day. The municipalities shall ensure that a copy will be furnished to every voter no later than 20 days before election day.

Article 20. Withdrawal of the List of Candidates and Resignation and Recall of Candidacy

(1) A political party or coalition may withdraw its List of Candidates in written form, by its representative, until 48 hours before the beginning of the election.

(2) Any candidate can resign his or her candidacy until 48 hours before the beginning of the election. The political party or coalition that has nominated this candidate may recall him or her in written form within the above term.

(3) Withdrawal of the List of Candidates by a political party or by a coalition, resignation or recall of candidature cannot be withdrawn. It must be delivered in two copies to the chairman of the Central Election Commission, who shall ensure its publication in a suitable manner.

(4) If a candidate has resigned, or if he or she was recalled after registration of the List of Candidates, his or her data shall remain on the List of Candidates, but he or she will not be taken into account during assignment of mandates.

Article 21. Numbering the Lists of Candidates

The Central Election Commission shall determine by lot the number by which the List of Candidates of any political party or coalition shall be marked, no later than 40 days before election day. A List of Candidates, which will be registered additionally based on the decision of the court will be allotted by the Central Election commission a number, which will follow after the highest drawn number. The drawn numbers of the lists of candidates shall be made known immediately by the Central Election Commission in written form to the political parties and coalitions and the Central Election Commission shall ensure their publication. Coalition parties shall be marked by a common number, while the ballot shall be marked with a fraction of this number in the order in which parties run.

Article 22. Ballots

(1) A ballot shall be printed for any political party that nominates its members. A separate ballot shall be also printed for any political party that nominates its members in coalition, with the stipulation that in addition to the prerequisites according to paragraph 2, the name of the respective coalition political party or political movement shall be given on the ballot.

(2) The Ministry of Interior of the Slovak Republic shall ensure the necessary number of ballots based on the registered Lists of Candidates. The drawn number of the List of Candidates, name of political party or coalition, first name and surname of candidates, academic title, age, sex, permanent residence and membership in political party must be stated on the ballot. The order of candidates on the ballot must be the same as their order on the List of Candidates. If a political party has placed its graphical symbol on the List of Candidates, it shall also be placed on the ballot.

(3) Ballots for the elections in the National Council of the Slovak Republic must be printed using the same font and size of letters, on the paper of the same color, quality and size. Ballots shall be stamped by the seal of the Ministry of Interior of the Slovak Republic.

(4) The Ministry of Interior of the Slovak Republic shall deliver ballots to the mayors of municipalities who shall ensure that the ballots are delivered to all Precinct Election Commissions on the day of elections.

(5) The voter shall receive ballots in the polling station on the day of elections.

(6) If a political party has been dissolved, or if its activity has been suspended8c , or if a political party has withdrawn its List of Candidates after registration of the List of Candidates, the ballots of this political party shall not be printed, and if they have been printed, the election commissions shall ensure that they not be distributed to voters in polling stations.

Article 23. Election Campaign

(1) For the purposes of this Act, the period of the election campaign shall mean the period commencing 30 days, and ending 48 hours, before the start of elections. During the period of election campaigning every running party is ensured equal access to the mass media and other services of territorial self-government (územnej samosprávy). Running political parties can conduct election campaigns through radio or television broadcasting only on Slovak Radio and Slovak Television. Election campaigning is

prohibited in the radio broadcasting and television broadcasting of private licence holders. It is not allowed to use local public loudspeakers for election campaigning, except for announcements concerning the holding of election meetings.

(2) Slovak Radio 9 and Slovak Television 9a shall reserve 21 hours of broadcasting time for the election campaign, which will be divided evenly among running political parties, such that no political party shall be disadvantaged by allocation of its air time; the terms of air time are allocated by lot. Political parties are responsible for the content of these programs.

(3) It is forbidden to broadcast election speeches and election programs during the period of the election campaign and to publicize any external expressions which promote the running political parties outside of the broadcasting time reserved for the running political parties in accordance with paragraph 2. It is also forbidden to broadcast the election campaign during the time which is reserved for advertising in radio and television broadcasting or use radio and television advertising for the election campaign.

(4) Election posters can be posted in public areas during the election campaign only in locations reserved by the municipality, and the reserved area must reflect the principle of the equality of the running political parties. The municipality shall reserve areas for posting election posters by generally binding local law.

(5) 48 hours before the commencing of the elections and on election day, the election campaign in favor or against a political party or candidate using words, writing, sounds and pictures in the mass media, buildings of Precinct Election Commisions and their immediate surroundings is forbidden. It is allowed to publicize the results of pre-election opinion polls until the fourteenth day before election day.

(6) Members of election commissions and staff of their expert (summarization) bodies must not provide information about the course and partial results of elections until the signing of the minutes on the results of voting.

(7) It is forbidden to publicize the results of election polls during the course of elections until their end.

(8) Disputes concerning the equality of division and allocation of time for conducting the election campaign on Slovak Radio and Slovak Television are resolved by the Central Election Commission; its decision in this matter is binding.

(9) Breaching the rules on managing the election campaign in accordance with this Act is punished in accordance with separate Acts.9b

CHAPTER 6. PROMULGATION OF ELECTIONS

Article 24. Day of Elections

(1) The Chairman of the National Council of the Slovak Republic shall promulgate the day of elections no later than 90 days before their commencement. The promulgation of elections shall be published in the Collection of Laws of the Slovak Republic.

(2) Elections shall be held on the same day on the whole territory of the Slovak Republic. The Chairman of the National Council of the Slovak Republic may, however, determine that the elections shall be held on two days.

(3) Elections shall be held on the determined day from 7 a.m. to 6 p.m. If local conditions so require, the mayor of municipality may determine an earlier hour for the start of the elections.

(4) If elections are held on two days, they shall commence at 2 p.m. and end at 10 p.m. of the first day. On the second day, elections shall commence at 7 a.m. and end at 2 p.m. If local conditions so require, the mayor of municipality may determine an earlier hour for the start of the elections.

Article 25. Informing voters

The municipality shall determine the time and place for holding elections in the municipality no later than 25 days before the day of elections. If more election precincts have been established in the territory of the municipality, the municipality shall also determine which parts of the municipality or, as the case may be, units (Section 4, paragraph 2) or facilities (Section 10, paragraph 3) belong to individual election precincts. In this term the municipality shall send every voter, registered in the list of voters, a notice in which the time of holding the elections, the election precinct and place where a voter can vote shall be stated; the notice will also make known the duty to prove one's identity by means of identity card before voting. Manner of Voting

Article 26. Preparation of the Polling station

(1) Prior to the start of the elections, the chairman of the Precinct Election Commission shall check the polling box

and portable polling box and seal both boxes, in the presence of the members of the commission. The chairman shall also check the arrangement (equipment) of the polling station, whether the List of Voters, sufficient number of ballots, non-transparent envelopes of the same size, quality and color with the official seal of the municipality (hereinafter referred to as the "envelope") are prepared. The chairman shall then declare the voting open.

(2) In case elections are held on two days, the chairman of the Precinct Election Commission shall ensure, after the end of elections on the first day, that the polling box and portable polling box are sealed so that no ballots could be inserted inside and shall put them along with election documents in a safe place.

Article 27. Booths for the Completing of Voting Ballots

(1) Polling stations shall be arranged so that secrecy of voting is secured. Every voter with ballots is obliged to go through a special booth provided for their completion (Note: hereinafter referred to as "voting booth" in the English translation).

(2) No one shall be present in the voting booth concurrently with the voter, including any member of the election commission.

Article 28. Voting

(1) Voters shall appear before the Precinct Election Commission and vote in person. Representation is not allowed. Members of the Precinct Election Commission shall not be allowed to complete ballots for voters.

(2) Upon entry in the polling station, every voter shall present his or her identification card and, after being recorded in both parts of the List of Voters, shall receive from the Precinct Election Commission one empty envelope and ballots. Unless the voter presents the identification card and no member of the Precinct Election Commission knows him or her, the commission shall ask the voter to prove his or her identity by the testimony of two witnesses known by the commission. Unless the voter can do so by end of voting, he or she shall not be allowed to vote. The Precinct Election Commission shall proceed appropriately in the case specified in Section 6, paragraph 4.

(3) The Precinct Election Commission shall register in the List of Voters any voter who shall come into the polling station with a Voting Certificate. The registration shall be signed by the chairman and two members of the commission; the voting certificate shall be attached to the first part of the List of Voters. The commission shall afterwards give the voter ballots and an empty envelope.

(4) Upon receiving ballots and an empty envelope, the voter shall enter the booth determined for such purpose (Section 27, paragraph 1). In the voting booth, he or she shall put one ballot in the envelope. On that ballot, he or she may select a maximum of four candidates that he or she prefers, by circling the respective number of the candidate. Other adjustments to the ballot shall not be taken into consideration.

(5) Any voter unable to complete the ballot by himself or herself due to a physical handicap, or the inability to read or write, shall have the right to take another voter into the voting booth, who may complete and put the ballot in the envelope for him or her.

(6) The voter shall vote in such way that upon leaving the voting booth, he or she shall place the envelope in the ballot box in front of the election commission. The commission shall not allow any voter to vote who did not go into the voting booth. As regards the conditions of voting, this applies similarly to voting in special election precincts (Section 10, paragraph 3).

(7) Any voter who cannot come to the polling station may ask the Precinct Election Commission to vote in the portable ballot box. In such a case, the Precinct Election Commission shall send at least two of its members to the voter with the portable election box, envelope and ballots; those members shall ensure that the voting is secret.

(8) Upon the request of the voter who is unable to place the envelope in the ballot box due a physical handicap, another voter may do it in his or her presence, however, it may not be a member of the election commission.

Article 29. Order in the Polling station

(1) The chairman of the Precinct Election Commission, or in his absence, the deputy, shall be responsible for order in the polling station.

(2) Instructions of the chairman of the Precinct Election Commission and his deputy concerning order in the polling station and the dignified course of voting shall be binding for all persons present.

(3) Any election agitation shall be forbidden in the polling station.

Article 30. Interruption of Voting

If any circumstances occur that make it impossible to begin, continue, and end voting, the Precinct Election

Commission may adjourn the beginning of the voting or prolong the time of voting. The total time of voting (Section 24) may not be shortened by this measure. The Precinct Election Commission shall inform the citizens of such measure in a manner common in that area. Should voting be interrupted, the Precinct Election Commission shall seal election documents and ballot boxes. Upon resuming voting, the chairman, shall in the presence of the commission, check the integrity (intactness) of the seals and record it in the minutes on the course and result of the voting in the election precinct.

Article 31. Completion of Voting

Only persons present inside the polling station or in front of it shall be allowed to vote after the expiry of the hour determined for the completion of voting. The polling station shall be consequently closed and the chairman of the Precinct Election Commission shall declare the voting finished. Determination and announcement of election results

Article 32. Persons Present in the Precinct Election Commission during Counting of Votes

Only the members of election commissions, commissions of a higher degree, the staff of expert (summarization) bodies, and persons with permission granted by the Central Election Commission shall have the right to be present in the room where the Precinct Election Commission counts the votes.

Article 33. Counting of Votes in the Precinct Election Commission

(1) Upon the completion of voting, the chairman of the Precinct Election Commission shall cause the remaining unused ballots and envelopes to be sealed and shall open the ballot box. In the case that the Precinct Election Commission also used the portable ballot box, upon the request of citizens, the commission shall mix the contents of both boxes.

(2) The Precinct Election Commission shall take out the envelopes with the ballots from the ballot box, count the envelopes and compare their number with the records in the List of Voters. The commission shall exclude all non-official envelopes.

(3) After all ballots have been taken out from the envelopes, the commission shall divide and count the ballots cast for individual political parties, exclude invalid ballots and find how many voters used the right to preference vote. The commission shall further count preference votes given to individual candidates on the ballots.

(4) Any member of the Precinct Election Commission may look at the ballots. The chairman of the Precinct Election Commission shall check the correctness of the counting of votes.

Article 34. Judging of Ballots

(1) Such ballots that have the names of candidates crossed out, changed or written in shall be considered as cast for the political party. Such adjustment shall not be taken in the consideration. In case any voter gave the preference vote to more than four candidates, such ballot shall be counted for the benefit of the respective political party, however, preference votes shall not be taken into consideration.

(2) Ballots which are not on the prescribed form shall be invalid. If there are several ballots in the envelope cast for several parties, all such votes shall be invalid. If there are several ballots for the same political party, they shall be counted as one vote; in case preference votes have been given on these ballots, the commission shall take in the consideration the ballot with more preference votes; if the same number of preference votes has been given, but not for the same candidates, preference votes shall not taken into consideration.

(3) Should any doubts arise concerning the validity of an envelope, ballot or preference vote, the Precinct Election Commission shall make the ultimate decision.

Article 35. Minutes on the Course and Results of Voting in Election Precinct

(1) The Precinct Election Commission shall make the minutes on the course and results of voting in the election precinct in two copies. The minutes shall be signed by the chairman and all members of the commission. Should any member of the commission not sign the minutes, the reasons shall be stated in the minutes.

(2) The minutes on the course and results of voting in the election precinct shall include:

a) the time of commencement and ending of the voting, or as the case may be its interruption,
b) the total number of persons in the election precinct registered in the List of Voters,
c) the number of voters to whom envelopes have been issued,
d) the number of cast envelopes,
e) the number of valid votes given for each political party,

f) the number of the voters of a political party who used the right to preference vote,
g) the number of valid preference votes given to individual candidates, which shall be listed by political party,
h) a summary of resolutions adopted by the commission and their brief explanation.

(3) The Precinct Election Commission shall deliver a copy of the minutes, signed by the chairman of the Election Commission, to members of the commission.

Article 36. Ceasing of Activities in the Precinct Election Commission

(1) Upon the counting of votes and signing of the minutes on the course and results of voting in the election precinct, the chairman of the Precinct Election Commission shall announce the results of voting and deliver one copy of the minutes to the District Election Commission without undue delay; the chairman shall wait for the instructions of the District Election Commission to cease activities.

(2) In case the chairman of the Precinct Election Commission fails to observe instructions of the District Election Commission pursuant to paragraph 1, within 24 hours after the completion of voting, the District Election Commission may deliver the results of voting in other election precincts to the Central Election Commission.

(3) The Precinct Election Commission shall seal the cast ballots, envelopes and the List of Voters and deliver them along with other election documents for retention to the municipality.

Article 37. Collection of the Results of Voting in the District Election Commission

The District Election Commission shall collect the results of voting from individual Precinct Election Commissions and through its expert (summarization) body shall check the completeness of the minutes of Precinct Election Commissions concerning the course and results of voting in the election precincts. Only the members of election commissions, the staff of expert (summarization) bodies and the persons with the permission granted by the Central Election Commission shall have the right to be present during that activity.

Article 38

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Article 39. The Minutes of the District Election Commission on the Course and Results of Voting in the District

(1) The District Election Commission shall make the minutes on the course and results of voting in the district, the chairman and other members of the commission shall sign the minutes. Should any member of the commission not sign the minutes, the reasons shall be stated in the minutes.

(2) The minutes of the district election commission on the course and results of voting shall include:

a) the number of election precincts in the district and number of Precinct Election Commissions which submitted the results of voting,
b) thenumber of persons included in the List of Voters in the district,
c) the number of voters to whom envelopes were given,
d) the number of cast envelopes,
e) the number of valid votes cast for each political party,
f) the number of voters of a political party or a political movement who used the right to preference vote,
g) the number of valid preference votes cast for individual candidates by political party,
h) a summary of resolutions adopted by the commission and their brief explanation.

(3) After signing both copies of the approved minutes on the course and results of voting in the district, the chairman of the District Election Commission shall without undue delay deliver one copy to the Central Election Commission. The chairman shall deliver other election documents for retention to the District Office.

(4) The District Election Commission shall deliver the minutes on the course and results of voting in the district, signed by the chairman, to members of the commission.

Article 40

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Article 41. Conditions for allocating mandates

(1) The Central Election Commission shall find how many valid votes were in total cast for each political party. It shall find the number of valid votes for coalitions of political parties in case paragraph 3 does not apply for the coalition.

(2) The Central Election Commission shall further determine which political party received less than 5 % of the total number of valid votes.

(3) In further determination of election results and the allocation of mandates, the political party described in paragraph 2 and votes cast to it are not taken into consideration. Should this political party be a member of a coalition, other political parties are considered as if they submitted the List of Candidates independently.

(4) Should the Central Election Commission find that the requirement pursuant to paragraph 2 was not met by any political party, it shall lower the threshold of five percent to the threshold of four percent.

Article 42. Allocating mandates

(1) The sum of valid votes cast for those political parties which succeed and advance in this process shall be divided by the number 151 (the number of mandates plus one). The number resulting from this division, rounded to a whole number, shall be the republic mandate number.

(2) The total number of valid votes received by a political party shall be divided by the republic mandate number, and the party shall be allocated a number of mandates equal to the number of times the republic mandate number goes into the sum of valid votes received by that political party.

(3) If, by this means, one more mandate was allocated than should have been, this excess mandate shall be deducted from the political party which proved to have the lowest remainder of division. If the remainder is equal, the mandate shall be deducted from the political party which received a lower number of votes. If the number of votes is equal, it shall be decided by lot.

(4) If not all mandates have been allocated by this means, or if a political party has nominated fewer candidates than the number of mandates which should be allocated to it, the Central Election Commission shall allocate these mandates progressively to those political parties which have the highest remainder of division. If the remainders are equal, the mandate is allocated to that political party which received more votes. If the number of votes is also equal, it shall be decided by lot.

(5) Within individual political parties the candidates shall be given mandates in the order as stated on the ballot. In a case where at least one-tenth of the total number of voters who cast a valid vote for that political party used their right to preference vote, the mandate shall be allocated first to the candidate who received at least 10 per cent of preference votes out of the total number of valid votes cast for the political party. In a case where a political party is allocated more mandates, and more candidates fulfilled the conditions pursuant to the previous sentence, the mandates shall be allocated to candidates progressively in order, according to the highest number of preference votes. Should preference votes be equal, the order on the ballot is decisive.

(6) Candidates who did not receive a mandate shall become substitutes.

Article 43

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Article 44. Minutes of the Central Election Commission and Publication of Election Results

(1) After the allocation of mandates, the Central Election Commission shall prepare the minutes on election results which shall be signed by the chairman and all members of the commission. Should any member of the commission not sign the minutes, the reasons shall be stated in the minutes.

(2) The minutes on election results shall include:

a) the total number of persons registered in the List of Voters,
b) the number of voters to whom envelopes have been issued,
c) the number of valid votes cast for each political party and for each coalition of political parties in which each political party received at least five per cent of the total number of valid votes, or four per cent of the total number of valid votes if proceeding in accordance with Section 41 paragraph 4,
d) the names of candidates who were elected, together with the data on the results of preference voting, as well as on candidates who became substitutes.

(3) The Central Election Commission shall publish complete election results upon signature of the minutes on election results. It may also publish preliminary results stating the data in accordance with paragraph 2, subparagraphs a) to c). At the same time, the Central Election Commission shall notify all candidates registered in the Lists of Candidates about the election results including the final order after the adjustment on the basis of preference votes.

Article 45. Certificate of Election

The Slovak Election Commission shall issue a certificate of election to all elected candidates.

Article 46
Deleted

Article 47. New elections
If the Constitutional Court of the Slovak Republic annuls the elections or cancels the results of the elections, the speaker of the National Council of the Slovak Republic shall declare new elections to the National Council of the Slovak Republic; new elections shall be declared within 30 days from the publishing of the finding of the Constitutional Court of the Slovak Republic in the Collection of Laws of the Slovak Republic.

Article 48. Substitutes
(1) If a mandate is vacated during the election period of the National Council of the Slovak Republic, a substitute from the same political party shall take this mandate, the substitute being determined by the political party.

(2) If there is no substitute of the same political party, the mandate shall remain vacant until the end of electoral term.

(3) Should any political party be cancelled 10 , a substitute shall not take the place and the mandate shall remain vacant until the end of electoral term.

(4) Should the activity of the political party be suspended 11 , a substitute shall not take the place and the mandate shall remain vacant during the period of suspension.

(5) If the mandate of a Deputy of Parliament is not exercised because the Deputy has been appointed a member of the government of the Slovak Republic 12 , a substitute shall take such place.

(6) The entry of the substitute shall be promulgated by the chairman of the National Council of the Slovak Republic 15 days after the mandate of the Deputy of Parliament ceased or an event in accordance with paragraph 5 occurred. The substitute shall be issued a certificate of the fact that he or she became a Deputy with the respective date; the certificate of substitute in accordance with paragraph 5, shall also include the statement that his or her mandate shall only be valid during the office term of the member of the government of the Slovak Republic whose vacant mandate of the Deputy had been taken by the substitute (paragraph 5). Upon the ceasing of substitute's mandate (paragraph 5), the substitute shall remain on the same Registration Form in the original order.

CHAPTER 7. MEASURES FOR ENSURING ELECTIONS

Article 49. Auxiliary Means
(1) All auxiliary means, mainly polling stations and their equipment, as well as auxiliary staff shall be provided for Precinct Election Commissions by the municipalities on the territory of which the respective Precinct Election Commissions have been established.

(2) All means of assistance for the District Election Commissions shall be provided by District Offices and for the Central Election Commission by the Ministry of Interior of the Slovak Republic.

Article 50. Cooperation of State Bodies and Municipalities
State bodies and municipalities are obliged to cooperate in the execution of this Act.

Article 51. Claims of the Members of Election Commissions
(1) The function of the member of election commission shall be honorary. Any member of the election commission may not be limited in his or her rights and claims following from their employment or similar work relationship; primarily he or she shall have the right to time off and reimbursement of the salary 13, or if it is an independently earning person to reimbursement of the proportional part of the average monthly salary of the person in the national economy.

(2) An employer who paid the reimbursement of the salary pursuant to paragraph 1 shall have the right to receive compensation. The manner of the reimbursement for the members of election commissions shall be stipulated by regulations of the Ministry of Finance of the Slovak Republic after agreement with the Ministry of Interior of the Slovak Republic.

Article 52. Claims of the Candidates
(1) Any candidate shall have the right to time off provided by any person employing the candidate (hereinafter referred to as the "Employer") as of the day following the registration of the Registration Form which includes the candidate.

(2) The Employer shall pay the reimbursement of the salary upon request.

(3) The Employer shall be entitled to compensation from the political party for the amount that was paid as the reimbursement for the candidate registered on the List of Candidates of such political party.

(4) Any candidate who is not employed or in similar work relationship shall be entitled to reimbursement of the salary from the political party that registered the candidate on its List of Candidates.

(5) The reimbursement of the salary of candidates shall be calculated as the reimbursement of the members of election commissions.

(6) The fact that someone is a candidate may not affect his or her employment or similar work relations negatively. The period of time off pursuant to paragraph 1 shall be considered as the period of performing work.

Article 53. Reimbursement of Electoral Costs

(1) The expenses connected with the elections in the National Council of the Slovak Republic, including the expenses of the municipalities, shall be paid from the state budget of the Slovak Republic.

(2) The expenses pursuant to paragraph 1 shall not be the expenses of political parties connected with the election campaign.

(3) After the verification of elections of the Members by the National Council of the Slovak Republic, the chairman of the National Council of the Slovak Republic shall inform the Ministry of Finance of the Slovak Republic about the number of valid votes cast for every political party. A political party which received more than three percent of the total number of valid cast votes in the Slovak Republic in the elections shall be paid SKK 60 for each such vote from the state budget.

CHAPTER 8. PROVISIONAL AND FINAL PROVISIONS

Article 54. Provisions of Authorization

(1) The Ministry of Interior of the Slovak Republic:

a) in a separate directive shall specify the details of the role of municipalities and local bodies of the state administration in:
   1. establishment of election precincts,
   2. providing for and furnishing of polling stations,
   3. retention of election documents.

b) shall issue samples of election forms and provide copies of the necessary number of election forms.

Article 55

The measures taken by the relevant bodies of the state administration and municipalities regarding the preparation of the execution of this Act before the day it becomes effective shall be viewed as if they were taken after this day.

Article 56. Provision of Termination

Act No. 55/1971 Coll., of the Slovak National Council on Elections in the Slovak National Council.

Article 57. The Force of the Act

This Act shall become effective as of the day of promulgation (March 16, 1990).

Act No. 8/1992 Coll., of Slovak National Council became effective as of the day of promulgation (January 16, 1992).

Act No. 104/1992 Coll., of Slovak National Council became effective as of the day of promulgation (March 12, 1992).

Act No. 518/1992 Coll., of Slovak National Council became effective as of the day of promulgation (November 13, 1992).

Act No. 157/1994 Coll., of Slovak National Council became effective as of the day of promulgation (June 28, 1994).

46. Supplements No. 1 and 2 are deleted.

Article II

Act No. 99/1963 of the Coll., Civil Court Regulations in the wording of Act No. 36/1967 of the Coll., Act No. 158/1969 of the Coll., Act No. 49/1973 of the Coll., Act No. 20/1975 of the Coll., Act No. 133/1982 of the Coll., Act No. 180/1990 of the Coll., Act No. 328/1991 of the Coll., Act No.519/1991 of the Coll., Act No. 263/1992 of the Coll., Act of the National Council of the Slovak Republic No. 5/1993 of the Coll., Act of the National Council of the Slovak Republic No. 46/1994 of the Coll., Act of the National Council of the Slovak Republic No. 190/1995 of the Coll., Act of the National Council of the Slovak Republic No. 232/1995 of the Coll., Act of the National Council of the Slovak Republic No. 233/1995 of the Coll.,

Act of the National Council of the Slovak Republic No. 22/1996 of the Coll., Act of the National Council of the Slovak Republic No. 58/1996 of the Coll., Finding of the Constitutional Court of the Slovak Republic No. 359/1997 of the Coll., is changed and amended as follows:

Sections 200 f and 200g

Section 200 f: Proceedings in Matters Regarding the List of Voters and List of Persons Entitled to Vote in a Referendum

(1) If the municipality itself does not rectify errors or insufficiences in the List of Voters or List of Persons Entitled to Vote in a Referendum, the affected person may refer to the appropriate District Court with a proposal to issue a decision to make a rectification or to amend the List.

(2) The participants of the proceeding are the proposer and a municipality.

(3) The Court shall decide by passing the resolution within three days from the filing of the proposal. The decision shall be delivered to the participants of the proceeding on the day the decision is reached.

(4) No legal recourse is admissible with regard to the decision of the Court .

Section 200 g: Proceedings in Matters Regarding Registration of the List of Candidates

(1) If the election commission with authority, in accordance with a separate Act34c, decides:

a) on registration of the List of Candidates, a political party may refer to the Supreme Court of the Slovak Republic with a proposal to annul the registration of the List of Candidates;
b) on registration of the List of Candidates with an adjustment made in accordance with a separate Act34d , a political party may refer to the Supreme Court of the Slovak Republic with a proposal to decide on leaving a candidate on the List of Candidates;
c) on refusal to register the List of Candidates, a political party may refer to the Supreme Court of the Slovak Republic with a proposal decide on the registration of this List of Candidates.

(2) The participants of the proceeding are a political party and the Central Election Commission.

(3) The Court shall decide by issuing a decree within five days of filing of the proposal.

Article III

Act No. 468/1991 of the Coll. on operation of radio and television broadcasting in the wording of Act 597/1992 of the Coll., Act of the National Council of the Slovak Republic No. 166/1993 of the Coll., Act of the National Council of the Slovak Republic No. 325/1993 of the Coll., Act of the National Council of the Slovak Republic No. 212/1995 of the Coll., Act of the National Council of the Slovak Republic No. 220/1996 of the Coll.. Act No. 160/1997 of the Coll. and Act No. 283/1997 of the Coll is changed and amended as follows:

1. Section 5 is amended by letters g) and h) which read:

g) to ensure that programs which come into conflict with Acts which adjust the rules of elections to the National Council of the Slovak Republic, organs of local government, as well as the rules on the means of executing referendums;
h) to broadcast an announcement about a detected breaching of the law or conditions of granting a licence regarding the range, form and broadcasting time specified by the Board of the Slovak Republic for Radio and Television Broadcasting (Section 20a).

2. The title of the sixth part reads: PART SIX SANCTIONS

3. A new paragraph 2 is inserted into Section 20 which reads:

(2) Should the Board find that an operator breached its duties specified by Section 5, letters a), b), c), g) and h), it may decide on imposing a fine without prior specification of the term for rectification.

The existing paragraphs 2, 3, 4, 5, 6, 7, 8, 9 and 10 are marked as paragraphs 3, 4, 5, 6, 7, 8, 9, 10 and 11.

4. In Section 20 in the new paragraph 5 the first sentence and letter a) is changed as follows:

A fine from 50,000 to 5,000,000 Sk may be imposed on an operator, who

a) broadcasts a program, the content of which is in conflict with the obligations of the operators specified in Section 5 letters a), b), c) g) and h).

5. Section 20a is inserted after Section 20 and reads:

Section 20a

Should the operator breach the obligations specified by this Act or conditions of the granted licence, the Board moreover shall stop the program in which the law was breached for one month, or impose the obligation on the operator to broadcast an announcement about the discovered breaching of the law in range, form and broadcasting time specified by the Board. The provisions of Section 20 are not affected by this.

Art. IV

Act No. 81/1966 of the Coll., on periodical press and other mass media in the wording of Act No. 84/1968of the Coll., Act No. 127/1968 of the Coll., Act No. 99/1969 of the Coll., Act No. 131/1970 of the Coll., Act No. 86/1990 of the Coll., and Act No. 186/1997 of the Coll. is amended as follows:

(1) A publisher of periodical press is obliged to ensure that that periodical press does not contain information which is in conflict with the rules of election campaigning for the National Council of the Slovak Republic and organs of local government, and the rules of campaigning before a referendum;
(2) Should the breaching of this obligation occur pursuant to paragraph 1, the body specified in Section 5, paragraphs 3 and 5 may impose a fine on the publisher from 5,000 to 1,000,000 Sk. Proceedings regarding the imposing of the fine are governed by general regulations on administrative proceedings;
(3) A fine may be imposed within 15 days from the origin of the event justifying imposition of the fine.

Article V

The speaker of the National Council of the Slovak Republic is empowered to declare the full wording of Act of the Slovak National Council No. 80/1990 of the Coll. on elections to the Slovak National Council as arising from changes and amendments made by Act of the Slovak National Council No.8/1992 of the Coll., Act of the Slovak National Council No.104/1992 of the Coll., Act of the National Council of the Slovak Republic No.518/1992 of the Coll., Act of the National Council of the Slovak Republic No.157/1994 of the Coll., Act of the National Council of the Slovak Republic No.81/1995 of the Coll., and this Act in the Collection of Laws of the Slovak Republic.

Article VI

This Act comes into power on the day of its proclamation.

LAW ON PROCEDURE OF THE ELECTION OF THE PRESIDENT OF THE SLOVAK REPUBLIC, ON PLEBISCITE AND REMOVAL OF THE PRESIDENT AND ON SUPPLEMENTATION OF SEVERAL OTHER LAWS, 18 March 1999

CHAPTER 1. ELECTION OF THE PRESIDENT OF THE SLOVAK REPUBLIC

Article 1. Introductory provision

(1) The election of the President of the Slovak Republic and voting on the candidate for the presidential office [Title 101.2 and 6 of the Constitution of the Slovak Republic No. 460/1992 of the Col. in the wording of the constitutional law No. 24411998 of the C. L. and the constitutional law No. 9/1999 of the C.L.] (hereinafter referred to as "the election" only) shall be conducted on the basis of universal, equal and direct franchise by secret ballot.

(2) The right to elect the President of the Slovak Republic (hereinafter referred to as "the President" only) shall be held by such citizens of the Slovak Republic who will have consummated the age of IS years as of the election day and are within the territory of the Slovak Republic on election day [Title 101.2 of the Constitution of the Slovak Republic No. 460/1992 of the Col. in the wording of the constitutional law No. 244/1998 of the C.L. and the constitutional law No. 9/1999 of the C.L.]"(hereinafter referred to as "the qualified votee" only).

(3) The election shall be conducted in the territory of the Slovak Republic.

Article 2. Time of holding the election

(1) The election shall be promulgated by the Chairman of the National Council of the Slovak Republic no later than 55 days before the election day. Promulgation of the election shall be published in the Collection of Laws of the Slovak Republic.

(2) The election shall be held on the same day in the whole territory of the Slovak Republic. The Chairman of the National Council of the Slovak Republic can determine the election be held in two days.

(3) The election shall be held on the determined day from 7a.m. till l0p.m. If required by local conditions, the Mayor of the Municipality can determine an earlier start of the voting.

(4) If the election is held in two days, the voting on the first election day shall start at 2 p.m. and close at 8 p.m. The voting on the second day shall start at 7 a.m. and close at 2 p.m. If required by local conditions, the Mayor of the Municipality can determine an earlier start of the voting.

Article 3. Election Precincts and Special Election Precincts

(1) For the purpose of casting ballots and counting votes Election Precincts shall be created in Municipalities, or City Wards in the case of Bratislava and Kogice.

(2) The Mayor of the Municipality shall determine Election Precincts and Polling Stations in the Precincts no later than 45 days before the election day so that one Election Precinct covers usually 1,000 qualified voters. For the remote parts of the Municipality separate election precincts can be established provided such precincts cover at least 50 qualified voters.

(3) The Municipality can establish a special election precinct in health care facilities, social services facilities, in custodial facilities and places for serving infamous punishment, provided such a precinct covers at least 100 qualified voters.

Article 4. Lists of Qualified Voters

(1) On the basis of the permanent Voter list [Second part of the Law of the Slovak National Council No. 80/1990 of the Col. on Election to the Slovak National Council in the wording of later regulations]. the Municipality shall prepare the list of voters qualified to elect the President (hereinafter referred to as "the list of qualified voters" only) in the respective election precincts.

(2) The Municipality shall prepare the list of qualified voters for the special election precinct as well; the Head of the respective facility shall assist the Municipality in the preparation of the list. The Municipality where a special election precinct has been established, shall with no undue delay announce the record to the list of qualified voters to the respective Municipality according to the permanent address of the respective qualified voter.

(3) Soldiers of armed forces and members of armed security forces and armed forces who are collectively accommodated shall be added to the list of qualified voters in that Municipality where their unit is located. The record to the list shall be made on the basis of the written information provided by the unit and within the deadline determined by the Mayor of the Municipality. The record to the list of qualified voters shall be effective only during

the time of the poll. The Municipality where the unit is located shall with no undue delay report on the record to the list of qualified voters to the respective Municipality according to the permanent address of the respective soldier or member. The Municipality shall see to it that no such election precincts are established where the list of qualified voters consist of soldiers of armed forces and members of armed security forces and armed forces only.

(4) Qualified voters pursuant to clauses (2) and (3) shall not be recorded in the list of qualified voters in the election precinct according to their permanent address.

(5) The Municipality shall submit the list of qualified voters pursuant to clauses (1) and (2) in two copies to the precinct election commissions no later than 2 hours before the start of the vote.

(6) The precinct election commission shall add such a citizen of the Slovak Republic to the list of qualified voters who does not have a permanent residence in the Slovak Republic and comes to the polling station on the election day; the information that the record to the list of qualified voters has been made shall be written down in his/her Slovak passport)[Art 5.1 of the law No. 381/1997 on Travel Papers.]

(7) The precinct election commission shall add to the list of qualified voters a person:

a) on the basis of the ruling of the court [Art 8.2 of the law of the Slovak National Council No. 80/1990 in the wording of later regulations.];
b) on the basis of a voter card;
c) who proves by his/her ID card that he/she has a permanent residence within the election precinct.

Article 5. Voter Card

(1) After the election has been promulgated, upon request of such a qualified voter who will not be able to vote in the election precinct where he/she is recorded in the list of qualified voters the Municipality shall issue a voter card and delete him/her from the list of qualified voters. The deletion shall be effective only during the time of the poll by means of the voter card.

(2) The voter card shall authorize for a record to the list of qualified voters in any election precinct; the record shall be effective only during the time of the poll.

(3) In cells of police detention, in custodial facilities or places for serving summary punishment, and in facilities for serving infamous punishment where no special election precinct has been established, the precinct election commission within whose territory such a facility is located and in cooperation with the Head of the respective facility shall provide the qualified voters with a chance to vote by means of a voter card. In this case the size of the election precinct does not have to be observed. If a qualified voter is brought in and it is possible, the respective unit of the Police Force or Military Police shall enable such a voter to exercise his/her right to vote.

Article 6. Election Bodies

(1) For the purpose of the election the following bodies shall be created:

a) Central Election Commission for the Election of the President of the Slovak Republic (hereinfater referred to as "the Central Election Commission" only);
b) District Election Commissions for the election of the President of the Slovak Republic (hereinafter referred to as the District Election Commission only);
c) Precinct Election Commission for the election of the President of the Slovak Republic (hereinafter referred to as the Precinct Election Commission only).

(2) Only a qualified voter may become a member of the commission. However, the candidate for the President cannot become a member of the commission.

(3) The member of the commission shall commence office by signing the following pledge: "On my honor I pledge to perform my duties in a faithful and non-partisan manner and observe laws and other legal regulations."

(4) The commission has a quorum provided a simple majority of all its members is present. Any resolution shall be deemed passed after a simple majority of the present members voted for it. In case the votes equal, the proposal shall be deemed voted down.

(5) At its first meeting the commission shall choose two of the members to become the chairman and vice-chairman. In case no agreement can be reached, both chairman and vice-chairman shall be determined by drawing lots. The draw shall be conducted by the recorder of the commission.

(6) In case the position of the commission member terminated, the chairman shall summon a substitute. The position of the commission member shall terminate as of the day of delivery of the written announcement by the political party, political movement or coalition of political parties and political movements, or the petition committee that decided on it, or the announcement of the

commission member about the resignation to the chairman.

(7) For the purpose of processing the results of the election the Statistical Office of the Slovak Republic shall create expert (summarizing) units for the Central Election Commission and District Election Commissions. Persons delegated to the expert (summarizing) units shall commit the pledge pursuant to clause (3).

Article 7. Central Election Commission

(1) Each political party and political movement represented in the National Council of the Slovak Republic and the petition committee whose proposal has been passed (Article 11.2) shall no later than 35 days before the election day announce the name and second name and the permanent address of one CEC member and one substitute to the Prime Minister of the Slovak Republic.

(2) The first meeting of the Central Election Commission shall take place no later than 30 days before the election day; the meeting shall be called by the Prime Minister of the Slovak Republic.

(3) The Central Election Commission shall:
- a) oversee the state of readiness of the lower commissions to perform their duties pursuant to this law;
- b) decide on complaints of the work of District Election Commissions;
- c) discuss the information of the Ministry of Interior of the Slovak Republic on organizational and technical preparation of the election and recommend proposals for taking measures;
- d) discuss the information of the Statistical Office of the Slovak Republic on the preparation of the processing of the election results;
- e) find out the election results;
- f) prepare the minutes on the result of the election and announce its result;
- g) give permission for other persons to be present at the count in the Precinct Election Commission and District Election Commission.

(4) The Ministry of Interior of the Slovak Republic shall create the expert and administrative unit to assist the Central Election Commission.

Article 8. District Election Commission

(1) Each political party, political movement stated in Article 7.1 and the petition committee whose proposal has been passed (Art 11.2) shall no later than 30 days before the election day announce the name and second name and the permanent address of one DEC member and substitute to the Head of the District Office.

(2) The District Election Commission must have no less than 5 members. Should the DEC fail to have the determined number of members or should their number fall under five and there is no substitute, the Head of the District Office shall appoint the missing members from among qualified voters.

(3) The first meeting of the District Election Commission shall be held no later than 25 days before the election day; the meeting shall be called by the Head of the District Office.

(4) The District Election Commission shall:
- a) oversee the state of readiness of the Precinct Election Commissions to perform their duties pursuant to this law;
- b) decide on complaints of the work of Precinct Election Commissions;
- c) discuss the information on activity of its expert (summarizing) unit;
- d) oversee the process of finding the election results in election precincts; it is authorized to require explanations or other information from the precinct election commissions and can correct the found errors after an agreement with the precinct election commission, or ask the precinct election commission to correct the found errors;
- e) find out the election results in the District;
- f) prepare the minutes on the result of the election in the District and submit it to the Central Election Commission.

Article 9. Precinct Electoral Commission

(1) Each political party, political movement stated in Article 7.1 and the petition committee whose proposal has been passed (Art 11.2) shall no later than 30 days before the election day announce the name and second name and the permanent address of one PEC member and one substitute to the Mayor of the Municipality.

(2) The Precinct Election Commission must have no less than 5 members. Should the PEC fail to have the determined number of members or should their number fall under five and there is no substitute, the Mayor of the Municipality shall appoint the missing members from among qualified voters.

(3) The first meeting of the District Election Commission shall be held no later than 23 days before the election day; the meeting shall be called by Mayor of the Municipality.

(4) The Precinct Election Commission shall:
a) provide for the proper course of the poll, mainly it shall oversee the ballots are cast in a proper way and it shall control order in the polling station and its immediate surroundings;
b) examine the ballots;
c) count the ballots and-votes;
d) prepare the minutes on the result of the election in the election precinct and submit it to the respective District Election Commission;
e) perform other tasks ordered by the respective District Election Commission or the Central Election Commission.

Article 10. Commission Recorder

(1) The Recorder of the Commission shall provide for organizational and administrative matters concerning the preparation and course of the meeting of the election commission. He/she is present at the meetings of the commission and has the right to be an advisor to the commission.

(2) The Recorder:
a) of the Central Election Commission is appointed and removed by the Government of the Slovak Republic;
b) of the District Election Commission is appointed and removed by the Head of the District Office from among employees of the District Office;
c) of the Precinct Election Commission is appointed and removed by the Mayor of the Municipality usually from among employees of the Municipality.

(3) The Recorder of the CEC shall be appointed by the Government of the Slovak Republic no less than 45 days before the election day, the Recorder of the District Election Commission shall be appointed by the Head of the District Office 40 days before the election day and the Recorder of the Precinct Election Commission shall be appointed by the Mayor of the Municipality 40 days before the election day. The Recorder shall commit the pledge subject to Article 6.3.

Article 11. Candidates for President

1) The proposal for the Candidate for the presidential office must include:
a) name, second name and academic title of the Candidate;
b) age and personal number of the Candidate;
c) occupation of the Candidate;
d) the address of permanent residence of the Candidate;
e) declaration of the Candidate that he/she gave consent to the candidature and meets conditions necessary for being elected the President [Title 103.1 of the Constitution of the Slovak Republic No. 460/1992 in the wording of the constitutional law No. 244/1998 and constitutional law No. 9/1999.]

(2) The Chairman of the National Council shall examine the proposal for the Candidate for the presidential office6) within 7 days after its delivery, whether the proposal contains the data subject to the law- in the case of a petition he shall examine whether it meets the requirements subject to the special law [Law No. 85/1990 on Petition Right in the wording of Law No. 242/1998. forward it through the District Election Commissions to the Precinct Election Commissions and those shall inform the qualified voters about it.] and whether it is clear in each of the petition sheets that it is a petition for the respective Candidate. Provided the proposal meets the requirements stipulated by law, the Chairman of the National Council shall accept the proposal, otherwise he shall reject it. Within 24 hours the Chairman of the National Council shall deliver the announcement of accepting or rejecting of the proposal to the Candidates for the President to the address the Candidate stated, or to the address of the permanent residence of the Candidate.

(3) The Chairman of the National Council of the Slovak Republic shall announce the Proposals for the Candidate for the President, their name, second name and academic title of the Candidates, their age, occupation and permanent address to the Ministry of Interior of the Slovak Republic next day after he accepted the proposal.

(4) The Candidate whose proposal for the Candidate for the President was rejected can file a motion with the Supreme Court of the Slovak Republic to decide on accepting his/her proposal for the Candidate for the President. The motion can be filed within three days after delivery of the decision of the Chairman of the National Council of the Slovak Republic on rejecting the proposal for the Candidate for the President.

Article 12. Resigning Candidature

The Candidate for the President can resign his candidature in writing before the start of the first round of the election. The Candidate shall deliver the declaration of resignation to the Chairman of the National Council. The Chairman of the National Council of the Slovak Republic shall announce this fact to the Ministry of Interior of the Slovak Republic and Central Election Commission that shall with

no undue delay forward it through the District Election Commissions and those shall inform the qualified voters about it.

Article 13. Ballot

(1) One ballot shared by all Candidates for the President shall be produced. On the ballot the Candidates shall be listed in alphabetical order stating the second name, name and academic title, age, occupation and the municipality of their permanent residence.

(2) The ballot must be marked with a print of the Central Election Commission stamp and print of the official stamp of the Municipality and before the second name of each Candidate a little box must be printed for marking the votes.

(3) The Ministry of Interior of the Slovak Republic shall provide for production of the ballots and delivery of their necessary amount to the Municipality.

(4) The Municipality shall provide for delivery of the ballots to all Precinct Election Commissions on the election day no later than 2 hours before the start of the poll.

(5) The qualified voter shall receive the ballot in the polling station on the election day.

Article 14. Informing Qualified Voters

(1) The Municipality shall inform on the established election precincts, polling station and the election hours in a way usual in the Municipality and no later than 40 days before the election day.

(2) No later than 20 days before the election day the Municipality shall send to each voter registered in the permanent list of voters 3) a notification stating the election hours, election precinct and the place where the qualified voter can go to vote; the notification shall also warn of the voter's pre-voting duty to establish identity by ID card and give a brief explanation how to mark the ballot.

(3) In case the Candidate for the President resigned his/her candidature (Art. 12) or the Candidate for the President died after the ballots were produced, the Precinct Election Commission shall inform the qualified voters about that by posting a notification in the polling station.

Article 15. Pre-election Campaign

(1) The pre-election campaign (hereinafter referred to as "the campaign" only) shall start 15 days and end 48 hours before the start of the election. The campaign shall mean activities of the Candidates, political parties, political movements or other subjects in favor of the election of the Candidate including advertising through radio and TV broadcasting pursuant to clauses (4) and (5), mass media [Art 3.2 of Law No. 81/1966 on Periodical Press and Other Mass Media in the wording of later regulations.], large-size carriers, posters and other carriers of information [Art 2. l.b) of Law of the National Council of the Slovak Republic No. 220/1996 on Advertising in the wording of later regulations.].

(2) Any campaigning in other time than stated in clause (1) is banned.

(3) During the campaign time each Candidate shall have equal access to mass media.

