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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

LAW

**ON THE ADOPTION OF AMENDMENTS
TO THE LAW 'ON THE ELECTION OF PEOPLE'S DEPUTIES'
AND SOME OTHER LEGISLATIVE ACTS**

OF UKRAINE*

* Dated: Kyiv, 1 June 2007

The Law of Ukraine

On the Adoption of Amendments to the Law of Ukraine 'On the Election of People's Deputies' and Some Other Legislative Acts (as to the procedure for conducting irregular elections to Verkhovna Rada of Ukraine and replacing the people's deputies whose powers were early terminated)

(#1114-V)

(This Law is effective as of the day of its publication and is enforced starting from the beginning of the electoral process for irregular elections of people's deputies to Verkhovna Rada appointed in accordance with Article 82, para.2 of the Constitution of Ukraine (254к/96-BP) (provided the incompetence of Verkhovna Rada of Ukraine is legally confirmed), however not earlier than within 60 days from the day of publication of the present Law (see Section II of this Law)

Verkhovna Rada of Ukraine **resolves:**

I. To adopt amendments to the following legislative acts of Ukraine:

1. Following amendments shall be introduced into the Law of Ukraine 'On the Elections of People's Deputies' (1665-15) (Bulletin of the Verkhovna Rada of Ukraine, 2005, #35-36, p. 446; 2006, #5-6, p. 75; #10-11, p. 97, 98; #33, p. 284):

1). para. 8 of the Article 33 shall be read as follows:

'8. The meeting of the electoral commission is presided over by the head of the commission or his/her deputy; in case they do not fulfill this function or in case of their absence, including on the voting day, in particular during the calculation of votes at the polling station and tabulation of