(4) For the campaign pursuant to clause (1) Slovak Radio and Slovak Television shall allocate not more than one hour of their broadcasting time per each Candidate, 10 hours of broadcasting time at the most, in such a way that the determined time for broadcasting shall not put any of the Candidates in a less favorable position. The claim to the broadcasting time must be filed at least five days before the start of the campaign, or it shall lapse. Slovak Radio and Slovak Television shall provide for distinct identification and separation of this broadcasting from other programs.

(5) The holder of the license for radio or TV broadcasting (hereinafter referred to as "the license holder" only) can allocate not more than one hour of broadcasting time for the campaign of each Candidate, 10 hours of broadcasting time at the most. The license holders shall provide for distinct identification and separation of this broadcasting from other programs by broadcasting an announcement for the public that it is a paid political advertising.

(6) The payments for using telecommunication facility [Art 1.4.a) of Law No. 11011964 on Telecommunications in the wording of later regulations.] shall be reimbursed to Slovak Radio and Slovak Television according to the extent of the broadcasting time allocated pursuant to clause (4) from the state budget of the Slovak Republic.

(7) The costs for the campaign in the licensed radio and TV broadcasting shall be reimbursed by the Candidates or political parties and political movements that appointed them. The license holders shall be obliged to provide equal conditions to all Candidates for the purchase of the broadcasting time and equal price and payment conditions.

(8) During the campaign it shall be banned to broadcast campaigning in such times that are reserved for advertising in radio and TV programs, or use radio and TV advertising for campaigning.

(9) Broadcasting of the news and journalism programs shall not be considered campaigning provided they are broadcast in such a way and under such circumstances as on non-campaigning days and are in accordance with the valid program structure of the operators of the broadcasting. [Art 11.1.e) of Law No. 468/1991 on Radio and TV Broadcasting in the wording of later regulation.] Broadcasting operators shall be obliged to provide balanced and non-partisan news programs.

(10) Broadcasting other programs except for the news and journalism programs pursuant to clause (9) and those that are devoted to the campaign pursuant to clauses (4) and (5) that could influence the voting of the voters in favor or disfavor of a candidate shall be banned during the campaign.

(11) Each Candidate who during the campaign is subjected to false or misrepresenting information and statements in radio and TV broadcasting and mass media shall have a right to respond during the campaign. He/she shall enforce this right with the operator of the broadcasting or editor-in-chief of the mass medium that broadcast or published such a piece of information or statement. The operator of broadcasting or editor-in-chief shall be obliged to provide the Candidates for the President an equally valuable broadcasting time as the time when the subjected information or statement were broadcast, within the campaigning days.

(12) 48 hours before the start of the election and during the election it shall be banned to broadcast or publish information in radio and TV broadcasting and mass media on Candidates in their favor or disfavor in oral, written, audio or visual form.

(13) During the election, in the buildings where Precinct Election Commissions are located and their immediate surroundings any influences for or against any of the Candidates shall be banned.

(14) Latest day to publish results of opinion polls shall be 3 days before the election day.

(15) Election commissions, members of their expert (summarizing) units and recorders shall not be allowed to provide information on the course and partial results of the poll before signing the minutes.

(16) It is banned to publish polls on results of the voting during the election.

(17) The Central Election Commission can publicize partial information on the voting too.

(18) If the second round of the election is held, the campaign shall start by announcing the results of the first round of the election by the Central Election Commission and end 48 hours before the start of the second round of the election. Provision of clauses (2) up to (17) shall apply adequately also to the campaign ahead of the second round of the election and the broadcasting time allocated by Slovak Television and Slovak Radio is two hours; Candidates shall set up a claim to it within 24 hours after the results of the first round of the election were announced. The license holder can allocate no more than two hours of broadcasting time for the campaign ahead of a second round of election.

Article 16. Allowed costs for the Campaigning

The Candidate for the President can use no more than 4 million Slovak crowns VAT incl. For his/her pre-election campaign. This sum shall cover the expenses the candidate paid off or is to pay off, including expenses the third persons paid off or committed to pay off for the Candidate for President. Should the advert or program be published or broadcast free of charge or for a lower price in the media other than Slovak Radio or Slovak Television, their usual price shall be calculated in the stated sum.

Article 17. For the purpose of this law

a) the campaign of the Candidate for President be any public announcement used for his/her support or in his favor for which a recompense will be paid or is supposed to be paid.

b) the expenses of the Candidate for president for the campaigning shall be the total of all financial and other sources valuable in money that the Candidate for the President shall use to reimburse the paid advertisement in periodical progress (Article 3.1 Law No. 81/1966 in the wording of the later regulations), to reimburse advertising or sponsor programs in radio and TV broadcasting (Article 2.1 e) and f) of Law No 468/1991 in the wording of the later regulations), to reimburse the prices of advertising posted in public places and the costs for production of the advertisement materials and things, regardless the fact wether the duty of reimbursement belongs to the Candidate for the President or third parties.

Article 18. Raising Funds for the Campaign of the Candidate for the President

(1) The Candidate for the president shall be authorized to receive gifts and other not-to-be-paid-back performance for supporting his/her candidacy only from natural persons with permanent residence within the territory of the Slovak Republic, from legal entities based within the territory of the Slovak Republic or from political parties and movements registered in the Slovak Republic.

(2) The Candidate for the President cannot receive a gift nor other not-to-be-paid-back performance from the State, nor organs of state administration or organs of municipal government.

Article 19. Disclose Obligation

(1) The Candidate for the President shall be obliged to keep registration of all gifts received for his/her campaign, and donators of the gifts and announce in writing to the Ministry of Finance of the Slovak Republic the total sum of the funds received for his/her campaign (Art 18.1) and the total sum of the funds spent on his/her campaign (Art. 16). To the written statement the Candidate for the President shall enclose the name, second name, permanent residence and the value of the gift or the not-to-be-paid-back performance of each donator, provided the donator was a natural person and the value of his/her gift exceeded 10.000 crowns and the name, address and the value of the gift or the not-to-be-paid-back performance, provided the donator was a legal entity and the value of this gift exceeded 100,000 crowns.

(2) Such a publisher of periodical medium [Article 3.1 of Law No. 81/1966 in the wording of later regulations], operator of radio and TV broadcasting [Article 2 and 3 of Law No. 468/1991 in the wording of later regulations.], operator of the advertisements posted in public places [18) Article 10a. I and 3 of Law of the Slovak National Council No. 544/1990 on Municipal Fees in the wording of Law of the Slovak National Council No. 72/1992] and natural person or legal entity who produced an advertising program, poster, leaflet or other advertising material or thing in favor of the candidate for the President shall be obliged to announce in writing to the Ministry of Finance of the Slovak Republic the amount of funds spent by individual Candidates for the President for the campaigning pursuant to this law (Art. 17) that they publicized, broadcast or produced.

(3) The Candidate for the President and the natural person and legal entity shall submit the statement pursuant to clauses (1) and (2) within no later than 30 days after the presidential election day.

(4) In the statement the natural person and legal entity mentioned in clause (2) shall also state the sums corresponding to the usual prices for advertising, sponsored programs, commercials and other advertising material of programs that they published, broadcast or produced in favor of individual candidates for the President free of charge or for a lower price.

(5) The natural persons and legal entities stated in clause (2) shall keep a special registration of all facts they are obliged to disclose pursuant to this law.

(6) Crucial for calculation of expenses shall be the day of publicizing of the advertising material or program kotlgh the information medium and the day of publicizing the ready advertising material in favor of the Candidate for the President.

Article 20. Sanctions

(1) If the Ministry of Finance finds out in the statement (Art. 19. 1) that the Candidate for the President exceeded the maximum allowed amount for expenses pursuant to Article 16, within two months after receiving the statement it shall impose a sanction amounting to the tenfold amount of the sum that exceeded the maximum allowed amount of the expenses pursuant to Article 16.

(2) The Ministry of Finance of the Slovak Republic shall impose a sanction up to 2 million Slovak crowns to such a Candidate for the President, natural person or legal entity who has not fulfilled their disclose obligation (Art. 19).

(3) An appeal from the decision on imposing a sanction shall not have any dilatory effect.

Article 21. How to Vote

(1) The qualified voter shall come before the precinct election commission and vote in person. Representation shall not be allowed.

(2) After entering the polling station the qualified voter shall establish his/her identity and after the commission recorded him/her in both copies of the list of qualified voters the precinct election commission shall issue an empty official envelope marked with the National Emblem of the Slovak Republic (hereinafter referred to as "the envelope" only) and a ballot paper to the voter. If the qualified voter failed to present his/her ID card and no member of the precinct election commission knows him/her, the commission shall ask such a voter to establish identity by evidence of two persons who are

known by the precinct election commission; if the voter fails to do so before the end of the poll, he/she will not be allowed to vote.

(3) Any qualified voter who came to the poling station with the voter card shall be recorded by the precinct election commission into the list of qualified voters. The record shall be signed by the chairman and two members of the commission; the voter card shall be attached to the list of qualified voters. Then the commission shall issue a ballot and an empty envelope to the-voter.

(4) After receiving a ballot and an envelope, the qualified voter shall enter the area designed for marking the ballots, on the ballot the voter shall only mark the Candidate he/she votes for and put the ballot into the envelope. The voter shall mark the Candidate by placing the "x" in the little box before the second name of the chosen Candidate. Other ways of marking the ballot shall not be taken into consideration.

(5) Such a qualified voter who is not able to mark the ballot due to physical handicap or because he/she cannot read or write shall have a right to take another qualified voter to the area designed for marking the ballots, except for a member of the precinct election commission, to mark the ballot for the voter according to the voter's instructions and place it into the envelope.

(6) After leaving the area designed for marking the ballots the qualified voter shall vote by placing the envelope into the ballot box before the precinct election commissions. The commission shall not allow voting to such a qualified voter who did not go to mark the ballot in the area designed for it.

(7) Such a qualified voter who cannot come to the poling station and is in the municipality of his/her permanent residence on election day, or has a voter card shall have a right to ask the precinct election commission for voting into the mobile ballot box. In such a case the precinct election commission shall send out no less than two of its members with the mobile ballot box, an envelope and ballots to such a qualified voter; these commission members shall provide for maintaining secrecy during the vote.

(8) Such a qualified voter who due to physical handicap is not able to cast the envelope into the ballot box may ask another qualified voter, except for a member of the precinct election commission, to cast the envelope for him/her and in his/her presence.

Article 22

Preparation activities in the polling station and areas designed for marking the ballot papers, order in the polling station, interrupting and closing the poll shall be governed by provisions of a special law [19) Article 26 and 27, Article 29 up to 31 of Law of the Slovak National Council No. 80/1990 in the wording of later regulations.].

Article 23. Count of the votes in the precinct election commission

(1) After close of the vote the chairman of the precinct election commission shall give order to seal the remaining unused ballots and envelopes and open the ballot box. If the precinct election commission used also the mobile ballot box upon requests of citizens, the contents of the boxes shall be mixed after they both were opened.

(2) The precinct election commission shall take the envelopes out of the ballot box, count the envelopes and compare their number with the number of records made in the list of qualified voters. The commission shall put away all envelopes other than those pursuant to Art. 21.2. The Commission shall also put away those ballots that were not in envelopes.

(3) After taking the ballots out of the envelopes the commission shall put away invalid ballots and find out how many votes each candidate received.

(4) Each member of the precinct election commission can look into the ballots. The chairman of the precinct election commission shall check whether the count is correct.

(5) Apart from the commission members, the commission's recorder, members of higher election commissions and members of their expert (summarizing) units and persons with permission granted by the Central Election Commission shall have a right to be present in the room where the precinct election commission counts the votes.

Article 24. Examining the Ballots

(1) Such ballots that are not on the prescribed form shall be invalid. Also such a ballot is invalid where more than one Candidate is marked with the "x", or a ballot where no candidate is marked with the "x". Votes in favor of such candidates who resigned their candidacy (Art 12) or passed away shall not be taken into consideration.

(2) If two or more ballots were found in the envelope, the precinct election commission shall put away the ballot where no candidates were marked. If the envelope contains two or more ballots where one and the same

Candidate was marked properly, the precinct election commission shall count only one vote as valid. If the envelope contains two or more ballots where a different Candidate is marked properly, all ballots shall be invalid.

(3) In case of any doubt about the ballot, the final decision whether such a ballot is valid or not shall be made by the precinct election commission.

Article 25. Minutes on Course and Result of Vote in Election Precinct

(1) The precinct election commission shall prepare the minutes on the course and result of the vote in the election precinct in two copies, signed by the chairman, vice-chairman and other members of the commission. If any of the member of the precinct election commission did not sign the minutes, the reason of it shall be recorded in the minutes.

(2) The minutes on the course and result of the vote in the election precinct shall include:

a) what time the poll started and closed;
b) number of qualified voters recorded in the list of qualified voters in the election precinct;
c) number of qualified voter who were issued the envelopes;
d) number of envelopes cast;
e) number of valid votes cast for all Candidates
f) number of valid votes cast for individual Candidates;
g) number of the votes for the Candidate who became ineligible, or the Candidate who gave up the right to run.

Article 26. Close of Activity in Precinct Election Commission

(1) After signing both copies of the minutes on the course and result of the vote in the election precinct the chairman of the precinct election commission shall with no undue delay deliver one copy of the minutes to the District Election Commission and wait for its instruction to close work.

(2) If the chairman failed to fulfil the duties pursuant to clause (1) upon request of the District Election Commission within 24 hours after the close of the vote, the District Election Commission shall deliver the results of voting in other election precincts to the Central Election Commission.

(3) The Precinct Election Commission shall seal the ballots and envelopes cast and the list of qualified voters and deliver them along with other election documents into custody of the municipality.

Article 27. Collecting Voting Results in District Election Commission

The District Election Commission shall gather the results of voting in individual precinct election commission and through its expert (summarizing) unit it shall verify whether the minutes on the course and result of the vote in the election precinct are complete. Only members of the commissions, members of their expert (summarizing) units, recorder and persons with permission granted by the Central Election Commission have a right to be present by this activity.

Article 28. Minutes of District Election Commission on Result of Vote in District

(1) The District Election Commission shall prepare the minutes on the result of the vote in the District in two copies, signed by the chairman, vice-chairman and other members of the commission. If any of the members of the district election commission did not sign the minutes, the reason of it shall be recorded into the minutes.

(2) The minutes of the District Election Commission on the result of the vote shall include:

a) number of election precincts in the District and number of precinct election commission that delivered the voting result;
b) number of qualified voters recorded in the list of qualified voters in the District;
c) number of qualified voters who were issued the envelopes;
d) number of envelopes cast;
e) number of valid votes cast for all Candidates;
f) number of valid votes cast for individual Candidates;
g) number of the votes for the Candidate who became ineligible, or the Candidate who gave up the right to run.

(3) After signing both copies of the minutes on the result of the vote in the District the chairman of the District Election Commission shall with no undue delay deliver one copy of the minutes to the Central Election Commission and wait for its instruction to close work. The chairman shall deliver other election documents into custody of the District Office.

Article 29. Minutes of Central Election Commission on Election Result

(1) On the basis of the minutes of District Election Commissions on the result of the vote in the District the Central Election Commission shall prepare the minutes in two copies, signed by the chairman, vice-chairman and other members of the Central Election Commission. If any of the members of the Central Election Commission did not sign the minutes, the reason of it shall be recorded into the minutes.

(2) The minutes on the result of the election shall include:
a) number of Districts;
b) number of District Election Commissions that delivered the minutes;
c) number of election precincts;
d) number of precinct election commission that delivered the minutes;
e) number of voters registered in the lists of qualified voters in the election precincts;
f) number of valid votes cast for all Candidates;
g) number of the votes for the Candidate who became ineligible, or the Candidate who gave up the right to run;
h) order of Candidates according to the number of valid votes of qualified voters they received;
i) name, second name and academic title of the Candidate who was elected President, or the information that none of the Candidates received the necessary number of votes.

Article 30. Announcing Election Results

(1) The Central Election Commission shall announce the election result. The announcement of the election result has to include:
a) name, second and academic title of the Candidate who received a simple majority of the valid votes of qualified voters and was elected President, or
b) a statement that regarding the election result the second round of the election, data on the name, second name and academic title of the Candidates who proceeded to the second round,
c) the order of other Candidates stating the number of valid votes of qualified voters they received.

(2) After announcing the results of the election the Central Election Commission shall deliver one copy of the minutes of the election result with no undue delay to the chairman of the National Council of the Slovak Republic.

(3) The Central Election-Commission shall submit the election documents into custody of the Ministry of Interior of the Slovak Republic.

Article 31. Second Round of Election

(1) If none of the Candidates has received a simple majority of valid votes of qualified voters in the first round of the election, the second round of the election shall be held in the time determined by decision of the chairman of the National Council of the Slovak Republic on promulgating of the election. [Title 101.4 of the Constitution of the Slovak Republic No. 460/1992 in the wording of the constitutional law No. 244/1998 and constitutional law No. 9/1999.]

(2) For the second round of the election Article 4.7, Article 5, 12, 13, Article 15 up to 30 shall be applied.

(3) Municipalities shall inform their citizens on the hours and place of the second round of the election in a way usual in the municipality.

(4) The Candidate for the President can resign his/her candidacy in writing after the results of the first round of the elections have been announced; otherwise Article 12 shall apply to resignation of the candidacy.

CHAPTER 2. PLEBISCITE ON REMOVING THE PRESIDENT

Article 32. Promulgation of Plebiscite

(1) The promulgation of the chairman of the National Council of the Slovak Republic on holding the plebiscite on removal of the President [) Title 106.1 of the Constitution of the Slovak Republic No. 460/1992 in the wording of the constitutional law No. 244/1998 and constitutional law No. 9/1999.] (hereinafter referred to as "plebiscite" only) shall be published in the Collection of Laws of the Slovak Republic.

(2) The promulgation of the plebiscite shall include:
a) the day of passing the resolution of the National Council of the Slovak Republic which is the basis for holding the plebiscite;
b) the day, or days of holding the plebiscite; to set the time for the plebiscite Article 2.2 - 4 shall be applied.

Article 33. Right to Vote

Qualified voters shall have the right to vote in the plebiscite (Art. 1.2.),

Article 34. Plebiscite Precincts

Municipalities shall establish voting precincts for the plebiscite (hereinafter referred to as "plebiscite precincts" only), for the purpose of casting the ballots and count of the votes. To establish plebiscite precincts provision of Art. 3.2 and 3 shall be applied.

Article 35. Plebiscite List

(1) On the basis of the permanent Voter liSt3) the Municipality shall compile a list of voters qualified to vote in the plebiscite (hereinafter referred to as "voter list" only) in individual plebiscite precincts.

(2) The municipality shall compile a plebiscite list for a special plebiscite precinct; the Head of such a facility shall cooperate with the Municipality in it. Such a Municipality where the special plebiscite precinct has been established shall with no undue delay announce the information on having made a record into the plebiscite list to the Municipality of the permanent residence of such a qualified voter.

(3) Soldiers of armed forces and members of armed security forces and armed forces who are collectively accommodated shall be added to the plebiscite list of in that Municipality where their unit is located. The record to the list shall be made on the basis of the written information provided by the unit and within the deadline determined by the Mayor of the Municipality. The record to the list of qualified voters shall be effective only during the plebiscite. The Municipality where the unit is shall with no undue delay report on the record to the plebiscite list to the respective Municipality according to the permanent address of the respective soldier or member. The Municipality shall see to it that no such plebiscite precincts are established where the list of qualified voters consist of soldiers of armed forces and members of armed security forces and armed forces only.

(4) Qualified voters pursuant to clauses 2) and 3) shall not be recorded in the plebiscite list in the plebiscite precinct according to the permanent address.

(5) The Municipality shall submit the plebiscite list pursuant to clauses 1) and 2) in two copies to the precinct plebiscite commissions no later than 2 hours before the start of the vote.

(6) The precinct plebiscite commission shall add such a citizen of the Slovak Republic to the plebiscite list who does not have a permanent residence in the Slovak Republic and comes to the polling station on election day, the information that the record to the plebiscite list has been made shall be written down in his/her Slovak passport (Art 5.1 of the law No. 381/1997 in Travel Papers)

(7) The precinct plebiscite commission shall add to the plebiscite list for its precinct a person:

a) on the basis of ruling of the court;
b) on the basis of a voter card;
c) who proves by his/her ID card that he/she has a permanent residence within the plebiscite precinct.

Article 36. Voter Card

(1) Upon request of such a qualified voter who will not be able to vote in the plebiscite precinct where he/she is recorded in the plebiscite list the Municipality shall issue a voter card and delete the voter from this plebiscite list adding a note the voter card was issued to this voter.

(2) The voter card shall authorize for a record to the plebiscite list in any plebiscite precinct; the record shall be effective only during the plebiscite.

(3) In cells of police detention, in custodial facilities or places for serving summary punishment, and in facilities for serving infamous punishment where o special plebiscite precinct has been established, the plebiscite precinct commission within whose territory such a facility is located and in cooperation with the Head of the respective facility shall provide the qualified voters with a chance to vote by means of a voter card. In this case the size of the plebiscite precinct does not have to be observed. If a qualified voter is brought in and it is possible, the respective unit of the Police or Military Police shall enable such a voter to exercise his/her right to vote.

Article 37. Plebiscite Bodies

(1) For the purpose of the plebiscite the following bodies shall be created:

a) Central Commission for the Plebiscite (hereinafter referred to as "Central Plebiscite Commission" only);
b) District Commissions for the Plebiscite (hereinafter referred to as "the District Plebiscite Commission" only);
c) Precinct Commissions for the Plebiscite (hereinafter referred to as "the Precinct Plebiscite Commission" only).

(2) Only a qualified voter may become a member of the plebiscite commission.

(3) The member of the plebiscite commission shall commence office by signing the following pledge: "On my

honor I pledge to perform my duties in a faithful and non-partisan manner and observe laws and other legal regulations."

(4) The plebiscite commission has a quorum provided a simple majority of all its members is present. Any resolution shall be deemed passed after a simple majority of the present members voted for it. In case the votes equal, the proposal shall be deemed voted down.

(5) At its first meeting the plebiscite commission shall choose two of the members to become the chairman and vice-chairman. In case no agreement can be reached, both chairman and vice-chairman shall be determined by drawing lots. The draw shall be conducted by the recorder of the plebiscite commission.

(6) In case the position of the plebiscite commission member terminated, the chairman shall summon a substitute. The position of the plebiscite commission member shall terminate as of the day of delivery of the written announcement by the political party or political movement, or coalition of political parties and political movements that appointed him/her, or the announcement of the commission member about the resignation to the chairman.

(7) For the purpose of processing the results of the plebiscite the Statistical Office of the Slovak Republic shall create expert (summarizing) units for the Central Plebiscite Commission and District Plebiscite Commissions. Persons delegated to the expert (summarizing) units shall commit the pledge pursuant to clause (3).

Article 38. Central Plebiscite Commission

(1) Each political party and political movement represented in the National Council of the Slovak Republic shall no later than 35 days before the plebiscite day announce the name and second name and the permanent address of one CPC member and one substitute to the Prime Minister of the Slovak Republic.

(2) The first meeting of the Central Plebiscite Commission shall take place no later than 30 days before the plebiscite day; the meeting shall be called by the Prime Minister of the Slovak Republic.

(3) The Central Plebiscite Commission shall:
a) oversee the state of readiness of the lower plebiscite commissions to perform their duties pursuant to this law;
b) decide on complaints of the work of District Plebiscite Commissions;
c) discuss the information of the Ministry of Interior of the Slovak Republic on organizational and technical preparation of the plebiscite and recommend proposals for taking measures;
d) discuss the information of the Statistical Office of the Slovak Republic on the preparation of the processing of the plebiscite results;
e) find out the plebiscite results;
f) prepare the minutes on the result of the plebiscite and announce the result of the plebiscite;
g) give permission for other persons to be present at the count in the Precinct Plebiscite Commission and District Plebiscite Commission.

(4) The Ministry of Interior of the Slovak Republic shall create the expert and administrative unit to assist the Central Plebiscite Commission.

Article 39. District Plebiscite Commission

(1) Each political party and politic-al-movement stated in Article 38.1 shall no later than 30 days before the plebiscite day announce the name and second name and the permanent address of one DPC member and one substitute to the Head of the District Office.

(2) The District Plebiscite Commission must have no less than 5 members. Should the DPC fail to have the determined number of members or should their number fall under five and there is no substitute, the Head of the District Office shall appoint the missing members,

(3) The first meeting of the District Plebiscite Commission shall be held no later than 25 days before the plebiscite day; the meeting shall be called by the Head of the District Office.

(4) The District Plebiscite Commission shall:
a) oversee the state of readiness of the Precinct Plebiscite Commissions to perform their duties pursuant to this law;
b) decide on complaints of the work of Precinct Plebiscite Commissions;
c) discuss the information on activity of its expert (summarizing) unit;
d) oversee the process of finding the plebiscite results in plebiscite precincts; it is authorized to require explanations or other information from the precinct plebiscite commissions and can correct the found errors after agreement with the precinct plebiscite commission, or ask the precinct plebiscite commission to correct the found errors;
e) find out the plebiscite results in the District;

f) prepare the minutes on the result of the plebiscite in the District and submit it to Central Plebiscite Commission.

Article 40. Precinct Plebiscite Commission

(1) Each political party, political movement stated in Article 3 S. I shall no later than 30 days before the plebiscite day announce the name and second name and the permanent address of one PPC member and one substitute to the Mayor of the Municipality.

(2) The Precinct Plebiscite Commission must have no less than 5 members. Should the PEC fail to have the determined number of members or should their number fall under five and there is no substitute, the Mayor of the Municipality shall appoint the missing member.

(3) The first meeting of the District Plebiscite Commission shall be held no later than 23 days before the plebiscite day; the meeting shall be called by Mayor of the Municipality.

(4) The Precinct Plebiscite Commission shall:

a) provide for the proper course of the plebiscite, mainly it shall oversee the ballots are cast in a proper way and it shall control order in the polling station and its immediate surroundings;
b) count the ballots and votes;
c) prepare the minutes on the course and result of the plebiscite in the plebiscite precinct and submit it to the respective District Plebiscite Commission;
d) perform other tasks ordered by the respective District Plebiscite Commission or the Central Plebiscite Commission.

Article 41. Plebiscite Commission Recorder

(1) The Recorder of the Plebiscite Commission shall provide for organizational and administrative matters concerning the preparation and course of the meeting of the plebiscite commission. He/she is present at the meetings of the commission and has the right to be an advisor to the commission.

(2) The Recorder:

a) of the Central Plebiscite Commission is appointed and removed by the Government of the Slovak Republic;
b) of the District Plebiscite Commission is appointed and removed by the Head of the District Office from among employees of the District Office;
c) of the Precinct Plebiscite Commission is appointed and removed by the Mayor of the Municipality usually from employees of the Municipality.

(3) The Recorder of the Central Plebiscite Commission shall be appointed by the Government of the Slovak Republic no less than 45 days before the plebiscite day, the Recorder of the District Plebiscite Commission shall be appointed by the Head of the District Office 40 days before the plebiscite day and the Recorder of the Precinct Plebiscite Commission shall be appointed by the Mayor of the Municipality 40 days before the plebiscite day. The Recorder shall commit the pledge subject to Article 37.3.

Article 42. Ballot

(1) On the ballot the following shall be stated:

a) the day, or days when the plebiscite is being held;
b) text;

" I vote for removal of the President of the Slovak Republic from office"

" I vote against removal of the President of the Slovak Republic from office",

c) instruction on how to vote.

(2) Each ballot must be marked with a print of the Central Plebiscite Commission stamp and print of the official stamp of the Municipality.

(3) The Ministry of Interior of the Slovak Republic shall provide for production of the ballots and delivery of their necessary amount to the Municipalities.

(4) The Municipality shall provide for delivery of the ballots to all Precinct Plebiscite Commissions on the plebiscite day no later than 2 hours before the start of the plebiscite.

Article 43. Informing Qualified Voters

(1) The Municipality shall inform on the established plebiscite precincts, polling station and the plebiscite hours in a way usual in the Municipality and no later than 40 days before the plebiscite day.

(2) No later than 20 days before the plebiscite day the Municipality shall send to each voter registered in the permanent list of voters a notification stating the plebiscite hours, plebiscite precinct and the place where the qualified voter can go to vote; the notification shall also warn of the voter's pre-voting duty to establish identity by ID card and give a brief explanation how to mark the ballot.

Article 44. Voting

(1) The qualified voter shall vote in person; representation shall not be allowed. The qualified voter shall receive a ballot paper in the polling station.

(2) The qualified voter shall vote by marking the "x" in the respective box on the ballot and place the marked ballot into the ballot box. The ballot is secret.

(3) Provisions of Article 15.12 and 13, Article 21 and 22 shall be applied on the ban of any canvassing, and preparation of the polling station, areas for marking the ballots, start of the poll, voting, order in the polling station, interrupting the poll and closing the poll, with the exception that no envelope will be used for the voting.

Article 45. Examining the Ballots

(1) The ballot shall be invalid if any written document other than the ballot paper (Art. 42) was cast. The ballot is also invalid if it has been torn in two or more pieces or if it has been marked in any way other than stated in Article 44.2 or it has not been marked at all.

(2) In case of any doubt about the ballot, the final decision whether such a ballot is valid or not shall be made by the precinct plebiscite commission.

Article 46. Count of Votes at Precinct Plebiscite Commission

(1) After close of the vote the chairman of the precinct plebiscite commission shall give order to seal the remaining unused ballots and open the ballot box. If the precinct plebiscite commission used also the mobile ballot box upon requests of citizens, the contents of both boxes shall be mixed after they both were opened.

(2) The precinct plebiscite commission shall take the ballots out of the ballot box, count them and compare their number with the number of the records made in the plebiscite list.

(3) The plebiscite commission shall separately count invalid ballots and valid ballots and find out the number of votes agreeing with the removal of the President from office and the number of the votes disagreeing with the removal of the President from office.

(4) Each member of the precinct plebiscite can look into the ballots. The chairman of the precinct plebiscite commission shall check whether the count is correct.

(5) Apart from the commission members, the plebiscite commission's recorder, members of higher plebiscite commissions and member of their expert(summarizing) units and persons with permission granted by the Central Plebiscite Commission shall have a right to be present in the room where the precinct plebiscite commission counts the votes.

Article 47. Minutes on Courses and Result of Vote in Plebiscite precinct.

(1) The precinct plebiscite commission shall prepare the minutes on the course and result of the vote in the plebiscite precinct in two copies, signed by the chairman, vice-chairman and other members of the commission. If any of the members of the commission refused to sign the minutes, the reason of refusal shall be recorded into the minutes.

(2) The minutes on the course and result of the vote in the plebiscite shall include:

a) what time the plebiscite started and closed, or was interrupted;
b) number of qualified voters recorded in the plebiscite list in the plebiscite precinct;
c) number of qualified voters who were issued ballots;
d) number of ballots cast;
e) number of valid ballots cast and number of invalid ballots cast;
f) number of votes for the removal of the President from office and the number of votes against the removal of the President from office.

(3) After signing both copies of the minutes on the course and result of the vote in the plebiscite precinct the chairman of the precinct plebiscite commission shall with no undue delay deliver one copy of the minutes to the District Plebiscite Commission and wait for its instruction to close work.

(4) If the chairman failed to fulfil the duty pursuant to clause (3) upon request of the District Plebiscite Commission within 24 hours after the close of the vote, the District plebiscite commission shall deliver the results of voting in other plebiscite precincts to the Central Plebiscite Commission.

(5) The precinct plebiscite commission shall seal the ballots cast and plebiscite lists and deliver them along with other election documents into custody of the municipality.

Article 48. Minutes of District Plebiscite Commission

(1) The district plebiscite commission shall prepare the minutes on the result of the plebiscite in the District in two copies, signed by the chairman, vice-chairman and other members of the commission. If any of the members of the district election commission refused to sign the minutes, the reason of refusal shall be recorded into the minutes.

(2) On the basis of the minutes on the course and result of the plebiscite delivered by the precinct plebiscite

commissions the District Plebiscite Commission shall find out the result of the plebiscite in the District.

(3) The minutes of the District plebiscite commission shall include:

a) the number of plebiscite precincts in the District and number of precinct plebiscite commissions that delivered the minutes on the course and result of the plebiscite;
b) number of qualified voters recorded in plebiscite lists in the District;
c) number of qualified voters who were issued ballots in the District;
d) number of ballots cast in the District;
e) number of valid ballots cast and number of invalid ballots cast in the District;
f) number of votes agreeing with the removal of the President from office and number of votes disagreeing with the removal of the President from office.

(4) After signing both copies of the minutes on the result of the plebiscite in the District the chairman of the District plebiscite commission shall with no undue delay deliver one copy of the minutes to the Central Plebiscite Commission and wait for its instruction to close down the District Plebiscite Commission. The chairman shall deliver other plebiscite documents into custody of the District Office.

Article 49. Minutes of Central Plebiscite Commission

(1) The Central Plebiscite Commission shall examine the minutes of District Plebiscite Commissions and on the basis of those minutes it shall find out the results of the plebiscite.

(2) The Central Plebiscite Commission shall prepare the minutes on the result of the plebiscite in two copies, signed by the chairman, vice-chairman and other members of the Central Plebiscite Commission. If any of the members of the Central Plebiscite Commission refused to sign the minutes, the reason of refusal shall be recorded into the minutes.

(3) The minutes of the Central Plebiscite Commission on the result of the plebiscite shall include:

a) number of plebiscite precincts and number of precinct plebiscite commissions that delivered the minutes;
b) number of Districts and number of District Plebiscite Commissions that delivered the minutes on the result of the plebiscite;
c) number of qualified voters registered in plebiscite fists;
d) number of qualified voters who were issued ballots;
e) number of ballots cast;
f) number of valid votes cast and-number of invalid ballots cast;
g) number of votes agreeing with the removal of the President from office and number of votes disagreeing with the removal of the President from office.

(4) After signing both copies of the minutes on the result of the plebiscite the Central Plebiscite Commission shall announce the result of the plebiscite and deliver with no undue delay one copy of the minutes to the chairman of the National Council of the Slovak Republic; it shall submit other plebiscite documents into custody of the Ministry of Interior of the Slovak Republic.

CHAPTER 3. COMMON PROVISIONS

Article 50. Auxiliary Supplies

(1) All auxiliary supplies, polling stations, plebiscite stations and their supplies shall be provided for precinct election commissions and precinct plebiscite commissions by Municipalitie's they are located within.

(2) All auxiliary supplies for District Election Commissions and District Plebiscite Commissions and Central Election Commission and Central Plebiscite Commission shall be provided for by the Ministry of Interior of the Slovak Republic.

Article 51. Cooperation of State Organs and Municipalities

State Organs and Municipalities are obliged to cooperate in execution of this Law.

Article 52. Rights of Commission Members

(1) The office of the election commission member and plebiscite commission member is the office of honor. Performing the office of the election commission member and plebiscite commission member is considered to be other performance in public interest. In serving the office, the rights and claims of the election commission member and plebiscite commission member resulting from their labor relation or similar labor relation mustn't be restricted; above all they are entitled to a leave with reimbursement of their wage [Regulation of the Federal Ministry of Labor and Social Affairs No. 18/1991 on other performances in public interest], or in the case of an independent gainfully employed person to the reimbursement equal to the

proportional part of the average monthly salary of employees in the national economy.

(2) The employer who paid the salary reimbursement subject to clause (1) has the right to get the sum reimbursed. The member of the precinct election commission and precinct plebiscite commission has the right of reward for serving the office during the time when he had no -right of-wage reimbursement subject to clause (1). The rate of the reward and the way of payment shall be defined by a generally binding provision. [Regulation of the Ministry of Finance of the Slovak Republic No. 122/1994 on the rate of reward, way of reimbursement and payment of reward and compensation to election commission members.]

Article 53. Claims of Candidates

The Candidate for the President shall have a right to receive an unpaid leave of 40 days from the person the Candidate is in labor relation with or a similar labor relati6n, for the purpose of preparing and performing his/her campaign.

Article 54. Reimbursement of Election Expenses

(1) Expenses connected with the election and expenses connected with the plebiscite including the expenses of municipalities shall be paid from the State Budget.

(2) Expenses subject to clause (1) are not meant to be expenses connected with the campaign, except for reimbursement of the expenses to be paid to Slovak Radio and Slovak Television for using of telecommunication facilities.

Article 55. Special Provisions

(1) The Ministry of the Interior of the Slovak Republic shall govern the municipalities and local organs of state administration in:

a) creating election precincts and plebiscite precincts;
b) providing and equipping polling stations and plebiscite stations;
c) safekeeping election documents and plebiscite documents.

(2) The Statistical Office of the Slovak Republic after agreement with the Ministry of the Interior of the Slovak Republic shall issue the methodology of processing the elections results and plebiscite results.

Title II

Law No. 99/1963 Civil Court Rule in the wording of the following laws: the law No. 36/1967, law No. 158/1969, law No 49/1973, law No 20/1975, law No. 133/1982, law No.180/1990, law No. 328/1991, law No. 519/1991, law No. 263/1992, law of the National Council of the Slovak Republic No 5/1993, law of the National Council of the Slovak Republic No. 46/1994, law of the National Council of the Slovak Republic No 190/1995, law of the National Council of the Slovak Republic No. 232/1995, law of the National Council of the Slovak Republic No 233/1995, law of the National Council of the Slovak Republic No. 22/1996, law of the National Council of the Slovak Republic No. 58/1996, findings of the Constitutional Court of the Slovak Republic N0. 281/1996, law No. 211/1997, finding of the Constitutional Court of the Slovak Republic No.359/1997, law No. 124/1998, law No 144/1998, law No. 169/198, law No. 187/1998, law No 225/1998, law No. 233/1998, law No. 235/1998, finding of the Constitutional Court of the Slovak Republic No. 318/1998 and law No 331/1998, shall be supplemented as follows:

Article 200gb shall be inserted after Article 200ga in the following wording:

"Article 200gb. Proceedings on matters of accepting the proposal for Candidate for the President of the Slovak Republic

1) If the Chairman of the National Council of the Slovak Republic decided to reject the proposal for a Candidate for the President, the respective Candidate can file a motion with the Supreme Court of the Slovak Republic to issue a ruling that his/her proposal for the Candidate for the President be accepted.
2) Parties to the proceeding shall e the respective Candidate and Chairman of the National Council of the Slovak Republic.
3) The court shall decide by a resolution within five days after the motion was filed"

Title III

Law No. 81/1966 on periodical press and other mass media in the wording of the law No. 84/1968, law No. 127/1968, law No. 99/1969, law No. 131/1970, law No. 86/1990, law No. 186/1997 and law No. 187/1998 shall be supplemented as follows:

In Article 9a. I the words "of the campaign before the election of the President of the Slovak Republic," shall be inserted after the words "of organs of municipal government,".

Title IV

Law No. 468/1991 on operating of radio and TV broadcasting in the wording of the law No. 597/1992, law of the National Council of the Slovak Republic No. 166/1993, law of the National Council of the Slovak Republic No. 325/1993, law of the National Council of the Slovak Republic No. 212/1995, law of the National Council of the Slovak Republic No. 220/1996, law No. 160/1997, law No. 283/1997, law No. 160/1997, law No. 283/1997, law No. 187/1998 and law No. 233/1998 shall be supplemented as follows:

In Article 5.g) the words "rules of the election of the President of the Slovak Republic," shall be inserted after the words "of organs of municipal government,"

Title V

This law shall come into effect as of the day of its promulgation.

Jozef Migas
Mikulas Dzurinda

COLLECTION OF LAWS of the Slovak Republic

Item 21 Published on March 19, 1999

Ruling of the Chairman of the National Council of the Slovak Republic on Promulgation of the election of the President of the Slovak Republic.

Ruling of the Chairman of the National Council of the Slovak Republic as of March 19, 1999,

On promulgation of the election of the President of the Slovak Republic.

Pursuant to title 89.2.e of the Constitution of the Slovak Republic a Article 2.1 of the Law No. 46/1999 on Procedure of the Election of the President of the Slovak Republic, on Plebiscite and Removal of the President and on Supplementation of several other laws

I PROMULGATE the election of the President of the Slovak Republic and

I DETERMINE the date of the election to be Saturday May 15, 1999.

In case none of the candidates for the President of the Slovak Republic receives a simple majority of valid votes of qualified voters,

I DETERMINE the date of the second round of the election of the President of the Slovak Republic to be **Saturday May 29, 1999**.

Jozef Migas

UKRAINE

THE LAW OF UKRAINE
ON ELECTIONS OF PEOPLE'S DEPUTIES OF UKRAINE

CHAPTER I. GENERAL PROVISIONS

Article 1. The Main Principles and Grounds of Elections of People's Deputies of Ukraine

1. People's deputies of Ukraine (hereinafter referred to as deputies) shall be elected by the citizens of Ukraine on the basis of universal, equal and direct suffrage by secret ballot.

2. The numerical composition of the Verkhovna Rada of Ukraine shall be determined by the Constitution of Ukraine.

3. Elections of deputies shall be conducted on the basis of the mixed (majoritarian-proportional) system:

1) 225 deputies shall be elected in the multi-mandate all-state election constituency (hereinafter referred to as the multi-mandate constituency) on the basis of proportional representation according to electoral lists of candidates (hereinafter referred to as electoral lists) from political parties and electoral blocs of parties (hereinafter referred to as parties (blocs));
2) 225 deputies shall be elected on the basis of the majoritarian system of relative majority in single-mandate electoral constituencies (hereinafter referred to as single-mandate constituencies).

4. Participation of Ukrainian citizens in elections of deputies shall be voluntary. No one shall be forced to participate or not to participate in voting during elections.

Article 2. Universal Suffrage

1. Citizens of Ukraine who have attained the age of eighteen on the day of elections have the right to vote in elections of deputies (to elect deputies).

2. The document that confirms the Ukrainian citizenship of a voter shall be:

1) passport of a citizen of Ukraine;
2) passport of a citizen of Ukraine for travelling abroad;
3) temporary identity card of a citizen of Ukraine;
4) diplomatic passport;
5) service passport;
6) sailor's identity card;
7) identity card of a crew member;
8) military-service identity card for servicemen of a fixed period.

3. Citizens of Ukraine who have the right to vote may participate in the activities of election commissions as their members, as well as in the conduct of election campaigns, monitoring of carrying out of elections of deputies and other actions in accordance with the procedure established by this Law and other laws of Ukraine.

4. Any direct or indirect privileges or restrictions of the voting rights of citizens of Ukraine on the basis of their race, colour of skin, political, religious and other convictions, gender, ethnic and social origin, property status, place of residence, language or other characteristics shall be prohibited. Any restrictions as to participation of citizens in the election process shall not be allowed, except for the restrictions provided by the Constitution of Ukraine and this Law.

5. A citizen found incapable by a court shall not have the right to vote.

6. A citizen of Ukraine that legally resides or stays abroad during the period of preparation and conduct of elections shall have the right to vote in elections of deputies.

Article 3. Equal Suffrage

1. Elections of deputies shall be equal: citizens of Ukraine shall participate in elections on equal grounds.

2. In elections of deputies, each voter shall have one vote in the multi-mandate constituency and one vote in a single-mandate one. A voter may use his or her vote in one polling district only.

Article 4. Direct Suffrage

Elections of deputies shall be direct. Citizens of Ukraine shall elect deputies directly by voting for candidates for deputy included in an electoral list of a party (bloc) or for candidates for deputy in single-mandate constituencies.

Article 5. Free Elections

1. Elections of deputies shall be free. Conditions of free forming of their will and its free expression in elections shall be ensured for voters.

2. The use of violence, threats, fraud, bribery or any other actions that hinder free forming and free expression of voter's will shall be prohibited.

Article 6. Secret Ballot
Voting in elections of deputies shall be secret: any control over the expression of electors' will shall be prohibited.

Article 7. Personal Voting
Every voter shall vote in person during elections. Voting for other persons and transfer by a voter of his or her right to vote to another person shall be prohibited.

Article 8. The Right to Be Elected
1. A citizen of Ukraine who has attained the age of twenty one on the day of elections, has the right to vote and has resided in Ukraine for the last five years may be elected deputy.

2. Under the Law, residing in Ukraine shall mean residing on the territory that includes the following: the territory within the state border of Ukraine and sea vessels flying/sailing under the State Flag of Ukraine, and the stay of citizens of Ukraine in official journeys abroad under the procedure established by law, at diplomatic and other representative offices and consular missions of Ukraine abroad, international organizations and their bodies, polar stations of Ukraine, as well as the stay of citizens of Ukraine abroad under the effective international treaties of Ukraine.

3. A citizen who has been convicted for the commission of an intentional offence may not be elected deputy, unless the conviction has been discharged or overturned under the procedure established by law.

Article 9. The Right to Nominate Candidates for Deputy
The right to nominate candidates for deputy shall belong to the citizens of Ukraine who have attained the age of eighteen years on the day of elections and have the right to vote. This right shall be exercised by them through parties (blocs) or by self-nomination under the procedure established by this Law.

Article 10. Election Process
1. The election process is the carrying out of election procedures provided for by this Law by the subjects defined in Article 11 of this Law.

2. The election process shall be carried out on the basis of the following:
1) legality and prohibition of illegal interference of anyone into the process;
2) political pluralism (multi-party system);
3) transparency and openness of the election process;
4) equality of rights of parties (blocs) that are subjects of the election process;
5) equality of all candidates for deputy;
6) freedom of election campaigns, equal opportunities of access to mass media;
7) impartial treatment of parties (blocs) and candidates for deputy by bodies of state power, bodies of local self-government, their officials and officers, and heads of enterprises, institutions and organisations.

3. The beginning of the election process shall be declared by the Central Election Commission within the period established by the Constitution of Ukraine and this Law.

4. The election process shall consist of the following stages:
1) compilation of voters' lists;
2) formation of single-mandate constituencies;
3) formation of election commissions;
4) nomination and registration of candidates for deputy included in electoral lists of parties (blocs) in the multi-mandate constituency and candidates for deputy in single-mandate constituencies;
5) conduct of election campaigns;
6) voting;
7) calculation of votes and establishing outcomes of voting and results of elections of deputies;
8) registration of elected deputies.

5. The election process shall come to an end with the official promulgation of results of elections of deputies by the Central Election Commission.

Article 11. Subjects of Election Process
Subjects of the election process shall include:
1) citizens of Ukraine that have the right to vote (hereinafter referred to as electors);
2) election commissions established in accordance with this Law and the Law of Ukraine "On the Central Election Commission";
3) candidates for deputy registered under the procedure established by this Law;
4) parties (blocs) that nominated candidates for deputy;
5) bodies of state power and bodies of local self-government in cases provided for by this Law;
6) official observers from the parties (blocs) that are subjects of election process, from candidates for deputy registered in single-mandate constituencies, and from foreign states and international organisations.

Article 12. Transparency and Openness of Election Process

1. Preparation and conduct of election of deputies shall be carried out in a transparent and open manner.

2. Election commissions shall inform citizens about their composition, location and work schedule, establishment of single-mandate constituencies and polling districts, and the basic rights of electors, including the right to appeal against illegal decisions, actions or inaction of election commissions, bodies of state power and bodies of local self-government, officials or officers of these bodies that restrain their voting rights; ensure the possibility of their familiarization with voters' lists, electoral lists of parties (blocs), election programmes of parties (blocs), information about candidates for deputy registered in single-mandate constituencies and their election programmes, and the procedure of completing ballots, inform the population about results of voting and results of elections of deputies, and provide any other information in the cases stipulated by this Law.

3. Decisions of bodies of state power and bodies of local self-government concerning elections of deputies, as well as decisions of election commissions, shall be brought to notice of citizens by means of mass media or promulgated in other way.

4. Mass media shall be obliged to objectively cover the process of preparation and conduct of elections. Their representatives shall be provided with free access to all public actions related to elections, to meetings of election commissions and to polling districts on the day of elections under conditions established in Article 25, paragraph nine of this Law, except for the cases provided by the laws of Ukraine. Election commissions, bodies of state power, bodies of local self-government, officials and officers of these bodies shall be required to provide them, within their authority and competence, with the information on preparation and conduct of elections.

Article 13. Legislation on Elections of Deputies

The preparation and conduct of elections of deputies shall be regulated by the Constitution of Ukraine, this Law, the Law of Ukraine "On the Central Election Commission" and other laws of Ukraine.

CHAPTER II. TYPES OF ELECTION OF DEPUTIES, PROCEDURE AND TERMS OF THEIR APPOINTMENT

Article 14. Types of Elections of Deputies and Procedure of Their Appointment

1. Elections of deputies may be regular, extraordinary, repeat and interim.

2. Regular elections shall be held in connection with the expiration of the constitutional term of authorities of the Verkhovna Rada of Ukraine and shall not require a separate decision concerning their appointment.

3. Extraordinary elections shall be appointed by the President of Ukraine under the procedure established by the Constitution of Ukraine.

4. Repeat elections of a deputy shall be appointed in a single-mandate constituency by the Central Election Commission under the procedure established by this Law where election of deputies in the constituency have been declared invalid or as such that did not take place, or where a person has been declared as such that renounced his or her deputy's mandate.

5. Interim elections of a deputy shall be appointed in a single-mandate constituency by the Central Election Commission under the procedure established by this Law in case of withdrawal of the deputy that has been elected in the constituency.

Article 15. Terms of Conducting Elections

1. Regular elections shall take place on the last Sunday of March of the fourth year of the authority of the Verkhovna Rada of Ukraine.

2. The Central Election Commission shall announce the commencement of the election process of regular elections of deputies 90 days prior to the day of the elections.

3. Extraordinary elections of deputies shall take place on the last Sunday of the sixty days period from the day of publication of the Decree of the President of Ukraine on the pre-term termination of the authority of the Verkhovna Rada of Ukraine.

4. Repeat elections of a deputy shall take place in a single-mandate constituency on the last Sunday of sixty days period from the day of publication of a decision on their appointment by the Central Election Commission. A decision on the appointment of repeat elections of deputies shall be adopted by the Central Election Commission not later than within thirty days from the day

of the adoption of a decision on declaration of elections in the constituency invalid or as such that did not take place, or in case of declaration of a person as such that renounced his or her deputy's mandate.

5. Interim elections of a deputy in a single-mandate constituency shall take place on the last Sunday of the sixty days period from the day of publication of a decision on their appointment. A decision on the appointment of interim elections of deputies shall be adopted by the Central Election Commission not later than within thirty days from the day of the pre-term termination of the authority of the deputy elected in the constituency.

6. The Central Election Commission shall announce the commencement of election process of repeat and interim elections of a deputy in a single-mandate constituency not later than on the day following the publication of the decision on their appointment.

7. Repeat and interim elections of a deputy in a single-mandate constituency shall not take place within the year proceeding the day of conduct of regular elections.

CHAPTER III. CONSTITUENCIES AND POLLING DISTRICTS

Article 16. Constituencies

1. Elections of deputies shall take place in the multi-mandate constituency and 225 single-mandate constituencies.

2. The multi-mandate constituency shall include the entire territory of Ukraine.

3. The single-mandate constituencies shall be formed by the Central Election Commission not later than 90 days prior to the day of regular elections with an approximately equal number of voters in each constituency. An estimated average number of voters in constituencies shall be determined by the Central Election Commission on the basis of data presented by a central body of executive power in charge of statistics. Deviation of the number of voters in a single-mandate constituency from the estimated average number of voters in single-mandate constituencies may not, as a rule, exceed ten percent.

4. A single-mandate constituency may include one or more rayons, cities (of the oblast or, in the case of the Autonomous Republic of Crimea, republic level), districts within cities or parts thereof. Constituencies may not be formed on territories, which do not have a common border.

5. The Central Election Commission shall promulgate information regarding the formation of single-mandate constituencies, indicating their number, boundaries, centers and an estimated number of voters per each constituency, in state-governed mass media within three days from passing a relevant decision.

Article 17. Polling Districts

1. In order to conduct the voting and to count votes, the territory of constituencies shall be divided into polling districts.

2. Polling districts shall be formed, with an exception of instances envisaged under the paragraphs four, five and seven of this Article, by constituency election commissions on the basis of applications submitted by executive committees of village, township and city councils (in cities which do not have district councils), city district councils, or, in the event of absence of such bodies, on applications of heads of village, township and city councils respectively, heads of city district councils or officials charged with the authority to perform the said functions in compliance with applicable legislation. A constituency election commission shall define by its decision the boundaries of a polling district, designate location of a polling district election commission, and establish a unified numbering system for polling districts within a single-mandate constituency.

3. Constituency election commissions shall form polling districts at in-patient medical establishments, vessels flying the State Flag of Ukraine on the day of elections, Ukrainian polar stations and in other locations of temporary residence of voters with restricted capacity of movement directly at the location of the respective establishments or organizations or at ports/points of registration of vessels and polar stations.

4. Military servicemen shall vote in polling districts located outside military units (formations). The Central Election Commission may form polling districts on the territory of a military unit (formation) in exceptional cases, on application of a respective constituency election commission.

5. Polling districts at diplomatic and other representative offices and consular missions of Ukraine abroad, military units (formations) stationed outside Ukraine shall be formed, on application of the Ministry of Foreign Affairs of Ukraine, by the Central Election Commission which shall designate the single-mandate constituency to which the said polling district is assigned.

6. The number of voters in a polling district shall be between twenty and three thousand. If the number of voters in a given territory is greater or fewer than the stipulated number and assigning the voters (or the remainder of voters) to another polling district or forming an additional polling district on the same territory is impossible, the polling district may be formed with a fewer or greater number of the aforementioned limit number of voters.

7. Polling districts shall be formed no later than 50 days prior to the election day. In exceptional cases, a polling district may be formed by the Central Election Commission no later than five days prior to the election day, on application of a respective constituency election commission or of the Ministry of Foreign Affairs of Ukraine.

8. The decision of the election commission to form polling districts, indicating their number, boundaries and location of respective election commissions, shall be publicized in mass media or by other means no later than on the fifth day from the day the decision was passed, and, in the event of forming a polling district as an exception in accordance with the paragraph seven of this Article, no later than two days prior to election day.

CHAPTER IV. ELECTION COMMISSIONS

Article 18. Election Commission System

1. The system of election commissions in charge of organizing and conducting elections shall be comprised of:
   1) the Central Election Commission,
   2) constituency election commissions,
   3) polling district election commissions.

2. The jurisdiction of election commissions regarding the preparation and conduct of elections of deputies shall extend as follows:
   1) the Central Election Commission shall have jurisdiction over the entire territory of Ukraine;
   2) constituency election commissions shall have jurisdiction over the territory of a single-mandate constituency;
   3) polling district election commissions shall have jurisdiction over the territory of a polling district.

Article 19. Status of Election Commissions

1. The status of the Central Election Commission shall be determined by the Constitution of Ukraine, the Law of Ukraine "On the Central Election Commission", by this Law and other laws.

2. The status of constituency and polling district election commissions shall be determined by this Law.

3. A constituency election commission shall be a legal entity.

4. A polling district election commission shall not be a legal entity. A polling district election commission shall have a seal approved by the Central Election Commission.

Article 20. Procedure of Forming a Constituency Election Commission

1. A constituency election commission, consisting of the head, deputy head, secretary and other members of the commission, not less than twelve and not more than twenty persons in number, shall be formed by the Central Election Commission at least 80 days prior to the day of elections upon submissions (not more than for one person) of central governing bodies of parties (blocs), provided that the parties (parties constituting the bloc) have been registered under the procedure established by law and have (or at least one of the parties constituting the bloc has) organizations registered under the procedure established by law in the region stipulated in paragraph two of Article 133 of the Constitution of Ukraine, on the territory of which the respective single-mandate constituency was formed. The indicated submissions with enclosed applications of the persons nominated to the respective constituency election commission regarding their agreement to participate in its activities shall be made not later than 85 days prior to the day of elections.

2. Representatives of the parties (blocs) that overcame the four percent barrier at the preceding elections of people's deputies of Ukraine and of the parties that have their party groups (bloc groups) in the current composition of the Verkhovna Rada of Ukraine shall be included in the composition of constituency election commissions without fail, where these parties meet the conditions provided for by the first paragraph of this Article. Representatives of other parties (blocs) shall be included in the composition of constituency election commissions by means of casting lots, which shall be conducted by the Central Election Commission not later than on the third day from expiration of the period of making submissions indicated in the first paragraph of this Article.

3. In case of changes taking place in the interval between elections in the composition of an electoral bloc of political parties which obtained four and more percent of votes of electors that participated in the voting in the preceding elections of people's deputies of Ukraine, the successor of the electoral bloc, the representatives of

which shall be included in the composition of constituency election commissions without fail pursuant to the paragraph two of this Article, shall be determined in accordance with provisions of paragraphs two and three of Article 48 of this Law.

4. In the event of failure to submit proposals as to composition of a constituency election commission within the terms stipulated in paragraph one of this Article, or if the number of persons nominated to serve on the commission is under twelve, a constituency election commission shall be formed by the Central Election Commission on application of the head of the Central Election Commission and shall consist of twelve members, with mandatory consideration of the candidacies nominated by parties (blocs), as envisaged in paragraph one of this Article.

5. Citizens of Ukraine who have the right to vote and who reside within the boundaries of a respective single-mandate constituency or in the city on the territory of which the constituency is located shall have the right to serve on constituency election commissions as members.

6. Candidates for deputy, authorized persons of parties (blocs) which are subjects of the election process, authorized persons of candidates for deputy, officials and civil servants employed by bodies of state power and bodies of local self-government, and citizens who are detained in establishments of the penitentiary system or have been convicted for the commission of an intentional offense, unless the conviction has been discharged or overturned under the procedure established by law, may not serve on constituency election commissions.

7. The head, deputy head and secretary of a constituency election commission may not be members of the same party (bloc).

8. The decision on formation of constituency election commissions and on inclusion in it of the persons referred to in paragraph three of this Article shall be made public in mass media in a respective region no later than on the fifth day from passing the said decision.

Article 21. Procedure of Forming a Polling District Election Commission

1. A polling district election commission, composed of the head, deputy head, secretary and other members of the commission, shall be formed by the relevant constituency election commission not later than 35 days prior to the election day, on application of rayon, city (city district) or higher level party cell (organization) or cells (organizations) of parties constituting a bloc which are subjects of the election process, candidates for deputy registered in a respective single-mandate constituency, with an exception of cases provided for between the ninth and eleventh paragraphs of this Article.

2. The number of members of a polling district election commission shall not be less than eight. In polling districts with a total number of voters under fifty, a polling district election commission may consist of the head, deputy head, secretary and between two and four other members of the commission .

3. Citizens of Ukraine who have the right to vote and who reside within the boundaries of a respective single-mandate constituency or city on the territory of which the constituency is located shall have the right to serve on polling district election commissions as members.

4. Persons indicated in paragraph six of Article 20 of this Law may not serve as members on a polling district election commission.

5. Rayon, city (city district) or higher level cells (organizations) of a party (cells or organizations of the parties that constitute a bloc) which are subjects of the election process shall submit a list of persons who are members of the given party (parties constituting the bloc) or who have no party affiliation, nominated by the given party (bloc) to serve as head, deputy head and secretary of the commission, no later than 43 days prior to the election day to a respective constituency election commission. The said list shall be signed by the leader of the respective party cell (organization), or leaders of the cells or organizations of the parties constituting the bloc, and sealed with the party's seal (seals of the parties constituting the bloc). Written statements of consent received from the persons nominated to serve on a respective polling district election commission shall be attached to the list.

6. A candidate for deputy registered in a single-mandate constituency shall, within a period of time stipulated in paragraph five of this Article, submit to a respective constituency election commission a list of persons to be appointed members of the polling district election commission, with an indication of the surnames of persons nominated to serve as head, deputy head and secretary of the commission, which shall be personally signed by the said candidate and legalized by the head of the constituency election commission or in accordance with the procedure established by law. Written statements of consent received from persons nominated to serve on a

respective polling district election commission shall be attached to the list.

7. Not more than one representative of a party (bloc) and a candidate for deputy registered in a single-mandate constituency shall be included in the composition of a polling district election commission, provided that an application in respect thereof was submitted.

8. Every party (bloc) and every candidate for deputy registered in a respective single-mandate constituency shall have the right to a proportional share of leadership positions in polling district election commissions. The share of leadership positions for every party (bloc) and candidate for deputy registered in a respective single-mandate constituency shall be determined according to the number of persons nominated by a party (bloc) and a candidate for deputy registered in the respective single-mandate constituency, to the composition of polling district election commissions in proportion to the total number of persons nominated by all parties (blocs) within the single-mandate constituency and all candidates registered in the respective single-mandate constituency.

9. In the event of failure to submit proposals regarding nomination of persons to serve on the polling district election commission within a period of time stipulated in paragraph five of this Article, or if the number of nominees to serve as members on polling district election commissions fails to reach eight, the polling district election commission shall be formed by a constituency election commission, on application of the head of the constituency election commission, and shall consist of eight members, with consideration of nominees from parties (blocs) and candidates for deputy registered in the respective single-mandate constituency.

10. A polling district election commission on a vessel flying the State Flag of Ukraine on the election day or at a polar station of Ukraine shall be formed by a constituency election commission at a port or location where such vessel or station is registered, on application of the vessel's captain or director of the polar station within the time period stipulated in paragraph one of this Article.

11. A polling district election commission at diplomatic and other representative offices and consular missions of Ukraine abroad, in military units (formations) stationed outside Ukraine shall be formed by the Central Election Commission, on application of the Ministry of Foreign Affairs of Ukraine within the time period stipulated in paragraph one of this Article.

12. In the event that a polling district is formed as an exception, as envisaged in the paragraph seven of Article 17 of this Law, the Central Election Commission shall form polling district election commissions at the same time as the polling districts.

13. The decision to form a polling district election commission shall be made public in mass media or by other means no later than three days from the day the commission was formed.

Article 22. Authority of the Central Election Commission

1. The authority of the Central Election Commission regarding elections of deputies shall be defined under this Law, the Law of Ukraine "On the Central Election Commission" and other laws of Ukraine.

2. In addition to the functions defined under the Law of Ukraine "On the Central Election Commission", the Central Election Commission shall:

1) adopt explanations on application of the present Law, which are legally binding for election commissions, provide methodological and logistical support for the activity of election commissions;
2) if needed, call meetings of a lower election commission on its own initiative;
3) exercise control over the election commission's use of funds from the State Budget of Ukraine allocated for the preparation and conduct of elections and engage representatives of agencies within the system of the Ministry of Finance of Ukraine to conduct audits;
4) prescribe standards and lists of equipment and supplies to be used in premises occupied by an election commission and in premises used for voting, and specify the types of services and works which may be provided to election commissions;
5) suspend the movement of funds on accounts of constituency election commissions at banking institutions upon termination of the authority of the commission or in the event of failure of the latter to comply with budget regulations; adopt a decision to transfer the remainder of funds to the account of the Central Election Commission;
6) establish the procedure for using mass media in conducting election campaigns in accordance with this Law and other laws of Ukraine;
7) ensure production of information posters for parties (blocs) the candidates for deputies of which are registered in the multi-mandate constituency;

8) exercise control over the receipt and use of resources from the electoral funds of parties (blocs); engage the banking establishment in which respective electoral accounts were opened in conducting random audits;
9) ensure centralized production of absentee ballot forms for the right to participate in elections (hereinafter referred to as absentee ballots);
10) ensure centralized production of a required number of ballots and forward them to constituency election commissions;
11) invalidate elections in instances stipulated by this Law;
12) call repeat and interim elections in instances stipulated by this Law;
13) forward a report on the use of funds from the State Budget of Ukraine allocated for the preparation and conduct of elections to the Clearing House within three months from the day of an official publication of the election results;
14) perform other functions in compliance with this Law and other laws of Ukraine.

Article 23. Authority of a Constituency Election Commission

1. The authority of a constituency election commission shall begin on the day a decision was passed to form the said commission and shall expire 10 days after an official promulgation of election results by the Central Election Commission.

2. The constituency election commission shall:
   1) provide preparation and conduct of elections of deputies in a single-mandate constituency and also in the multi-mandate constituency within the boundaries of a single-mandate constituency;
   2) exercise control, within the limits of the territory of the respective single-mandate constituency, over the observance and uniform application of the legislation on election of deputies by voters, constituency election commissions, bodies of state authority and bodies of local self-government, public officers and officials of those bodies, enterprises, institutions, organizations and their officials, parties (blocs of parties), and nominated candidates for deputy;
   3) provide legal, organizational and procedural as well as technical assistance to the constituency election commissions, and arrange for training of the members of those commissions on the issues related to the organization of the election process;
   4) register candidates for deputy in the single-mandate constituency and issue them certificates in accordance with the form set by the Central Election Commission;
   5) register authorized persons of the candidates for deputy who are registered in the single-mandate constituency and issue them certificates in accordance with the form set by the Central Election Commission;
   6) create polling districts, except for the cases stipulated in paragraphs four, five and seven of Article 17 of this Law, and establish their boundaries and unified numbering within the single-mandate constituency;
   7) form polling district election commissions in compliance with this Law;
   8) convene, on its own initiative and whenever necessary, meetings of a polling district election commission;
   9) settle the matters related to the use of funds of the State Budget of Ukraine allocated for the preparation and conduct of elections, in accordance with the procedure established by the Central Election Commission;
   10) exercise control over the activities of bodies of executive power and local self-government bodies as to the provision of premises for voting, transportation, means of communication and other equipment and facilities; also consider and resolve, within its competence, other issues associated with the logistic support of elections within the territory of the given constituency;
   11) ensure printing of the information posters about candidates for deputy registered in the single-mandate constituency, and deliver them to polling district election commissions;
   12) assist, together with the appropriate bodies of executive power and local self-government bodies, in conducting meetings of candidates for deputy, their authorized persons, and the authorized persons of parties (blocs of parties) with voters at enterprises, institutions and organizations of all forms of ownership, and, in the cases stipulated by this Law, also organize such meetings;
   13) approve the text of the ballot used for voting in the single-mandate constituency;
   14) supply polling district election commissions with forms of absentee ballots and ballots for voting;
   15) ensure production of seals and stamps and their delivery to polling district election commissions;

16) establish results of voting in the multi-mandate constituency within the limits of the single-mandate constituency;
17) establish and promulgate results of elections of deputies in the single-mandate constituency, and pass the decision on the election of a deputy in this constituency;
18) declare the vote conducted in a polling district void and call a repeat voting in the cases provided for by this Law;
19) submit a request to the Central Election Commission for declaring elections of a deputy in the single-mandate constituency void in the cases provided for by this Law and in accordance with the procedure established hereby;
20) hear the information provided by polling district election commissions, local bodies of executive power and local self-government bodies as to the preparation and conduct of elections;
21) keep records of official observers registered in the single-mandate constituency;
22) consider applications, petitions and complaints regarding the preparation and conduct of the elections in the single-mandate constituency and make relevant decisions;
23) ensure the deposit of the election and other documents with the respective state archive institution in accordance with the procedure established by the Central Election Commission;
24) exercise other authority in accordance with this Law and other laws of Ukraine.

Article 24. Authority of a Polling District Election Commission

1. The authority of a polling district election commission shall start from the date of passing the decision on its formation and terminate 10 days after the official promulgation of election results by the Central Election Commission.

2. A polling district election commission shall:
   1) exercise control, within the limits of the territory of the respective polling district, over the observance and uniform application of the legislation on elections of deputies;
   2) further specify the lists of voters, submit them for general familiarization, and, in the cases stipulated by this Law, introduce changes to them;
   3) provide a possibility for voters to familiarize themselves with electoral lists of candidates for deputy from the parties (blocs), election programs of those parties (blocs), with the information about all candidates for deputy registered in a single-mandate constituency and their election programs, as well as with the decisions made public by the Central Election Commission, the respective constituency election commission and its own decisions and announcements;
   4) deliver or mail in good time individual invitations to each voter with the indication of the date of holding the elections, the address of voting premises, and the time when the voting starts and terminates;
   5) ensure the preparation of the premises for voting and provide ballot boxes;
   6) introduce changes to ballots in the cases stipulated by this Law, based on the decision made by the Central Election Commission or the respective constituency election commission;
   7) organize voting in the polling district;
   8) count the votes cast in the polling district;
   9) declare the voting in the polling district void in the case provided for by Article 70 of this Law;
   10) onsider applications, petitions and complaints regarding the preparation of elections and organization of voting in the polling district, and make relevant decisions within the limits of its authority;
   11) exercise other authority in accordance with this Law and other laws of Ukraine.

Article 25. Organization of Work of Election Commissions

1. Meetings shall be the principal form of the activity of an election commission. Meetings shall be convened by the head of the commission, or, in case of his/her absence, by the deputy head of the commission, and in case of the absence of the head and his/her deputy, by the secretary of the commission.

2. If necessary, a meeting of the election commission may be convened based on the decision taken by the higher election commission.

3. The first meeting of the election commission shall be convened no later than on the third working day after the date of its establishment, and the subsequent ones shall be convened upon the necessity; in case of the establishment of the election commission concurrently with the creation of the polling district, in accordance with Article 17, paragraph seven of this Law, the first meeting of the commission shall be convened no later than on the next working day following the date of its establishment.

4. An election commission's meeting shall be valid provided that not less than two-thirds of the commission members are present.

5. An election commission's meeting shall be convened with the mandatory notification of all members of the commission about the time and place of holding the meeting and its agenda.

6. Members of election commission shall receive draft decisions of the commission and the required materials, as a rule, no later than one day before the date of holding the meeting of the commission.

7. The head of commission or his/her deputy shall preside over the meetings of the commission; should they be unable to fulfill this function, the commission shall appoint the chairman of the meeting from among its members.

8. At the request of one-third of the members of the commission as well as following the decision passed by the higher election commission, the given election commission shall be obliged to consider, at its meeting, the issues falling within its competence within the period of three days but no later than on the day of elections, while on the day of elections it shall consider such issues without delay (except for the polling district election commission). The polling district election commission shall be obliged to consider, at its meeting, the issues falling within its competence on the day of elections – at the request of the above members of the commission, or, following the decision of a higher election commission passed during the day of elections – without delay upon completion of the voting.

9. The right to be present at meetings of election commission, in the polling district on the day of elections and on the voting premises, without the invitations issued by the commission, shall be granted only to candidates for deputy, their authorized persons, authorized persons and official observers from parties (blocs) which are subjects of the election process and from a candidate for deputy registered in the respective single-mandate constituency (all in all, not more than two persons from one party/bloc or from the candidate for deputy), as well as official observers from foreign states and international organizations, and representatives of mass media (not more than two persons from an organ of mass media).

10. An election commission may make a motivated decision on denying the right to be present at its meeting to the persons specified in paragraph nine of this Article, if they interfere with holding of this meeting. Such decision shall be passed by two-thirds of the commission's members. The commission may not deny this right to the above persons for taking actions aimed at exercising their rights stipulated by this Law.

11. At a meeting of an election commission, minutes shall be taken, which shall be signed by the chairman of the meeting and the secretary of the commission (or acting secretary who is appointed during the meeting).

12. Decisions of the election commission shall be passed by open voting, by a majority of votes of the members of the commission, except for the cases provided for by this Law. In case of equal number of votes among the members of the election commission who participated in voting, the decisive vote shall belong to the chairman of the meeting.

13. A decision of an election commission on the issue under consideration shall be documented in the form of a resolution that must contain the following information: title of the commission; title of the decision; date and place of decision-making and serial number of the decision; motivational part with reference to the circumstances that called forth consideration of the issue at the meeting of the commission; reference to specific provisions of the regulatory enactment or decisions of a higher election commission or court judgments; resolution part. The decision shall be signed by the chairman of the meeting.

14. A member of an election commission who takes part in its meeting and disagrees with the decision made by the commission shall have the right to express his/her dissenting opinion in writing, and this document shall be attached to the respective minutes of the election commission's meeting.

15. Decisions of an election commission taken within its authority shall be binding on all subjects and other participants of the election process. No one shall have the right to interfere in the activities of the election commissions, except for the cases stipulated by law.

16. Decisions of an election commission which are in conflict with the legislation of Ukraine or which were passed by the commission with the excess of its authority may be cancelled by a higher election commission or by a court. In this case, the higher election commission shall have the right to take a decision to the point of the matter.

17. Applications, petitions and complaints received by the election commission shall be registered in accordance with the procedure established by the Central Election Commission.

18. To ensure organizational, legal and technical support for exercising its authority provided for by this Law, the election commission may enlist the services of appropriate specialists and technical assistants.

Article 26. Status of a Member of an Election Commission

1. The status of a member of the Central Election Commission shall be established by the Law of Ukraine "On the Central Election Commission".

2. The status of a member of a constituency election commission and a polling district election commission shall be established by this Law.

3. At one time a citizen may be a member of only one election commission that is involved in the preparation and conduct of elections of people's deputies of Ukraine, elections of the deputies of the Verkhovna Rada of the Autonomous Republic of Crimea, deputies of local councils and heads of village, township and city councils.

4. Based on the decision of the election commission, which shall be approved by a higher election commission, the head, deputy head, secretary or other members of a constituency election commission (all in all, not more than five persons) and those of a polling district election commission (all in all, not more than two persons), for the whole period of the authority of the election commission or during a part of this period, may exercise their authority in the election commission with the remuneration of their labor in the commission according to Article 28 of this Law. The above persons shall be dispensed from their production or official duties at their principal place of employment.

5. A member of an election commission shall have the right to:

1) take part in the preparation of the issues submitted for consideration by the election commission;
2) speak at meetings of the election commission, ask questions of other participants in the meeting regarding the agenda, make proposals on the issues related to the commission authority;
3) examine, on the instructions of the respective election commission, the activities of lower election commissions;
4) familiarize himself/herself with documents of the election commission, a member of which he/she is, and also with those of the lower election commissions within the limits of the respective territory;
5) compensation for the harm done or damage inflicted to his/her life, health or property in connection with fulfillment of his/her duties as a member of the election commission, in accordance with the procedure and the amount established by the Cabinet of Ministers of Ukraine.

6. A member of an election commission shall have the following obligations:

1) to observe the Constitution of Ukraine, this and other laws of Ukraine related to the preparation and conduct of elections;
2) take part in meetings of the election commission;
3) to abide by the decisions passed by the election commission and fulfill the functions he/she was entrusted with as a result of the division of duties in the election commission.

7. A member of the election commission shall have other rights and obligations in accordance with this Law and other laws of Ukraine.

8. It is prohibited for a member of the election commission, while fulfilling his/her duties, to campaign for/against the parties (blocs) that are subjects of the election process, and candidates for deputy.

Article 27. Termination of the Authority of an Election Commission and a Member of an Election Commission

1. The authority of a constituency election commission and of a polling district election commission shall be terminated 10 days after the official publication of the results of deputies election in the respective single-mandate constituency. The authority of a constituency election commission and of a polling district election commission may be terminated ahead of time by the election commission which formed the above commission, on its own initiative, on the submission of the prosecutor's office or a court decision in case the commission violated the Constitution of Ukraine, this Law or other laws of Ukraine.

2. The authority of a member of a constituency election commission or a polling district election commission shall be terminated concurrently with the termination of the authority of the election commission.

3. The authority of a member of a constituency election commission or a polling district election commission shall be terminated ahead of time by the election commission, which formed the above commission in connection with:

1) a personal notice from a member of the commission about his/her resignation;

2) his/her recall by the party (bloc) or the candidate for deputy registered in the respective single-mandate constituency;
3) termination/loss of his/her Ukrainian citizenship;
4) loss by the party (bloc) on the submission of which this person was included in the election commission, of the status of a subject of the election process, or overruling of the decision on the registration of the candidate for deputy in the single-mandate constituency, on whose presentation this person was included in the election commission;
5) his/her departure, for the period till the date of elections, beyond the borders of the single-mandate constituency or populated locality, which entails impossibility to fulfill the duties of a member of the election commission;
6) systematic failure to fulfill his/her duties;
7) his/her registration as a candidate for people's deputy of Ukraine, a candidate for deputy of the Verkhovna Rada of the Autonomous Republic of Crimea, or a candidate for deputy of a local council or head of a village, township or city council;
8) his/her registration as an authorized person of a party (bloc), or as an authorized person of a candidate for people's deputy of Ukraine, or a candidate for deputy of the Verkhovna Rada of the Autonomous Republic of Crimea, or a candidate for deputy of a local council or head of a village, township or city council;
9) his/her violation of the election legislation of Ukraine;
10) coming into legal force of the court's verdict of guilty of an intentional crime committed by him/her;
11) his/her inclusion into another election commission of any level which is involved in the preparation and conduct of elections of people's deputies of Ukraine, deputies of the Verkhovna Rada of the Autonomous Republic of Crimea, or deputies of local councils or heads of village, township or city councils;
12) his/her recognition as incapable;
13) his/her death.

4. In case of early termination of the authority of an election commission or decrease of the number of its members below the level specified in Articles 20 and 21 of this Law, the respective higher election commission, within seven days from the date of termination of the authority of the above commission but not later than on the eve of the day of elections, shall duly approve a new membership of the commission or include other persons in it to replace those whose authority has terminated, in accordance with the procedure established by this Law.

5. In case of systematic failure on the part of the head, deputy head, secretary or another member of the election commission to fulfill his/her duties, the constituency election commission or the polling district election commission may address the election commission that founded it with a motivated decision on replacement of that person, provided that not less than two-thirds of the members of the commission supported such decision. This decision shall be subject to mandatory consideration within the period specified in paragraph four of this Article.

6. Under the circumstances described in items 1, 3, 4, 7, 8, 10 and 13 of paragraph three of this Article, the authority of a member (members) of the commission shall be terminated from the moment of commencement or identification of such circumstances, and. under the circumstances specified in items 2, 5, 6, 9, 11 and 12 of this Article, from the moment of making decision on termination of his/her authority.

Article 28. Payment for the Work of Members of Election Commission and Individuals Evolved in the Work of the Commission

1. The work of a member of an election commission who exercises his/her authority in the election commission on the payment basis shall be remunerated in the amount and in accordance with the procedure established by the Cabinet of Ministers of Ukraine, from the funds of the State Budget of Ukraine allocated for the preparation and conduct of the elections.

2. The size of the salary of a member of the election commission, who is dispensed from his/her production or official duties at his/her principal place of employment, may be neither lower than his/her average salary at his/her principal place of employment, nor higher than the size of the salary of a people's deputy of Ukraine.

3. Members of the election commissions may be paid a lump-sum allowance in accordance with the procedure established by the Central Election Commission, and within the limits of general savings on the wages fund provided for by the estimate of expenditures of the respective election commission for the preparation and conduct of the elections of deputies.

4. The work of members of election commissions (including pensioners and temporarily unemployed persons), except for those who are dispensed from their production or official duties at their principal place of employment, during the day of elections and the days of determining voting results shall be paid in the amount and in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

5. The work of the persons described in paragraph eighteen of Article 25 of this Law shall be paid out of the funds of the State Budget of Ukraine allocated for the preparation and conduct of the elections, as well as within the limits of the approved estimate of expenditures.

Article 29. Appeals Against Decisions, Actions or Inaction Related to Elections of Deputies

1. Voters, parties (blocs) and candidates for deputy shall have the right to appeal against the decisions, actions or inaction of the subjects specified in the paragraphs two and three of this Article, and the election commissions shall have the right to appeal against decisions, actions or inaction of the subjects specified in paragraph two of this Article.

2. Appeals against decisions, actions or inaction of the bodies of state power, local self-government bodies, enterprises, institutions and organizations, their public officers and officials, as well as acts and actions of associations of citizens, except for those which according to the law or a statute (regulations) refer to their intraorganizational activities or to their exclusive competence, may be lodged with a court.

3. Appeals against decisions, actions or inaction of election commissions and members of the election commissions may be lodged with a higher election commission or with a court.

4. Appeals against decisions, actions or inaction of a polling district election commission and its members may be lodged with the local court the jurisdiction of which spreads over the territory of location of the respective polling district, and appeals against those of a constituency election commission and its members may be lodged with the appeals court the jurisdiction of which spreads over the territory of location of this constituency election commission.

5. Appeals against decisions, actions or inaction of the Central Election Commission and its members may be lodged with the Supreme Court of Ukraine.

6. A complaint may be lodged with the respective election commission or court within seven days from the date of passing the decision, taking action or inaction. As regards the violations that took place before the day of elections, a complaint may be filed not later than at 12 p.m. of the day preceding the date of elections. As for the violations that took place in the course of voting, a complaint may be lodged with the respective election commission no later that at 12 p.m. of the day of elections, and it may be lodged with the higher election commission or with the court not later than at 12 p.m. of the day following the date of elections.

7. A complaint lodged with the election commission must contain the following:

1) the title of the election commission with which the complaint is lodged;
2) the surname, first name and patronymic, place of residence of the citizen of Ukraine or the accurate name and location of the legal entity – complainant;
3) the essence of the problem;
4) statement of claims;
5) statement of facts with the indication of the evidence on which the complainant grounds his/her claims;
6) signature of the complainant (the representative of the legal entity – complainant) and the date of filing the complaint.

8. A complaint received by the respective election commission or the court shall be considered within five days from the date of its receipt, but not later than on the day preceding the date of elections, and a complaint lodged on the day of elections or the next day shall be considered without delay.

9. A complaint filed without complying with the requirements specified in paragraph seven of this Article shall be returned to the complainant (the representative of the legal entity – complainant) with the appropriate explanations no later than on the next day after the date of receipt of the complaint.

10. Should the election commission, upon consideration of a complaint, deem it necessary to request the law-enforcement agencies to verify the facts stated in the complaint, the respective agencies, following such a request of the election commission, shall verify the facts and take appropriate measures to stop violation of the legislation within five days from the date of receipt of the request, and if this request is received less than five days before the date of elections or on the day of elections or

the next day after the elections they shall do the same without the delay.

11. The term of lodging a complaint established by this Law shall not be subject to extension or revision. The complaints filed upon expiration of this term shall remain unconsidered.

12. If a court accepts a complaint for consideration, and this complaint with the statement of the same claim and the same facts is lodged with the election commission, the latter shall terminate consideration of this complaint pending coming into force of the court judgment. The court shall be obliged to notify this election commission and the higher election commission about the receipt of the complaint or about coming of a judgment into legal force no later than the next day after the date of receipt of the complaint or the date of coming of the judgment into legal force, respectively.

13. In case the decision of the election commission is overruled by a court, the decision on this issue shall be made by the election commission whose decision was overruled or the higher election commission on the basis of the court judgment.

14. The higher election commission, on the basis of a complaint, a court judgment or on its own initiative, may overrule the decision of a lower election commission and take a decision on the point of the matter or to oblige the lower election commission to reconsider the complaint.

15. Courts, prosecuting authorities and election commissions shall organize their work in the course of the election process (including the weekends) so as to ensure consideration of complaints within the terms established by this Law.

CHAPTER V. VOTERS' LISTS

Article 30. Procedure of Compilation of Voters' Lists

1. To prepare and conduct voting, the executive bodies of village, township, city (in the cities where there are no city district councils), and city district councils or the bodies (public officials) which exercise their authorities according to the law, by September 1 of the year preceding the year of holding the regular elections, shall compile the general lists of voters who reside on the territory of the respective village, township, city or city district, based on the information about the place of their permanent residence and according to the form established by the Central Election Commission. For the purposes of compilation of the general lists of voters they may use the information about the place of permanent residence of the citizens, which is available with local bodies of the Ministry of Internal Affairs of Ukraine, the Ministry of Justice of Ukraine and the State Tax Administration of Ukraine. The heads of those bodies shall be obliged to supply the information required for the compilation of the general lists of voters following the request of the head of the respective village, township, city or city district council.

2. Upon the formation of the polling districts, the executive bodies of the village, township, city (in the cities where there are no city district councils), and city district councils or the bodies (public officials), which exercise their authorities according to the law, on the basis of the respective general lists of voters indicated in paragraph one of this Article, shall compile the voters' lists in each polling district (except for the polling districts specified in the paragraphs three – five of Article 17 of this Law) according to the form established by the Central Election Commission, further specify those lists and no later than 30 days before the date of elections submit them with signature of the head of the respective village, township, city or city district council or of the person who exercises his/her authority according to the law to the polling district election commissions.

3. Servicemen, members of their families and other voters who reside within the territory of location of military units (formations) and who will vote in the polling districts located outside the military units (formations) shall be entered in the voters' lists of the respective polling district, based on the information supplied by the commanders of the military units (formations) to the bodies which compile the lists of voters, no later than 45 days before the date of elections. To ensure free expression of the will of servicemen of a fixed period, they shall be granted a leave on the day of elections for not less than four hours.

4. In the polling districts formed in the in-patient medical institutions, on the vessels which on the day of elections are at sea flying the State Flag of Ukraine, at the polar stations of Ukraine, at diplomatic and other representative offices and consular missions of Ukraine abroad, in military units (formations) stationed outside Ukraine, in the penitentiary institutions and other places of temporary stay of voters with restricted capacity for movement, the lists of the voters shall be compiled according to the form specified in paragraph two of this Article by the respective polling district election commissions on the basis of the information submitted by the heads of the above-mentioned institutions, establishments, missions, captains of the vessels and commanders of the military units

(formations) not later than 20 days before the date of elections.

5. Voters' lists in the polling districts formed at diplomatic and other representative offices and consular missions of Ukraine abroad shall include the personnel of those missions and offices and members of their families, as well as other citizens of Ukraine who reside or stay on the territory of the respective foreign country, based on their written application with the indication of the place of their permanent residence or upon presentation of their absentee ballots specified in paragraph four of Article 31 of this Law, as well as the presentation of the foreign passport of a citizen of Ukraine, sailor's identity card or a crew member identity card.

6. In the case of the exceptional formation of a polling district in accordance with paragraph seven of Article 17 of this Law, the lists of voters shall be compiled by the polling district election commission not later than four days before the date of elections based on the information submitted by the heads of the institutions, establishments, missions, captains of the vessels and commanders of the military units (formations) specified in paragraph four of this Article.

7. A list of voters shall include the citizens of Ukraine who have attained or will attain the age of eighteen on the day of elections and have the right to vote, and who from the day of compilation of the voters' lists permanently reside (for the polling districts formed according to paragraph two of Article 17 of this Law) or on the day of elections will stay on the territory of the respective polling district (for the polling districts formed according to paragraphs three – five of Article 17 of this Law).

8. The lists of voters shall indicate the surname, first name and patronymic, the year of birth (for the persons who recently attained or will attain the age of eighteen on the day of elections, the day and month of their birth as well), the address of the place of residence of the voter. In case of absence of the information about the month and day of birth of a citizen, he/she shall be considered to be born on January 1 of the corresponding year. The voters shall be entered in the list following the procedure convenient to conduct the voting.

Article 31. Procedure of Introducing Changes in the List of Voters and Their Familiarization with It

1. A polling district election commission shall specify the list of voters and supplement it on the basis of personal requests of citizens, submissions of bodies and officials mentioned in paragraphs one, three and four of Article 30 of this Law, upon which the list shall be signed by the head and secretary of the commission, sealed with the commission's seal and submitted for general familiarization not later than within 15 days, and, in exceptional case of the establishment of a polling district in accordance with paragraph seven of Article 17 of this Law, not later than three days prior to the day of elections. Each voter shall be provided with an opportunity to familiarize himself/herself with the voters' list in premises of the polling district election commission and verify the accuracy of the data entered in the list.

2. At the request of a member of an election commission, a candidate for deputy or an authorized person of a party (bloc of parties), a polling district election commission shall have the right to approach the respective bodies of state power and local self-government bodies with a request to familiarize themselves with any documents that contain the information about the place of permanent residence of citizens, on the grounds of which the voters' lists were compiled.

3. A voter can be entered in the list of voters in one polling district only.

4. A voter who leaves the populated locality, where he/she is entered in the voters' list, less than 25 days before the date of elections inclusive may address the polling district election commission with a request to unfile him/her from the list of voters. Based on this request and the document provided by paragraph two of Article 2 of this Law, the polling district election commission shall issue this voter an absentee ballot according to the form to be approved by the Central Election Commission. In this case, an entry shall be made in the list of voters, indicating the date of issuance of the absentee ballot and its number, the list shall be signed by the voter who received the absentee ballot and the member of the election commission who issued this ballot. If a voter loses his/her absentee ballot the latter shall not be issued again.

5. Absentee ballots shall have the unified numeration at the entire territory of Ukraine and shall be considered documents of strict accountability.

6. The procedure of producing absentee ballots, their delivery to the constituency and polling district election commissions, withdrawal and cancellation of unused absentee ballots shall be established by the Central Election Commission. Forms of absentee ballots shall be delivered to polling district election commissions no later than 25 days before the date of elections and in the case of

the exceptional formation of a polling district, according to paragraph seven of Article 17 of this Law, on the day of the first meeting of the commission.

7. A voter who arrived before or on the day of elections at the populated area different from the place of his/her permanent residence and, according to paragraph four of this Article, was struck off the voters' list there, shall be entered by the head, deputy head or secretary of the polling district election commission in the list of voters on the grounds of the voter's request, the document indicated in paragraph two of Article 2 of this Law and the absentee ballot which shall be attached to the list of voters.

8. In case the persons specified in paragraphs four - six of Article 30 of this Law are entered in the list of voters on the basis of the information provided by the heads of the respective institutions, offices, missions, captains of vessels and commanders of military units (formations), a polling district election commission shall notify, within two days, the constituency election commission of the single-mandate constituency to which this polling district belongs about entering those persons in the list of voters and about the place of their permanent residence.

9. The constituency election commission which received the notification mentioned in paragraph eight of this Article shall ensure immediate communication of this information to the polling district election commission at the place of permanent residence of the given voter who was entered in the voters' list at a different place in accordance with paragraphs four – six of Article 30 of this Law. The polling district election commission, on the basis of this notification, shall pass a decision to strike this voter from the voters' list at this polling district. In this case, the entry "absent" shall be made instead of the voter's signature in the list of voters; the numbers of the single-mandate constituency and the polling district where, according to the notification, this voter was entered in the voters' list shall be also indicated, as well as the date of taking the decision to unfile the voter from the list of voters in the polling district, and the member of the polling district election commission who entered these data in the voters' list shall put his/her signature there.

10. A citizen shall have the right to lodge an appeal with the constituency election commission or directly with the local court situated at the location the polling district, against the incorrectness and errors made whilst compiling the list of voters, including the failure to enter, incorrect entry or strike him/her or other persons from the list of voters. A complaint lodged with the polling district election commission not later than one day before the day of elections shall be considered within the period of three days, but no later than on the day preceding the day of elections, and a complaint filed on the eve of the day of elections shall be considered without delay. The polling district election commission shall be obliged to introduce the required changes to the list of voters or to give to the complainant a copy of the decision reasoning the dismissal of his/her complaint. A complaint lodged with the court prior to the day of elections shall be considered within the period of five days, but not later than on the day preceding the day of elections, while a complaint filed on the day of elections shall be considered without delay, but no later than the time of completion of voting.

11. It is prohibited to introduce any changes to the list of voters after completion of the voting.

CHAPTER VI. FINANCIAL AND LOGISTIC SUPPORT FOR THE PREPARATION AND CONDUCT OF ELECTIONS OF DEPUTIES

Article 32. Financing of Elections of Deputies

1. Expenditures for the preparation and conduct of elections of deputies shall be incurred exclusively from the funds of the State Budget of Ukraine as well as the resources of election funds of parties (blocs) the candidates for deputy of which are registered in the multi-mandate constituency, and candidates for deputy registered in single-mandate constituencies.

2. In order to finance their election campaign, a party (bloc) of the candidates for deputy, which are registered in the multi-mandate constituency, as well as candidates for deputy registered in single-mandate constituencies, shall establish their election funds, which shall be formed in accordance with the procedure set forth by this Law.

Article 33. Financing of the Preparation and Conduct of Elections of People's Deputies from the Funds of the State Budget of Ukraine

1. Financing of the preparation and conduct of elections of deputies from the funds of the State Budget of Ukraine shall be made by the Central Election Commission, which is the main administrator of these resources.

2. The amount of funds for the preparation and conduct of elections of deputies, upon submission of the Central Election Commission, shall be included, on an annual basis, as a separate sentence in the law on the State Budget of Ukraine.

3. The Central Election Commission and constituency election commissions shall cover the expenditures for the preparation and conduct of elections, such as printing information posters of parties (blocs) the candidates for deputy of which are registered in the multi-mandate all-state constituency, candidates for deputy registered in a single-mandate constituency, publication in newspapers of election programs of parties (blocs) and candidates for deputy registered in a single-mandate constituency; and broadcast time on radio and television, according to the costs estimate approved by the Central Election Commission, within the limits of the funds allocated from the State Budget of Ukraine for the preparation and conduct of elections.

4. Funds allocated for the preparation and conduct of deputies elections provided in the State Budget shall be transferred to the Central Election Commission within three days from the day of announcement of the commencement of the election process.

5. The Central Election Commission shall approve average expenditure norms for constituency election commissions and average expenditure norms for the needs of polling districts election commissions.

6. The constituency election commission shall, within ten days upon its formation, prepare the uniform estimate of expenditures for the preparation and conduct of elections based on the average allowed expenditure norms. The estimate shall include expenditures of the constituency election commission and expenditures for the needs of polling districts election commissions of the single-mandate constituency. The estimates shall be submitted for approval to the Central Election Commission.

7. Financing of election commissions shall be performed under the procedure established by the Central Election Commission along with the Ministry of Finance of Ukraine.

8. A constituency election commission shall, within seven days from the day of official announcement of the results of deputies' election, return the funds received from the State Budget for the preparation and conduct of elections which have not been spent to the bank account of the Central Election Commission. The State Treasury of Ukraine, within a three days period, shall notify the Central Election Commission about the return of these funds to its bank account.

9. A constituency election commission, within ten days from the day of official announcement of election results, shall produce and submit to the Central Election Commission financial statement on the receipt and use of funds allocated from the State Budget of Ukraine for the preparation and conduct of the deputies elections, in compliance with the form approved by the Central Election Commission and the Ministry of Finance of Ukraine.

10. The Central Election Commission and respective departments of the Ministry of Finance of Ukraine shall exercise control over correct and targeted spending of funds allocated from the State Budget of Ukraine for the preparation and conduct of deputies' elections.

11. In the event that the funds allocated from the State Budget of Ukraine for preparation and conduct of the deputies elections, have not been transferred in full, the liability for repayment of the accounts payable of constituency election commissions upon expiration of their authority shall be transferred to the Cabinet of Ministers of Ukraine and redeemed prior to the end of the respective fiscal year.

Article 34. Election Fund of a Party (Bloc) and a Candidate for Deputy Registered in a Single-Mandate Constituency

1. A party (bloc), the candidates for deputies of which are registered in the multi-mandate constituency, and a candidate for deputy registered in a single-mandate constituency shall be required to open a bank account of their election fund at least 50 days prior to the day of elections. The bank account of a party (bloc) shall be opened upon submission of a copy of the decision of the Central Election Commission on the registration of candidates for deputy in the multi-mandate constituency included in the electoral list of the party (bloc); and, for the bank account of a candidate for deputy registered in a single-mandate constituency, upon submission of a copy of the decision on his/her registration made by the relevant constituency election commission.

2. The National Bank of Ukraine, upon coordination with the Central Election Commission, within 80 days prior to the day of elections, shall issue rules regulating opening and closing of a bank account of the election fund of a party (bloc) and a candidate for deputy registered in a single-mandate constituency as defined in paragraph one of this Article (hereinafter referred to as a bank account of the election fund).

3. A party (bloc), the candidates for deputies of which are registered in the multi-mandate all-state constituency, shall open a bank account of its election fund in a bank of Ukraine located in Kyiv. A candidate for deputy registered in a single-mandate constituency shall open his/her bank

account of the election fund in a bank of Ukraine at the place of location of the respective constituency election commission. The Central Election Commission shall establish the list of banks qualified to keep bank accounts of election funds. The said party (bloc) and the candidate for deputy shall have the right to open one bank account only of the election fund and in the national currency only.

4. Resources available on the bank account of the election fund shall be withdrawn in the form of bank transfers only.

5. A banking institution shall not charge for services related to the opening and closing of a bank account of the election fund. The banking institution shall neither accrue nor pay interest on money held on the bank account of the election fund.

6. A banking institution, at the latest on the next working day upon opening a bank account of the election fund of a party (bloc) and a candidate for deputy as defined in the paragraph one of this Article, shall notify about the opening of such account and the account details to the Central Election Commission or the relevant constituency election commission, respectively.

7. The Central Election Commission shall publish once the information on the opening of the bank account of the election fund and the account details in the newspapers "Holos Ukrainy" and "Uriadovy Kurier"; the constituency election commission shall publish the above information in the local state-owned or municipal press at the expense of the funds allocated from the State Budget of Ukraine for the preparation and conduct of elections. Subsequently, information on details of the bank account of the election fund shall be published in the press at expense of the respective election fund.

8. Spending of resources of the bank account of the election fund shall be terminated one day prior to the day of elections.

9. In the event that repeated elections are called in a single-mandate constituency, spending of resources from the bank accounts of the election fund of respective candidates for deputy listed in the ballots for repeated voting shall be renewed from the date of the decision on conducting the repeated voting.

10. The banking institution shall close the bank account of the election fund on the fifteenth day following the day of official promulgation of election results in the respective constituency.

Article 35. Election Fund Managers

1. A party (bloc) shall assign no more than two managers of the election fund from among its authorized persons indicated in Article 57 of this Law. A candidate for deputy registered in a single-mandate constituency shall assign no more than one manager of the election fund from among his/her authorized persons indicated in Article 58 of this Law. Election fund managers shall have the exclusive right to use resources of the election fund in accordance with laws of Ukraine.

2. Election fund managers shall keep records of receipts and spending of resources of the election fund.

3. The banking institution in which the account of the election fund is opened shall provide an election fund manager with information about the amount and the sources of contributions that were deposited onto the account of the election fund on a weekly basis or if inquired by the fund manager.

4. A manager of the election fund of a party (bloc) shall be required, within five days from the day of elections, to submit to the Central Election Commission financial statement on receipts and the use of resources of the election fund. A manager of the election fund of a candidate for deputy registered in a single-mandate constituency shall be required, within five days from the day of elections (in the event the candidate for deputy has been included into voting bulletins for repeated voting, within five days from the day of the repeated voting), to submit to the constituency election commission a financial statement on receipts and the use of resources from the election fund. The Central Election Commission shall approve the form of the said financial statement at least 60 days prior to the day of elections.

Article 36. Establishment of Election Fund and Spending of its Resources

1. The election fund of a party (bloc) shall be established out of financial resources of the party (or of parties constituting the bloc) and of voluntary contributions from individuals.

2. The election fund of a candidate for deputy registered in a single-mandate constituency shall be established at his/her own expense and from voluntary contributions of individuals.

3. Expenditures made from the election fund of the party (bloc) shall not exceed one hundred and fifty thousand untaxed minimum citizens' incomes; and expenditures made from the election fund of a candidate for deputy

registered in a single-mandate constituency shall not exceed ten thousand untaxed minimum citizens' incomes.

4. An individual's voluntary contribution to the election fund of one party (bloc) or one candidate for deputy registered in a single-mandate constituency shall not exceed one thousand untaxed minimum citizens' incomes.

5. The following persons may not make voluntary contributions to election funds:

1) citizens of foreign states and stateless persons;
2) natural persons who are subjects of entrepreneurial activity and who have debts in respect of a budget of any level on the day of transfer of the contribution to the election fund;
3) anonymous donators (where the data required in paragraph six of this Article is not indicated in the money transfer order).

6. A voluntary contribution from a Ukrainian citizen to an election fund shall be accepted for transfer by a banking institution or a post office upon presenting the document provided by paragraph two of the Article 2 of the present Law. A money transfer order shall state the surname, first name and patronymic, date of birth and address of an individual.

7. A voluntary contribution shall be transferred by the banking institution or post office to the bank account of the election fund on the next working day upon the receipt of the money transfer order at the latest. The overall duration of the bank transfer of contributions to the bank account of the election fund shall not exceed two banking days.

8. A manager of the election fund shall retain the right to reject a contribution made by an individual, by submitting respective application and money transfer order to the banking institution in which the bank account of the election fund is opened. The said contribution shall be returned to the individual, with all respective bank charges covered from the contribution in question, or, if such a return is impossible, it shall be transferred to the State Budget of Ukraine.

9. When a contribution made by an individual exceeds the maximum amount provided in paragraph four of this Article, the banking institution shall return the amount in excess to the respective individual, upon submission of the application and money transfer order by the election fund manager, with all respective bank charges covered from the contribution in question, or, if such a return is impossible, transferred to the State Budget of Ukraine.

10. A manager of the election fund shall be required to reject a contribution made by an individual not qualified to do so as provided by the present Law. The banking institution in which the bank account of the election fund is opened shall, upon submission of an application of the election fund manager rejecting such contribution, transfer the contribution to the State Budget of Ukraine.

11. The control over receipt, accounting and the use of election funds shall be performed on a random basis by the Central Election Commission, constituency election commissions and the banking institution in which the bank account of the election fund is opened, in compliance with the procedure established by the Central Election Commission, the National Bank of Ukraine and the central body of executive power in charge of communications at least 60 days prior to the day of elections.

12. The managing bodies of a party (bloc) shall, within seven days upon announcement of the official election results, take decision on transferring the remaining resources from the election fund to the bank account of the party (or constituent parties of the bloc). The remaining resources shall be transferred within five days upon delivery of the respective decision of the party (bloc). In the event that the party (bloc) fails to take such decision within the period specified herein, the banking institution shall transfer the funds in question to the State Budget of Ukraine on the fifteenth day from the day of official announcement of the election results by the Central Election Commission.

13. The remaining resources from the election fund of a candidate for deputy registered in a single-mandate constituency shall be transferred by the banking institution to the State Budget of Ukraine within a three-days period from the day of official announcement of the election results in the respective single-mandate constituency, or decision on declaring elections in such constituency void.

14. In the event of cancellation of the decision on registration of a candidate for deputy, the resources remaining in his/her election fund shall be transferred to the State Budget of Ukraine on the eighth day following the day of publication of the said decision.

15. Contributions transferred to the election fund after the election day (in the event of candidates included into ballots for the repeated voting - after the repeated election day) shall be returned by the respective banking institution to the relevant individual (the latter bearing all related bank charges), or, if such a return is impossible, transferred to the State Budget of Ukraine.

Article 37. Procurement and Logistics Arrangements for Preparation and Conduct of the Election Campaign

1. Bodies of state power, bodies of local self-government, and their officials shall assist election commissions in performing their authorities: provide them with required premises, ensure their security and the security for ballots and other election-related documentation; provide with vehicles, communication facilities, equipment, office supplies and facilities (to be returned upon expiration of the authority of the election commissions), in compliance with the list and quantity established by the Central Election Commission. The procedure of payment or compensation for the aforementioned services shall be established by the Cabinet of Ministers of Ukraine.

2. Procurement of goods, works and services for preparation and the conduct of elections of deputies during the election process shall be performed by election commissions from the funds of the State Budget of Ukraine in compliance with the procedure approved by the Cabinet of Ministers of Ukraine.

CHAPTER VII. NOMINATION AND REGISTRATION OF CANDIDATES FOR DEPUTY

Article 38. General Procedure of the Nomination of Candidates for Deputy

1. Candidates for deputy may be nominated by a party registered in accordance with the procedure established by law at least one year prior to the day of elections, or by an election bloc, provided it is composed of the parties that have been registered at least one year prior to the day of elections.

2. A citizen of Ukraine which has the right to be elected as provided by the Article 8 of this Law, shall have the right to nominate himself/herself as a candidate for deputy in the respective single-mandate constituency by submitting application to the relevant constituency election commission stating his/her willingness to be a candidate for deputy in that constituency (self-nomination application).

3. A citizen of Ukraine which has the right to be elected as provided by the Article 8 of this Law, shall have the right to accept the offer to be a candidate for deputy in the multi-mandate, or a single-mandate constituency.

4. Nomination of candidates for deputy shall commence 85 days and end 65 days prior to the day of elections.

Article 39. Formation of an Election Bloc

1. An election bloc may be formed by two or more parties indicated in paragraph one of Article 38 of this Law, based on resolution of the general convention (meeting, conference) of each party.

2. Leaders or representatives of parties authorized by the convention (meeting, conference) to form an election bloc shall conclude an agreement on the bloc formation. The agreement shall be executed by authorized persons and sealed with the seals of parties that formed the bloc.

3. An agreement on formation of an election bloc shall establish:

1) Managing bodies of the election bloc and terms and conditions of their functioning;
2) Representation of member parties at inter-party conventions (meetings, conferences);
3) Procedures of conducting inter-party conventions (meetings, conferences) regarding candidates nomination;
4) Procedures of taking decisions at the inter-party conventions (meetings, conferences);
5) Terms of nomination and norms of representation of candidates for deputy in the electoral lists of the parties constituting the bloc.

4. Decision on formation of the election bloc shall be notified to the Central Election Commission at least two days prior to the day of convocation of the inter-party convention (meeting, conference). Such notification shall be accompanied by a copy of agreement on formation of the election bloc, an extract from minutes of the conventions (meetings, conferences) of constituent parties on formation of the election bloc signed by the leaders and sealed with seals of the constituent parties, and copies of the registration certificates and charters of the constituent parties, certified by the Ministry of Justice of Ukraine upon announcement of the commencement of the election campaign.

Article 40. Procedure of Nomination of Candidates for Deputy by a Party (Bloc)

1. A party (bloc) may nominate candidates for deputy in the multi-mandate and single-mandate constituencies.

2. The number of candidates for deputy nominated by a party (bloc) in the multi-mandate constituency shall not exceed the number of deputies stipulated in Article 1, paragraph three, item 1 of this Law. All candidates for deputy nominated by a party (bloc) shall be included in the single electoral list of such party (bloc).

3. A party (bloc) may nominate no more than one candidate in each single-mandate constituency.

4. A party (bloc) may nominate as a candidate for deputy a person who is a member of the party (a member of a party that is a constituent of the bloc) or a non-party citizen which has the right to be elected deputy in accordance with Article 8 of this Law.

5. A party that is a constituent of an election bloc may not independently nominate candidates for deputy and be a constituent of another election bloc.

6. Candidates for deputy shall be nominated by a party at its convention (meeting, conference), and by a bloc at an inter-party convention (meeting, conference) of the parties that are constituents of the bloc. The convention (meeting, conference) at which candidates for deputy are nominated shall be attended by at least 200 delegates. A party (bloc) may nominate candidates for deputy in single-mandate constituencies at the meeting (conference) of a republic, in the Autonomous Republic of Crimea, or an oblast or city, in Kyiv or Sevastopol, cell (organization) of the party (joint meeting (conference) of cells (organizations) of the parties that are constituents of the bloc) conducted in accordance with the charter of the party (charters of the parties that are constituents of the bloc), and in accordance with the bloc's constituent agreement if candidates for deputy are nominated by a joint meeting (conference) of cells (organizations) of the parties that are constituents of the bloc.

7. Nomination of candidates for deputy in the multi-mandate constituency shall be performed at least 87 days before the day of elections in the form of an electoral list of candidates for deputy from a party (bloc), which shall indicate their order of priority, in accordance with the form approved by the Central Election Commission. A person may be included in the electoral list of no more than one party (bloc).

8. The minutes of the convention (meeting, conference) of the party or inter-party convention (meeting, conference) of the parties that are constituents of the bloc shall indicate: the date of the convention (meeting, conference), agenda, information about the persons nominated candidates for deputy (surname, first name, patronymic, day, month and year of birth, position (occupation), place of employment and home address, number of the single-mandate constituency if nominated in single-mandate constituencies, results of the voting on the electoral list of candidates for deputy nominated in the multi-mandate constituency and candidates for deputy nominated in single-mandate constituencies). The minutes shall be signed by the chairman of the convention (meeting, conference), and the electoral list of candidates for deputy shall be signed by the head of the party (heads of the parties that are constituents of the bloc) and sealed with the seal of the party (parties that are constituents of the bloc). The minutes of the meeting (conference) of the republic, in the Autonomous Republic of Crimea, an oblast or city, in Kyiv or Sevastopol, cell (organization) of the party (joint meeting (conference) of cells (organizations) of the parties that are constituents of the bloc) shall indicate: the date of the meeting (conference), agenda, information about the persons nominated candidates for deputy nominated in single-mandate constituencies (surname, first name, patronymic, day, month and year of birth, citizenship, party membership, position (occupation), place of employment and home address, number of the single-mandate constituency and results of the voting on the electoral list of candidates for deputy nominated in single-mandate constituencies). The minutes shall be signed by the chairman of the meeting (conference) and sealed with the seal of the cell (organization) of the party (cells (organizations) of the parties that are constituents of the bloc).

9. The head of the party (heads of the parties that are constituents of the bloc) shall notify the Central Election Commission in writing about the time and place of the convention (meeting, conference) of the party or the inter-party convention (meeting, conference) of the parties that are constituents of the bloc to be conducted with the purpose of nominating candidates for deputy at least two days prior to the convention (meeting, conference). If so ordered by the Head of the Central Election Commission, a member of the Central Election Commission may be present at such convention (meeting, conference).

10. Mass media shall be notified in good time about the time and place of a convention (meeting, conference) to be conducted with the purpose of nominating candidates for deputy. The accreditation procedure of mass media representatives at such convention (meeting, conference) shall be determined by the organizers thereof.

Article 41. Conditions of Registration of Candidates for Deputy in the Multi-Mandate Constituency that are Included in the Electoral List of a Party (Bloc)

1. The Central Election Commission shall register candidates for deputy in the multi-mandate constituency included in the electoral list of a party (bloc) subject to the receipt of the following documents:

1) an application for registration of candidates for deputy signed by the head of the party (heads of the parties that are constituents of the bloc) and sealed with the seal of the party (seals of the parties that are constituents of the bloc);
2) a copy of the certificate of registration of the party (parties that are constituents of the bloc) and charter of the party (parties that are constituents of the bloc) certified free of charge by the Ministry of Justice of Ukraine after the announcement of the beginning of the election process;
3) an excerpt from the minutes of the convention (meeting, conference) of the parties at which the election bloc was created, signed by the heads of the parties that are constituents of the bloc and sealed with the seals of such parties, if the candidates for deputy are nominated by a bloc;
4) the constituent agreement of the election bloc if the candidates for deputy are nominated by a bloc;
5) an excerpt from the minutes of the convention (meeting, conference) of the party (inter-party convention (meeting, conference) of the parties that are constituents of the bloc) conducted with the purpose of nominating candidates for deputy from the party (bloc), which shall contain the information provided for in Article 40, paragraph eight of this Law. The excerpt shall be signed by the head of the party (heads of the parties that are constituents of the bloc) and sealed with the seal of the party (seals of the parties that are constituents of the bloc);
6) the electoral list of candidates for deputy from the party (bloc) in accordance with the form approved by the Central Election Commission;
7) statements of the persons included in the electoral list of the party (bloc) announcing their consent to be candidates for deputy from this party (bloc), commitment, if elected, to cease the activity or abdicate a representative mandate which in accordance with the Constitution of Ukraine and laws of Ukraine are inconsistent with the mandate of a people's deputy of Ukraine, consent to the publication of their biographical data in connection with their participation in the elections and commitment, if elected, to transfer, within one month from the official announcement of election results, the management of their enterprises and their corporate rights to another person as stipulated in the legislation;
8) autobiographies of the persons included in the electoral list of the party (bloc) containing up to two thousand printed characters, which shall contain: surname, first name, patronymic, day, month, year and place of birth, citizenship, information about education, employment, position (occupation), place of employment, public work (including elected offices), party membership, family members, home address, duration of residence in Ukraine and criminal record;
9) election program of the party (bloc) in the official language containing up to seven thousand eight hundred printed characters;
10) property and income statement for the year preceding the year of the submission of each candidate for deputy and his/her family members in accordance with the form approved by the Ministry of Finance of Ukraine;
11) document attesting transfer of election deposit in accordance with Article 43 of this Law;
12) hotographs of the persons included in the electoral list of the party (bloc), whose size and quantity shall be as stipulated by the Central Election Commission.

2. Documents submitted to the Central Election Commission after the announcement of the beginning of the election process as stipulated in Article 39, paragraph four of this Law shall not be resubmitted.

Article 42. Conditions of Registration of Candidates for Deputy in a Single-Mandate Constituency

1. A constituency election commission shall register a candidate for deputy nominated by a party (bloc) in the respective single-mandate constituency upon presentation by the candidate of the document provided for in Article 2, paragraph two of this Law and subject to the receipt of the following documents:

1) an excerpt from the minutes of the convention (meeting, conference) of the party (inter-party convention (meeting, conference) of the parties that are constituents of the bloc) or excerpt from the minutes of the meeting (conference) of the republic, in the Autonomous Republic of Crimea, an oblast or city, in Kyiv or Sevastopol, cell (organization) of the party (joint meeting (conference) of cells (organizations) of the parties that are constituents of the bloc) conducted with the purpose of nominating the candidate for deputy in the respective single-mandate constituency, which shall contain the information provided for in Article 40, paragraph

nine of this Law. The excerpt from the minutes of the convention (meeting, conference) of the party (inter-party convention (meeting, conference) of the parties that are constituents of the bloc) shall be signed by the head of the party (heads of the parties that are constituents of the bloc) and sealed with the seal of the party (seals of the parties that are constituents of the bloc), and the excerpt from the minutes of the meeting (conference) of the cell (organization) of the party (joint meeting (conference) of cells (organizations) of the parties that are constituents of the bloc) shall be signed by the head of the cell (organization) of the party (heads of cells (organizations) of the parties that are constituents of the bloc) and sealed with the seal of the cell (organization) of the party (seals of cells (organizations) of the parties that are constituents of the bloc);

2) a copy of the charter of the party (charters of the parties that are constituents of the bloc) certified free of charge by the Ministry of Justice of Ukraine after the announcement of the beginning of the election process;
3) a copy of the constituent agreement of the election bloc certified by the heads of the parties that are constituents of the bloc, if the candidates for deputy are nominated by a bloc;
4) a statement of the person nominated candidate for deputy announcing his/her commitment, if elected, to cease the activity or abdicate a representative mandate which in accordance with the Constitution of Ukraine and laws of Ukraine are inconsistent with the mandate of a people's deputy of Ukraine, consent to the publication of his biographical data in connection with his participation in the elections and commitment, if elected, to transfer, within one month from the official announcement of election results, the management of their enterprises and their corporate rights to another person as stipulated in the legislation;
5) autobiography of the candidate for deputy containing up to two thousand printed characters, which shall contain: surname, first name, patronymic, day, month, year and place of birth, citizenship, information about education, employment, position (occupation), place of employment, public work (including elected offices), party membership, family members, home address, duration of residence in Ukraine and criminal record;
6) election program of the candidate for deputy in the official language containing up to three thousand nine hundred printed characters;
7) property and income statement for the year preceding the year of the submission of the candidate for deputy and his/her family members in accordance with the form approved by the Ministry of Finance of Ukraine;
8) document attesting transfer of election deposit in accordance with Article 43 of this Law;
9) photograph of the candidate for deputy, whose size and quantity shall be as stipulated by the Central Election Commission.

2. A constituency election commission shall register a candidate for deputy in the respective single-mandate constituency who has been self-nominated in this constituency upon presentation by the candidate of the document provided for in Article 2, paragraph two of this Law and the receipt of the self-nomination application and the documents provided for in paragraph one, items 4-9 of this Article.

3. Documents submitted to the respective constituency election commission shall not be resubmitted.

Article 43. Election Deposit

1. Prior to submission of documents to the Central Election Commission for registration of candidates for deputy included in the electoral list in the multi-mandate constituency, a party (bloc) shall transfer election deposit in the amount of fifteen thousand untaxed minimum citizens' incomes to a special account of the Central Election Commission by means of cashless settlement.

2. Prior to submission of documents to a constituency election commission for registration, a candidate for deputy who has been nominated in a single-mandate constituency shall transfer election deposit in the amount of 60 untaxed minimum citizens' incomes to an account of the constituency election commission.

3. In case that a respective election commission decides to refuse registration of candidates (a candidate) for deputies, the paid election deposit shall be transferred to an account of the party (bloc) or returned to the candidate for deputy within five days from passing of the respective decision.

4. In case of cancellation of the decision on registration of all candidates for deputy included in the electoral list of a party (bloc) and nominated in the multi-mandate constituency, or of a candidate for deputy nominated in a single-mandate constituency, the paid election deposit shall

be transferred to the State Budget of Ukraine within five days from passing of the respective decision.

5. Election deposit shall be returned to parties (blocs) which took part in distribution of deputies' mandates and to deputies elected in single-mandate constituencies.

6. Election deposit paid by a party (bloc) that did not participate in distribution of deputies' mandates in the multi-mandate constituency shall be transferred to the State Budget of Ukraine within eight days from the day of official promulgation of results of the election of deputies.

7. Election deposit paid by a candidate for deputy which was nominated in a single-mandate constituency but not elected as a deputy shall be transferred to the State Budget of Ukraine within eight days from the day of promulgation of results of the election of deputy in the single-mandate constituency or from the day of promulgation of the decision on declaration of invalidity of the election in that constituency.

Article 44. Property and Income Statement of a Candidate for Deputy and His/Her Family Members

1. A property and income statement of a candidate for deputy and his/her family members for the preceding year shall be filled in by the candidate for deputy with his own hand in accordance with the form approved by the Ministry of Finance of Ukraine.

2. The truthfulness of information included in the statement mentioned in paragraph one of this Article shall be checked, if so requested by the Central Election Commission or constituency election commissions, by the bodies of the State Tax Administration at least 30 days before the day of elections. The appropriate election commission shall be notified of the revealed violations within the same time-period.

Article 45. Procedure for Registration of Candidates for Deputy in the Multi-Mandate Constituency

1. Candidates for deputy in the multi-mandate constituency included in the electoral list of a party (bloc) shall be registered by the Central Election Commission, subject to the availability of documents provided for in Article 41 of this Law.

2. Submission of documents to the Central Election Commission for registration of candidates for deputy in the multi-mandate constituency shall end 60 days before the day of elections.

3. The representative of a party (bloc) who has submitted documents provided for in Article 41 of this Law shall be issued a certificate of the date and time of acceptance of the documents indicating the list of accepted documents.

4. A person included by a party (bloc) in its electoral list of candidates for deputy who, by the day of submission to the Central Election Commission of the application of the party (bloc) for registration of candidates for deputy, did not give his/her consent to be a candidate for deputy from this party (bloc) in the multi-mandate constituency shall be deemed excluded from the electoral list of the party (bloc) from the day of submission of such application of the party (bloc). An application of such person announcing his/her consent to be a candidate for deputy submitted after this date shall not be accepted.

5. A person included by a party (bloc of parties) into its electoral list of candidates for deputy may withdraw his/her application regarding the consent to be nominated a candidate for deputy in the multi-mandate constituency prior to the day of registration. From the time the Central Election Commission receives the application regarding the withdrawal of the consent to be a candidate, this person shall be regarded excluded from the electoral list of the party (bloc). The Central Election Commission shall notify the party (bloc) representative in writing about the receipt of the application no later than within a three-day period upon the submission of the application. Any other applications from the person regarding his/her consent to be a candidate from the party (bloc) in the multi-mandate constituency shall not be accepted.

6. A person included into several electoral lists of parties (blocs) pursuant to his/her written application regarding the consent to be a candidate in the multi-mandate constituency shall be excluded by the decision of the Central Election Commission from all the electoral lists which the said person was included in.

7. No later than on the fifth day upon the receipt of the application for registration of candidates in the multi-mandate constituency together with the additionally required documents, the Central Election Commission shall adopt a decision on the registration of candidates for deputy in this constituency or on the refusal to register.

8. The sequence of candidates in the electoral list determined by a party (bloc) may not be changed after their registration by the Central Election Commission, except for the cases stipulated by this Law.

9. In case of registration of candidates for deputy in the multi-mandate constituency, a party (bloc) representative shall be issued, together with a copy of the decision regarding the registration, provided within three days from

the day of its adoption, certificates of the candidates for deputy made in compliance with the form established by the Central Election Commission. Within the same period, the electoral list of the candidates for deputy from the party (bloc) and the said decision shall be published in the newspapers "Holos Ukrainy" and "Uriadovy Kurier".

10. In the event that the Central Election Commission finds in the documents submitted by a party (bloc of parties) any evidence of the violation of paragraph one of Article 37 of the Constitution of Ukraine, it shall apply to a court for banning the activities of the party (parties comprising the bloc). Consideration of the issue of the registration of the candidates for deputy from this party (bloc) in the multi-mandate constituency shall be postponed pending the court ruling.

11. A decision regarding a refusal to register candidates for deputy shall contain exhaustive reasoning of the refusal. A copy of this decision shall be issued to a party (bloc) representative no later than on the next day upon the adoption of the decision.

12. A refusal to register candidates for deputy included in the electoral list of a party (bloc of parties) in the multi-mandate constituency on the grounds of improper drawing up of the submitted documents provided for by paragraph one of Article 41 of this Law shall not exclude resubmission by that party (bloc) of the application for registration of the candidates for deputy included in the electoral list of the party (bloc) in the multi-mandate constituency. The said application, together with the documents corrected in compliance with requirements of this Law, shall be submitted to the Central Election Commission no later than 55 days prior to the day of elections. The final decision regarding the registration of the candidates for deputy included into the electoral list of the party (bloc) shall be adopted by the Central Election Commission no later than 53 days prior to the day of elections.

Article 46. Procedure of Registration of Candidates for Deputy in a Single-Mandate Constituency

1. A candidate for deputy nominated in a single-mandate constituency shall be registered by a corresponding constituency election commission, provided that all requirements stipulated by Article 42 of this Law have been met.

2. Submission of documents for registration of candidates for deputy in a single-mandate constituency to a constituency election commission shall be terminated 60 days prior to the day of elections.

3. A person who submitted the documents stipulated by Article 42 of this Law shall be issued a certificate indicating the date and time of the receipt of the documentation, listing the documents received.

4. A person nominated as a candidate for deputy in a single-mandate constituency shall have the right to withdraw his/her application for self-nomination or registration as a candidate for deputy prior to the day of registration of him/her as a candidate for deputy. Any reapplication of this person regarding his/her self-nomination in the same constituency shall not be accepted.

5. No later than on the fifth day after the receipt of the application for registration of a candidate in a single-mandate constituency together with the additionally required documents, the constituency election commission shall adopt a decision regarding the registration of the candidate for deputy or a refusal to register.

6. A refusal to register a candidate for deputy nominated in a single-mandate constituency on the grounds of improper drawing up of the documents provided by Article 42 of this Law shall not exclude repeated submission of the application of the candidate for deputy for his/her registration in the corresponding single-mandate constituency. The said application, together with the documents corrected in accordance with the requirements of this Law, shall be submitted to the constituency election commission no later than 55 days prior to the day of elections. The final decision regarding the registration of the candidate for deputy in the single-mandate constituency shall be adopted by the constituency election commission no later than 53 days prior to the day of elections.

7. In the event of the registration of a candidate for deputy in a single-mandate constituency, he/she shall be issued, together with a copy of the decision regarding the registration, provided within three days, the certificate of a candidate for deputy made in compliance with the form established by the Central Election Commission.

8. Within a five-day period from the termination of the registration of candidates in a constituency, the Central Election Commission, upon submissions of constituency election commissions, shall publish in the newspapers "Holos Ukrainy" and "Uriadovy Kurier" the list of candidates for deputy registered in the single-mandate constituency stating each candidate's surname, first name and patronymic, date of birth, education, permanent residence, employment (occupation), party affiliation and the entity which nominated the candidate.

Article 47. Refusal to Register a Candidate (Candidates) for Deputy

1. An election commission shall refuse to register a candidate (candidates) for deputy for the following reasons:
   1) violation of the procedure for nomination of a candidate (candidates) for deputy established by this Law;
   2) absence or improper presentation of the documents specified by Article 41 or Article 42 of this Law;
   3) termination of the Ukrainian citizenship of the candidate for deputy;
   4) emigration of the person nominated for candidacy to another country for permanent residency;
   5) establishment of the incapability of the person nominated as a candidate for deputy, or enforcement of the court sentence for committing an intentional crime;
   6) discovery by a corresponding election commission of vital inconsistencies in the personal information regarding the candidate submitted in compliance with this Law.

2. A decision to refuse registration of a candidate (candidates) for deputy shall fully substantiate the grounds for the refusal. No later than on the next day after the adoption of the decision, a copy of it shall be handed over (mailed) to a representative of the corresponding party (bloc) or to a candidate for deputy in a single-mandate constituency.

3. If none of the candidates for deputy nominated in the multi-mandate constituency and included in the electoral list of a party (bloc) was registered by the Central Election Commission within the period established by this Law, the party (bloc) shall lose the status of a subject of the election process.

Article 48. Changes in the Composition of an Election Bloc of Parties

1. A party comprising a bloc may take a decision regarding its withdrawal from the bloc no later than 35 days prior to the day of elections. Such decision shall be adopted by the party convention (meeting, conference) in compliance with its charter. The decision on the party's withdrawal from the bloc and the extract from the convention (meeting, conference) minutes regarding this issue, signed by the party leader and the convention (meeting, conference) chairman and authenticated by the party's seal, shall be submitted to the Central Election Commission and the governing body of the bloc within three days.

2. A party's withdrawal from a bloc comprised of more than two parties shall have no impact on the status of the bloc as a subject of the election process, irrespective of the number of parties remaining in it. The name of the withdrawing party shall be taken out of the list of parties comprising the bloc on ballots and other electoral documentation.

3. In the event of a party's withdrawal from a bloc comprised of two parties, the party which did not make a decision to withdraw shall be a successor to the bloc and a subject of the election process. The ballots and other election documentation shall list the name of the party, which succeeded the bloc instead of the name of the bloc.

4. If the decision provided by paragraph one of this Article is adopted no later than 65 days prior to the day of elections, the party which withdrew from a bloc shall have the right to nominate candidates for deputy in the multi-mandate constituency and in single-mandate constituencies in compliance with the procedure envisaged by this Law.

5. If the decision stipulated by paragraph one of this Article is adopted later than 65 days prior to the day of elections, the party which withdrew from the bloc shall lose the status of a subject of the election process.

6. Based on the decision provided by paragraph one of this Article, the Central Election Commission shall adopt a decision regarding either the exclusion of the members of the party which decided to withdraw from the bloc, from the list of candidates of the bloc (the party which succeeded the bloc), or the cancellation of the registration of the party's members as candidates for deputy in the multi-mandate constituency.

7. Parties comprising a bloc may take a decision about dissolution of the bloc no later than 35 days prior to the day of elections. The said decision shall be made by conventions (meetings, conferences) of all parties comprising the bloc. The decision regarding the dissolution of the bloc and extracts from the minutes of conventions (meetings, conferences) of each party regarding this issue signed by the party leader and the chairman of the convention (meeting, conference) and authenticated by the party seal shall be submitted to the Central Election Commission within three days.

8. In the event of the decisions described in paragraph seven of this Article being adopted no later than 65 days prior to the day of elections, each of the parties formerly comprising the bloc shall have the right to nominate its candidates for deputy in the multi-mandate constituency

and in single-mandate constituencies in compliance with the procedure envisaged by this Law.

9. In the event of the decisions stipulated in paragraph seven of this Article being adopted later than 65 days prior to the day of elections, the parties formerly comprising the bloc shall lose the status of subjects of the election process.

10. If the decisions stipulated in paragraph seven of this Article were adopted prior to the registration of candidates for deputy nominated to the bloc's electoral list, the Central Election Commission shall not consider the issue of their registration. If the said decisions were adopted after the registration of candidates for deputy nominated to the electoral list of the bloc, the Central Election Commission shall cancel the registration of these candidates on the basis of the aforementioned decisions.

11. If the decisions stipulated by paragraphs one and seven of this Article were adopted prior to the registration of a member of the party which decided to withdraw from a bloc as a candidate for deputy in a single-mandate constituency, or if this person was nominated by the bloc which decided to dissolve itself, he/she can apply to a corresponding election commission for self-nomination. If such application has not been submitted, the constituency election commission shall not consider the issue of registration of this person as a candidate for deputy.

12. If the decision stipulated by paragraphs one and seven of this Article was adopted after the registration of the person who is a member of the party which decided to withdraw from a bloc as a candidate for deputy in the single-mandate constituency, or after the registration of the candidate for deputy nominated by the bloc which decided to dissolve itself, the constituency election commission shall cancel the said candidate's registration as a candidate for deputy within ten days after the documents regarding the aforementioned decisions were received by the commission.

Article 49. Cancellation of the Decision on Registration of a Candidate (Candidates) for Deputy

1. The Central Election Commission shall cancel its decision on registration in the multi-mandate constituency of a candidate for deputy included into the electoral list of a party (bloc), which entails his/her expulsion from the electoral list, in the following cases:

1) if, at any time after being registered, the candidate applies in writing stating his/her withdrawal from the ballot;
2) if no later than 15 days prior to the day of elections, the party (bloc) applies for cancellation of the decision to register the candidate for deputy in compliance with the decision adopted in accordance with the party's statute (agreement on the bloc formation);
3) emergence of the grounds for cancellation stipulated in paragraph six, Article 48, of this Law;
4) termination of the candidate's Ukrainian citizenship;
5) departure of the candidate for deputy abroad for permanent residence;
6) establishment of the incapability of the person nominated as a candidate for deputy, or enforcement against him/her of the court sentence for committing an intentional crime;
7) inclusion of the candidate for deputy into more than one electoral list of a party (bloc), provided this person gave his/her written consent to be nominated in the multi-mandate constituency or was registered as a candidate for deputy in a single-mandate constituency;
8) discovery by the Central Election Commission of vital inconsistencies in the personal information regarding the candidate submitted in compliance with this Law;
9) establishment by the court of the fact of bribing the electorate by the candidate for deputy or by a third person instructed or requested to do so by the candidate;
10) establishment by the court that the organization, of which the candidate for deputy is a founder, owner or board member, provided the electorate with money or goods, services, securities, credits, lottery tickets and other things or material values for free or at discount prices during the election process;
11) if a candidate for deputy embracing a position, job combination included, in bodies of state power or local self-government, or at the state-owned or municipal enterprises, establishments or organizations, or military formations created in compliance with the Ukrainian legislation, engaged or used his/her subordinates, office transportation, communication, equipment, premises or other objects and resources at his/her place of work for carrying out his/her election campaign;
12) if a candidate for deputy, upon getting a warning from the Central Election Commission mentioned in paragraph 4 of this Article, violated the same requirements of this Law.

2. The Central Election Commission shall cancel its decision regarding the registration in the multi-mandate constituency of all candidates for deputy included into the electoral list of a party (bloc) in the following cases:

1) emergence of the grounds stipulated in Article 48, paragraph ten of this Law;
2) establishment by the court of the fact of bribing the electorate by the party (bloc of parties) authorized persons or by a third person instructed by them to do so or at their request;
3) establishment by the court that the organization of which the party (bloc) is a founder, owner or board member, or their authorized person provided the electorate with money or goods, services, securities, credits, lottery tickets and other material values for free or at discount prices during the election process;
4) establishment by the court that the party (bloc) used other sources of financing besides the resources of its election fund to finance its election campaign;
5) expenditures of the party (bloc) exceeded the maximum sum of expenses established by this Law for an election fund of a party (bloc).

3. A constituency election commission shall cancel its decision regarding the registration of a candidate for deputy in the following cases:

1) if, at any time after being registered, the candidate applies in writing stating his/her renunciation of being a candidate for deputy in a single-mandate constituency;
2) if no later than 15 days prior to the day of elections, a party (bloc) which nominated the candidate for deputy applies for cancellation of the decision to register the candidate for deputy in compliance with the decision adopted in accordance with the party's statute (agreement on the bloc formation);
3) termination of the candidate's Ukrainian citizenship;
4) departure of the candidate for deputy abroad for permanent residence;
5) establishment of the incapability of the candidate for deputy, or enforcement against him/her of the court sentence for committing an intentional crime;
6) registration of the candidate for deputy in the multi-mandate constituency or in another single-mandate constituency;
7) emergence of the grounds for cancellation stipulated in Article 48, paragraph twelve of this Law;
8) discovery by the election commission of vital inconsistencies in the personal information regarding the candidate submitted by him/her in compliance with this Law;
9) establishment by the court of the fact of bribing the electorate by the candidate for deputy or by a third person instructed by the candidate to do so or at his/her request;
10) establishment by the court that an entity, enterprise or organization, of which the candidate for deputy is a founder, owner or board member, provided the electorate with money or goods, services, securities, credits, lottery tickets and other things or material values for free or at discount prices during the election process;
11) if a candidate for deputy embracing a position, job combination included, in bodies of state power or local self-government, or at the state-owned or municipal enterprises, establishments or organizations, or military formations created in compliance with the Ukrainian legislation, engaged or used his/her subordinates, office transportation, communication, equipment, premises or other objects and resources at his/her place of work for carrying out his/her election campaign;
12) establishment by the court that the candidate fordeputy used other sources of financing besides the resources of his/her election fund to budget the election campaign;
13) expenditures of the candidate for deputy exceeded the maximum sum of expenses established by this Law for a candidate's election fund;
14) if a candidate for deputy, upon getting a warning from the constituency or the Central Election Commissions, mentioned in paragraph four of this Article, repeatedly violated the same requirements of this Law.

4. In the event of the violation of other provisions of this Law on the part of a candidate for deputy or a party (bloc), a corresponding election commission may issue a warning, which shall be made public in the state-owned and municipal media or in a different way.

5. The Central Election Commission shall notify a candidate for deputy or a party (bloc) about the decision to cancel the registration of a candidate (candidates) no later than on the third day after the decision was adopted, and issue a copy of the decision to a party (bloc) representative or the candidate within the same time frame.

6. In the event of death of a candidate for deputy or declaring him/her missing, the Central Election Commission shall declare him/her withdrawn from the ballot and exclude the name from the electoral list.

CHAPTER VIII. ELECTION CAMPAIGN

Article 50. Terms of Conducting Election Campaign

1. Election campaign shall commence 50 days prior to the day of elections. The Central Election Commission shall announce about the beginning of the election campaign in the mass media 53 days prior to the day of elections.

2. The election campaign shall end at 12 p.m. on the last Friday prior to the day of elections.

Article 51. Forms and Means of Election Campaign

1. An election campaign may be carried out in any forms and by any means provided they comply with the Constitution of Ukraine and laws of Ukraine. Citizens of Ukraine shall have the right to discuss freely and comprehensively election programs of parties (blocs) the candidates for deputy from which are registered in the multi-mandate constituency and of candidates for deputy registered in a single-mandated constituency, as well as political, business and personal qualities of the candidates, and to campaign 'for' and 'against'.

2. The conduct of an election campaign within the period of the election process beyond the time limits established by Article 50 of this Law shall be forbidden. Official announcements made during the election process (without any commentaries which might have the character of agitation, as well as video and audio recordings, film shots or photographs) regarding the actions of the candidates for deputy connected with their exercise of government (office) duties stipulated by the Constitution of Ukraine and laws of Ukraine shall not be considered as an election campaign.

3. An election campaign shall be conducted out of the resources of the State Budget of Ukraine allocated for the preparation and conduct of elections for the purposes specified in this Law, and also at the expense of the election funds of parties (blocs) which nominated candidates in the multi-mandate constituency and of the candidates registered in single-mandate constituencies.

4. An election campaign conducted out of the resources of the State Budget of Ukraine allocated for the preparation and conduct of elections shall be pursued in compliance with the principle of equal opportunities, i.e. parties (blocs) the candidates for deputy of which were registered in the multi-mandate constituency and candidates for deputy registered in a single-mandate constituency shall be provided with equal printing areas in printed media and equal broadcast time on radio and television.

5. Bodies of executive power and bodies of local self-government shall assign premises suitable for conducting public events organized by a constituency election commission. At that, the constituency election commission shall be obligated to ensure equal opportunities for all parties (blocs) candidates for deputy of which were registered by the Central Election Commission in the multi-mandate constituency and for candidates for deputy registered in the single-mandate constituency. Payments for the use of the said premises shall be effected in accordance with the procedure set forth in Article 37, paragraph one of this Law.

6. Any party (bloc) the candidate for deputy of which is registered in a single-mandate constituency shall have the right to rent, at the expense of its electoral funds, buildings or any other premises of any form of ownership to hold conventions, meetings, debates, discussions and other public events of election campaign.

7. Ant party (bloc) the candidate for deputy of which is registered in a single-mandate constituency shall notify the respective constituency election commission about the time and venue of conducting public events of election campaign.

Article 52. Information Posters and Election Campaign Materials

1. The Central Election Commission shall, at the expense of funds which are allocated from the State Budget of Ukraine for the preparation and conduct of elections and not later than 35 days prior to the election day, ensure publication of information posters for parties (blocs) candidates for deputy of which were registered in the multi-mandate constituency, in the amount sufficient to furnish five copies to each election commission. The said posters shall include election programs of parties (blocs) submitted by them when registering candidates for deputy, electoral list of the party (bloc), with indication of surnames, first names, patronymics, dates of birth, positions (occupations), places of work and residence, and party affiliations of the candidates for deputy included therein, as well as photographs of the top five candidates for deputy. The form, size and pattern of any such poster shall be established by the Central Election Commission.

2. The Central Election Commission shall coordinate the text of each information poster with a representative of the respective party (bloc).

3. A constituency election commission shall, at the expense of the funds allocated from the State Budget of Ukraine for the preparation and conduct of elections and not later than 35 days prior to the election day, ensure publication of information posters, coordinated with candidates for deputy registered in single-mandate constituencies, in the amount of two thousand copies for each candidate for deputy. The posters shall include the biography of the candidate, his/her election program as submitted for registration, and his/her photograph.

4. Information posters of parties (blocs) and of candidates for deputy registered in single-mandate constituencies, shall, upon their production, be submitted to respective election commissions, in the amount of 5 copies of each poster for each election commission, under the procedure established by the Central Election Commission, while the remaining posters shall be handed over to the candidate for deputy registered in the single-mandate constituency or his/her authorized person.

5. A party (bloc) or a candidate for deputy registered in a single-mandate constituency may at their own discretion produce materials of election campaign at the expense and within the limits of their electoral funds. Any information included into the said materials shall meet the requirements of law.

6. A party (bloc) or a candidate for deputy registered in a single-mandate constituency shall be obligated to submit one copy of each printed election campaign material produced at the expense of the electoral funds to the Central Election Commission or to the appropriate election commission respectively, not later than within seven days from the production of such material.

7. Any printed materials of election campaign shall contain information about the entity that printed them, their circulation, and persons in charge of the issue.

8. Local bodies of executive power and bodies of local self-government shall, not later than 50 days prior to the election day, assign special areas and furnish them with stands and notice-boards in frequently visited public areas for placing of election campaign materials.

9. Information posters of parties (blocs) shall be the same in terms of their form, size and pattern, as established by the Central Election Commission, and information posters of candidates for deputy registered in a single-mandate constituency shall be the same in terms of form, size and pattern as approved by the respective constituency election commission.

10. Information posters shall be transferred to polling districts at least 20 days prior to the election day.

Article 53. General Rules of the Use of Mass-Media

1. Any election campaigns with the use of the mass media of any forms of ownership shall be conducted in compliance with the principle of equal opportunities and under the procedure provided by this Law.

2. An election campaign in the mass media shall be presented in the form of public debates, discussions, round table discussions, press conferences, interviews, speeches, political advertising, television sketches, video films, or other materials about parties (blocs) or candidates for deputy and in other forms that are in compliance with the Constitution of Ukraine and laws of Ukraine.

3. Any party (bloc) shall have the right, at the expense of the funds which are allocated from the State Budget of Ukraine for the preparation and conduct of elections, use the state-owned all-national radio and television channels as well as the newspapers "Holos Ukrainy" and "Uriadovy Kurier" for the purposes of conducting election campaign and on conditions set forth in this Law.

4. Any candidate for deputy registered in a single-mandate constituency shall have the right to use the state-owned and communal mass media, at the expense and within the limits of the funds allocated from the State Budget of Ukraine for the preparation and conduct of elections and on conditions set forth in this Law.

5. Election campaigns in the mass media of any form ownership at the expense of electoral funds of parties (blocs) or of a candidate for deputy registered in a single-mandate constituency shall be conducted on conditions of equal charges for broadcast time or printing area units and shall be limited only by the upper amount of electoral fund expenditures.

6. Charges for broadcast time and printing area units shall be established by the respective mass media not later than 80 days prior to the election day, in the amount not exceeding commercial advertising charges and shall not be subject to any changes during the election process.

7. In any case of promulgation of results of public opinion polls related to the election of deputies, mass media shall make references to the organization that conducted the poll, the time when it was held, the number

of respondents, the methods of data collection, the exact wordings of any posed questions and the statistical value of a possible error.

Article 54. Rules of the Use of Electronic (Audiovisual) Mass Media

1. All television and radio broadcasting organizations shall be obliged to publish in the mass media their charges for one minute (second) of broadcast time not later than 70 days prior to the election day and to communicate the said charges to the Central Election Commission and to constituency election commissions.

2. Broadcast time for conducting election campaigns at the expense and within the limits of the funds allocated from the State Budget of Ukraine for the preparation and conduct of elections shall be provided by state-owned and communal television and radio broadcasting organizations between 7 p.m. and 10 p.m.

3. Broadcast time (broadcast schedules) of television and radio broadcasting organizations having the license of the National Council of Ukraine for Radio and Television Broadcasting for the right to use all-national broadcasting channels shall be changed (although without changing the total broadcast time) for the period of election of deputies, in order to enable regional state-owned television and radio broadcasting organizations to distribute their programs and election campaign broadcasts in the respective regions.

4. The procedure of providing broadcast time at the expense and within the limits of the funds allocated from the State Budget of Ukraine for the preparation and conduct of elections shall be set out by the Central Election Commission.

5. The total broadcast time given by television and radio broadcasting organizations to a party (bloc) for the purposes of conducting election campaigns at the expense and within the limits of funds allocated from the State Budget of Ukraine for the preparation and conduct of elections shall not be less than 30 minutes on an all-national television channel and 30 minutes on an all-national radio channel, with additional 20 minutes on regional television channels in every region (the Autonomous Republic of Crimea, oblasts, cities of Kyiv and Sevastopol) and 20 minutes – on regional radio channels in every region.

6. The total broadcast time given by television and radio broadcasting organizations to a candidate for deputy registered in a single-mandate constituency for the purposes of purposes of conducting election campaigns at the expense and within the limits of funds allocated from the State Budget of Ukraine for the preparation and conduct of elections shall not be less than 10 minutes on a regional television channel covering the territory of the respective single-mandate constituency, and 10 minutes on a regional radio broadcasting channel covering the territory of the same single-mandate constituency.

7. Any comments, irrespective of their form, or evaluations as to the content of election campaigns or programs as well as dissemination of any information about a party (bloc) or its candidates for deputy in the multi-mandate constituency, or any candidate for deputy registered in a single-mandate constituency shall be forbidden within 20 minutes prior to and within 20 minutes after the television or radio broadcasting of the said election campaign television or radio programs.

8. Broadcast time schedules with specific indications of election campaign television or radio programs and the dates and time of their broadcasting shall be drawn up by the respective state-owned and communal television and radio broadcasting organizations in accordance with the results of casting of lots conducted, respectively, by the Central Election Commission or by constituency election commissions with the participation of representatives or authorized persons of parties (blocs), or, accordingly, candidates for deputy registered in single-mandate constituencies or their authorized persons.

9. Results of casting of lots as to distribution of broadcast time for the purposes of conducting election campaigns at the expense of funds allocated from the State Budget of Ukraine for the preparation and conduct of elections shall be publicized in newspapers "Holos Ukrainy" and "Uriadovy Kurier" or, respectively, in the local state-owned and communal mass media within three days from the approval of the said results by the Central Election Commission and constituency election commissions.

10. Payments for the provided broadcast time shall be effected by the Central Election Commission and constituency election commissions in accordance with the estimates approved by them, within the limits of funds allocated from the State Budget of Ukraine for the preparation and conduct of elections and in compliance with the relevant agreements between the Central Election Commission and the National Television Company of Ukraine or the National Radio Broadcasting Company of Ukraine, or, between respective constituency election

commissions and regional state-owned or communal television and radio broadcasting organizations.

11. Any broadcast time at the expense of the electoral fund of a party (bloc) or of a candidate for deputy registered in a single-mandate constituency shall be provided under an agreement concluded by an authorized person of the said party (bloc) or candidate for deputy and a television and radio broadcasting organization of any form of ownership. No broadcast time shall be provided without conclusion of such an agreement and transfer of funds onto accounts of the television and radio broadcasting organization.

12. Television and radio broadcasting organizations shall be obliged to make an audio or video recording of any broadcasts containing election campaign information and to keep such recordings until the expiration of thirty days period from the moment of the official promulgation of election results.

13. Television and radio broadcasting organizations of any form of ownership, if so requested in writing by the Central Election Commission, or constituency election commissions, or the National Council of Ukraine for Television and Radio Broadcasting, or the central body of executive power in charge of information policies, television and radio broadcasting, shall be obliged to provide information on assignment of broadcast time for the conduct of election campaign, and, if necessary, furnish copies of relevant agreements, of payment documents, and of the taped or otherwise recorded broadcasts.

Article 55. Rules of the Use of the Printed Mass Media

1. Parties (blocs) shall have the right, at the expense and within the limits of funds which are allocated from the State Budget of Ukraine for the preparation and conduct of elections, to publish their election programs, as submitted by them at the moment of registration of their candidates for deputy, in newspapers "Holos Ukrainy" and "Uriadovy Kurier", the printing patterns of all such publications to be the same and each material to contain not more than seven thousand eight hundred symbols. The agreement on publication of the said materials with the editorial boards of the above newspapers shall be concluded by the Central Election Commission.

2. Candidates for deputy registered in single-mandate constituencies shall have the right, at the expense and within the limits of funds which are allocated from the State Budget of Ukraine for the preparation and conduct of elections, to publish their election programs, as submitted by them at the moment of registration, in state-owned or communal printed mass media, the printing patterns of all such publications to be the same. The agreements on publication of the said materials with editorial boards of the indicated media shall be concluded by the respective constituency election commissions.

3. The order of publishing of election programs at the expense of funds which are allocated from the State Budget of Ukraine for the preparation and conduct of elections shall be established by the Central Election Commission and by constituency election commissions by casting of lots with the participation of authorized persons of parties (blocs), candidates for deputy registered in single-mandate constituencies, or their authorized persons.

4. The results of casting of lots as to the order of publication of election programs of parties (blocs) shall be published in newspapers "Holos Ukrainy" and "Uriadovy Kurier", and, as to the order of publication of election programs of candidates for deputy registered in single-mandate constituencies by respective constituency election commissions, in local state-owned or communal newspapers, within three days from their approval.

5. Any party (bloc) or candidate for deputy registered in a single-mandate constituency shall have the right to publish, at the expense of own electoral funds, election campaign materials in printed mass media of any form of ownership.

6. Election campaign materials mentioned above in paragraph five of this Article shall be published in accordance with agreements concluded by authorized persons of parties (blocs) or by candidates for deputy registered in single-mandate constituencies with editorial boards of the printed mass media. No such materials shall be published without relevant agreements and transfer of funds onto accounts of the respective printed mass media.

7. Editorial boards of printed mass media of any form of ownership, if so requested by the Central Election Commission or constituency election commissions, shall be obliged to furnish information as to the use of printing areas for the publishing of election campaign materials of parties (blocs) and, if necessary, also provide copies of relevant agreements, payment documents and copies of the requested publications.

Article 56. Restrictions as to Conducting Election Campaigns

1. Participation in election campaigns shall be prohibited to:

a) persons who are not citizens of Ukraine;

b) bodies of executive power and bodies of local self-government as well as officials and employees thereof, and
c) members of election commissions when performing their official duties.

2. In military units (formations) and in penitentiary institutions, conducting of election campaigns shall be restricted. Individual authorized persons of parties (blocs) and candidates for deputy shall not be allowed to visit military units (formations) or penitentiary institutions. Meetings of the said persons with the voters shall be organized by the respective constituency election commissions jointly with commanding officers of military units (formations) or superintendents of penitentiary institutions, with obligatory notification, at least three days prior to the day of the meeting, of all the authorized persons of the parties (blocs) in the relevant constituency and the candidates for deputy registered in that constituency.

3. Dissemination, in any possible form, of materials containing calls to liquidation of the independence of Ukraine, to forcible change of the constitutional order, to violation of the sovereignty and territorial integrity of the nation, to undermining its security, to illegal cease of the state power, or propagating war or violence, or inter-ethnic, racial or religious conflicts, or threatening human rights and freedoms or human health, shall be prohibited.

4. State-owned or communal mass media as well as their officials, employees and creative staff, shall, in any material or program which is not made under an agreement concluded in compliance with the requirements of Article 54, paragraph eleven and Article 55, paragraph six of this Law and throughout the duration of the election process, not be allowed to campaign for or against candidates for deputy or parties (blocs), or to evaluate election programs thereof, or to impart any preferences in any form. Should this stipulation be violated, upon submission of the Central Election Commission or a respective constituency election commission, the activity of the mass media entity in violation may be temporarily suspended by a court decision.

5. Any mass media entity that promulgated information deemed evidently incorrect by a party (bloc) or a candidate for deputy shall be obligated, not later than within three days from the date of promulgation of the said information and at least two days prior to the election day, to provide an authorized person of the said party (bloc) or of the said candidate for deputy, if they so request, with an opportunity to refute the promulgated information, by granting them the same amount of broadcast time on television or radio, or by publishing the material submitted by the said party (bloc) or candidate for deputy, which shall be printed with the same font under the heading "Refutation" and in the same place of the type page, and be of no smaller size than that of the publication refuted. Any refutation shall bear references to the corresponding publication in the printed mass media or the television or radio broadcast, and the facts being refuted. Such refutation shall be published without any supplements, comments or abridgements and at the expense of the respective mass media entity.

6. Conducting of election campaigns accompanied by giving-out of money or by free or preferential distribution of commodities, services, works, securities, credits, lotteries or any other material values shall be prohibited.

7. The Central Election Commission shall furnish, in state-owned mass media, its explanations as to prohibition of conducting any election campaigns accompanied by giving-out of money or by free or preferential distribution of commodities, services, works, securities, credits, lotteries or any other material values. The text of such explanations shall be approved by the Central Election Commission and published in newspapers "Holos Ukrainy" and "Uriadovy Kurier" on their first pages twice a week, as well as regularly broadcasted by television and radio broadcasting organizations starting from 30 days prior to the election day.

8. Regional state-owned or communal television and radio broadcasting organizations shall not broadcast their products to intervene with the election programs of parties (blocs) broadcasted on all-national broadcasting channels at the expense of funds which are allocated from the State Budget of Ukraine for the preparation and conduct of elections.

9. The central body of executive power in charge of information policies, television and radio broadcasting shall, jointly with state-owned television and radio broadcasting organizations subordinate to that authority, be obligated to ensure the procedure under which broadcasting of a party's or bloc's election campaign program on the first all-national television channel should not coincide in time with broadcasting of such program of another party (bloc) on the first all-national radio channel, should the broadcast time for both programs be granted at the expense of funds allocated from the State Budget of Ukraine for the preparation and conduct of elections.

10. Broadcasting of election programs of candidates for deputy registered in single-mandate constituencies on channels of regional state-owned or communal television and radio broadcasting organizations shall not coincide in time with broadcasting of election programs of parties (blocs) on all-national broadcasting channels should such broadcast time be granted at the expense of funds allocated from the State Budget of Ukraine for the preparation and conduct of elections.

11. Inclusion of any election campaign materials of parties (blocs) or candidates for deputy, or of any political advertising into informational television and radio programs shall be prohibited. Political advertising shall be designated as such and separated from any other materials.

12. Election programs of parties (blocs) and of candidates for deputy shall not be interfered with advertising of goods, services and works or with any other announcements.

13. Conducting of election campaigns in foreign mass media pursuing their activity on the territory of Ukraine shall not be allowed.

14. Mass media of any form of ownership pursuing their activities on the territory of Ukraine shall be prohibited to promulgate, within the last 15 days preceding the day of election, any information on the results of public opinion polls as to attitudes to parties (blocs) and candidates for deputy.

15. No printed election campaign materials and no information about election process developments shall be placed on monuments of architecture or in places where they might impede road safety.

16. No candidate for deputy holding a post (including job combination) in bodies of state power and bodies of local self-government, state-owned or communal enterprises, institutions, organizations, or a military unit (formation) may engage in carrying out of his/her election campaign or use for any work related to carrying out of the election campaign his/her subordinates (during working hours), office transportation, communication, equipment, premises or other objects and resources at his/her place of work, as well as use any in-house meeting, production conference or staff meeting for the purposes of election campaigning.

17. Production and dissemination of printed election campaign materials with no indication of the publishing institution, of its circulation or of the information about persons in charge of the issue shall not be allowed.

18. Conduct of election campaigns shall be terminated at 12 p.m. of the last Friday prior to the election day. From the said moment any active conduct of election campaigns (publication of election campaign materials in the printed mass media, distribution of electoral flyers, placement of electoral posters, public appeals as to voting for or against parties (blocs) or candidates for deputy) shall not be allowed. All election campaign materials shall be removed from 12 p.m. of the last Friday prior to the election day by appropriate services of bodies of executive power and bodies of local self-government.

19. No results of polls of voters as to expression of their will at voting may be promulgated before the end of the voting.

20. Any interference with the exercise of the right to conduct election campaign, as well as any violation of the procedure of conducting such campaigns established by law shall entail liability stipulated by laws of Ukraine.

21. Should an election commission receive an application or a complaint as to violations of the requirements set forth in paragraphs three, six and twelve - seventeen of this Article, such commission shall immediately communicate the said application or complaint to the respective law enforcement bodies for verification and response in compliance with laws of Ukraine.

CHAPTER IX. GUARANTEES OF ACTIVITIES OF PARTIES (BLOCS), CANDIDATES FOR DEPUTY, AND OFFICIAL OBSERVERS

Article 57. Guarantees of Activities of Parties (Blocs) in Election Process

1. Any party (bloc) the candidates for deputy of which were nominated in the multi-mandate constituency shall have the right to delegate to the Central Election Commission one representative with the right of deliberative vote, who shall be authorized to represent the interests of his/her party (bloc) in the course of the election process. The candidacy of such representative shall be approved by the central executive body of the respective party (or by the executive body of the bloc).

2. Any citizen of Ukraine with the right to vote may become a representative of a party (bloc) in the Central Election Commission, with the exception of members of election commissions, officials of bodies of state power or bodies of local self-government, military men, privates or senior officers of the bodies of internal affairs of Ukraine and of the Security Service of Ukraine, and persons doing their alternative (non-military) service.

3. An application for registration of a representative of a party (bloc) signed by the leader of the party (or the leaders of the parties in the bloc) and bearing the seal of the party (or seals of the parties in the bloc) as well a copy of the decision of the central executive body of the respective party (or the executive body of the bloc) approving the candidacy of its representative shall be submitted to the Central Election Commission concurrently with the registration of the party's (bloc's) candidates for deputy. The application for registration of a representative of a party (bloc) shall indicate his/her surname, first name, patronymic, citizenship, day, month and year of birth, place of work, employment position (occupation), residential address, and telephone number. The application shall be accompanied by the written consent of the said person to represent the interests of the party (bloc) in the Central Election Commission.

4. The Central Election Commission shall register the representative of the party (bloc) in the Central Election Commission with the right of deliberative vote not later than within three working days from the receipt of the documents indicated above in paragraph three of this Article and shall issue the representative with credentials compliant with the form established by the Central Election Commission. Should the registration of candidates for deputy on the electoral list of any party (bloc) be refused or cancelled, or in the event that a party (bloc) loses its status of the subject of the election process for any other reason, the authority of the representative of such party (bloc) in the Central Election Commission shall be deemed terminated from the moment of emergence of the said circumstances.

5. Any party (bloc) may have not more than five authorized persons at the level of the multi-mandate constituency and one authorized person in each single-mandate constituency. An authorized person of a party (bloc) may not be a candidate for deputy and shall meet all the requirements indicated in paragraph two of this Article. The list of authorized persons with the obligatory indication of respective constituencies shall be approved by the central executive body of the party (or by the executive body of the bloc).

6. An application for registration of authorized persons of a party (bloc) signed by the leader of the party (or leaders of the parties in the bloc) and bearing the applied seal of the party (or seals of the parties in the bloc) as well a copy of the decision of the central executive body of the respective party (or the executive body of the bloc) approving the list of the authorized persons shall be submitted to the Central Election Commission any time after the registration of candidates for deputy included into the electoral list of the party (bloc). An application for registration of authorized persons of a party (bloc) shall indicate each authorized person's surname, first name, patronymic, citizenship, day, month and year of birth, place of work, employment position (occupation), residential address, and telephone number. The application shall be accompanied by written consents of all authorized persons to represent the interests of the party (bloc) in the respective constituencies.

7. The Central Election Commission shall register authorized persons of a party (bloc) not later than within three working days from the receipt of the documents indicated above in paragraph six of this Article and shall provide a representative of the party (bloc) with credentials of the registered authorized persons compliant with the form established by the Central Election Commission. In the event a party (bloc) loses its status of a subject of the election process, the authority of the authorized persons of such party (bloc) shall be deemed withdrawn from the moment of emergence of the said circumstances.

8. Any representative or authorized person of a party (bloc) from the moment of his/her registration by the Central Election Commission and until termination of the said authority or of the election process shall have the right to be relieved from his/her work or service duties without retention of salary and upon agreement of the owner of the employing enterprise, institution, organization and an authorized body thereof.

9. Any representative or authorized person of a party (bloc) shall have the right to submit a resignation notice to the Central Election Commission at any time prior to the election day.

10. The executive body of a party (bloc) which approved its representative or authorized person may at any time prior to the election day make a decision on revoking the said representative or authorized person and approve another candidacy in his/her place. The relevant application, the copy of the said decision and other documents shall be submitted to the Central Election Commission in accordance with the procedure specified in paragraphs three and six of this Article.

11. The Central Election Commission shall pass its decision on cancellation of registration of a representative of a party (bloc) or of an authorized person thereof on the grounds of the application submitted as set forth in paragraph nine or ten of this Article not later than within

three working days from its receipt, or, in the event of such application being submitted on the day before the election or on the election day, - immediately. The copy of the said decision shall be given to the representative of the respective party (bloc) or communicated to the address of the executive body of the party (bloc).

12. Any representative or authorized person of a party (bloc) whose authority is withdrawn before the end of the election process shall immediately return his/her credentials to the Central Election Commission.

13. Any representative of a party (bloc) in the Central Election Commission shall have the following rights:

1) to attend all meetings of the Central Election Commission where issues related to the election of deputies are discussed, and to take part in the relevant discussions;
2) to get familiarized with the contents of minutes of meetings of the Central Election Commission and with its decisions, as well as to receive copies of such decisions;
3) to get immediate access to minutes, telephone messages and other official notices received by the Central Election Commission from constituency election commissions, results of voting in the respective single-mandate constituency, as well as minutes of the respective polling district election commissions on the counting of votes;
4) other rights stipulated in this Law.

14. An authorized person of a party (bloc):

1) shall assist his/her party (bloc) in its participation in the election process, including in the conduct of election campaign;
2) shall represent the interests of his/her party (bloc) in relations with election commissions (except for the Central Election Commission), bodies of state power and bodies of local self-government, electors, and other subjects of the election process on the territory of the respective constituency;
3) may take part, with the right of deliberative vote, in the meetings of election commissions (except for the Central Election Commission) on the territory of the respective constituency;
4) shall have the right to be present at a polling station during the voting and at the meeting of the polling district election commission during the counting of votes, although with restrictions as indicated in Article 25, paragraph nine of this Law;
5) should any violations of this Law be revealed, shall have the right to write a relevant statement, such statement to be signed by the authorized person and at least two electors in witness of the revealed facts and to be submitted to the respective election commission;
6) shall have other rights set forth in this Law.

Article 58. Guarantees of Activity of Candidates for Deputy

1. No candidate for deputy, except for candidates for deputy who are people's deputies of Ukraine, may be refused dispensing from his/her production or service duties at work with provision of unpaid vacation for the period of election campaign.

2. In the course of election campaign no candidate for deputy may be dismissed from work on the initiative of the owner of his/her enterprise, institution, organization, or the body authorized by the owner, or the commanding officer of his/her military unit (formation). No candidate for deputy may be without his/her consent moved to another position, or dispatched on a business trip, or enrolled into military or alternative (non-military) service, or summoned to training (inspection) and special events for the military reserve.

3. Any candidate for deputy registered in a single-mandate constituency may nominate not more than five citizens having the right to vote as his/her authorized persons.

4. Authorized persons of a candidate for deputy registered in a single-mandate constituency shall be registered by the respective election commission in accordance with the candidate's application, on condition that written consents of the said persons are available. The application shall indicate the authorized person's surname, first name, patronymic, citizenship, day, month and year of birth, place of work, employment position (occupation), residential address, and telephone number. The application shall be accompanied by the written consent of the said person to represent the interests of the applying candidate for deputy. The constituency election commission shall register the authorized persons of the candidate for deputy within three working days from the receipt of the above application and issue them with credentials in accordance with the form established by the Central Election Commission.

5. Persons indicated in the second sentence of Article 57, paragraph two of this Law shall not be registered as authorized persons of candidates for deputy.

6. Authorized persons of a candidate for deputy registered in a single-mandate constituency shall assist the candidate in the conduct of the election process and

represent his/her interests in relations with election commissions, bodies of state power and bodies of local self-government, mass media, public associations and electors.

7. Authorized persons of a candidate for deputy shall acquire their authority from the date of registration by a constituency election commission. The authority of these persons shall terminate from the date of a decision canceling registration of the respective candidate for deputy in a single-mandate constituency or from the day of registration of the elected people's deputy of Ukraine.

8. Authorized persons of a candidate for deputy, from the moment of their registration and until termination of the election process, shall have the right to be dispensed from their working or service duties without retention of salary and upon agreement of the owner of the employing enterprise, institution, organization and a body authorized by the owner.

9. Any candidate for deputy shall have the right, at any time prior to the day of election, to apply to the constituency election commission for termination of the authority of his/her authorized person and to submit documents for registration of another authorized person in compliance with the provisions of this Law.

10. Any authorized person of a candidate for deputy shall have the right to submit a resignation notice to the constituency election commission at any time prior to the election day.

11. The respective constituency election commission shall pass its decision on cancellation of registration of an authorized person of a candidate for deputy registered in a single-mandate constituency on the basis of the relevant application submitted as set forth in paragraph nine or ten of this Article and not later than within three working days from its receipt, or, in the event of such application being submitted on the day before the election or on the election day, immediately. The copy of the said decision shall be communicated to the candidate for deputy.

12. In the event stipulated above, the former authorized person of a candidate for deputy registered in a single-mandate constituency shall immediately return his/her credentials to the constituency election commission, which issued such credentials.

Article 59. Official Observers

1. Official observers from parties (blocs) the candidates for deputy of which were registered in the multi-mandate constituency, or named by candidates for deputy registered in single-mandate constituencies, observers from foreign states and international organizations may take part in the election process.

2. The authority of official observers shall commence from the day of their registration by the respective election commission in accordance with the procedure set forth in this Law and shall terminate after the Central Election Commission establishes deputies election results.

3. The election commission that has registered an official observer may terminate his/her authority ahead of time in the event that such official observer violates the laws of Ukraine on elections of deputies. A motivated decision shall be taken regarding termination of the authority of the official observer.

Article 60. Official Observers from Parties (Blocs) and Candidates for Deputy

1. Any citizen of Ukraine having the right to vote may be an official observer from a party (bloc) the candidates for deputy of which were registered in the multi-mandate constituency, or from a candidate for deputy registered in a single-mandate constituency.

2. Any official observer from a party (bloc) or a candidate for deputy indicated in paragraph one of this Article shall be registered by the appropriate constituency election commission in accordance with submissions of, respectively, executive bodies of republic, in the Autonomous Republic of Crimea, oblast, and city, in cities of Kyiv and Sevastopol, organizations of the party (or organizations of the parties constituting the bloc) or of the said candidate for deputy.

3. Submissions as to registration of official observers shall carry indications of their surnames, first names, patronymics, citizenships, residential addresses, and telephone numbers. Such a submission shall be supplemented with the written consents of the official observers to act in such capacity on behalf of the respective parties (blocs) or candidates for deputy.

4. An application as to registration of an official observer shall be signed by the head of republic's, in the Autonomous Republic of Crimea, oblast, and city, in cities of Kyiv and Sevastopol, organizations of parties (or organizations of the parties constituting the bloc) or by the candidate for deputy registered in a single-mandate constituency, and shall be submitted to the respective constituency election commission not later than five days prior to the election day.

5. The respective constituency election commission shall issue the official observers with credentials in accordance with the form established by the Central Election Commission.

6. An official observer shall have the right:
   1) to be present at polling stations during the voting, to observe, at any distance although causing no physical hindrance, actions of the commission members, including in the course of giving out of ballots to voters and counting of votes;
   2) to photograph, to film, and to make audio and video recordings;
   3) to be present when members of the election commission are given ballots to organize voting of electors outside the voting premises or when the said voting takes place;
   4) to attend, in compliance with the requirements of this Law, meetings of the polling district and constituency election commissions, with respect to provisions set forth in Article 25, paragraph nine of this Law, including at the time of counting votes and establishing election results in a single-mandate constituency;
   5) to apply to the respective election commission as to elimination of violations of this Law, should such violations be revealed;
   6) to write a statement as to any revealed violation of this Law, such statement to be signed by the official observer and by at least two other persons in witness of the revealed fact of violation, with indications of their surnames, first names, patronymics, residential addresses, and to further submit such statement to the respective election commission within terms stipulated in Article 29 of this Law, and
   7) to have other rights provided by this Law.

7. An official observer shall have no right
   1) to interfere in the work of an election commission, to take actions disturbing the course of the election process or hindering members of the election commission from exercise of their authority;
   2) to fill in ballots instead of voters (even if they so request);
   3) to be present in the booth (room) assigned for secret voting when a voter fills in his/her ballot.

8. Should an official observer violate any of the requirements of paragraph seven of this Article, a polling district election commission may deprive him/her of the right to be present in the polling station premises during the voting or to attend meetings of the election commission.

9. The executive body of republic, in the Autonomous Republic of Crimea, oblast, and city, in cities of Kyiv and Sevastopol, organizations of parties (or organizations of the parties constituting the bloc), or a candidate for deputy registered in a single-mandate constituency shall have the right to revoke an appointed official observer, to apply in writing to the respective constituency election commission regarding termination of the official observer's authority and to submit documents as to registration of another official observer in accordance with the procedure set forth in this Law.

10. An official observer shall, at any time, have the right to apply to a constituency election commission for termination of his/her authority. On the grounds of such application, the constituency election commission shall make its decision and communicate a copy thereof to the authorized person of the party (bloc) or to the candidate for deputy.

Article 61. Official Observers from Foreign States and International Organizations

1. Official observers from foreign states and international organizations shall be registered by the Central Election Commission. Proposals with respect to their registration shall be submitted to the Central Election Commission not later than 20 days prior to the election day, either directly or through the Ministry of Foreign Affairs of Ukraine.

2. The Central Election Commission shall pass its decisions on registration of official observers from foreign states and international organizations not later than 15 days prior to the election day.

3. The Central Election Commission shall issue official observers from foreign states and international organizations with credentials in accordance with the established form.

4. Official observers from foreign states and international organizations shall exercise their authority on the territory of the multi-mandate constituency.

5. An official observer from a foreign country or an international organization shall have the rights as follows:
   1) to attend meetings of candidates for deputy and authorized persons of parties (blocs) with electors, as well as pre-election conventions, rallies, and meetings of constituency election commissions;
   2) to get familiarized with materials of election campaigns;

3) to be present in polling districts during the voting and counting of votes or when results of the election are established;
4) to photograph, to film, and to make audio- and video-recordings;
5) to express his/her own proposals as to organization of deputies elections and improvement of the now effective legislation of Ukraine in view of the international experience, and to hold press conferences in compliance with the requirements of the laws of Ukraine;
6) to establish, in cooperation with other observers from foreign states and international organizations and in coordination with the Central Election Commission, ad hoc groups of observers for the purpose of coordinating their activities within the limits of authority stipulated in this Law.

6. Official observers from foreign states and international organizations shall observe the elections independently and on their own.

7. The Ministry of Foreign Affairs of Ukraine, other bodies of executive power, bodies of local self-government and election commissions shall cooperate with official observers from foreign states and international organizations in the exercise of their authority.

8. The activities of official observers from foreign states and international organizations shall be funded and otherwise provided for at the expense of nations or organizations that dispatched them to Ukraine, or at such observers' own expense.

9. Official observers from foreign states and international organizations shall have no right to make use of their status in any activities having no relation to observing the elections, or to interfere with the proceedings of election commissions.

CHAPTER X. VOTING AND ESTABLISHING RESULTS OF DEPUTIES ELECTIONS

Article 62. Ballot

1. The form and text of a ballot for voting in the multi-mandate constituency and the form of a ballot for voting in a single-mandate constituency shall be approved by the Central Election Commission no later than 32 days prior to the day of elections. The text of a ballot for voting in single-mandate constituency shall be approved by the appropriate constituency election commission no later than 25 days prior to the day of elections.

2. Ballots shall be documents of rigorous accountability.

3. A ballot shall contain the name and date of elections, an indication of the type of a constituency (multi-mandate all-state constituency or single-mandate constituency), the number of the single-mandate constituency, as well as designated places for the inscription of the number of the polling district, for the seal of the constituency election commission, and for the inscription of the surname and initials and the signature of the member of the polling district election commission who will issue the ballot.

4. A ballot for voting in the multi-mandate constituency shall indicate the full name of every party (bloc, with mandatory indication of the names of the parties constituting the bloc), as well as the surnames, first names, patronymics of the first five candidates for deputy included in the electoral list of the party (bloc). An empty square should be placed to the right of every party's (bloc's) name. The names of the parties (blocs) shall be placed on the ballot in the order established through casting of lots conducted by the Central Election Commission with the participation of representatives of the parties (blocs) after the registration of candidates for deputy included in the electoral lists of the parties (blocs) but not later than 32 days before the election day. After the listing of parties (blocs), the following shall be inscribed: "I do not support candidates for people's deputy of Ukraine from any party (bloc)", and an empty square should be placed to the right of these words.

5. A ballot for voting in a single-mandate constituency shall inscribe the information in the alphabetical order of surnames of the candidates for deputy registered in this constituency, indicating the surname, first name, patronymic, date of birth, place of residence, place of work (occupation), party affiliation of the person nominated as a candidate for deputy. An empty square shall be placed to the right of the information on each candidate for deputy. The following shall be inscribed on the ballot after listing the surnames of all candidates for people's deputy: "I do not support any of the candidates for people's deputy of Ukraine", and an empty square should be placed to the right of these words.

6. A ballot shall contain explanation as to the procedure for completion of the ballot during voting.

7. A ballot shall have a control check, separated from the ballot by the line for separation. The control check shall contain the name and the date of the elections, an indication of the type of a constituency (the multi-mandate all-state constituency or a single-mandate constituency),

the number of the single-mandate constituency, as well as designated places for the number of the polling district, the number of the voter in the voters' list of voters in this district, the signature of the voter receiving the ballot, and for the surname, initials and signature of the member of the polling district election commission who will issue the ballot.

Article 63. The Procedure for Production of Ballots

1. The Central Election Commission shall provide for the centralized production of ballots by state-owned printing enterprises no later than 10 days before the election day on the basis of agreements concluded by it with such printing enterprises.

2. Technological waste, printing spoilage, as well as printing forms shall be destroyed according to procedure and within the time period established in the agreement for ballot production.

3. Ballots shall be received by the Central Election Commission in original wrapping of a producer enterprise.

4. Ballots for voting in the relevant constituency shall be printed on the same paper in accordance with the form established by the Central Election Commission and the text approved by the appropriate election commission, and should be equal in size, color and content. Ballots for voting in the multi-mandate constituency and in single-mandate constituencies shall be printed on paper of different color.

5. A ballot shall be printed in the state language, shall consist of one page, and its text shall be placed on one side only.

6. At a polling district formed on a vessel which is at sea on the day of elections flying the State Flag of Ukraine or at a polar station of Ukraine, ballots may, as an exception on permission of the Central Election Commission, be produced directly by the respective polling district election commission.

7. In the event that a decision on the registration of a candidate for deputy from a party (bloc) in the multi-mandate constituency or on the registration of candidates for deputy in a single-mandate constituency has been revoked after ballots are produced, the Central Election Commission or the appropriate constituency election commission, respectively, shall adopt a decision regarding the introduction of changes to the ballot or regarding reprinting of such ballot. Such changes, in accordance with the decision of, respectively, the Central Election Commission or the appropriate constituency election commission, shall be introduced to the ballots by members of polling district election commissions by means of an appropriate stamp. Every voter should be notified of the changes introduced to the ballot when the ballot is given out.

Article 64. The Procedure for Transferring Ballots to Election Commissions

1. A constituency election commission shall receive ballots from the Central Election Commission at the meeting of the former. The constituency election commission shall complete minutes on the receipt of ballots according to the form established by the Central Election Commission. The minutes shall be completed in triplicate, and every copy of the minutes shall be signed by all members of the constituency election commission and by representatives of the Central Election Commission present during the handing over of the ballots. The first copy of the minutes shall be delivered to the Central Election Commission, the second shall be kept by the constituency election commission, and the third copy shall be immediately posted in the premises of the constituency election commission for general familiarization.

2. No earlier than three days before the election day, at its meeting, the constituency election commission shall hand over the ballots to polling district election commissions. On behalf of every polling district election commission, no less than three members of such polling district election commission, who must be representatives of different parties (blocs), shall receive the ballots.

3. Minutes shall be drawn up regarding the handing over of ballots from the constituency election commission to polling district election commissions according to the form established by the Central Election Commission, indicating the following:

1) the number of the single-mandate constituency;
2) the number of the polling district;
3) the total number of voters in the polling district in accordance with the voters' list on the day of drawing up of the minutes;
4) the numbers of ballots handed over to the polling district for voting in the multi-mandate constituency and in the single-mandate constituency;
5) the surnames and signatures of the members of the polling district election commission who received the ballots.

4. Minutes of handing over of ballots to polling district election commissions shall be completed in triplicate and signed by all members of the constituency election

commission present at the meeting. The first copy of the minutes shall be sent to the Central Election Commission, the second shall be kept by the constituency election commission, and the third copy shall be immediately posted in the premises of the constituency election commission for general familiarization. An excerpt from the minutes shall be handed over to every polling district election commission that received ballots.

5. Ballots shall be delivered to polling district election commissions formed at diplomatic and other representative offices and consular missions of Ukraine abroad and in military units (formations) stationed outside Ukraine, in accordance with the procedure established by the Central Election Commission.

6. Ballots for voting in the multi-mandate constituency and a single-mandate constituency shall be delivered to polling district election commissions in the number which is equal to the number of citizens entered in the voters' list in the respective polling district, supplemented by a reserve the amount of which shall be established by the Central Election Commission.

7. Every member of the constituency election commission, every authorized person of a party (bloc), a candidate for deputy or his/her authorized person shall be entitled to receive copies of minutes of the receipt of ballots from the Central Election Commission and of the handing over of ballots to the polling district election commission, signed by the head and the secretary of the polling district election commission and attested with the commission's seal, but no more than one copy of each minutes per each party (bloc) or each candidate for deputy registered in the single-mandate constituency which they represent.

8. Members of the polling district election commission shall transport ballots to the premises of the polling district election commission accompanied by an officer of internal affairs bodies.

9. On the day of receipt of ballots by the polling district election commission from the constituency election commission at the meeting of the former, members of the polling district election commission shall inscribe the polling district number and affix the seal of the polling district election commission in the designated places of each ballot, and, in the designated places of each control check, the polling district number.

10. Ballots shall be kept in the premises of the polling district election commission in a safe (metal box) sealed by a tape with putting signatures of all members of the polling district election commission present at the meeting on it, and sealed with the seal of the polling district election commission.

Article 65. Premises for Voting

1. Voting shall be conducted in specially allotted premises equipped with an sufficient number of booths (rooms) for secret voting and with designated places for issuing ballots.

2. Ballot boxes shall be placed in such a way that voters, when approaching them, were able to walk through the booths (rooms) for secret voting.

3. Premises for voting should be arranged in such a way that places where ballots are issued, entrance to booths (rooms) for secret voting and exit from such booths (rooms), and ballot boxes were within the field of vision of the members of the polling district election commission and of the persons authorized to be present in the premises for voting under this Law.

4. In the premises for voting or directly in front of the premises, posters shall be placed by the polling district election commission explaining the voting procedure and informing of the liability for any breach of legislation on elections of deputies, as well as electoral lists of candidates for deputies from each party (bloc) in the multi-mandate constituency, and information posters of parties (blocs) placed in the order in which the parties (blocs) appear in the ballot, and information posters of the candidates for deputies registered in the single-mandate constituency placed in the alphabetical order.

Article 66. Organization and Procedure of Voting

1. Voting shall be conducted on the day of elections from 8 a.m. to 8 p.m.

2. A polling district election commission shall inform voters about the time and place of voting no later than 10 days prior to the day when it is held, and, in the exceptional cases of polling district forming pursuant to Article 17, paragraph seven of this Law, on the eve of the election day.

3. The polling district election commission shall be responsible for organizing voting, for equipping premises for voting and maintaining proper order in them, and for ensuring the secrecy of voters' will.

4. No earlier than thirty minutes before the voting commences, the polling district election commission shall hold a meeting during which the safe (metal box) containing ballots shall be opened. On the grounds of the excerpt from the minutes of the constituency election commission

commission on the handing over of ballots to polling district election commission, the head of the polling district election commission shall announce the number of ballots received by the polling district election commission. This information shall be entered to the minutes of the polling district election commission on counting of votes in the polling district in the multi-mandate constituency and the single-mandate constituency, respectively.

5. In the event that any damage to the tape sealing the safe (metal box) is discovered, the polling district election commission shall immediately inform the law-enforcement agencies and the constituency election commission about that and shall undertake the recount of ballots on which a report shall be drawn up signed by all members of the polling district election commission present at the recount and certified with the seal of the polling district election commission.

6. Before the voting commences, the head of the polling district election commission shall provide access for inspection of all ballot boxes to members of the polling district election commission, to the attending authorized persons of parties (blocs), to candidates for people's deputies and authorized persons thereof, to official observers, and to representatives of mass media. Following the inspection, ballot boxes shall be sealed or the seal of the polling district election commission shall be attached to them. A control sheet shall be inserted in every ballot box used for voting in the polling district, inscribed with the number of the single-mandate constituency, the number of the polling district, the time of its insertion in the ballot box, and the surnames of the head, deputy head, secretary and other members of the polling district election commission, of the authorized persons of parties (blocs), of the candidates for deputies and their authorized persons, of the official observers from parties (blocs), and of the candidates for deputies registered in the single-mandate constituency present at this act. All these persons shall sign the control sheet and their signatures shall be certified with the seal of the polling district election commission.

7. Based on the list of voters for the respective polling district, provided that a voter produces a document attesting his/her identity as stipulated by paragraph two of Article 2 of this Law, a member of the polling district election commission shall issue the voter with one ballot for voting in the multi-mandate constituency and one ballot for voting in single-mandate constituency. The voter shall sign for the receipt of the aforesaid ballot in the determined places on the control checks of each ballot and in the list of voters. The member of the polling district election commission who issued the ballots shall inscribe his/her surname and initials and put his/her signature in the designated places on the ballots and the controlling checks. It is prohibited to make any marks on ballots.

8. A voter who, on the election day, arrives for voting at a polling district, producing a certificate of the removal from a list of voters, shall be included in the list of voters in accordance with the procedure established by Article 31, paragraph seven of this Law. Ballots shall be issued to such a voter in accordance with the procedure established by paragraph seven of this Article.

9. A voter may stay in the premises for voting as long as it is necessary for casting vote.

10. Ballots shall be filled in by a voter personally in a booth (room) for secret voting. The presence of other persons during the completing of ballots shall be prohibited. A voter who cannot fill in a ballot on his/her own because of physical incapacity, has the right upon giving notice of this to the head or other member of the polling district election commission, to resort to the help of another person except for the members of the election commission, candidates for deputy, authorized persons thereof, authorized persons of parties (blocs), or official observers.

11. Voter shall have no right to transfer his/her ballot to other persons. Receiving blank ballots from other persons, inducing or compelling voters to transfer ballots to other persons by way of bribery, threats or in any other way, shall be forbidden.

12. On a ballot for voting in the multi-mandate all-state constituency, a voter shall make a mark "plus" (+) or any other mark revealing the voter's intentions in the square beside the name of the party (bloc) for the candidates for deputy of which he/she votes. A voter may vote for the candidates for deputy of only one party (bloc), or refuse to support candidates for people's deputy from any party (bloc). If a voter does not support candidates for deputy from any party (bloc), such voter shall make a mark "plus" (+) or any other mark revealing the voter's intentions in the square beside the words: "I do not support candidates for people's deputies of Ukraine from any party (bloc)".

13. On a ballot for voting in a single-mandate constituency the voter shall make a mark "plus" (+) or any other mark revealing the voter's intentions in the square beside the name of the candidate for deputy for whom he/she votes. A voter may vote for only one candidate for deputy or refuse to support any candidate for deputy. If a voter does not support any candidate for people's deputy in a single-

mandate constituency, such voter shall make a mark "plus" (+) or any other mark revealing the voter's intentions in the square beside the words: "I do not support any of the candidates for people's deputy of Ukraine".

14. A voter shall insert completed ballots into a ballot box. A voter who cannot insert ballots into a ballot box on his/her own because of physical incapacity, shall have the right, upon giving a notice of this to the head or other member of the polling district election commission, to ask another person to do this, except for the members of the election commission, candidates for deputy, authorized persons thereof, authorized persons of any parties (blocs), or official observers.

15. In the event of any damage to a ballot box during voting, the ballot box shall be sealed by the head together with at least three members of the polling district election commission who shall be representatives of different parties (blocs) in such a way as to make insertion of any ballots impossible. Such ballot box shall not be used until the completion of voting.

16. In the event that a voter made an error while filling in a ballot, such voter may without delay apply in writing to the member of the polling district election commission who issued him/her with the ballot with the request to be issued with another ballot. The member of the polling district election commission shall issue another ballot to such voter in accordance with the procedure established by paragraph eight of this Article, but only in return for the spoilt ballot, and shall put the appropriate sign and his/her signature in the list of voters beside the surname of the voter. The spoilt ballot shall be cancelled forthwith as unused, and an appropriate report shall be drawn up. When counting votes, such spoilt and cancelled ballot with the control check shall be counted as unused and shall be put in the package of unused ballots.

17. At 8 p.m., the head of the polling district election commission shall announce the completion of the voting. After this announcement, only those voters who are in the premises for voting shall have the right to cast their votes. When the last voter leaves the premises for voting, the premises shall be closed, and only members of the polling district election commission and such persons that are entitled by this Law to attend the meeting of the polling district election commission, shall stay there.

18. At a polling district formed on a vessel flying the State Flag of Ukraine or at a polar station of Ukraine, the polling district election commission may declare voting completed before the time specified in the first paragraph of this Article, provided that all voters on the list of voters have already took part in the voting.

Article 67. Procedure for Organizing Voting Outside Voting Premises

1. A voter who cannot personally come to voting premises due to health reasons shall have the right to apply to the appropriate polling district election commission with a written request to grant him/her the opportunity to vote outside the voting premises. Such a written request may be submitted no later than twelve hours before the voting begins. The provisions of this paragraph shall not apply to polling districts formed at diplomatic and other representative offices and consular missions of Ukraine abroad.

2. Voter' request to vote outside voting premises shall be registered by the polling district election commission in a separate register with indication of the day and hour of receipt, the surname, first name, patronymic and the place of residence of such voter.

3. On the basis of requests referred to in paragraph one of this Article, the polling district election commission shall, prior to the election day, upon the termination of the period established for submission of such requests, make an excerpt from the list of voters according to the form established by the Central Election Commission for this purpose. In so doing, the secretary of the polling district election commission shall inscribe in the list of voters in the column "Signature of Voter": "votes at home".

4. Voting of voters outside the premises for voting shall be organized by no less than three members of the polling district election commission appointed by this election commission. Such members of the polling district election commission should be representatives of different parties (blocs).

5. Voting outside the premises for voting shall be organized in such a way as to allow voters to vote not later than one hour before the closing time.

6. The head of the polling district election commission shall announce that some members of the polling district election commission are leaving to organize the voting outside the premises for voting. These members of the polling district election commission shall be issued with a necessary quantity of ballots, an extract from the voters' list and a sealed ballot box with a checklist cast into it. The check list shall indicate the time (hour, minutes) of the commission members' departure to conduct the voting outside the voting premises, the number of ballots

received, and the surnames and initials of the polling district election commission members whom the ballots were given to. The checklist shall be signed by present members of the polling district election commission, authorized persons of parties (blocs), official observers from parties (blocs) and candidates for deputy registered in single-mandate constituencies. The seal of the commission shall endorse their signatures.

7. Official observers shall have the right to be present at the voting outside the voting premises.

8. In organizing voting outside the voting premises, a member of the polling district election commission shall issue a voter, on the basis of the extract from the voters' list and on the condition that the voter presents an identity card stipulated by paragraph two of Article 2 of this Law, with one ballot for voting in the multi-mandate and one ballot for voting in a single-mandate constituency. The voter shall sign on the control check of each ballot and on the extract from the voters' list. Then the member of the polling district election commission shall inscribe his/her name and initials and sign in the designated places on the ballots and control checks. The voter shall fill in the ballots in accordance with the procedure stipulated by Article 69, paragraphs twelve and thirteen of this Law and put them into the ballot box.

9. After the voting outside the voting premises has been completed, the polling district election commission member who issued the ballots to the voter shall put the words "voted at home" against that voter's name in the voters' list, and put his/her signature, surname and initials.

10. The excerpt from the voters' list in accordance with which the voting outside the voting premises was conducted shall be attached to the voters' list as its inseparable part. The voters' written requests on the basis of which this voting was organized shall also be attached to the voters' list.

Article 68. Procedure of Counting of Votes in a Polling District

1. The votes shall be counted openly and transparently by members of the polling district election commission at its meeting, which shall be held in the same premises where the voting took place.

2. The meeting of the polling district election commission shall begin immediately after the end of the voting, proceed without a break and end after minutes on the counting of votes in the polling district in the single- and multi-mandate constituencies are signed.

3. The polling district election commission shall count the votes in the sequence of the provisions of this Article.

4. Should any additions be made to the voters' list during the voting, it shall be signed by the head and the secretary of the polling district election commission and sealed with the commission's seal after the end of the voting.

5. On the basis of the voters' list, the polling district election commission shall determine the number of voters in that district. That number shall be announced and entered into the minutes of the counting of votes cast by voters in the polling district for the multi-mandate and single-mandate constituencies.

6. The polling district election commission shall count the unused ballots separately for the multi-mandate and the single-mandate constituencies. The number of such ballots for each of the constituencies shall be announced and entered in the minutes of the counting of votes cast by voters in the polling district for the multi-mandate and the single-mandate constituencies respectively. An unused ballot shall be canceled by separating its bottom right corner. Canceled unused ballots, together with those referred to in Article 66, paragraph sixteen of this Law, shall be packed separately for the multi-mandate and the single-mandate constituencies. The packages shall have the inscriptions "Unused ballots for the multi-mandate constituency" or "Unused ballots for the single-mandate constituency", the number of the single-mandate constituency, the number of polling district, the number of the ballots packed in the relevant constituency, the date and time of packing, the signatures of the polling district election commission members, and the commission's seal.

7. The polling district election commission shall count the number of the voters who have received their ballots by the number of signatures in the voters' list.

8. The polling district election commission shall count the number of control checks from the ballots with the signatures of voters and the polling district election commission members who issued them, separately for the multi-mandate and the single-mandate constituencies. The number of control checks for each of these constituencies shall be announced.

9. If the number of the control checks indicated in paragraph eight of this Article corresponds to the number of the voters who received the ballots referred to in paragraph seven of this Article, this number shall be announced and entered into the relevant minutes of the counting of votes in the polling district (the column titled "Number of voters who received ballots").

10. Should the number of control checks referred to in paragraph eight of this Article not correspond to the number of the voters' signatures in the list of the voters who have received ballots, the polling district election commission shall draw up an act indicating the reason for that divergence established by the commission's decision. The present members of the polling district election commission shall sign the act. Present authorized persons of the party (bloc), candidates for deputy, their authorized persons, official observers from parties (blocs) and candidates for deputy registered in the single-mandate constituency shall also have the right to sign this act. The seal of the commission shall endorse their signatures. After that, the commission shall decide on the establishing the number of the voters who have received ballots for voting in the respective constituency. This number shall be announced and entered in the relevant minutes of the counting of votes in the polling district.

11. The voters' list, the attached excerpt from the list of voters stipulated by paragraph three of Article 67 of this Law, absentee ballots and the voters' requests for giving them an opportunity to vote outside voting premises shall be packed in a separate package. The package shall have the inscription "Voters' list", the number of the single-mandate constituency, the date and time of packing, the signatures of the polling district election commission members present, and the commission's seal.

12. Control checks of ballots for voting in the multi-mandate constituency and those of ballots for voting in a single-mandate constituency shall be packed in separate packages. The packages shall bear the inscriptions "Control checks for the multi-mandate constituency" and "Control checks for the single-mandate constituency", the number of the single-mandate constituency, the date and time of packing, the signatures of the polling district election commission members present, and the commission's seal.

13. Before opening ballot boxes, the polling district election commission shall check whether the sums of unused ballots for the multi-mandate and single-mandate constituencies each corresponds to the number of voters who have received ballots and the number of ballots for that constituency received by the commission. Should these data not coincide, the polling district election commission shall draw up an act indicating the reason it has established for this divergence. The present members of the commission shall sign the act. Present authorized persons of a party (bloc), candidates for deputy, or their authorized persons, official observers from parties (blocs), and candidates for deputy registered in the single-mandate constituency shall also have the right to sign this act. The seal of the commission shall endorse their signatures.

14. The polling district election commission shall verify the integrity of seals on ballot boxes.

15. Should it find a the seal on a ballot box was damaged, the commission shall draw up an act indicating the nature of the damage established, and that act shall be signed by the present commission members. Present authorized persons of a party (bloc), candidates for deputy, or their authorized persons, official observers from parties (blocs), and candidates for deputy registered in the single-mandate constituency shall also have the right to sign this act. The seal of the commission shall endorse their signatures.

16. The polling district election commission shall open the ballot boxes one by one. The ballot boxes used in the voting outside the voting premises shall be opened in the first place. Those found to have damaged seals or other damage established in the course of the voting, if any, shall be the last to be opened.

17. When an undamaged ballot box is opened, its contents shall be poured onto the table at which the polling district election commission members are sitting, and the presence of the checklist in the box shall be verified. Ballots from a damaged ballot box shall be taken out one by one and not mixed. The polling district election commission shall count the number of ballots in the box separately for the multi-mandate and the single-mandate constituencies.

18. Should the check list be absent from the ballot box, the polling district election commission shall draw up a relevant act in accordance with the procedure set up by this Article, stating the number of ballots to be found in that particular ballot box. Those ballots shall not be taken into account when determining of the total number of voters who took part in the voting, and in the counting of the votes separately for the multi-mandate and the single-mandate constituencies.

19. Should there be any doubt as to the authenticity of the checklist, the polling district election commission shall take a decision to exclude the ballots contained in the ballot box from the counting of the total number of voters who took part in the voting.

20. The ballots to be excluded from the counting of the voters who took part in the voting and the counting of the votes cast shall be packed separately for the multi- and the single mandate constituencies. The packages shall bear the inscriptions "Ballots not to be counted for the multi-

mandate constituency" or "Ballots not to be counted for the single-mandate constituency", the number of the single-mandate constituency, the polling district number, the number of ballots packed for the relevant constituency, date and time of packing, the signatures of the polling district election commission members present and the commission's seal.

21. Ballots for voting in the multi-mandate constituency shall be separated from those for voting in a single-mandate one. The polling district election commission shall count the total number of ballots separately for the multi-mandate and the single-mandate constituencies.

22. When counting ballots, the commission member appointed by the commission shall count the votes out loud. All objects that are not ballots of the established form shall be piled up separately and not counted. Should there be any doubt whether an object is a ballot, the polling district shall resolve this question by voting. At this, every commission member shall have the right to personally inspect the object. For the time it takes to inspect the object, the counting of ballots shall stop. Objects that are not ballots shall be packed into a separate package. The package shall bear the inscription "Objects", the number of the single-mandate constituency, the polling district number, the number of ballots packed for the relevant constituency, date and time of packing, the signatures of the polling district election commission members present and the commission's seal.

23. After the counting of ballots in all ballot boxes in accordance with the requirements of paragraph twenty one of this Article, the election commission shall count the total number of ballots in ballot boxes for the multi- and single-mandate constituencies, with the exception of the ballots not eligible for counting in accordance with paragraphs eighteen and nineteen of this Article, and thereby establish the number of voters who took part in the voting for the multi- and the single-mandate constituencies respectively. Each of these numbers shall be announced and entered in the respective minutes of the counting of votes in the polling district.

24. Ballots in the multi-mandate constituency shall be put in places marked by separate tablets having the names of parties (blocs), inscriptions "invalid" and "against all" on both sides. After that, ballots in a single-mandate constituency shall be put in places marked by separate tablets having the surnames of the deputies registered in that single-mandate constituency, and inscriptions "invalid" and "against all" on both sides.

25. When sorting out ballots, the commission member appointed by the commission shall show each ballot to all the other commission members, announcing the voter's will. Should there be any doubt as to the content of the ballot, the election commission shall resolve the question by voting. In so doing, each member of the commission shall have the right to personally inspect the ballot. For the time it takes to inspect the ballot, the work with other ballots shall stop.

26. The following ballots shall be considered invalid:

1) having no seal of the appropriate polling district election commission;
2) having no surname and/or signature of the member of the polling district election commission who issued it;
3) having more than one mark (for multi-mandate constituency ballots) against the names of parties (blocs), or against the name of a party (bloc) and the phrase "I do not support candidates for deputy from any party (bloc)";
4) having more than one mark (for single-mandate constituency ballots) against the surnames of candidates for deputy or the surname of a candidate for deputy and the phrase "I do not support any of the candidate for people's deputies of Ukraine";
5) having no marks at all;
6) having their control checks in place; or
7) those that make it impossible to establish the voter's will for other reasons.

27. Should there be any doubt as to the validity of a ballot, the commission shall resolve the question by voting. In that, each member of the commission shall have the right personally to inspect the ballot. For the time it takes to inspect the ballot, all work with other ballots shall stop.

28. Invalid ballots shall be counted separately for the multi- and the single-mandate constituencies. Each of these numbers shall be announced and entered in the relevant minutes of the counting of votes at that polling district. Invalid ballots shall be packed separately for the multi- and – the single-mandate constituencies. The packages shall have the inscriptions "Invalid ballots for the multi-mandate constituency" or "Invalid ballots for the single-mandate constituency", the number of the single-mandate constituency, the polling district number, the number of invalid ballots packed in the relevant constituency, date and time of packing, the signatures of the polling district election commission members present and the commission's seal.

29. The polling district election commission shall count the number of the votes given for the candidates for deputy in the multi-mandate constituency that were included in the candidate list of a party (bloc), and the number of the voters who did not support any one of the candidates for deputy in the multi-mandate constituency that were included in the list of candidates from all parties (blocs). In the counting of the votes, each commission member shall have the right to check or re-count relevant ballots. The results of the counting of votes in the multi-mandate constituency shall be announced and entered in the minutes of the counting of votes in the polling district in the multi-mandate all-state constituency.

30. When counting the votes in the polling district in the multi-mandate constituency, the polling district election commission shall verify whether the number of voters who took part in the voting in the polling district in that constituency corresponds to the sum of the numbers of invalid ballots in the polling district of that constituency, the ballots cast for candidates for deputy from each party (bloc), and the ballots in which the voters did not support candidates from any party (bloc). Should these data not correspond, the polling district election commission shall draw up an act, indicating the reason it has established for the divergence. The act shall be signed by the present members of the polling district election commission. Present authorized persons of the party (bloc), candidates for deputy, or their authorized persons, official observers from parties (blocs), and candidates for deputy registered in the single-mandate constituency shall also have the right to sign this act. The seal of the commission shall endorse their signatures.

31. Ballots with votes in the multi-mandate constituency that were cast for candidates for deputy from each party (bloc), and ballots in which voters did not support candidates for deputy from any party (bloc) shall be packed separately. The packages shall have the name of the party (bloc), inscription "Did not support candidates for deputy from any party (bloc)", the number of the single-mandate constituency, the polling district number, the amount of ballots packed for the relevant constituency, the date and time of packing, the signatures of the polling district election commission members present and the commission's seal.

32. After finishing counting of votes in the polling district in the multi-mandate constituency, the polling district election commission shall count the number of votes cast for each candidate for deputy in single-mandate constituencies, and the number of voters who did not support any candidate for deputy in that constituency. When counting the votes, each polling district election commission member shall have the right to check or re-count relevant ballots. The results of counting the votes in the polling district in the single-mandate constituency shall be announced and entered in the relevant minutes.

33. In the process of counting votes in a polling district in a single-mandate constituency, the polling district election commission shall verify whether the number of voters who took part in the voting in the said polling district in that constituency corresponds to the sum of invalid ballots in the polling district in that constituency, the ballots cast for candidates for deputy in the single-mandate constituency, and the ballots in which the voters did not support any candidate for deputy. In case of inadequacy of these data, the polling district election commission shall draw up an act, indicating the reason it has established for the lack of correspondence. The act shall be signed by the present members of the polling district election commission. Present authorized persons of the party (bloc), candidates for deputy, or their authorized persons, official observers from parties (blocs), and candidates for deputy registered in the single-mandate constituency shall also have the right to sign this act. The seal of the commission shall endorse their signatures.

34. Ballots with votes in a single-mandate constituency cast for each candidate for deputy in that single-mandate constituency and ballots in which voters did not support any candidate for deputy shall be packed separately. The packages shall bear the surname and initials of each relevant candidate for deputy, the phrase "Did not support any candidate for deputy", the number of the single-mandate constituency, the polling district number, the number of the ballots packed, the date and time of packing, the signatures of the present members of the polling station commission and the commission's seal.

Article 69. Minutes of a Polling District Election Commission on Counting of Votes

1. A polling district election commission at its meeting shall draw up minutes on counting of votes in the polling district in the relevant multi-mandate all-state constituency and minutes on the counting of votes in the relevant single-mandate constituency according to the forms established by the Central Election Commission.

2. Minutes of a polling district election commission on counting of votes in the polling district in the multi-mandate constituency shall include the following data, in figures and in words:

1) the number of ballots for voting in the multi-mandate all-state constituency received by the polling district election commission;
2) the number of voters entered in the polling district's voters' list;
3) the number of unused ballots for voting in the multi-mandate constituency;
4) the number of voters who received ballots for voting in the multi-mandate constituency;
5) the number of voters who took part in the voting at the given polling district in the multi-mandate constituency;
6) the number of invalid ballots for voting in the multi-mandate constituency;
7) the number of votes given in the multi-mandate constituency for the candidates for deputy from each party (bloc); and
8) the number of voters in the multi-mandate constituency that did not support candidates for deputy from any party (bloc).

3. Minutes of a polling district election commission on the counting of votes in a polling district in a single-mandate constituency shall include the following data, in figures and in words:

1) the number of ballots for voting in the single-mandate constituency received by the polling district election commission;
2) the number of voters entered in the polling district's voters' list;
3) the number of unused ballots for voting in the single-mandate constituency;
4) the number of voters who received ballots for voting in a single-mandate constituency;
5) the number of voters who took part in the voting at the given polling district in the single-mandate constituency;
6) the number of invalid ballots for voting in the single-mandate constituency;
7) the number of votes given in the single-mandate constituency for each candidate for deputy; and
8) the number of voters in the single-mandate constituency that did not support any candidate for deputy.

4. Minutes on the counting of votes in the polling district in the multi-mandate constituency shall be drawn up by the polling district election commission in the number of copies that is greater by four than the number of the members of the polling district election commission, and the minutes of the counting of votes in the polling district in the single-mandate constituency – in the number of copies that is greater by three than the number of members of the polling district election commission. The copies of the minutes shall be numbered, each having equal legal force.

5. Each of the minutes of the counting of votes in the polling district shall have the date and time (hour, minutes) of its signing by the members of the polling district election commission. The head, his/her deputy, secretary and other commission members present at the commission meeting shall sign each of the minutes. Should a commission member's signature be missing, the reason for its absence shall be indicated in the minutes against that commission member's surname. The seal of the polling district election commission shall certify the minutes. Authorized persons of parties (blocs), candidates for deputy and their authorized persons, official observers from parties (blocs) and candidates for deputy registered in the single-mandate constituency present at the counting of votes shall have the right to sign the first copies of the minutes.

6. It shall be prohibited to fill out minutes of the counting of votes at a polling district in pencil and to make any kind of corrections therein without a relevant decision of the commission.

7. Should the polling district election commission find any inaccuracies (such as a slip of the pen or a mistake in numbers) after the signing of minutes of the counting of votes in the polling district in the appropriate constituency, it shall consider the question of amending the minutes at its meeting by drawing up new minutes with the mark "Corrected".

8. The first and second copies of minutes of a polling district election commission on the counting of votes in the polling district in the multi-mandate all-state constituency, and the first copy of the minutes of the polling district election commission on the counting of votes in the polling district in a single-mandate constituency, as well as respective copies of each of the minutes with the mark "Corrected", if any, shall be packed into separate packages. The packages shall have the inscriptions, "Minutes of the multi-mandate constituency" or "Minutes of the single-mandate constituency", respectively, and the number of the single-mandate constituency, the polling district number, the date and time of packing, the signatures of the present polling district election commission members and the seal of the commission. The third copy of the minutes of the

counting of votes in the polling district in the multi-mandate constituency and the second copy of the minutes of the counting of votes in the polling district in the single-mandate constituency shall be kept with the secretary of the commission. The fourth and third copies respectively shall be put out immediately for general familiarization in the premises of the polling district election commission. The rest of the copies of each of the minutes shall be handed out to members of the polling district election commission.

9. At the request of authorized persons of parties (blocs), candidates for deputy, their authorized persons, official observers from parties (blocs) and candidates for deputy registered in a single-mandate constituency, who were present at the counting of votes in the polling district, they shall immediately be issued with copies of the minutes mentioned in this Article, authenticated by the head and secretary of the polling district election commission and sealed with the seal of the commission, in an amount of not more than one copy of each of the minutes for each party (bloc) and each candidate for deputy registered in the single-mandate constituency.

10. Packages with minutes of a polling district election commission on the counting of votes in a polling district, ballots, control checks and objects, as well as separate opinions, if any, of the members of the polling district election commission, and acts, petitions, complaints and decisions made by the commission shall be delivered to the constituency election commission immediately after the end of the commission's meeting.

Article 70. Declaration of Voting in a Polling District Void by a Polling District Election Commission

1. A polling district election commission may declare elections in a polling district in a single- and/or multi-mandate constituency void if it establishes a violation of some of the requirements of this Law that makes it impossible to establish the results of the expression of voters' will with accuracy. The polling district election commission may declare elections in the polling district void under any of the following circumstances:

1) illegal voting (casting of a ballot into a ballot box for a voter by another person, except for the cases stipulated by paragraph fourteen of Article 66 of this Law; voting by persons who have no right to vote; voting by persons who are not entered in the voters' list for that constituency or are entered in it without a good and valid reason; voting by the same person more than once) in the amount that exceeds 10 percent of the number of voters who took part in the voting in the polling district in the relevant constituency;
2) finding of ballots in ballot boxes in the amount that exceeds, by more than 10 percent, the number of voters who took part in the voting in the polling district in the relevant constituency;
3) destruction or damaging of a ballot box (boxes) that makes it impossible to determine the content of the ballots, if the number of those ballots exceeds by 10 percent the number of voters who took part in the voting in the polling district in the relevant constituency.

2. Should it establish any of the circumstances referred to in paragraph one of this Article, the polling district election commission shall draw up an act for each particular case. The act shall be signed by all present commission members and sealed with the commission's seal. Such an act (acts) shall be grounds for the consideration by the polling district election commission of the question of declaring the voting in the polling district in that constituency void.

3. Should the commission decide to declare the voting in the polling district in the multi- and/or single-mandate constituency as void, its minutes of the counting of votes in the polling district in the multi-mandate all-state constituency shall contain only the information referred to in items 1-6 of paragraph two of Article 69 of this Law, and the minutes of the counting of votes in the polling district in a single-mandate constituency – only the information referred to in items 1-6 of paragraph three of said Article. A dash shall be put in place of other data. The polling district election commission shall draw up the minutes according to the procedure set forth by Article 69 of this Law.

4. Ballots shall be packed separately for single- and the multi-mandate constituencies. The packages shall have the inscriptions "Ballots of the single-mandate constituency" or "Ballots of the multi-mandate constituency", the number of the single-mandate constituency, the number of the polling district, the number of ballots packed, the date and time of packing, the signatures of the polling district election commission members, and the commission's seal.

5. The decision of the polling district election commission to declare the voting in the polling district in the multi-mandate and/or single-mandate constituencies void, and the act (s) on the basis of which that decision was made shall be attached to the minutes of the counting of votes in the polling district in the relevant constituencies.

Article 71. Procedure of Transporting and Handing Relevant Documents to the Constituency Election Commission

1. Transportation of the documents referred to in paragraph ten of Article 69 of this Law shall be carried out by the head of a polling district election commission or his/her deputy and two other members of the commission, who shall represent different parties (blocs), accompanied by a representative of the law-enforcement agency. It shall be prohibited to unseal the packages with ballots and other documents in the process of transportation.

2. Minutes of the counting of votes in a polling district in relevant constituencies and other documents of a polling district election commission shall be delivered to the relevant constituency election commission at its meeting.

3. The polling district election commission shall communicate the content of the minutes of the counting of votes in the polling district in the relevant constituencies set up on a vessel flying the State Flag of Ukraine on the election day, or at the Ukrainian polar stations, immediately after signing them by members of the Central Electoral Commission, using technical means of communication, to the relevant constituency election commission. The first and second copies of the minutes of the counting of votes in the polling district in the multi-mandate all-state constituency and the first copy of the minutes of the counting of votes in the polling district in the single-mandate constituency shall be subsequently delivered to the relevant constituency election commission along with the other documents specified by paragraph ten of Article 69 of this Law.

4. The polling district election commission shall communicate the content of the minutes of the counting of votes in the polling district in relevant constituencies that were set up at diplomatic and other representative offices and consular missions of Ukraine abroad or in military units (formations) stationed outside Ukraine, immediately after signing them by the members of the Central Election Commission, using technical means of communication, to the relevant constituency election commission. The first and second copies of the minutes of the counting of votes in the polling district in the multi-mandate all-state constituency and the first copy of the minutes of the counting of votes in the polling district in a single-mandate constituency shall subsequently be delivered to the relevant constituency election commission through the relevant central bodies of executive power in accordance with the procedure established by the Central Election Commission. Other documents referred to in paragraph ten of Article 69 of this Law shall be attached to the minutes.

Article 72. Procedure of Accepting and Considering Documents of a Polling District Election Commission by a Constituency Election Commission

1. Minutes of counting of votes in a polling district in the multi-mandate all-state constituency and counting of votes in the polling district in a single-mandate constituency, as well as other documents from polling district election commissions referred to in paragraph ten of Article 69 of this Law, shall be accepted and considered at a meeting of the constituency election commission.

2. The meeting of a constituency election commission shall begin from the moment of the first arrival of minutes of the counting of votes at a polling district and other documents from that polling district and continue without a break until the establishment of results of the voting in the single-mandate constituency. At that time, constituency election commission members may not be engaged in the fulfillment of other functions.

3. If the minutes of the counting of votes in the polling district in the relevant constituency meet the requirements of this Law, all the information contained therein shall be announced.

4. Should the minutes of the counting of votes in the polling district in the relevant constituency reveal any corrections, errors or inaccuracies, the constituency election commission may oblige the polling district election commission to make amendments to those minutes in accordance with paragraph seven of Article 69 of this Law. While the polling district election commission is considering this issue, the copies of the minutes of the counting of votes in the polling district in the relevant constituency and the documents attached thereto submitted to the constituency election commission shall be kept in custody by that election commission.

5. The polling district election commission shall consider, within the time limits established by the constituency election commission, the issue of amending the minutes. The minutes with the mark "Corrected" shall be transported and delivered to the constituency election commission in accordance with the procedure set forth by Article 71 of this Law.

6. If it has acts properly completed by authorized persons of a party (bloc), candidates for deputy, their authorized persons and official observers from parties (blocs) or

candidates for deputy registered in a single-mandate constituency about violations of the requirements of this Law in the course of voting and/or counting of votes in the polling district that put the results of the counting of votes at that polling district into doubt, the constituency election commission may decide to conduct a recounting of the votes in the polling district in the multi- and/or the single-mandate constituencies.

7. Should there be an act or a written petition from persons referred to in paragraph one of Article 71 of this Law regarding violation of the requirements of this Law in the process of transporting the minutes of the counting of votes in the polling district and other related documents to the constituency election commission, the election commission may, and if there are signs that the packages with documents have been opened, should decide to repeat the counting of votes at that polling district for the multi-mandate and/or the single-mandate constituencies.

8. Until the repeat counting of votes in a polling district by a constituency election commission, the minutes of the counting of votes in the polling district in the relevant constituencies and other related documents of the polling district election commission shall be kept in custody at the premises of the meeting of the constituency election commission.

9. The constituency election commission shall conduct repeat counting of votes in a polling district in the multi- and/or single-mandate constituencies with mandatory participation of members of the polling district election commission, who transfer all election documents, after it has considered and accepted minutes from all polling district election commissions. All members of the polling district election commission shall have the right to take part in the repeat counting of votes in the polling district by the constituency election commission, and authorized persons of parties (blocs), candidates for deputy, their authorized persons, official observers from parties (blocs), and candidates for deputy registered in the relevant single-mandate constituency may be present.

10. Should it make a recounting of votes in the given polling district, the constituency election commission shall draw up minutes about the repeat counting of votes in the respective polling district in accordance with the form established by the Central Election Commission.

11. Minutes of the repeat counting of votes at the relevant polling district in the multi-mandate and/or single-mandate constituency shall be drawn up by the constituency election commission in a number of copies that is greater by four than the number of persons constituting the constituency election commission. The copies of the minutes shall be numbered, each having the same legal force. These minutes shall be signed by the present members of the constituency election commission and the members of the polling district election commission who took part in the repeat counting of votes and attested with the seal of the constituency election commission. The data in the minutes shall be announced. Candidates for deputy, their authorized persons, official observers from parties (blocs) and candidates for deputy registered in single-mandate constituencies that were present at the counting of votes shall have the right to sign the first copy of each of the minutes.

12. In case that the constituency election commission reveals, in the relevant polling district, the circumstances referred to in paragraph one of Article 70 of this Law, or other circumstances which result in the impossibility of establishing the results of the voters' expression of will with accuracy, the constituency election commission may decide to declare the voting in the polling district in the multi- and/or single-mandate constituency void. In that case, the minutes on the repeat counting of votes in that polling district in the multi- and/or single-mandate constituency shall be drawn up in accordance with the procedure stipulated in the eleventh paragraph of this Article. It shall only contain the information referred to in items 1-6 of paragraph two and items 1-6 of the paragraph three of Article 69 of this Law.

13. The first copy of the minutes of the constituency election commission of the repeat counting of votes at the relevant polling district in the respective constituency, together with the relevant minutes of the polling district election commission on the counting of votes in the polling district the voting at which was defined as void, and the decision of the constituency election commission to declare the voting void in the multi-mandate and/or a single-mandate constituency shall be attached to the minutes of the constituency election commission on the results of the voting in the multi-mandate all-state constituency and/or the minutes of the constituency election commission on the results of the election of the people's deputy of Ukraine in the relevant single-mandate constituency. The second copy of the minutes of the constituency election commission on the repeat counting of votes at the relevant polling district in the relevant constituency shall be kept with the secretary of the constituency election commission. The third copy shall be given to the polling district election commission. The

fourth copy shall be put out immediately for general familiarization in the premises of the constituency election commission. The rest of the copies shall be given to members of the constituency election commission, one copy each. The data of the minutes of the constituency election commission about the repeat counting of votes in the relevant polling district in the respective constituency shall be announced.

Article 73. Establishing Results of Voting in the Multi-Mandate Constituency Within a Single-Mandate Constituency

1. After adopting and considering the minutes of polling district election commissions on the counting of votes in polling districts in relevant constituencies, among them the minutes with the mark "Corrected", on the basis of the minutes of polling district election commissions on the counting of votes in the polling districts in the multi-mandate all-state constituency and the statements as to the content of such minutes of the polling district election commissions transmitted with the help of technical means of communication from the polling districts set up on the vessels flying the State Flag of Ukraine on the election day, at the Ukrainian polar stations, or at diplomatic and other representative offices and consular missions of Ukraine abroad, and, in case of repeat counting of votes, on the basis of the minutes of the constituency election commission of the repeat counting of votes in the relevant polling district in the multi-mandate all-state constituency, an election commission shall establish the following:

1) the number of ballots for voting in the multi-mandate constituency received by the polling district election commission of a single-mandate constituency;
2) the number of voters entered in voters' lists in a polling district in the single-mandate constituency;
3) the number of unused ballots for voting in the multi-mandate constituency;
4) the number of voters who received ballots for voting in the multi-mandate constituency;
5) the number of voters who took part in the voting in the multi-mandate constituency within the limits of a single-mandate constituency;
6) the number of invalid ballots for voting in the multi-mandate constituency;
7) the number of votes given in the multi-mandate constituency for the candidates for deputy from each party (bloc); and
8) the number of voters in the multi-mandate constituency that did not support the candidates for deputy from any party (bloc).

2. The information about the results of voting in the multi-mandate constituency within the limits of a single-mandate constituency shall be entered in the relevant minutes of the constituency election commission.

3. The minutes on the results of voting in the multi-mandate all-state constituency within the limits of a single-mandate constituency shall be drawn up by the election commission in the number of copies that is greater by three than the number of persons comprising the constituency election commission. The copies of the minutes shall be numbered, each having the same legal force.

4. It shall be prohibited to fill out minutes of the counting of votes in the multi-mandate constituency in pencil and to make any kind of corrections therein without a relevant decision of the commission.

5. The minutes on results of voting in the multi-mandate all-state constituency within the limits of a single-mandate constituency shall be signed by the head, his/her deputy, the secretary and other members of the constituency election commission that are present, and endorsed by the seal of the constituency election commission. The minutes shall indicate the date and time (hour, minutes) of its signing by the members of the constituency election commission. Should the signature of a member of the constituency election commission be missing, the reason for its absence shall be indicated against his/her surname in the minutes. Authorized persons of parties (blocs), candidates for deputy, or their authorized persons, official observers from parties (blocs) and candidates for deputy registered in the single-mandate constituency present at determining of results of voting in the multi-mandate constituency within the limits of the single-mandate constituency shall also have the right to sign this act. Should the constituency election commission find any inaccuracies (such as a slip of the pen or a mistake in numbers) after the signing of the said minutes, it shall consider the question of amending the minutes at its meeting by drawing up new minutes with the mark "Corrected".

6. The first copy of the minutes of the constituency election commission on the results of voting in the multi-mandate all-state constituency within the limits of a single-mandate constituency, and, should any changes be made in the minutes, the minutes in which inaccuracies (a slip of the pen or errors in numbers) were found, together with relevant minutes and acts of polling district election commissions; the decisions made on the basis thereof and,

if available, minutes of the constituency election commission on the repeat counting of votes at the relevant polling district in the multi-mandate all-state constituency within the limits of the single-mandate constituency; separate opinions of the members of the constituency election commission, presented in writing; petitions and complaints about the violation by the constituency election commission of the procedure of establishing the results of voting in the multi-mandate constituency within the limits of a single-mandate constituency; and the decisions made by the constituency election commission based on the results of their consideration shall be sent by the constituency election commission to the Central Election Commission without delay. The second copy of the minutes shall be kept with the constituency election commission, and the third copy shall immediately be put out for general familiarization in the premises of the constituency election commission. The rest shall be given to the members of the constituency election commission, one copy to each member.

7. At their request, authorized persons of parties (blocs) and official observers shall be immediately issued with a copy of the minutes of the constituency election commission on the results of voting in the multi-mandate all-state constituency within the limits of a single-mandate constituency and, if available, the minutes of the repeat counting of votes in the appropriate polling district in the multi-mandate all-state constituency within the single-mandate constituency, a copy of each of the minutes for each party (bloc).

Article 74. Establishing Results of Voting in a Single-Mandate Constituency

1. If none of candidates for deputy remains registered in a given single-mandate constituency on the election day, the constituency election commission shall decide to deem the election of a people's deputy of Ukraine in the relevant single-mandate constituency as such that did not take place. Along with the election documents listed in paragraph six of Article 73 of this Law, that decision shall be sent to the Central Election Commission.

2. After establishing the results of voting in the multi-mandate constituency within the limits of a single-mandate constituency on the basis of minutes of polling district election commissions on the counting of votes in the polling district in the single-mandate constituency, including the ones with the mark "Corrected", and statements on the content of such minutes sent by means of communication from polling districts set up on vessels flying the State Flag of Ukraine on the election day, the Ukrainian polar stations, with diplomatic and other representative offices and consular missions of Ukraine abroad, and the military units stationed outside Ukraine and, in the event of a repeat counting of votes, the minutes of the constituency election commission on the repeat counting of votes at the relevant polling district in a single-mandate constituency, a constituency election commission shall determine:

1) the number of ballots for voting in a single-mandate constituency received by the polling district election commissions;
2) the number of voters entered in the voters' lists in polling districts of the single-mandate constituency;
3) the number of unused ballots for voting in a single-mandate constituency;
4) the number of voters who received ballots for voting in the single-mandate constituency;
5) the number of voters who took part in the voting at the given polling district in the single-mandate constituency;
6) the number of invalid ballots for voting in a single-mandate constituency;
7) the number of votes given for each candidate for deputy; and
8) the number of voters that did not support any candidate for deputy.

3. Information about the results of voting in a single-mandate constituency shall be entered in the relevant minutes of the constituency election commission in figures and in words.

4. The constituency election commission shall draw up its minutes on the results of voting in the single-mandate constituency in the amount of copies that is larger by three than the number of persons comprising the constituency election commission. The copies of the minutes shall be numbered, each having the same legal force.

5. It shall be prohibited to fill out minutes of the counting of votes in a single-mandate constituency in pencil and to make any kind of corrections therein without a relevant decision of the commission.

6. The minutes on the results of voting in a single-mandate constituency shall be signed by the head, his/her deputy, the secretary and other members of the constituency election commission that are present, and endorsed by the seal of the constituency election commission. The minutes shall indicate the date and time (hour, minutes) of its signing by the members of the constituency election commission. Should the signature of

a member of the constituency election commission be missing, the reason for its absence shall be indicated against his/her surname in the minutes. Authorized persons of a party (bloc), candidates for deputy, their authorized persons, official observers from parties (blocs), and candidates for deputy registered in the single-mandate constituency which were present at determination of results of voting in the single-mandate constituency shall also have the right to sign the first copy of the minutes. Should the constituency election commission find any inaccuracies (such as a slip of the pen or a mistake in numbers) after the signing of the said minutes, it shall consider the question of amending the minutes at its meeting by drawing up new minutes with the mark "Corrected".

7. The first copy of the minutes of the constituency election commission on the results of voting in a single-mandate constituency, and, should any changes be made in the minutes, the minutes in which inaccuracies (a slip of the pen or errors in numbers) were found, together with relevant minutes and acts of polling district election commissions; the decisions made on the basis thereof and, if available, minutes of the constituency election commission on the repeat counting of votes at the relevant polling district in a single-mandate constituency; separate opinions of the members of the constituency election commission, presented in writing; petitions and complaints about the violation by the constituency election commission of the procedure of establishing the results of voting in the single-mandate constituency; and the decisions made by the constituency election commission based on the results of their consideration shall be sent by the constituency election commission to the Central Election Commission without delay. The second copy of the minutes shall be kept with the constituency election commission, and the third copy shall immediately be put out for general familiarization in the premises of the constituency election commission. The rest shall be given to the members of the constituency election commission, one copy to each member.

8. At their request, authorized persons of parties (blocs), candidates for deputy, their authorized persons, official observers from parties (blocs), and candidates for deputy registered in the single-mandate constituency shall be immediately be issued with a copy of the minutes.

9. On the basis of the minutes on the results of voting in a single-mandate constituency, the constituency election commission shall make one of the following decisions on the results of voting in a single-mandate constituency: on the declaration of the people's deputy of Ukraine elected; on a repeat voting in the single-mandate constituency; or on submission to the Central Election Commission with regard to declaration of the elections in that single-mandate constituency null and void.

10. A candidate for deputy who has received the majority of votes of the voters who took part in the voting relative to other candidates for deputy who have been running in that district shall be considered a duly elected people's deputy of Ukraine. Should the ballot contain only one candidate for deputy, he or she shall be deemed elected if the number of votes cast for him/her exceeds the number of voters who have not supported any of the candidates for deputy in that single-mandate constituency.

11. Along with the documents referred to paragraph seven of this Article, the constituency election commission shall send its decision on the results of the election in the single-mandate constituency to the Central Election Commission without delay.

Article 75. Repeat Voting

1. If two or more candidates for deputy receive the largest and at the same time equal number of votes in a single-mandate constituency, the constituency election commission shall make a decision to call repeat voting in respect of such candidates for deputy.

2. The repeat voting shall be called no later than within fourteen days after the day of elections and held on Sunday in compliance with the present Law.

3. The Central Election Commission shall approve the form of a ballot for repeat voting in a single-mandate constituency in compliance with Article 62 of the present Law not later than 12 days before the day of elections.

4. A constituency election commission shall approve the text of a ballot for repeat voting in a single-mandate constituency not later than on the second day after the day of elections subject to Article 62, paragraph 5 of the present Law. The text of such ballot shall be sent to the Central Election Commission without any delay.

5. Ballots for repeat voting shall be produced at least five days before the day of elections and delivered to a constituency election commission not later than three days before the day of elections.

6. If out of candidates for deputy who received the largest and at the same time equal number of votes in a single-mandate constituency, there is only one candidate for deputies left as a result of withdrawal from elections of

other mentioned candidates, the constituency election commission shall repeal the decision on holding repeat voting and takes the decision on declaring that candidate people's deputy of Ukraine elected in that constituency.

7. If all the candidates for deputy who received the largest and at the same time equal number of votes in a single-mandate constituency withdraw their candidatures from elections, the constituency election commission shall repeal the decision on holding repeat voting and takes the decision on declaring elections in that constituency as such that did not take place.

8. A constituency election commission shall immediately send its decisions mentioned in paragraphs six and seven of this Article to the Central Election Commission and make them public in local mass media no later than two days after they were adopted.

Article 76. Establishing Results of Elections of Deputies in the Multi-Mandate Constituency

1. Based on the minutes submitted by constituency election commissions on the results of voting in the multi-mandate all-state constituency within the limits of respective single-mandate constituencies, the Central Election Commission, at its meeting, shall establish the results of deputies elections in the multi-mandate constituency no later than within fifteen days after the elections and draw up minutes thereon. The minutes on results of the deputies elections in the multi-mandate all-state constituency shall contain the following data in words and figures:

1) The number of ballots printed for voting in the multi-mandate constituency.
2) The number of ballots printed for voting in the multi-mandate constituency as received by polling district election commissions.
3) The number of voters registered on voters' lists in polling districts.
4) The number of unused ballots for voting in the multi-mandate constituency.
5) The number of voters that received ballots for voting in the multi-mandate constituency.
6) The number of voters that participated in voting in the multi-mandate constituency.
7) The number of ballots for voting in the multi-mandate constituency that was declared void.
8) The number of votes cast for candidates included in the electoral list of each party (bloc).
9) Percentage of votes cast for candidates from each party (bloc) in relation to the number of voters that participated in the voting.
10) The number of voters that did not support candidates for deputy from any party (bloc) included in the party (bloc) electoral lists.

2. Candidates for deputy included in the list of candidates of a party (bloc) that obtained four and more percent of votes cast by voters that participated in the voting shall have the right to take part in the distribution of deputy mandates.

3. Candidates for deputy included in the list of candidates of a party (bloc) that obtained less than four percent of votes cast by voters that participated in the voting shall not have the right to take part in the distribution of deputy mandates.

4. Deputy mandates shall be distributed between lists of candidates of parties (blocs) proportionally to the number of votes received by the candidates for deputy included in electoral lists referred to in paragraph two of the present Article, such distribution being made in the sequence prescribed in paragraphs five – seven of this Article.

5. The number of votes necessary to obtain one deputy mandate (hereinafter referred to as "electoral quota") is calculated by dividing the total number of votes cast for candidates included in party (bloc) electoral lists that received four and more percent of votes by the number of deputy mandates.

6. The number of votes cast for candidates for deputy included in the electoral lists of each party (bloc) that obtained the right to take part in the distribution of deputy mandates shall be divided by electoral quota. The quotient is the number of deputy mandates obtained by candidates of this party (bloc). Fractional remainders shall be used for distribution of mandates that remain undistributed.

7. Parties (blocs) the candidates for deputy of which have larger fractional remainders in comparison with others after division, receive one additional mandate, beginning from the party (bloc) electoral list that has the largest fractional remainder. If fractional remainders of two or more party (bloc) electoral lists are equal, the additional mandate shall be obtained first by the electoral list of the party (bloc) the candidates for deputy of which received the greater amount of votes.

8. Determining, pursuant to the sequence in parties (blocs) electoral lists, of the individuals elected deputies from parties (blocs), in accordance with the number of deputy mandates received by parties (blocs) electoral lists, shall be the results of deputies elections.

9. After the number of deputy mandates received by parties (blocs) electoral lists has been established and individuals elected deputies have been identified according to paragraph eight of this Article, the Central Election Commission shall fix in the minutes on results of elections of people's deputies of Ukraine in the multi-mandate all-state constituency the following:

1) the number of deputy mandates obtained by parties (blocs) electoral lists;
2) the surname, first name and patronymics, date of birth, profession, position (occupation), place of employment, place of residence and party affiliation of elected deputies.

10. The minutes of the Central Election Commission on the results of people's deputies of Ukraine elections in the multi-mandate all-state constituency shall be made in two copies and signed by the head, deputy head, secretary and other members of the Commission that attended its meeting and shall be affixed with seal of the Central Election Commission. If any, separate opinions of members of the Central Election Commission, presented in writing, applications and complaints with regard to violations by the Central Election Commission of the procedure for determining election results in the multi-mandate constituency, as well as decisions that the commissions adopted thereon shall be attached to the minutes. The first copy of the minutes shall be kept with the Central Election Commission; the second one shall be immediately posted in the premises of the Central Election Commission for general familiarization. Copies of the minutes shall be made available to party (bloc) representatives at their requests.

Article 77. Declaring Elections Void

1. The Central Election Commission may declare deputies elections in a single-mandate constituency void upon the request of a respective constituency election commission if:

1) in the course of deputies elections in the single-mandate constituency or during the counting of votes in this constituency, violations of the requirements of the present Law took place, not allowing to accurately determine results of voters' expression of will.
2) the number of polling districts where elections in the single-mandate constituency were declared void makes not less than 25 percent of the total number of polling districts set up on territory of this single-mandate constituency.

2. Violations of this Law that were intended to encourage or did encourage voters to vote for candidates not elected deputies as a result of elections in this single-mandate constituency, as well as violations that were committed during the deputies elections in the multi-mandate constituency within the territory of a single-mandate constituency, may not be a ground for declaring deputies elections in the single-mandate constituency void.

3. Decision on lodging a submission with the Central Election Commission related to declaring void deputies elections in a single-mandate constituency shall be adopted at the meeting of a constituency election commission by the majority of two-thirds of the commission's members.

4. Request to declare void deputies elections in a single-mandate constituency, which shall contain motivated reasons for declaring elections void, shall be submitted to the Central Election Commission together with the documents mentioned in Article 73, paragraph six, and Article 74, paragraphs one and seven of this Law.

5. The Central Election Commission may declare deputies elections in a single-mandate constituency void on its own initiative based on the grounds referred to in paragraph one of this Article or based on a court decision.

Article 78. Official Promulgation of Election Results

1. No later than five days after determining election results in the multi-mandate and single-mandate constituencies, the Central Election Commission shall officially promulgate deputy election results in newspapers "Holos Ukrainy" and "Uriadovy Kurier". The list of elected deputies shall be published in alphabetical order indicating their surname, first name and patronymic, date of birth, profession, position (occupation), place of employment, place of residence, affiliation to a party, constituency and the entity that nominated their candidatures.

2. Official promulgation of deputy election results by the Central Election Commission shall be deemed to be the ground for an individual elected deputy to be dismissed from the position incompatible with deputy mandate and for termination of any other representative mandate of such individual.

Article 79. Registration of Elected Deputies

1. To be registered as a people's deputy of Ukraine, an individual elected deputy shall be obliged to submit to the Central Election Commission no later than twenty days after official publication of election results the document on his/her dismissal from the position incompatible with

deputy mandate and (or) a copy of the registered application for termination of any other representative mandate as filed with the respective council.

2. If an individual elected deputy informs the Central Election Commission that valid reasons hindering him/her from observing the provisions of paragraph one of this Article, the Central Election Commission may take the decision on accepting these reasons as valid and may fix another deadline for complying with the mentioned provisions or may refuse to recognize these reasons as valid.

3. Having received documents referred to in paragraph one of this Article, the Central Election Commission shall take a decision on registration of the elected deputy.

4. If an individual elected deputy in the multi-mandate constituency does not comply with the provisions of paragraph one of this Article without valid reasons within the time limits prescribed in paragraphs 1 and 2 of this Article, the Central Election Commission shall take a decision on declaring him/her as such that refused to bear deputy mandate and announce the candidate that follows him/her in the electoral list of respective party (bloc) as deputy elected in the multi-mandate constituency.

5. If an individual elected deputy in a single-mandate constituency without valid reasons does not comply with provisions of paragraph one and two of this Article within time limits prescribed in paragraphs one and two of this Article, the Central Election Commission shall take a decision on declaring him/her as such that refused to bear deputy mandate and call a repeat election in the respective single-mandate constituency.

6. The Central Election Commission shall issue temporary credentials of people's deputy of Ukraine of an established type to the individual registered as deputy, no later than seven days after his/her registration.

7. The decision of the Central Election Commission on the registration of a deputy and temporary credentials of a people's deputy of Ukraine shall be the ground for him/her to take the oath of a people's deputy of Ukraine.

Article 80. Credentials of a People's Deputy of Ukraine

After a deputy takes the oath of a people's deputy of Ukraine, the Central Election Commission shall issue him/her credentials of a people's deputy of Ukraine of an established type within seven days.

Article 81. Replacing Deputies Elected in the Multi-Mandate Constituency Who Resigned

1. If a people's deputy of Ukraine elected in the multi-mandate constituency terminates his/her term of office in advance or if his/her term of office has been terminated in advance for the reasons and according to the procedure envisaged by the Constitution of Ukraine and laws of Ukraine, the first candidate that follows him/her in the electoral list of the respective party (bloc) shall be deemed to be elected deputy upon the decision of the Central Election Commission. In the event the list of candidates for deputy contains no candidatures to obtain deputy mandate, this mandate shall remain vacant till the conduct of regular or extraordinary elections.

2. Registration of an individual elected deputy in accordance with paragraph one of this Article and issuance of the temporary credentials of a people's deputy of Ukraine to him/her shall be made by the Central Election Commission under the procedure established in Article 79 of this Law.

3. A party (bloc) that nominated candidates for deputy included in its electoral list that participated in deputy mandate division may take the decision on exclusion of a candidate for deputies that was not elected deputy in accordance with Article 76, paragraph eight, of the present Law, from its electoral list at any time after the day of election and prior to registration of this individual as a people's deputy of Ukraine under paragraph one of this Article. Such a decision shall be made by the convention (meeting, conference) of the party concerned or inter-party convention (meeting, conference) of parties that were a part of the bloc from the election day, based on party's statute (agreement on establishing the bloc). An excerpt from minutes of the convention (meeting, conference) proceedings signed by the head and the decision signed by the leader of the party (leaders of parties that were a part of the bloc on the election day) and stamped with the seal of the party (seals of the respective parties) shall be transmitted to the Central Election Commission within dive days from the day of the decision. Based on these documents, the Central Election Commission shall take a decision on exclusion of the candidate for deputy mentioned in the decision from the party (bloc) electoral list within seven days.

CHAPTER XI. REPEAT, INTERIM AND EXTRAORDINARY ELECTIONS

Article 82. Peculiarities of Preparation and Conduct of Repeat Elections

1. Repeat deputies elections in a single-mandate constituency shall be conducted if deputies elections in this constituency were declared void or as not conducted, or if the individual concerned was declared as such that refused to bear deputy mandate, in accordance with Article 79, paragraph five of the present Law.

2. The decision on calling repeat deputies elections in a single-mandate constituency shall be made by the Central Election Commission within the time limits prescribed in Article 15, paragraph four of the present Law.

3. Repeat deputies elections in a single-mandate constituency shall be held during the last week of the sixty-day period from the day of publication of the decision on their calling. Voting shall be conducted by the same constituency election commissions and polling district election commissions in the same polling districts using the same lists of voters that were used for regular (interim) elections. The nomination and registration of candidates for deputy and other electoral procedures shall be conducted according to Article 84 of this Law.

4. The form of a ballot for voting in a single-mandate constituency during repeat elections shall be approved by the Central Election Commission at least 24 days before the day of elections. A respective election commission shall approve the text of a ballot for voting in a single-mandate constituency at least 20 days before the day of elections.

5. Individuals found guilty by a court of that deputies elections or repeat voting in a single-mandate constituency had been declared void, as well as individuals whose registration as candidates for deputy was cancelled based on violation of the present Law may not stand for repeat deputies elections in the single-mandate constituency.

Article 83. Peculiarities of Preparation and Conduct of Interim Elections

1. Interim deputies elections in a single-mandate constituency shall be held if the people's deputy of Ukraine elected in this constituency has terminated his term of office in advance or if his term of office has been terminated in advance on the grounds and according to the procedure provided for by the Constitution and laws of Ukraine.

2. The decision to call interim deputies elections in a single-mandate constituency shall be made by the Central Election Commission within the time limits prescribed in Article 15, paragraph five of the present Law.

3. Interim deputies elections in a single-mandate constituency shall be held during the last week of the sixty-day period from publication of the decision on their calling. Creation of election commissions and polling districts, as well as nomination and registration of candidates for deputy and other electoral procedures shall be conducted according to Article 84 of this Law.

4. Voters' lists shall be compiled according to Article 84, paragraphs nine and ten of the present Law.

5. The Central Election Commission shall approve the form of a ballot for voting in the multi-mandate constituency and the form of a ballot for voting in a single-mandate constituency at least 24 days before the day of interim elections. A respective election commission shall approve the text of ballot for voting in a single-mandate constituency at least 20 days before the day of elections.

Article 84. Peculiarities of Preparation and Conduct of Extraordinary Elections

1. To conduct extraordinary deputies elections, single-mandate constituencies that were set up for the last elections of people's deputies of Ukraine shall be used.

2. Polling districts for conducting extraordinary elections shall be created at least 19 days before the day of elections and, in exceptional cases, a polling district may be created under Article 17, paragraph seven of the present Law at least five days before the day of elections according to the procedure prescribed by this Law.

3. Constituency election commissions shall be established no later than 50 days before the day of elections upon submissions of parties (blocs) that were subjects of election process during the last elections of people's deputies of Ukraine, which should be presented to the Central Election Commission at least 22 days before the day of elections.

4. Polling district election commissions shall be set up at least 12 days before the day of elections and in exceptional case of creation of a polling district under Article 17, paragraph seven of the present Law – concurrently with the establishment of polling districts upon submissions by district, city (city-district) or higher level party cells (organizations) (party cells (organizations) that are part of the bloc) – subjects of election process, candidates for deputy registered in respective single-mandate

constituencies, that shall be submitted to the constituency election commission at least 15 days before the day of elections according to the procedure provided for in Article 21 of the present Law.

5. Nomination and self-nomination of candidates for deputy shall start on the next day after the publication of the Presidential Decree on the pre-term termination of the authority of the Verkhovna Rada of Ukraine and end at least 40 days before the day of elections.

6. Submission of documents to a respective election commission for registration of candidates shall end 30 days before the day of elections. Registration of candidates for deputy shall end 25 days before the day of elections.

7. Election campaign publicity shall start 24 days before the day of elections.

8. Information posters of parties (blocs) and candidates for deputy registered in single-mandate constituencies, mentioned in Article 52 of the present Law, shall be produced at least 15 days before the day of elections.

9. Voters' lists shall be made by executive bodies of village, township, city (in cities where district councils do not exist), city district councils or by the bodies (officials) that exercise their functions according to the law, based on voters' lists that were used for the last voting at elections of people's deputies of Ukraine, presidential elections of Ukraine, national or municipal referendum, according to the form prescribed by the Central Election Commission. The bodies mentioned above rectify these lists and transmit them to polling district election commissions at least 10 days before the day of elections.

10. Voters' lists shall be compiled according to Article 30, paragraph four of the present Law in polling districts created at stationary medical institutions, vessels flying the State Flag of Ukraine on the day of elections, diplomatic and other representative offices and consular missions of Ukraine abroad, military units (formations) stationed outside Ukraine, penitentiary institutions and other places of temporary residence of voters with limited capacity of movement.

11. The Central Election Commission shall approve the form and the text of a ballot for voting in the multi-mandate constituency and the form of a ballot for voting in a single-mandate constituency at least 24 days before the day of elections. A respective constituency election commission shall approve the text of a ballot for voting in a single-mandate constituency at least 20 days before the day of elections.

CHAPTER XII. CONCLUDING PROVISIONS

Article 85. Responsibility for Violation of Ukrainian Legislation on Deputies Elections

1. An individual shall be brought to criminal, administrative or any other responsibility in accordance with the procedure established by law, if he/she:

1) hinders, by means of violence, fraud, threat, bribery or otherwise, free exercise of the right to vote and to be elected of citizen of Ukraine;
2) benefits from his/her official position in view of being elected deputy;
3) did not make voters' lists in due time or verify information that should be included in these lists;
4) infringes on citizen's right to familiarize himself/herself with voters' list;
5) imparts obviously misleading information on candidates for deputy or commits other actions that humiliate honor and dignity of candidates for deputy;
6) impedes conducting of election campaigns or violates established rules for conduct of election campaigns;
7) does not observe the procedure for financing election process as established by the present Law;
8) creates obstacles to, or interferes in, the proceedings of election commissions or activities of elections commission members related to performance of their functions;
9) prevents voting in polling districts;
10) breaks the secrecy of voting;
11) forces voters to vote against their will;
12) violates the present Law when issuing ballots: issues ballots to citizens in order to allow them to vote instead of other persons or to vote more than once, issues ballots to citizens that are not on voters' lists in the polling district concerned or issues to citizens ballots that have been already filled in;
13) transmits blank ballots to other persons, except for the cases provided for by the present Law;
14) committed forgery with regard to election documents, a distortion or prepared and issued obviously false documents, or obviously miscalculated votes cast, or inaccurately established election results.

2. Laws of Ukraine may provide for responsibility for other violations of Ukrainian legislation on deputies elections.

Article 86. Storage of Election-Related and Other Documents and Material Values

1. After the official promulgation of deputies elections results, the Central Election Commission shall deposit election-related and other documents in the respective central state archive institution while constituency election commissions deposit such documents to respective local state archives.

2. The list of election-related and other documents subject to the storage in state archive institutions, as well as the manner in which they should be passed to these institutions shall be established by the Central Election Commission upon agreement with the central body of executive power undertaking administration of archives.

3. After termination of powers of polling district and constituency election commissions, local bodies of executive power and bodies of local self-government shall be obliged to ensure the storage of ballot boxes, polling booths, seals and stamps of these commissions, as well as methodological literature they were provided for the time of election process.

4. Minutes of election commissions, respectively, on counting of votes in polling districts in the multi-mandate constituency within the limits of a single-mandate constituency, on the results of voting in single-mandate constituencies and on deputy election results, as well as ballots, ballot counterfoils, voters' lists, acts, applications, complaints about violations of the present Law during voting and counting of votes, other minutes and decisions of election commissions shall be kept in local state archive institutions throughout three years after the official publication of the deputy election results. After the expiration of this period, they should be destroyed in accordance with the prescribed procedure.

5. The state archive institutions shall ensure access to documents related to deputies' elections in accordance with the procedure prescribed by Ukrainian legislation.

CHAPTER XIII. FINAL AND TRANSITIONAL PROVISIONS

1. The present Law shall enter into force on the day of its official publication.

2. Until the legislation of Ukraine is brought in compliance with the present Law, laws and other regulations shall apply in so far as they are not contrary to the present Law.

3. To prepare and conduct voting on the day of elections on 31 March 2002, general lists of voters mentioned in Article 30, paragraph one of the present Law shall be compiled before 15 January 2002.

4. The Cabinet of Ministers of Ukraine, within three months after the promulgation of the present Law, shall:
prepare and submit to the Verkhovna Rada of Ukraine proposals for bringing Ukrainian laws in compliance with the present Law;
bring its regulations in compliance with the present Law;
ensure adoption of regulations provided for by the present Law;
ensure that ministries and other central bodies of executive power review and repeal their regulations contradicting the present Law.

5. To deem null and void the Law of Ukraine "On Elections of People's Deputy of Ukraine" (Vidomosti of the Verkhovna Rada of Ukraine, 1997, # 43, p. 280; 1998, # 5, p. ib., p. 18, p. 19, # 10, p.38, # 14, p.62; 2000, # 30, p.234; 2001, # 9, p. 38) and the Regulation of the Verkhovna Rada of Ukraine "On Effectiveness of the Law of Ukraine "On Elections of People's Deputy of Ukraine" of 3 March 1998 (Vidomosti of the Verkhovna Rada of Ukraine, 1998, # 8, p. 30).

The President of Ukraine

L.KUCHMA

Kyiv, 18 October, 2001

2766-III

LAW OF UKRAINE
ON ELECTIONS OF THE PRESIDENT OF UKRAINE

CHAPTER I. GENERAL PROVISIONS

Article 1. The main principles and grounds of elections of the President of Ukraine.

1. President of Ukraine shall be elected by citizens of Ukraine based upon universal, equal and direct suffrage by secret voting for a five-year term.

2. The electoral process shall be carried out on the following grounds: multi-party system, free and equal nomination of candidates for President of Ukraine; transparency and openness; freedom of campaigning; equal opportunities for all candidates in the conduct of election campaign; impartiality towards candidates on the part of the state power bodies, bodies of local self-government and their public and authoritative officials.

3. Participation of Ukrainian citizens in elections of the President of Ukraine is voluntary. No individual can be compelled to take part in or to refrain from participating in the elections.

Article 2. General franchise.

1. Elections of the President of Ukraine shall be universal: citizens of Ukraine who are 18 years of age on election day shall have the right to vote.

2. A citizen of Ukraine, who is thirty five years of age on the day that elections are conducted, who is eligible to vote, has resided in Ukraine for ten years preceding election day, and who speaks the state language, may be elected President of Ukraine. The same person can be elected President of Ukraine for no more than two consecutive terms of office.

3. Any direct or indirect privileges or restrictions of suffrage of Ukrainian citizens based on race, skin color, political, religious and other convictions, gender, ethnic and social origin, property status, place of residence, and based on lingual and other characters besides ones envisaged in the Constitution of Ukraine and this Law are prohibited.

4. Citizens found incompetent by a court do not have the right to vote.

5. Citizens who stay in penitentiary facilities or have conviction for premeditated crime and this conviction has not been overturned or removed in the order established by Law cannot be nominated as candidates for the president of Ukraine.

Article 3. Equal franchise.

Elections of the President of Ukraine shall be equal: citizens of Ukraine participate in elections on equal bases, each voter has one vote.

Article 4. Direct franchise. Secret voting.

1. The President of Ukraine shall be elected directly by the voters.

2. Voting on elections of the President of Ukraine is to be secret: control over "voters' will expression" is prohibited.

Article 5. The right to nominate candidates for President of Ukraine.

1. The right to nominate candidates for President of Ukraine (hereinafter referred to as candidates) belongs to the citizens of Ukraine who have the right to vote. This right shall be exercised by them in order established by this Law directly through political parties and their electoral blocs (hereinafter referred to as parties (blocs)) and through meetings of voters including self nomination.

2. A party (bloc), or meetings of voters may nominate only one nominee for candidate for the President of Ukraine.

Article 6. Organization and conduct of elections of the President of Ukraine by election commissions.

Elections of the President of Ukraine shall be organized and conducted by election commissions which are to be formed and to operate in the order established by this and other Laws of Ukraine.

Article 7. Transparency and openness of elections of the President of Ukraine.

1. Preparation and conduct of elections of the President of Ukraine shall be carried out in an open and transparent manner.

2. Decisions of state bodies, bodies of local self-government, election commissions in relation to elections of the President of Ukraine shall be brought to knowledge of the citizens through mass media and in some cases shall be publicized otherwise within a five-day term from the day of their adoption, unless other is envisaged by Law.

3. Election commissions accordingly shall inform citizens of their membership, location and working hours, of the formation of territorial election constituencies and polling stations, and shall ensure opportunities for them to get acquainted with voter lists, biographical data of candidates and with their election programs, with the forms of and procedure for filling out the signature sheets and election ballots, shall notify population of the voting results and results of elections of the President of Ukraine, and shall provide other information in cases provided for by this Law.

4. The mass media shall objectively cover the course of preparation and conduct of elections, their representatives are guaranteed unrestricted access to all election-related sessions and meetings. Election commissions, state power bodies, bodies of local self-government shall provide them with information on the preparation and conduct of the elections.

Article 8. Legal basis of organization and conduct of elections of the President of Ukraine.

The organization and conduct of the elections of the President of Ukraine is regulated by the Constitution of Ukraine, this Law, by the Law of Ukraine "On the Central Election Commission", and by other Laws of Ukraine.

CHAPTER II. PROCEDURE AND TERMS FOR CALLING AND CONDUCT OF THE ELECTIONS

Article 9. Types of elections and procedure for their calling.

1. Elections of the President of Ukraine may be regular, extraordinary and repeat.

2. Decision on the conduct of elections of the President of Ukraine shall be adopted by the Verkhovna Rada of Ukraine.

3. Elections of the President of Ukraine shall be called on Sunday. Verkhovna Rada of Ukraine shall announce the day of elections through the mass media.

Article 10. Terms for calling the elections.

1. Regular elections of the President of Ukraine shall be conducted on the last Sunday of October of the fifth year of authority of the President of Ukraine. Decision to conduct regular elections is to be adopted no later than 180 days prior to the election day.

2. Extraordinary elections of the President of Ukraine shall be conducted in the event of pre-term termination of the authority of the President of Ukraine within ninety days from the day the authority was terminated. Decision to conduct extraordinary elections is to be adopted no later than on the fifth day after the authority of President of Ukraine was terminated.

3. Repeat election of the President of Ukraine shall be called by Verkhovna Rada of Ukraine within a month term from the day a submission of the Central Election Commission was received.

CHAPTER III. ORGANIZATION OF THE ELECTIONS

Article 11. All-state and territorial Election constituencies.

1. Elections of the President of Ukraine shall be conducted in a unified all-state single-mandate election constituency which includes the entire territory of Ukraine.

2. For the conduct of elections, the territory of unified all-state single-mandate election constituency shall be divided into 225 territorial election constituencies. The number of such constituencies in the Autonomous Republic of Crimea, in oblasts, cities of Kyiv and Sevastopol shall be determined by Central Election Commission taking into account their administrative-territorial structure and the quantity of population. A territorial election constituency is to include one or several rayons, cities, city rayons or their parts.

3. Decision to create territorial election constituencies shall be adopted by Central Election Commission no later than 160 days prior to the election day upon a submission by Verkhovna Rada of the Autonomous Republic of Crimea, by oblast radas, by Kyiv city and Sevastopol city radas respectively. Territorial election constituencies shall be created with approximately equal numbers of voters.

4. The list of election constituencies indicating their numbers, territorial boundaries, and centers of constituencies shall be published by Central Election Commission in the press within a three-day term from the day an appropriate decision was adopted by Central Election Commission.

Article 12. Formation of Polling stations.

1. In order to conduct voting and to count votes on the elections of the President of Ukraine, territory of villages, settlements, cities, and city rayons which are part of a territorial election constituency shall be divided into polling stations.

2. Polling stations shall be formed by territorial election commissions upon submissions from village, settlement, city (cities where there are no rayon radas), and city rayon

radas, and in case such submissions are unavailable - upon proposals respectively from village, settlement, and city chairmen, from chairmen of city rayon radas or from public officials who exercise their authorities according to the law. The territorial election commission shall establish unified numbering of polling stations, indicate the boundaries of each polling station within the respective territorial election constituency and bring this information to voters' notice.

3. In hospitals, sanatoriums and other places of temporary stay of voters with limited abilities of movement, on ships which are at sea on the election day under the national flag of Ukraine, polling stations shall be formed by the territorial election commissions at places of their location or at place of port where the ship is registered.

4. Military servicemen shall vote at common polling stations located outside the territory of military units. Polling stations on the territory of military units may be formed as an exception upon permission from Central Election Commission in military units which are located outside populated units.

5. Polling stations at Ukrainian representative offices abroad shall be formed, upon submissions of the Ministry of Foreign Affairs of Ukraine, by Central Election Commission.

6. Polling stations shall be formed with a number of voters from 20 to 3000, and in exceptional cases - with a smaller or greater number of voters.

7. Polling stations shall be formed no later than 60 days prior to the day of elections, and in exceptional cases which are determined by Central Election Commission - no later than five days before election day.

ARTICLE 13. System of election commissions.

Elections of the president of Ukraine shall be organized and conducted by:

1) Central Election Commission;
2) Territorial election commissions; and
3) Polling station election commissions.

ARTICLE 14. Formation of election commissions.

1. The Central Election Commission shall be formed according to Constitution of Ukraine and the Law of Ukraine "On Central Election Commission".

2. Territorial election commissions shall be formed no later than 70 days prior to the day of conducting elections of the President of Ukraine by the decision of Verkhovna Rada of the Autonomous Republic of Crimea, of oblast radas, of Kyiv and Sevastopol city radas respectively, consisting of the chairman, deputy chairman, secretary and members of the commission, upon submissions from the administrative bodies of republican organizations (referring to Autonomous Republic of Crimea), of oblast organizations, and Kyiv city and Sevastopol city organizations of political parties or from central bodies of those parties. The submissions mentioned shall be directed to the respective rada no later than 80 days prior to the day of elections. Unless the submissions from parties are filed within the established term, territorial election commissions shall be formed upon submissions from chairmen of appropriate radas (city chairmen) or from public officials who exercise authorities of rada chairmen (city chairmen) according to the law.

3. Two representatives from parties (blocs) whose candidates were registered shall be obligatorily included (if appropriate submissions are available) into the membership of territorial election commissions. Members of these parties or non-partisan can become the representatives from parties (blocs).

4. The total number of members of a territorial election commission shall be determined by the respective rada taking into account the requirements of paragraph 3 of this Article, but it shall not be less than ten persons. The chairman, deputy chairman, and secretary of a territorial election commission may not be members of the same party (representatives of the same bloc of parties).

5. In the event rada does not form territorial election commissions within the term established by this Law, those commissions shall be formed no later than 65 days prior to the election day by Central Election Commission upon submissions which had been introduced to the consideration of the appropriate rada. Those submissions shall be brought to Central Election Commission by the chairman of the appropriate rada (by city chairman) or by the public official who exercises his/her authority according to the law. In the event such submission was not brought within established term, Central Election Commission shall be obliged to form territorial election commission proceeding from its own initiative upon Central Election Commission Chairman's submission.

6. Polling station election commissions shall be formed by village, settlement, city (cities where there are no rayon radas), city rayon radas no later than 45 days prior to the election day, consisting of the chairman, deputy chairman, secretary and members of a commission. In exceptional cases to be determined by Central Election Commission,

polling station election commissions shall be formed 5 days before the day of elections by executive committees of respective radas. The chairman, deputy chairman, and secretary may not be members of the same party (representatives of the same bloc of parties).

7. The number of members of polling station election commissions shall be determined by the bodies which form them depending on the quantity of proposals filed according to paragraph 8 of this Article, but it cannot be less than 8 persons. Two representatives from each rayon and city branches or party (blocs) of highest level - subjects of electoral process shall be obligatorily included (if appropriate submissions are available) into the memberships of polling station election commissions. Members of these parties or non-partisan can become the representatives from parties (blocs). At polling stations where the number of voters does not exceed 50 persons, polling station election commissions can be formed consisting of the chairman, secretary and 1 to 3 members of the commission taking into consideration the submission from parties (blocs) whose candidates had been registered.

8. Candidatures to the membership of a polling station election commission shall be submitted for the consideration of rada respectively by village chairman, settlement chairman, city (cities where there are no rayon radas) chairman, by chairman of city rayon rada or by public official who exercises his/her authority according to the law, based on submissions from rayon and city branches of political parties (blocs) legalized under the law, from candidates, as well as bodies of self-organization of the population operating in the appropriate territory.

9. Submissions concerning candidatures to the membership of polling station election commissions shall be directed to an appropriate rada no later than 60 days prior to the election day. Unless the submissions were filed within the established term, the rada shall form commissions upon proposal from village chairman, settlement chairman, city (referring to cities where there are no rayon radas) chairman, from chairman of city rayon rada or from the public official who exercises his/her authority according to the law.

10. In the event the rada does not form polling station election commissions within the term established by this Law, those commissions shall be formed no later than 40 days before the election day by an appropriate territorial election commission upon submissions that had been introduced to the consideration of the respective rada. Those submissions shall be brought to the territorial election commissions respectively by village chairman, settlement chairman, city (cities where there are no rayon radas) chairman, by chairman of city rayon rada.

11. Polling station election commissions in hospitals, sanatoriums and other places of temporary stay of voters with limited abilities of movement, on ships which are at sea on the election day shall be formed in order provided by this Article.

12. Polling station election commissions at the representative offices of Ukraine abroad shall be formed according to their registration with territorial election commissions upon submissions from the heads of representative offices.

13. Territorial and polling station election commissions shall, within a five-day term from the day they were formed, inform the population through the mass media or in other ways about their locations, mailing addresses and working hours.

14. Authority of territorial and polling station election commissions shall begin with the day the decision on their formation was made and shall be terminated in 10 days after Central Election Commission announces information on the results of the elections of the president of Ukraine.

ARTICLE 15. Authority of election commissions.

1. The authority of Central Election Commission in regard to organization of preparation and conduct of elections of the President of Ukraine is determined by the Law of Ukraine "On Central Election Commission", and by this Law.

2. Central Election Commission besides the authority provided by the Law of Ukraine "On Central Election Commission":

1) adopts clarifications regarding the provisions of this Law compulsory for the application by election commissions, carries out organization-methodic provision of their activity;
2) controls the use of funds of State Budget of Ukraine by election commissions engaging employees of bodies of the Ministry of Finance of Ukraine and State Tax Administration of Ukraine to conduct the audit;
3) establishes the norms and list of necessary equipment, inventory and services for election commissions and election polling stations, requirements for this equipment and order of its maintenance.

4) terminates the flow of funds at the accounts of election commissions in the banking institutions after termination of their authority or in the event of the violation of budget and financial discipline, makes decisions on transfer of remaining funds to the Central Election Commission's account for further redistribution for the needs of election campaign;
5) performs registration of authorized persons of the candidates;
6) determines under this and other Laws of Ukraine the procedure of using mass media for carrying out campaign publicity;
7) provides the production of election posters;
8) carries out control over the receipt and use of money of personal election funds of the candidates, engage employees of the bodies of State Tax Administration of Ukraine as well as banking institutions holding appropriate accounts for the conduct of audit;
9) provides centralized production of ballots of established type;
10) sends to Counting Chamber report on expenditure of funds of State Budget of Ukraine allocated for preparation and conduct of the elections of the President of Ukraine within 3 months from the day of official publication of election results;
11) discharges other authority according to this and other laws of Ukraine.

3. A territorial election commission shall:
1) perform control over the implementation of legislation on elections of the President of Ukraine on the territory of the respective territorial election constituency;
2) create polling stations in cases provided for by this Law, establish unified numbering of polling stations, sets boundaries of each election polling station within the respective territorial election constituency and informs citizens of thereof;
3) form polling station election commissions in cases provided for by this Law;
4) direct the activity of polling station election commissions;
5) decide as a legal person matters of allocating funds among polling station election commissions in the order established by Central Election Commissions, supervise the provision of polling station election commissions with premises, transport, communication means, and within its competence consider and resolve other matters of material and technical provision of elections in the appropriate territory;
6) control compilation of voter lists and their presentation for public review;
7) jointly with appropriate executive power bodies, with bodies of local self-government organize meetings of candidates with voters;
8) ensure supply of election ballots of established type, and production and supply of forms for other documentation under this Law to the polling station election commissions;
9) determine results of voting in territorial election constituency, draw up minutes on the voting results and send them to Central Election Commission;
10) ensure conduct of repeat voting according to the decision of Central Election Commission to appoint repeat voting in elections of the President of Ukraine, as well as conduct of repeat elections in accordance with this Law;
11) within its authority consider appeals, applications and complaints regarding organization and conduct of elections in the respective territory, as well as appeals, applications and complaints regarding decisions and actions or inactivity of polling station election commissions, and adopt decisions on them;
12) hear information of polling station election commissions, local bodies of executive power, and bodies of local self-government on issues related to the preparation and conduct of elections of the President of Ukraine;
13) perform other authority according to this and other Laws of Ukraine.

4. A polling station election commission shall:
1) verify the accuracy of voter list at the polling station;
2) ensure opportunities for voters to review the list of voters, consider applications regarding mistakes and inaccuracies in the list of voters, and resolve questions of making corresponding changes in it;
3) create conditions for the voters to review data on registered candidates for President of Ukraine, their pre-election programs, as well as decisions and announcements published by Central Election Commissions, by respective territorial election commission, and to review its own decisions and announcements;
4) in advance hand or send to voters inscribed invitations indicating the date of elections conduct,

address of the premises for voting, and voting hours;
5) ensure preparation of premises for voting and manufacturing of ballot boxes;
6) upon a decision of Central Election Commission, introduce changes into election ballot in the cases provided for by this Law;
7) organize voting at the polling station;
8) fulfill counting of votes cast at the polling station, draw up minutes on the voting results, and send them to the appropriate territorial election commission;
9) within its authority consider appeals, applications and complaints regarding issues of preparation of elections and organization of voting at the polling station, and adopt decisions on them;
10) perform other authority in accordance with this and other Laws of Ukraine.

ARTICLE 16. Legal status of persons who are members of election commissions.

1. Legal status of persons who are members of Central Election Commission is determined by the Law of Ukraine "On Central Election Commission" and by this Law.

2. Citizens of Ukraine who have the right to vote and reside or work in the respective territorial election constituency, may be members of territorial and polling station election commissions. For the secretary of an election commission, it is obligatory to speak the state language. Nominees for candidate and candidates for President of Ukraine, their close relatives (husband, wife, their children, parents, brothers and sisters), persons who are directly subordinated to candidates at work (at service), authorized persons of candidates, people's deputies of Ukraine, as well as citizens having previous conviction for committing a deliberate crime unless that conviction is cancelled or struck off the record in the order established by law, cannot be members of election commissions. The same person may be a member of only one election commission.

3. In the event the person who is a member of an election commission gets registered as a nominee for candidate, as a candidate for President of Ukraine or as an authorized person of candidate, his/her authority in the commission shall be deemed terminated from the day of such registration.

4. A territorial election commission, a polling station election commission may apply to the body which formed it with a substantiated proposal on the grounds provided by paragraph 7 of this Article to replace the chairman, deputy chairman, secretary, or member of the commission if at least two thirds of its membership vote for it at commission's session. The proposal of election commission shall be given consideration followed by adoption of an appropriate decision.

5. In the event of pre-term termination of the authority of the election commission or quantitative reduction of membership of election commission from the quantity established in Article 14 of this Law, respective body shall, not later than on the 7th day approve new membership of election commission or include additional persons to its membership.

6. Upon a decision of the election commission to be approved by a higher level commission, the chairman, deputy chairman, secretary, and individual members of the election commission (by total number not more than 3 persons) or polling station election commission (by total number not more than 2 persons) may be exempted for the period of election campaign from performing production or official duties at the main place of work.

7. Authorities of territorial or polling station election commission or of individuals who are their members may be pre-term terminated by the body which formed the commission only in the cases when the commission or its individual members violate Constitution, this and other Laws of Ukraine. Authorities of persons who are members of the commissions mentioned shall be terminated also due to their personal applications in regard to resigning from the commission, due to termination of Ukrainian citizenship, departure outside the respective election constituency for the period until election campaign is over, due to coming into effect of court's indictment towards the respective person, as well as in the event of death. Authorities of persons who are the members of election commissions shall also be terminated in connection with their nomination for the candidates of people's deputies of Ukraine, candidates of village chairman, settlement chairman, city chairman, candidates of deputies of local radas. Termination of authority of election commission or individuals who are their members as well as introduction of changes to its membership shall be carried out in order provided by this Law.

ARTICLE 17. Payment for work performed by members of election commissions.

1. Payment for work performed by members of election commission, who are relieved from performing their production or office duties at the main place of work as

well as pensioners and persons who temporarily do not work shall be carried out in accordance with order established by Cabinet of Ministers of Ukraine.

2. Amount of salary for members of election commissions, who were relieved from performing their production or office duties at the main place of work may not be lower than average salary at the main place of work.

ARTICLE 18. Organization of Work of Election Commissions

1. Open sessions are the main form of work of election commissions; they shall be called by the chairman of the commission, and in the event of his/her absence - by the deputy chairman, and in the cases under this Law when there is no deputy chairman in the membership of the commission - by the commission's secretary. Candidates for the position of President of Ukraine, their authorized persons, not more than two official observers from political parties (blocs) whose nominees were registered as candidates for President of Ukraine and official observers from candidates, foreign states and international organizations, representatives of mass media shall have the right to attend with observance of the requirements of this Law sessions of commission. Upon the decision of commission other persons may attend its sessions.

2. If the chairman and deputy chairman of the election commission are absent, if they are unable to call a session of the commission or they refuse to call a session, it can be called on a request from at least one third of the commission membership with obligatory notification of all individuals who are members of the commission about the time and place of holding the session and about agenda points which are proposed for consideration.

3. The first session of an election commission shall be called no later than on the third working day after it was formed, and the following ones - as necessary.

4. A session of an election commission shall be conducted by its chairman or his/her deputy, and in the event they are for any reason unable to carry out this function, the commission shall appoint from its membership a presiding person for a particular session. The minutes of the session shall be signed by the presiding person at session, and by the commission secretary or a commission member who performs duties of the secretary.

5. A session of election commission has legal authority if no less than two thirds of the commission membership attend it. A decision of the commission is to be adopted in a form of resolution through open voting by a majority of votes of the general commission membership. Provided that votes cast during the voting split equally, a decision in favor of which the presiding person at the commission session voted shall be deemed adopted. The decision of the election commission must be motivated and must have references to specific provisions of legislative acts. Individuals who are members of the election commission and who attended its session, and nevertheless disagree with the decision adopted by it, may express in writing a separate opinion which shall be attached to minutes of the commission session. The decision of the commission shall be signed by the person who presided over its session and the secretary.

6. Commission may adopt a motivated decision to deprive the persons mentioned in paragraph 1 of this Article and paragraph 4 of Article 7 of this Law of the right to attend its session if they hinder its conduct.

7. Decisions of the election commissions adopted within their authorities have binding power for participants of electoral process. No entity has the right to interfere with the activities of election commissions except for cases prescribed by law.

8. The chairman, deputy chairman, secretary, or member of the election commission have the right to accept documents, appeals, applications and complaints coming to the commission, and in Central Election Commission - employees of its secretariat have such right as well. All documents, appeals, applications, and complaints shall be registered in the order established by Central Election Commission. Each member of election commission shall have the right to familiarize with all documents, appeals, applications and complaints which are retained in commission.

9. For organizational, legal, and technical provision of performing the functions envisaged by this Law, election commissions may involve appropriate specialists, technical workers while paying for their work within the limits of funds allocated to commission for preparation and conduct of elections.

10. Members of election commissions while performing duties of a commission member are prohibited from campaigning "for" or " against" candidates for President of Ukraine and evaluate activity of political parties or electoral blocs of parties which nominated candidates for the president of Ukraine.

11. State power bodies, bodies of local self-government, their authoritative and public officials, as well as state enterprises, institutions and organizations are obliged to

facilitate election commissions in exercising their authorities by them.

ARTICLE 19. Appeal of decisions, actions or inactivity of election commissions.

1. Decisions, actions or inactivity of territorial election commission or polling station election commission, may be appealed, by candidates for President of Ukraine, their authorized persons, authorized representatives of parties (blocs), as well as by voters to a higher level commission or directly to the court at place where the polling station election commission is situated and concerning territorial election commission to Supreme Court of Autonomous Republic of Crimea, oblast court, Kyiv city and Sevastopol city courts within seven days after the decision was adopted, action or inactivity took place.

2. Decisions, actions or inactivity of Central Election commission may be appealed to Supreme Court of Ukraine in order established by the Law.

3. Complaints (appeals) lodged with respective election commission or court shall be considered within three days and in the event of appeal of the decision, action or inactivity of election commission which were filed three or fewer days prior to the day of elections or on the day of the conduct shall be immediately considered.

4. In cases which require an additional verification complaints are to be considered within 10 days but not later than the day of elections.

5. Complaints (appeals) lodged with violation terms established by this Law are not subject to consideration (shall be left unconsidered).

6. Complaints (appeals) regarding the violation of this Law which occurred prior the day of elections but were lodged with the appropriate election commission or court after midnight of a day preceding the day of elections as well as complaints (appeals) regarding the violation of this Law which occurred on the day of elections but were lodged with the appropriate election commission after midnight of the day of elections are not subject to consideration.

7. During the election campaign, including weekends, the courts shall organize their work in a way so as to ensure timely consideration of complaints from all the subjects of electoral process. Courts shall ensure consideration of complaints (appeals) on the day of elections of the president of Ukraine.

ARTICLE 20. Lists of voters, procedure of their compilation and verification.

1. For the conduct of elections of the President of Ukraine, lists of voters at each polling station (except for ones specified in paragraph 2 of this Article) shall be compiled by executive committees of village radas, settlement radas, city radas (referring to cities where there are no rayon radas), and by city rayon radas, or by the bodies which perform the functions of such executive committees according to law. Military servicemen who are to vote at polling stations located outside the military units shall be included on the lists of voters at the respective polling stations on the basis of data to be submitted by commanders of the military units to the bodies which compile the lists of voters no later than 5 days prior to the day of elections. Military servicemen who are serving their fixed-term military service shall be provided with at least a 4-hour leave on the election day in order to ensure their free will expression.

2. At polling stations created in hospitals, sanatoriums and other places of temporary stay of citizens who have limited abilities of movement, at polling stations on ships which are at sea on the election day, and at polling stations at representative offices of Ukraine abroad, as well as in military units situated outside populated political units, lists of voters shall be compiled according to the same sample by appropriate polling station commissions upon submissions from heads of respective establishments, from captains of ships, and commanders of military units.

3. Lists of voters shall include all citizens of Ukraine who are (will be) 18 years of age on the day of elections, who are eligible to vote, and who at the moment of compilation of voter list reside on the territory of the respective polling station. If information regarding the month and day of birth of a citizen is unavailable, he/she shall be considered to have been born January 1 of the appropriate year.

4. Lists of voters of polling stations formed at the representative offices of Ukraine abroad shall include employees of these representative offices and members of their families as well as other citizens of Ukraine who reside or stay in the territory of respective foreign state.

5. The list of voters shall inscribe surname, first name, patronymic, year of birth of a voter (for individuals who turn or will turn 18 years old in the year of elections conduct - date, month and year of birth), and address (place of residence) of a voter. Names of voters shall be entered in voter lists in an order convenient for the conduct of voting. A citizen can be entered in the list of voters of only one polling station.

6. Lists of voters signed by chairmen of the bodies which compiled them shall be sent to polling station commissions no later than 40 days prior to the day of elections. Public officials who signed lists of voters shall bear responsibility for the accuracy, completeness of lists, and for timely sending of them to the polling station election commissions.

7. The polling station commission shall verify voter lists, afterwards they shall be signed by the chairman and the secretary of the commission and no later than 15 days prior to the day of elections be presented for public review.

8. Voters, who arrived in the territory of the polling station after the end of the verification of the voter lists, shall be included by the polling station commission into the list of voters on the basis of documents which certify their identity and place of residence, and on the basis of a certificate about their non-inclusion on the voter list compiled at previous place of residence. Polling station commission shall notify territorial election commission situated in such voters' previous place of residence about their inclusion on the voter lists.

9. Voters, who left the territory of the polling station after the publicizing of voter lists, shall be excluded by the polling station commission from the voter list on the basis of the appropriate documents. Such individuals shall be issued a certificate according to the sample to be approved by Central Election Commission, based on which such an individual shall be included on the list of voters of the polling station at the new place of residence. The certificate specified shall be attached to the list of voters.

10. In exceptional cases at polling stations formed in places of voters' temporary stay, the lists of voters can be compiled and presented for public review no later than three days prior to elections.

11. A citizen has the right within 3 days to appeal to the polling station election commission, territorial election commission or directly to a court inaccuracies occurred when compiling the list of voters, i.e. his/her non-inclusion, erroneous inclusion on or exclusion from the list of voters. An appeal by a citizen filed with the polling station or territorial election commission shall be considered by the commission within a three-day term, or if filed on the eve or on the day of elections then - immediately. The polling station election commission is obliged to make necessary corrections in the list of voters, or to give the petitioner a copy of a substantiated decision on dismissal of his/her appeal.

ARTICLE 21. Financial and material-technical provision of elections

1. Expenditures associated with the preparation and conduct of elections of the President of Ukraine, shall be incurred by Central Election Commissions in accordance to Budget which was approved by it within the funds allocated for elections in the State Budget of Ukraine.

2. In the event of untimely allocation of budget funds for financial provisions of the elections, National Bank of Ukraine upon the submission of Central Election Commission shall within 3 days provide it with non-interest loans within the funds from the State Budget of Ukraine allocated for the election conduct, in the volume determined by Central Election Commission. Ministry of Finances of Ukraine is guarantor for loans return.

3. Provided loans are to be returned to the National Bank of Ukraine in order established by Cabinet of Ministers of Ukraine at the expense of funds of State Budget of Ukraine not later than 3 months after the receipt.

4. Financial, material and technical provision of elections of the President of Ukraine shall be carried out by Central Election Commission.

5. Along with state financing of elections of the President of Ukraine, a candidate for President of Ukraine may use money from his/her personal election fund set up in the order established by this Law for the purpose of financing pre-election campaign publicity.

6. Citizens of Ukraine, their associations, and legal entities registered in Ukraine, except for enterprises with foreign investments, and except for state bodies, bodies of local self-government, enterprises, institutions, and organizations maintained at the expense of State budget of Ukraine or local self-government budget, can make their contributions in the established order both to Centralized Fund and to personal election funds of candidates for President.

CHAPTER IV. NOMINATION AND REGISTRATION OF CANDIDATES FOR PRESIDENT OF UKRAINE

ARTICLE 22. Nomination of nominees for candidate for President of Ukraine by political parties and electoral blocs of parties.

1. The right to nominate a candidate standing for elections of President of Ukraine belongs to political parties registered by Ministry of Justice of Ukraine. This right shall be exercised by a political party both directly and through uniting of several parties in an electoral bloc.

2. An electoral bloc can be created by two or more political parties on the basis of decisions of the parties which united in electoral bloc for participating in elections of the President of Ukraine. This decision shall be signed by heads of the parties which united in electoral bloc, and sealed with stamps of those parties. The agreement on creation of electoral bloc which includes: the order of conduct of inter-party meeting (conference) of the bloc; terms of sending to them the delegates from parties which united in bloc; terms of functioning of administrative bodies of the bloc; obligations regarding financial provision of election campaign of the bloc and other matters which regulate bloc's activity shall be attached to the decision.

3. Nomination of nominees for candidate for President of Ukraine (hereinafter referred to as nominees) shall begin 170 days and terminate 140 days prior to the day of elections.

4. A nominee is to be nominated by a party at congress, conference which is the highest statutory body of this party. Procedure for conducting the congress (conference, general assembly) of a party shall be stipulated by its statute.

5. Nomination of a nominee by the electoral bloc shall be carried out on the inter-party congress (conference) whose delegates are elected by members of the parties which united in electoral bloc, according to the representation quota determined by the agreement on formation of electoral bloc.

6. Member of party as well as non-partisan citizen can be a nominee for candidate for President of Ukraine from party or electoral bloc of parties.

7. Congress (conference, general assembly) is eligible to resolve issues of nominating a nominee if more than 2/3 of elected delegates attend it, but no less than 200 persons. A nominee shall be deemed nominated if more than a half of participants of the congress (conference, general assembly) voted for his candidature.

8. In the event of nomination of a nominee, the party (bloc) shall notify of it the person who is nominated as a nominee for candidate for President of Ukraine, and after receiving his/her consent to stand shall submit an application to Central Election Commission. The application shall include surname, first name, patronymic, date, month and year of birth, citizenship of the nominee, data regarding his/her residence in Ukraine for the last ten years before the election day, and on fluency in the state language, as well as surname, first name, patronymic, address, and telephone number of authorized person of the party (bloc). The application shall be signed by the head of the respective party (by heads of the parties which united in electoral bloc). The following shall be attached to the application:

1) copies of registration certificate (parties which united in electoral bloc) authenticated by Ministry of Justice of Ukraine;
2) agreement on formation of the electoral bloc of parties signed by heads of respective parties and sealed with stamps of those parties;
3) an extract from the minutes (decision) of congress (conference, general assembly) of the party, electoral bloc of parties regarding nomination of the nominee for candidate for President of Ukraine;
4) an application of nominee with his/her consent to stand for elections of the President of Ukraine from given party, electoral bloc of parties.
5) a pre-election program of the nominee;
6) nominee's statement of property and income for the previous year drawn up according to the form established by Finance Ministry of Ukraine;
7) a form of nominee for candidate for President of Ukraine established by Central Election Commission (to be personally filled out by the nominee).

9. Central Election Commission shall issue to the authorized person of party (bloc), who submitted the documents enumerated in paragraph 8 of this Article, a certificate on their acceptance. The certificate must contain a list of the documents accepted, date, month and year, as well as time of their acceptance, and position and name of the person who accepted the documents.

ARTICLE 23. Meetings of voters

1. Meetings of voters shall have the right to nominate, within the terms envisaged in paragraph 3, Article 22 of this Law, nominee for candidate for the President of Ukraine if they are attended by not less than 500 citizens of Ukraine who have the right to vote. Meetings of voters may be held in the place of residence or in enterprises, institutions, organizations. Initiators of conduct of the meetings are obliged to notify executive committee of respective rada about the date and place of conduct of the meeting not later than 3 days before the conduct of the meeting. Executive body of rada may delegate its representative to carry out control over the observance of the requirements of this Law when conducting the meeting.

2. A list of participants shall be compiled at the beginning of the meeting indicating names, surnames, patronymic, date of birth and addresses of the participants. During the meetings minutes which shall indicate data on compilation of list of participants of the meeting and their number, election of meeting's presidium and its membership shall be kept. The list of participants shall be attached to the minutes. The same person can not be a participant of more than one meeting of voters on nomination of the nominee.

3. Initiative group of voters in membership of 10 - 20 participants of the meeting shall be approved by the decision of meeting of voters which was adopted by the majority of votes. Personal membership of initiative group shall be mentioned in the minutes of the meeting.

ARTICLE 24. Nomination of nominees for candidates for the President of Ukraine by meetings of voters

1. Meetings of voters shall debate one or several candidates for nominees. Each participant of the meeting may motion any candidate for the debates including self-nominee. A nominee shall be deemed nominated if not less than two third of participants of the meeting cast their votes in his/her favor.

2. Initiative group of voters shall submit to Central Election Commission application on registration of nominee and application on registration of initiative group. Application on registration of nominee shall include data on nominee envisaged in paragraph 8, Article 22 of this Law. The following shall be attached to the application:

1) minutes of meeting of voters pertaining nomination of a nominee;
2) list of the participants of the meeting;
3) an application of nominee on his/her consent to stand for candidate for the President of Ukraine as well as documents envisaged by sub-paragraphs 5, 6 and 7 of paragraph 8, Article 22 of this Law. Application on registration of initiative group shall include surname, first name, patronymic, address and telephone number of the authorized person of the initiative group.

3. In the event the same person nominated for a nominee by more than one meeting of voters, Central Election Commission shall perform registration on the basis of the documents first to enter the commission. Simultaneously Central Election Commission shall register initiative group of voters mentioned in this document as the one which acquires status of the subject of nomination of given nominee. In this case the other minutes concerning nomination of this nominee shall be considered by the commission and be attached to the decision on registration of respective nominee and titles of all the meetings from which nominee was nominated shall be indicated in the decision. Initiative group of voters mentioned in this minutes can form supporting group of this nominee from their membership.

ARTICLE 25. Registration of a nominee for candidate for President of Ukraine.

1. Registration of nominees for candidate for President of Ukraine shall be performed by Central Election Commission. An individual who meets the requirements of Article 2 of this Law can be registered a nominee.

2. Central Election Commission shall adopt decision on the registration of nominee within a five-day term from the day of submission of the application regarding registration of a nominee and of documents provided for by Articles 22 of this Law, and shall issue to the authorized person of party (bloc), meetings of voters a certificate on nominee's registration and the necessary number of signature sheets of the established form for collection of signatures of voters in support of the nominee within 48 hours after registration. It is prohibited to require other document or data other than ones envisaged in Articles 22 and 24 of this Law for registration of nominee.

3. Nominees shall have equal rights regardless of the subjects of their nomination.

4. Central Election Commission shall refuse applicant to register him/her as nominee for candidate for the President of Ukraine if:

1) documents necessary for registration submitted after expiration of the term established by paragraph 3, Article 22 of this Law;
2) all necessary documents required for registration were not submitted or submitted documents do not meet the requirements of this Law;
3) procedure for nomination of nominee established by this Law, statute of political parties or agreement on formation of electoral bloc was not observed.

5. Refusal to register on the grounds envisaged by sub-paragraphs 2 and 3 of paragraph 5 of this Article does not deprive nominees of their right to re-submit the documents for registration after removal of revealed defects within the terms established for nomination of nominees for candidate for the President of Ukraine.

6. Central Election Commission shall abolish decision on registration of nominees for candidate for the President of

Ukraine in the event of receipt materially proved evidence on nominee's conviction or other circumstances that, deprive person the right to be elected as the President of Ukraine according to this Law.

ARTICLE 26. Signature sheet.

The form of signature sheet in support of a nominee for candidate for the President of Ukraine shall be approved by the Central Election Commission no sooner than 170 days prior to the day of elections. Signature sheet must contain the following data on a nominee: surname, first name, patronymic, year of birth, citizenship, party affiliation, education, profession, place of work and residence, by whom he/she was nominated; and must have entries wherein indicated are ordinal number and date of signature of a voter, surname, first name, patronymic of a voter, date, month and year of his/her birth, place of residence, number and series of passport or of another document certifying the identity, and personal signature of a voter. Date and month of birth shall be indicated only for those voters who turn 18 years old in the year of elections. Signature sheet shall also contain data about a person who collects signatures (surname, first name, patronymic, home address, and telephone number if available).

ARTICLE 27. Procedure for Collection of Signatures in Support of Nominees.

1. On instruction of a nominee for candidate for President of Ukraine or of authorized persons of the party (bloc), initiative group of voters which nominated the nominee, citizens of Ukraine eligible to vote can collect signatures in his/her support.

2. A person collecting signatures shall, before starting to collect them, enter into signature sheets data regarding himself/herself as provided for by Article 26 of this Law.

3. Entries of signature sheet which concern a voter shall be filled in by him/her personally, and in cases when he/she unable to do it personally due to his/her health conditions upon voter's request - by the person collecting signatures. Accuracy of the data about a voter entered into signature sheet shall be certified with his/her personal signature.

4. No individual shall have the right to compel a voter to support a nominee, pay in cash, goods or services for signatures as well as to hinder him/her in supporting a nominee.

5. One signature sheet must contain signatures of residents of only one populated unit.

6. Completed signature sheet shall be signed by a person who collected signatures. He/she shall bear personal responsibility for authenticity of data entered into the signature sheet.

7. Central Election Commission shall exercise control over observance of the requirements of this Law when collecting signatures.

8. Completed signature sheets shall be submitted directly to Central Election Commission for registration no later than 110 days prior to the day of elections of the President of Ukraine. Central Election Commission shall issue to authorized persons who submitted signature sheets a reference of the established form.

9. When determining, based on signature sheets, the number of voters who supported a nominee for candidate for President of Ukraine, excluded from counting shall be signatures of voters regarding whom all or some data stipulated by signature sheet are unavailable on the sheet. Excluded from counting shall be signature sheets which include signatures of inhabitants of different populated unit, wherein data about the person who collected signatures is unavailable, or those unsigned by him/her. Signature sheets of an non-established form, forged as well as collected by the means of violence and bribery shall be deemed invalid. Signature sheets may be deemed invalid upon the decision of Central Election Commission.

10. In the event of non-compliance of submitted signature sheets with the requirements of this Law, Central Election Commission shall no later than on the fifth day of their submission inform persons who submitted them about this. Corrected or additional signature sheets shall be submitted to Commission no later than 100 days prior to the day of elections of the President of Ukraine.

11. The Central Election Commission shall make up minutes on the results of collection of signatures in support of every nominee, of which the nominee or authorized person of party (bloc), initiative group of voters shall be informed within three days.

12. Only individuals who are members of Central Election Commission, as well as employees of the secretariat of Commission upon instruction of Commission's leadership, shall have the right to examine signature sheets submitted to Central Election Commission.

13. It is prohibited to organize the collection of signatures in the enterprises, institutions and organizations.

ARTICLE 28. Registration of candidates for President of Ukraine.

1. A nominee may be registered as a candidate for President of Ukraine if his/her candidacy is supported with signatures of at least one million citizens of Ukraine who are eligible to vote, including at least 30 thousand citizens in each of the 2/3 of Ukrainian regions (Autonomous Republic of Crimea, oblasts, cities of Kyiv and Sevastopol).

2. Registration of a nominee as candidate for President of Ukraine shall be carried out by the Central Election Commission within five days after it made up the minutes on results of collection of voters' signatures in support of the nominee.

3. Decision to register a candidate for President of Ukraine shall be adopted by Central Election Commission upon availability of the documents provided for by Article 22 and 24 of this Law, and the minutes of Central Election Commission on results of collecting voters' signatures in support of the nominee. Registration of candidates for President of Ukraine must be finished no later than 90 days prior to the day of elections of the President of Ukraine.

4. Central Election Commission shall within two days after the registration issue to candidate for President of Ukraine certificate of established form and to nominees who got refusal to be registered - decision.

5. The Central Election Commission shall, no later than on the fifth day after the ending of registration of all candidates, publish in press and announce in other mass media the list of candidates for President of Ukraine indicating in an alphabetical order surname, first name, patronymic, year of birth, party affiliation, education, position (occupation), place of work and residence of each candidate, and entity which nominated the candidate.

6. A decision of Central Election Commission to register a candidate or to refuse registration can be appealed by the nominees in respect of which such decision was made or authorized persons of parties (blocs) and initiative group of voters which nominated these nominees to Supreme Court of Ukraine within five days from the moment it was adopted. Supreme Court shall consider an appeal within a seven-day term. Decision of Supreme Court of Ukraine is final and to be executed immediately.

ARTICLE 29. Income statement of candidate for President of Ukraine.

1. The statement of property and income for the previous year of a candidate for President of Ukraine for the previous year shall be completed personally by the nominee according to the from established by the Ministry of Finance of Ukraine. The nominee is responsible for the authenticity of information given in the statement.

2. Authenticity of data submitted in declaration shall be verified by the State Tax Administration of Ukraine upon instruction of Central Election Commission. Finding of deliberately falsified information or any other grave violations of legislation in it shall be the grounds to refuse registration of the nominee as candidate for President of Ukraine. In case such facts are discovered after registration of candidate for President of Ukraine, Central Election Commission shall address the Supreme Court of Ukraine applying to invalidate the registration of the appropriate individual as candidate for President of Ukraine within 5 days. In the event the court rules to cancel registration of the respective person as candidate, given the allegations specified in the application, the court is obliged to initiate a criminal proceeding on this matter.

3. Central Election Commission within 3 days after their receipt shall publish in the newspapers "Holos Ukrainy" and "Uryadovyi Kuryer" income statements of all candidates for President of Ukraine.

ARTICLE 30. Resignation of a candidate for President of Ukraine from the ballot.

1. A candidate for President of Ukraine may not later than 3 days prior to the election day, withdraw his/her candidacy by submitting an appropriate written application to Central Election Commission. In this case his/her candidacy, upon the Commission's decision, shall be excluded from the list of candidates, and he/she resigns from balloting in elections of the President of Ukraine.

2. In case of candidate's death, Central Election Commission shall announce him/her to have resigned from the balloting in elections, and his/her candidacy is to be excluded from the list of candidates.

3. The Central Election Commission shall convey information on resignation of a candidate for the President of Ukraine from balloting to election commissions, and this decision shall be publicized in mass media within 5 days after the appropriate decision was made, but no later than one day before the elections day.

CHAPTER V. PRE-ELECTION CAMPAIGN PUBLICITY

ARTICLE 31. Carrying out of pre-election campaign publicity by candidates for President of Ukraine.

1. Pre-election campaign publicity shall begin after Central Election Commission registers a nominee for candidate for President of Ukraine, and terminate one day before the election day. Pre-election campaign publicity can be carried out in any ways and by any means which do not conflict with the Constitution and Laws of Ukraine.

2. Citizens of Ukraine, political parties, other associations of citizens, collectives of enterprises, institutions and organizations have the right to discuss freely and comprehensively pre-election programs of candidates for President of Ukraine, their political, business, and personal qualities, to carry out campaign publicity "for" or "against" candidates for President at meetings, gatherings, discussions, in the press, on radio and television.

3. Candidates for President of Ukraine shall hold meetings with voters both at gatherings and in any other form convenient for voters. Territorial election commissions shall participate in organization of meetings of candidates with voters. State executive bodies and bodies of local self-government, shall facilitate organization such meetings upon the request of candidates or election commissions.

4. For the conduct of mass events for pre-election advocacy, executive power bodies, bodies of local self-government, enterprises, institutions, and organizations of state and communal ownership forms as well as mixed form of ownership where state share exceeds 25% shall free of charge provide premises appropriate for that purpose at time determined by election commission. With that, territorial election commissions are required to ensure equal opportunities for all candidates for President of Ukraine.

5. Central Election Commission shall no later than 50 days prior to the elections day ensure the production of campaign posters of candidates for President of Ukraine at the expense of funds allotted from State Budget of Ukraine for the conduct of election campaign. Format, size and printing layout of campaign posters, and number of copies under the requirements of paragraph 7 of this Article shall be established by Central Election Commission, and must be equal for all candidates.

6. To ensure the timely manufacture of pre-election campaign posters, pre-election program (theses of pre-election program) and autobiography running up to 4 pages of printed one-and-a-half-spaced text (7800 printed symbols), and two photos of the format established by Central Election Commission are to be submitted, no later than within a week after the nominee for candidate was registered, to the Central Election Commission by him/her personally or by his/her authorized person.

7. Manufactured campaign posters, at the rate of 10 copies of each poster per election commission, shall be directly handed in the order established by Central Election Commission to the candidates for President of Ukraine, or to their authorized persons, or to territorial election commissions upon their consent.

8. Each candidate can at his/her discretion ensure production of other campaign advocacy materials at the expense and within the limits of his/her personal election fund. Information provided in the above-referenced materials must conform with the requirements of law. Three copies of printed materials produced at the expense of candidate's personal election fund must be submitted by the candidate or his/her authorized persons within three days after they were produced to Central Election Commission, and to territorial election commissions embracing the areas of dissemination of those materials.

9. All printed materials of campaign advocacy must contain information on organization, institution and individuals responsible for their issue, initial data of institution which accomplished the printing, and information about total number of copies of the respective printed material.

10. Bodies of local self-government allocate places and set up stands, boards in public places for placement of campaign advocacy materials, ensure the availability of campaign advocacy materials on them, which are manufactured by respective election commissions, as well as of announcements published by them pertaining to the campaigning and candidates, as envisioned by this Law. Placement of such materials on buildings which are architectural monuments, as well as in spots where they hamper traffic safety is prohibited.

ARTICLE 32. Use of mass media in pre-election campaign publicity.

1. Candidates for President of Ukraine are granted the right to use state mass media free of charge, i.e. they shall be provided with equal and commensurable air time at the national level and within a particular election constituency. Specific extent and time of radio and television programs allotted for the pre-election campaign advocacy of

candidates shall be set at the national level by Central Election Commission, and in territorial election constituencies - by territorial election commissions acting in agreement with the managers of appropriate mass media. Television and radio companies are prohibited from interrupting campaign advocacy programs, e.g. with advertisements of goods, works, and services.

2. Candidates for President of Ukraine shall have the right to place, free of charge, the text of their pre-election programs no more than four printed pages long (7800 printed symbols) and having similar printing layout, in "Holos Ukrainy" and "Uriadovyi Kuryer" newspapers. Central Election Commission shall determine the order of publishing pre-election programs of candidates for the President of Ukraine by means of drawing lots.

3. Central Election Commission and territorial election commissions shall, at the expense of funds allocated for conducting election campaign from State Budget of Ukraine, pay for the following on the basis of this Law: time on state radio and television, printing of pre-election posters and publishing of pre-election programs of candidates Ukraine in "Holos Ukrainy" and "Uriadovyi Kuryer" newspapers and in oblast publications.

4. Candidates for the President of Ukraine have the right at the expense of and within the limits of their personal election funds to print additionally their pre-election campaign materials in state as well as in non-state printed periodicals on the terms of equal payment for newspaper line as well to conduct his/ her own pre-election campaign publicity in the state and non-state television and radio channels on the terms of equal payment for air time unit.

5. In the event of publicizing in mass media materials about him which are false from the point of view of the candidate for the President of Ukraine, this mass media shall provide the candidate for the President of Ukraine about whom false information was disseminated the same time in radio or television or the same printed newspaper space for refutation of false materials within 7 days but not later than one day prior to the elections.

ARTICLE 33.Restrictions in carrying out of pre-election campaign publicity.

1. It is prohibited to participate in pre-election publicity for: bodies of state power including judicial bodies and bodies of prosecutor and bodies of local self government, their authoritative and public officials; members of election commissions; persons, non-citizens of Ukraine.

2. State television and radio companies, printed mass media with state share, with share of bodies of the local self-government, their public officials, creative workers of mass media are prohibited from supporting or giving preferences in any form to particular candidates for the President of Ukraine, their pre-election programs in their reports, materials, and programs during the period of election campaign.

3. The conduct of pre-election campaign publicity, followed by providing of voters with goods, services, securities, money, loans, lotteries and other material values free-of-charge or under privileged conditions, is prohibited.

4. Central Election Commission shall provide through state mass media explanations concerning prohibition on provision of goods, securities, loans, lotteries, money and services which is done free of charge or under privileged conditions. Text of explanation shall be approved by Central Election Commission and shall be published in each issue of "Holos Ukrainy" and "Uriadovyi Kuryer" newspapers on the front page beginning with 30 days prior to the day of elections. Text of explanation shall be aired twice a day by television and radio companies page beginning with 30 days prior to the day of elections.

5. Campaign publicity television and radio programs shall not coincide with the time of similar programs on all state channels.

6. Introduction of advocacy materials of the candidates for the President of Ukraine or political advertisement into information television and radio programs shall be inadmissible.

7. It is prohibited to interrupt campaign advocacy programs of the candidates for the President of Ukraine with commercials of goods and services and with other messages.

8. Campaign publicity in non-state mass media is limited only by the size of candidate's personal election fund, under the terms of equal payment for air time or printed space for all candidates for President of Ukraine.

9. Publicizing of information on sociological survey results and public opinion polls regarding candidates for the President of Ukraine, in state or non-state mass media operating in the territory of Ukraine shall be prohibited 15 days before the election day.

10. The conduct of pre-election advocacy in foreign mass media operating in the territory of Ukraine is prohibited.

11. Candidates for the President of Ukraine who hold positions, including those on the basis of compatibility, in the state bodies, bodies of local self-government, in state enterprises, institutions, organizations, in military formations formed pursuant to the Laws of Ukraine, are prohibited from involving or using, for any work related to the conduct of their campaigns, persons subordinated to them (during working hours), service transport, communication means, equipment, premises, and other objects and resources at the place of their work.

12. The distribution of anonymous campaign advocacy materials which discredit candidates for the President of Ukraine is prohibited.

13. Dissemination of materials in any form calling for the violent overthrow of the constitutional order, breach of territorial integrity, for national, racial, and religious intolerance is prohibited.

14. The use of printed advocacy materials that do not contain initial data of institution which printed those materials as well as indication of total number of copies when conduction pre-election advocacy shall be prohibited.

15. Advocacy in any form on the day preceding the day of elections and on the day of elections is forbidden.

16. Hindering the realization of the right to conduct of pre-election advocacy as well as abuse of the right to conduct such pre-election advocacy entails responsibility provided by the laws of Ukraine.

17. In the event election commissions receive appeals and complaints concerning the violations mentioned in paragraphs 3,10, 12-16 of this Article, election commissions shall immediately send appeals and complaints to the bodies of interior affairs to conduct verification and respond in accordance with the current legislation of Ukraine.

ARTICLE 34. Financing of pre-election campaign

1. Financing of pre-election campaign shall be carried out at the expense of State Budget of Ukraine, costs of personal election funds of candidates for the President of Ukraine.

2. The use of other funds for the conduct of pre-election advocacy is prohibited.

ARTICLE 35. Personal election fund of a candidate for President of Ukraine.

1. Each candidate for President of Ukraine may have a personal election fund. Personal election fund shall be formed at the expense of personal funds of a candidate, funds of political parties, contributions of Ukrainian citizens, legal entities registered in Ukraine with the exception of state enterprises, state bodies, institutions and organizations, bodies of local self-government, as well as foreigners and persons without citizenship, foreign legal entities, and enterprises with foreign investments, charity organizations and religious associations, enterprises, organizations and institutions which are indebted to the budgets of all levels.

2. Any terms, understanding and agreements between a contributor and a candidate, a party (bloc) in regard to money to be transferred to the candidate's personal fund, are void.

3. Procedure of opening and closure of the bank accounts, receipt and use of costs of personal election funds and procedure of conduct of control shall be established by Central Election Commission together with National Bank of Ukraine and State Tax Administration of Ukraine according to the laws of Ukraine.

4. The size of personal election fund of a candidate cannot exceed 100 000 untaxed minimums of citizens' income, and donations from one legal entity or individual cannot exceed 100 untaxed minimums of citizens' income.

5. Following a written request from the candidate for President of Ukraine, the Savings Bank of Ukraine in the area of location of Central Election Commission is required to open an account in his/her name under the heading "Election fund".

6. Control over the receipt and usage of funds from personal election fund of a candidate shall be exercised by Central Election Commission and State Tax Administration of Ukraine. Upon candidate's address, the bank is to give him/her full information on the size and sources of contributions to his/her personal election fund.

7. Information on size and sources of contributions to the fund, financial statements on use of these funds shall be published by Central Election Commission in "Holos Ukrainy" and "Uriadovyi Kuryer" newspapers no later than within seven days after the day of elections.

8. Use of any funds by the candidates, other than those ones envisaged in this Law for the needs of election campaign is forbidden.

9. Participation of citizens in the pre-election campaign by means of individual work, i.e. using one's own means on a voluntary basis in the time free from work or service, shall not be considered as paid employment.

10. If contributions are made to the candidate's personal election fund by an individual or legal entity who under this Law has no right to make such contributions, or if they were made by an anonymous or false contributor, or by one whose address is missing or one that makes it impossible to find contributor at this address, these funds shall be transferred to the State Budget of Ukraine.

11. Money (or its portion) which was contributed to the candidate's personal fund in excess of the maximal allowable amount of funds established by this Law, shall be returned to the contributor at the latter's expense.

12. A candidate shall have the right to refuse to accept the money received from a contributor, of which he/she shall file a statement with the institution where the account of his/her personal election fund was opened. This money shall be returned by the mentioned institution to the contributor at the latter's expense and shall not be taken into account while calculating the maximal permissible size of the candidate's personal election fund.

13. Money remaining in the candidate's personal fund after election of the President of Ukraine, shall be undisputedly transferred by the Savings Bank institution to the State Budget of Ukraine within 3 days after the publication of election results by Central Election Commission. In the event a candidate resigns or is removed from the ballot in established order, the remaining money on the account of his/her personal election fund shall be transferred to State Budget of Ukraine upon the decision of Central Election Commission.

14. Candidate for the President of Ukraine determines superintendent of personal election fund from the number of authorized persons.

15. On the second day after the election day banking institution where accounts of personal election funds of candidates are open shall inform Central Election Commission about size and sources of contributions to these funds and submit financial statements on their use.

16. Moneys of personal election funds shall be exclusively use for the needs of pre-election advocacy. Payment for work and services from personal election funds of candidates for the president of Ukraine may be carried out only non-cash manner.

17. Use of moneys from personal election funds of candidates for the President of Ukraine shall be terminated on the day prior to the election day.

18. Form of financial statement and count procedure of receipt and use of personal election funds shall be established by Central Election Commission.

CHAPTER VI. GUARANTEES FOR THE ACTIVITY OF CANDIDATES FOR PRESIDENT OF UKRAINE AND OTHER PARTICIPANTS OF ELECTIONS

ARTICLE 36. Rights of the candidate for President of Ukraine in the conduct of the election campaign.

1. Candidates for President of Ukraine shall, from the time of their registration by the Central Election Commission, take part in the election campaign on equal grounds. Candidates shall have equal right to use state mass media on the territory of Ukraine.

2. Candidates for the President of Ukraine shall have the right to delegate one representative to Central Election Commission with the right of deliberative vote.

3. In Central Election Commission representative of candidate for the President of Ukraine shall have the right:

1) to attend all sessions in Central Election Commission during consideration of any issues pertaining elections of the President of Ukraine;
2) provide information and submit proposals on issues being considered at the sessions of commission;
3) familiarize with the content of the minutes of the commission's sessions and decisions adopted by it, receive copy of these decisions;
4) immediately obtain copy of minutes (fax messages) and telephoned telegrams arriving to Central Election Commission from territorial election commission on determining voter results in respective territorial units;
5) to be in Central Election Commission premise during conduct of voting and determination of election results;
6) exercise other rights envisaged in this Law.

4. All candidates are provided with equal opportunities in regard to the use of state mass media in the territory of Ukraine, financial, material and technical provision of their participation in election campaign.

5. Candidates shall have the right to be exempted from production or office duties for the time of c conduct of the election campaign.

6. Candidates shall have the right to free transportation within the territory of Ukraine on all kinds of passenger transport (except taxi).

7. Candidates cannot be discharged from their work at the time of the election campaign or transferred to other work or position without their consent as well as to be called up military training or exercises.

8. During election campaign State shall provide candidate with protection in accordance with Law of Ukraine "On state protection of bodies of state power and public officials".

ARTICLE 37. Authorized persons of the candidate for President of Ukraine.

1. Candidate for President of Ukraine may have in each territorial election constituency one authorized person and five authorized persons who help him/her in the conduct of election campaign in the territory of all-state single mandate election constituency. They carry out campaign advocacy for his/her election as President of Ukraine, represent interests of the candidate in relations with state power bodies, bodies of local self-government, associations of citizens, as well as in election commissions.

2. Candidate for President of Ukraine shall determine authorized persons submit an appeal on their registration to Central Election Commission. Appeal shall contain name, surname, patronymic, work and home address, phone number of each authorized person as well as attached written consent of this person. Registration of heads of state power bodies and of local self-government bodies, of their deputies, judges, and of prosecutors, chiefs of military formations of Ministry of Defense, Ministry of Interior, National Guard, Frontier-guard and Security Service of Ukraine as authorized persons of candidates for President of Ukraine is inadmissible. Central Election Commission shall register candidate's authorized persons and shall issue them credentials of established form within three working days after the day of receipt of the appeal.

3. The registered authorized persons of candidates shall have the right to be exempted from their production or office duties from the time of registration and until the election campaign is over.

4. Candidate has the right at any time before the day of elections to submit to Central Election Commission an appeal on termination of authority of his/her authorized person and registration of another person instead of dismissed one. Authorized person of the candidate may at any time upon his/her initiative resign by submitting appropriate appeal to Central Election Commission and returning issued credentials.

ARTICLE 38. Official Observers at the Elections of the President of Ukraine.

Official observers from candidates for President of Ukraine, political parties (blocs), meetings of voters - subjects of electoral process, from foreign states and international organizations can participate in election campaign on elections of the President of Ukraine. Procedure of registration and status of official observers shall be determined by Regulations to be approved by Central Election Commission.

ARTICLE 39. Participation of authorized persons and other election participants in the work of election commissions.

1. The authorized persons of candidates for President of Ukraine and official observers can take part in the sessions of election commissions during the registration of candidates for President of Ukraine, during the voting, votes count at the polling station, the determination of voting results within a constituency, and during the finalization of general outcomes of the elections of President of Ukraine. The authority of the aforementioned representatives is determined in order established by this Law, and is certified with an appropriate document. Interference of the said persons with the work of election commissions is inadmissible.

2. In case the persons enumerated in paragraph 1 of this Article observe any violations of the legislation on elections of the President of Ukraine, they have the right to produce an act concerning this to be signed by the person (persons) who exposed the violation and by voters who witnessed the violation, and they have the right to apply to an appropriate election commission with a statement regarding elimination of the violations.

CHAPTER VII. THE CONDUCT OF VOTING, TABULATION OF RESULTS OF ELECTIONS OF THE PRESIDENT OF UKRAINE

ARTICLE 40. Election ballot.

1. The form and text of election ballot for elections of the President of Ukraine shall be approved by Central Election Commission.

2. Election ballots are documents of strict accountability.

3. Election ballot must contain title and date of elections, number of territorial election constituency and number of polling station, besides polling stations which were formed

in exceptional cases in accordance with paragraph 7, Article 12 of this Law and marked space for signature of the member of polling station election commission who is to issue election ballot, as well as space for the stamp of polling station election commission.

4. All registered candidates for President of Ukraine in an alphabetical order indicating surname, first name, patronymic, year of birth, position (occupation), place of work and residence, party affiliation, and entity which nominated the candidate shall be entered into election ballot. In the event that a candidate was nominated by party (bloc), the full name of the party (bloc) shall be indicated. A blank box is to be placed to the right of each candidate's name.

5. "Do not support any of the candidates for President of Ukraine" shall be indicated on election ballots beneath the listing of candidates' names, and a blank box is to be placed to the right of this entry.

6. Election ballot shall have a control check separated from it with a tear-off line. A control check shall contain the title and date of elections, number of territorial election constituency, number of polling station besides polling stations which were formed in exceptional cases in accordance with paragraph 7, Article 12 of this Law, as well as marked spaces for indicating the ordinal number of respective voter on the list of voters, for signatures of the voter and of the member of polling station election commission who handed out the ballot.

7. Election ballot must not contain information about those candidates who resigned from balloting. In the event a candidate resigned from balloting after ballots were printed, Central Election Commission shall adopt a decision regarding the introduction of changes to the election ballot and, if necessary, regarding its reprinting. If changes in the election ballot were made by crossing out the information on the person who had been a candidate, polling station commission shall notify each voter about this when handing out the election ballot.

8. Election ballots must be printed on identical paper and be equal in size, color and content, and shall comply with the form established by Central Election Commission. The ballot shall be printed on one sheet, and its text shall be placed on one side only.

ARTICLE 41. Procedure of handing out of election ballots

1. Territorial election commission shall receive election ballots at sessions from Central Election Commission. Territorial election commission shall compile minutes on ballot counting which is to be signed by all members of commission. Minutes shall be compiled in three samples, the first one is to be sent to Central Election Commission, the second one is to be retained at commission, the third one is to be immediately posted at commission's premises for general familiarization. Upon candidate's or his authorized person's or person's who was entrusted by candidate request, he (she) shall be issued copy of minutes.

2. Territorial election commission shall provide polling station election commissions with election ballots. Territorial election commission upon mutual agreement of all commission members for ballots count may divide into no more than two groups but the issuance of ballots with the announcement of number of ballots which are issued to each polling station election commission shall take place at the session of territorial election commission.

3. The issuance of ballots to the polling station election commissions shall take place in the quantity which is equal to the number of voters at the polling station with the reserve amount of which is to be established by Central Election Commission.

4. Territorial election commission shall compile minutes on count and issuance of ballots by polling station election commissions which is to be signed by all members of the commission. The number of ballots issued to each polling station election commissions shall be indicated in the minutes. Minutes shall be compiled in two samples one of which is to be retained with the commission, the second one is to be immediately posted at commission's premises for general familiarization. Upon candidate's or his authorized person's or person's who was entrusted by candidate appeal, he (she) shall be issued copy of minutes.

ARTICLE 42. The organization and procedure of voting.

1. Voting shall be conducted on the election day or on the day of repeat voting from 8:00 a.m. till 20:00 p.m.

2. Polling station election commission shall notify voters of the voting hours and place no later than fifteen days prior to the day of elections.

3. Voting is conducted in specially allocated premises equipped with an adequate number of booths or rooms for secret voting and with designated places for handing out election ballots, and ballot boxes are placed so that voters approaching them shall be required to walk through the booths or rooms for secret voting.

4. Entrance to booths or rooms for secret voting, exit from them, as well as the path from them to the ballot boxes must be within the field of vision of the members of

the polling station election commission, candidates and authorized persons of candidates and official observers.

5. Polling station election commissions shall be responsible for organizing voting, ensuring the secrecy of the voters' will, equipment of premises and maintaining proper order on them. A voter can remain on the voting premises only for the time necessary to cast a vote.

6. On election day, before the voting commences, the chairman of polling station election commission, in presence of the commission members and official observers, representatives of mass media who are at the polling station, shall inspect and seal ballot boxes.

7. Every voter shall vote personally. Voting for other individuals is inadmissible.

8. Election ballots shall be handed out by the polling station commission members, based on the list of voters for the respective polling station, when a voter produces a document to establish his/her identity. The member of polling station election commission who hands out the election ballot shall put his/her signature in the determined places on the elections ballot and on control check. It is prohibited to make any marks on ballots by which the voter can be identified. The voter is to sign for receiving the election ballot in the determined place on the control check and in the list of voters.

9. Control checks shall remain at the polling station and, along with the list of voters, be a basis for determining the number of voters who received election ballots.

10. Election ballot shall be completed by the voter in a booth or room for secret voting. The presence of other persons while completing the ballot is prohibited. A voter who cannot complete the ballot autonomously has the right to invite another person of his/her choice into the booth (room) for secret voting, except for the members of an election commission, candidates for President of Ukraine, their authorized persons, and official observers as well, upon the notification of the chairman, deputy chairman, secretary or a member of the polling station election commission.

11. On the ballot for voting a voter shall make a "plus" (+) mark or another mark, which shall reveal the voter's intentions, in the box beside the name of the candidate for whom he/she votes. A voter may vote for only one candidate. If a voter does not support any of the candidates, he/she shall make a "plus" (+) mark or another mark, which shall reveal the voter's intentions, in the box beside the entry: "Do not support any of the candidates for President of Ukraine."

12. In cases where certain voters cannot come to the premises for voting due to health reasons, on the voter's written request, the polling station election commission shall compile the list of such voters according to the form of common list of voters no less than one day prior to election day. The commission shall determine the time and no less than three members of the election commission to organize voting at places of stay of such voters. These commission members shall be representatives of different parties (blocs). The time when the commission members go out to such voters shall be determined in a way so that those voters could vote no later than one hour before voting ends. The chairman of the polling station commission must announce the fact that the members of the commission are going out to organize voting for voters who due to health reasons cannot come to the premises for voting. Only after the announcement election ballots and voters lists shall be issued to commission members. Ballots shall be counted in the presence of commission members who wish and official observers. Official observers shall have the right to be present during the conduct of such voting.

13. For the conduct of voting outside the premises for voting, the chairman of the polling station commission shall give to the appropriate commission members a list of voters whose voting is to be organized at places of their stay, sufficient number of election ballots and a sealed (stamped) ballot box. When organizing the voting, one member of the polling station election commission shall sign the election ballot and control check in the determined spaces, afterwards the ballot shall be handed to the voter who is to sign the control check and on the list of voters confirming its receipt. While a voter is completing the election ballot, no individuals can be present, except for the case envisaged by paragraph 10 of this Law.

14. After the members of the polling station election commission who organized the voting outside the premises for voting have conducted it, appropriate marks shall be made on the common list of voters. The list using which the voting was conducted shall be attached to the common list.

ARTICLE 43. Procedure for counting votes at the polling station.

1. Counting of votes at the polling station shall be done only by members of the polling station commission at its

session in the same premise where the voting took place. During the votes count no individual has the right to make any notes or signs on the ballots for voting.

2. After the completion of voting, the polling station commission shall determine the total number of voters at the polling station based on the list of voters.

3. Before the beginning of votes count, the polling station commission shall determine the number of voters who received election ballots, based on the number of control checks signed by voters and by members of the commission who handed out the election ballots, and based on the number of signatures in the list of voters. This number shall be announced and entered into the minutes.

4. Before opening ballot boxes, unused ballots are to be counted and cancelled through tearing off the upper left corner of a ballot. The number of such ballots shall be announced and entered into the minutes. After this, the control checks and cancelled unused ballots (with control checks) shall be packed and sealed; the name of election ballot, the number of territorial election constituency, the number of polling station, quantity of packed control checks and ballots, and the date and time shall be indicated on the package, and it shall be signed by the chairman and secretary of the polling station election commission.

5. After the verification of the integrity of the seals on ballot boxes, the chairman of the polling station commission shall open them. Ballot boxes shall be open by turns, first the ballot boxes according to which the voting took place outside the polling station at places of temporary stay of voters. Commission shall calculate the total number of election ballots in the ballot box. Only after this the next ballot box shall be open.

6. During counting votes defined member of commission shall count the ballots out loud. All other items that are not the ballots of established form shall be put aside and shall not be counted. In the event of doubts commission shall resolve by vote weather the ballot is of established form. To that each of commission member has the right to take and personally examine the items; during this time counting of votes shall be suspended. The items shall be packed. Inscription "Items", the number of territorial election constituency, number of polling station the date and time, signatures of chairman and secretary of polling station election commission and the seal of the commission shall be indicated on the package.

7. The commission shall calculate the total number of election ballots and determine the number of voters who took part in voting. This number shall be announced and entered into the minutes.

8. After calculation of all votes commission shall sort out election ballots. Certain commission member shall apportion ballots in separate spots showing each ballot to all commission members and announcing the content of the ballot. Depending on the content the ballots shall be sorted into void, ones cast against all the candidates, ones cast for each candidate separately. In the event of doubts as to content of the ballot commission shall resolve this issue by a vote. To that each of commission member has the right to take and personally examine the ballot; during this time sorting of ballots shall be suspended. Spots for the ballots shall be marked with the tables with the inscription on both sides "void", "against all" and names of the candidates respectively.

9. Election ballots which do not have the stamp of the polling station commission, the signature of the member of polling station commission who handed them out, which have more than one mark next to the names of candidates, as well as election ballots which do not have any mark, or where it is impossible to clearly identify the voter's will, are deemed void. Any doubts as to validity of a ballot, shall be determined as void exclusively by the decision of polling station election commission. To that each of commission member has the right to take and personally examine the ballot; during this time counting of ballots shall be suspended.

10. The determined number of void ballots shall be announced and indicated in the minutes; void ballots are to be packed. A note "Void ballots" shall be made on the package, and number of territorial election constituency, number of the polling station, quantity of the ballots packed, and date and time shall be indicated thereon, and it is to be signed by the chairman and secretary of the polling station election commission and commission's stamp shall be placed on them.

11. During counting of votes by the commission cast for each candidate each commission member shall have the right to verify and in the event of necessity to recount number of the ballots cast for each candidate. After that, election ballots with votes "for" every candidate for President of Ukraine shall be packed separately and sealed with an indication on the packages of the last name and initials of candidate, as well as the number of territorial election constituency, number of polling station, quantity of the ballots packed, and date and time; signatures of the chairman and secretary of the polling station election

commission and commission's stamp shall be placed on them.

12. Ballots wherein voters did not support any candidate shall also be packed in a separate package having an appropriate note, date, number of the ballots packed in the package. The package shall be signed by the chairman and secretary of the polling station election commission, and sealed with a stamp.

13. The polling station commission shall complete minutes to inscribe the following:

1) the total number of voters included on the list of voters in the polling station;
2) the number of ballots received by the polling station;
3) the number of unused ballots;
4) the number of voters who received election ballots;
5) the number of voters who participated in voting;
6) the number of election ballots found void;
7) the number of votes cast for each candidate;
8) the number of votes of the voters who did not support any candidate for President of Ukraine.

14. The votes count shall be conducted by the polling station election commission without a break until the minutes on the results of voting are signed. It is prohibited to fill out the minutes on the results of voting with the pencil and to make any changes in the minutes.

15. The minutes of the polling station commission shall be made in four copies to be signed by chairman, deputy chairman, secretary and members of the polling station commission who attended the session, and to be sealed with a stamp. The reason of absence shall be indicated against the names of absent members of the commission. Separate comments of commission members in the written form, written appeals and complaints that were filed regarding the votes count, as well as decisions that the commission adopted on them after consideration shall be attached to the minutes. The first and the second copies of the minutes along with packages with elections ballots and control checks shall be immediately sent to the territorial election commission, the third one shall be kept by the secretary of the polling station commission, and the fourth copy shall be at once posted public familiarization in the premises of the polling station commission for public review. Official observers and authorized persons of candidates shall have the right to sign the first copy of the minutes of polling station election commission. The first copy of the minutes of polling station election commissions formed at representation offices of Ukraine abroad after transmitting them by fax shall be sent along with packages of election ballots and control checks to Central Election Commission. Copies of the minutes immediately after they are signed shall be issued to candidates or their authorized persons, official observers present at the session of commission upon their request.

16. Delivering of documents envisaged in paragraph 15 of this Article to territorial election commission and their handing shall be carried out by chairman of polling station election commission or his deputy and two members of this commission escorted by the worker of body of interior. Mentioned above chairman and commission members shall be representatives of different political parties (blocs). It is prohibited to unpack the packages with election ballots during the delivery of documents.

17. Minutes and other documents of polling station election commission shall be handed at the session of appropriate territorial election commission.

ARTICLE 44. Determination of voting outcomes in the territorial election constituency.

1. On the basis of the minutes from the polling station election commissions, the territorial election commission at its session shall determine:

1) the total number of voters in the election constituency;
2) the number of election ballots received by polling station in the constituency;
3) the number of unused election ballots in the constituency;
4) the number of voters who received election ballots;
5) the number of voters who participated in voting;
6) the number of election ballots found void;
7) the number of votes cast "for" each candidate;
8) the number of votes of the voters who did not support any candidate.

2. Territorial election commission from the moment of completion of voting shall announce continuous session up to the moment of determination of results of voting in territorial election constituency and signing of the minutes. During this time members of territorial election commission can not be engaged to perform other functions except for participation in the session of the commission.

3. Minutes of polling station election commission shall be declared at the session of territorial election commission immediately after representative of polling station election commission arrive. Only after that, the minutes, if necessary, shall be sent to the automated system for

processing. After all minutes are declared, members of the territorial election commission shall be given a summery tabulation which is to be entered into the minutes by the commission after discussion and approval.

4. The minutes of territorial election commission shall be made in three copies to be signed by the chairman, deputy chairman, secretary and members of the territorial election commission who attended its session, and to be sealed with the territorial election commission's stamp. The reason of absence shall be indicated against the names of absent members of the commission. Data mentioned in paragraph 1 of this Article shall be entered in writing. Separate comments of members of the territorial election commission in the written form, written appeals and complaints received by the commission, and decisions that the commission adopted on them after consideration shall be attached to the minutes. The first copy of the minutes along with the minutes from all polling station commissions shall be immediately sent to the Central Election Commission and be transmitted by fax, the second one shall be kept by the secretary of the territorial election commission, and the third copy shall be at once posted in the premises of the territorial election commission for public review.

5. Upon request by a candidate or his/her authorized person, or official observers present at the session of commission they shall be given a copy of the minutes right after their completion.

ARTICLE 45. Determination of results of elections of the President of Ukraine.

1. On the basis of the minutes from the territorial election commissions minutes from polling station election commissions formed at representations of Ukraine abroad, Central Election Commission shall no later than five days after the election day determine results of elections in the unified all-state single-mandate election constituency for the elections of President of Ukraine, of which appropriate minutes shall be made. The minutes shall inscribe:

1) the total number of voters in unified all-state single-mandate election constituency;
2) the number of produced election ballots;
3) the number of unused election ballots;
4) the number of voters who received election ballots;
5) the number of voters who participated in voting;
6) the number of election ballots found void;
7) the number of votes cast for each candidate;
8) the number of votes of the voters who did not support any candidate;
9) candidate who is elected the President of Ukraine according to this Law.

2. In the event it is impossible to determine the candidate elected President of Ukraine based on the voting results Central Election Commission shall adopt a decision concerning calling repeat elections, of which a mention shall be made in the minutes.

3. In the event that elections of the President of Ukraine under this Law were found by Central Election Commission as non-occurred, Central Election Commission shall adopt a decision concerning calling repeat elections, of which a mention shall be made in the minutes.

4. Elections shall be found non-occurred in case all candidates for President of Ukraine resigned.

5. A candidate who obtained in the elections more than a half of votes of the voters who participated in voting, shall be deemed elected President of Ukraine.

6. Results of elections of the President of Ukraine shall be published by Central Election Commission in the newspapers "Holos Ukrainy" and "Uriadovyi Kuryer" no later than on the third day after the minutes on election results were signed.

ARTICLE 46. Repeat voting

1. If more than 2 candidates were listed on the election ballot and none of them received more than half of votes of voters who participated in the elections, Central Election Commission shall appoint repeat voting for elections of the President of Ukraine between the 2 candidates who obtained the greatest number of votes, excepting those candidates who withdrew their candidatures after the first voting. In the event one of the candidates on whom the repeat voting is to be held withdrew his/her candidature no later than seven days prior to the voting day, Central Election Commission shall adopt a decision to include in the election ballot a candidate next by the number of votes received. If the candidature was withdrawn after the aforementioned term had expired or if there are no other candidates left, the voting shall be held on one candidature.

2. Repeat voting takes place within two weeks after the day of elections of the President of Ukraine with observance of the requirements of this Law. The date of the repeat voting conduct is to be published in the newspapers "Holos Ukrainy" and "Uriadovyi Kuryer" and be publicized in other mass media.

3. The candidate is considered elected President of Ukraine if, as a result of the repeat voting, he received more votes of voters participating in the elections than the other candidate. In the event repeat voting was held on only one candidature, the candidate is considered elected President of Ukraine if more than half of votes of the voters who took part in the voting voted for him/her.

4. Repeat voting is deemed as such as one that did not provide opportunity to determine candidate elected President of Ukraine, if in the result of repeat voting both candidates who were balloting received equal number of votes or if election was held on one candidature and he/she did not receive more than half of votes of the voters who participated in the elections.

ARTICLE 47. Repeat elections.

1. If during elections of the President of Ukraine no more than two candidates for President of Ukraine ran and none of them was elected, and as well as all candidates for the President of Ukraine resigned prior to the day of elections then Central Election Commission shall, no later than 20 days after election results were determined, file with the Verkhovna Rada of Ukraine a submission to appoint repeat elections of the President of Ukraine.

2. Nomination and registration of candidates for President of Ukraine and other activities related to the conduct of repeat elections of the President of Ukraine are to be carried out in the order established by this Law. Upon a decision of Central Election Commission, elections may be conducted by the previously formed territorial election commissions and polling station commissions on elections of the President of Ukraine.

3. An announcement regarding the conduct of repeat elections of the President of Ukraine shall be published in the newspapers "Holos Ukrainy" and "Uriadovyi Kuryer" and publicized via other mass media.

ARTICLE 48. Peculiarities of conducting extraordinary elections of the President of Ukraine

Extraordinary elections of the President of Ukraine shall be conducted in the order and within the terms prescribed by this Law, and having the following peculiarities:

1) elections shall be conducted in unified all-state election constituency and territorial election constituencies, polling stations formed during the previous elections of the President of Ukraine;
2) proposals as to candidatures to the membership of territorial election commissions shall be submitted no later than on the fifth day after elections were called;
3) nomination of nominees for candidate shall commence 85 days and terminate 75 days prior to the day of elections;
4) collection of signatures in support of nominees for candidate shall begin after their registration with Central Election Commission and terminate 40 days prior to the election day;
5) registration of candidates shall terminate 30 days prior to the election day;
6) campaign posters of candidates shall have been manufactured no later than 15 days prior to the election day.

ARTICLE 49. Assuming of office by the President of Ukraine.

1. Newly elected President of Ukraine shall assume office no later than thirty days after the election results were officially announced from the moment he/she takes an oath to the people of Ukraine at a grand session of the Verkhovna Rada of Ukraine.

2. After the oath is made, Central Election Commission shall hand the newly elected President of Ukraine a credential of President of Ukraine.

CHAPTER VIII. CONCLUSIVE PROVISIONS

ARTICLE 50. Responsibility for violations of the election legislation.

1. Persons who inhibit through violence, deception, threats, bribery or otherwise free exercise by a Ukrainian citizen of the right to elect and be elected and to carry out campaign publicity, as well as chairman, deputy chairman, secretary, and members of election commissions, public officials or civil servants of state bodies, of local self-government bodies, and of associations of citizens who forged election documents, committed a deliberate miscount of votes, breached the secrecy of voting, or committed any other violation of this Law, shall bear responsibility prescribed by law.

2. Persons who publish or otherwise disseminate deliberately falsified information about a candidate shall be brought to responsibility prescribed by law as well.

ARTICLE 51. The safekeeping of election-related documents.

1. After official publishing of the voting results and election outcomes, the Central Election Commission shall pass election-related documents to the respective central

state archive institution, and territorial and polling station commissions shall pass them to the respective local state archive institutions.

2. The list of election-related documents to be secured in state archive institutions shall be determined by Central Election Commission.

3. Election ballots and lists of voters shall be secured for five years in the local state archive institutions, and afterwards be destroyed in the established order.

4. The state archive institutions shall provide access to election-related documents in accordance with the legislation of Ukraine.

CHAPTER IX. FINAL PROVISIONS

1. This Law shall become effective from the day of its official promulgation.

2. The Law of Ukraine "On elections of the President of Ukraine" (Official Gazette of the Verkhovna Rada of USSR of 1991, # 33, p.448; Official Gazette of the Verkhovna Rada of USSR of 1994, # 8, p. 40, # 33, p. 298), Resolution of Verkhovna Rada of Ukraine as of July 13, 1994 " On Implementations of Laws of Ukraine "On Elections of People's deputies of Ukraine", "On Elections of the President of Ukraine", "On Elections of deputies and Chairmen of village, settlement, rayon, city, city rayon, oblast radas" (Official Gazette of the Verkhovna Rada of USSR of 1994, # 33, p. 310) shall lose its effect from the day this Law becomes effective.

L.Kuchma.

March 25,1999.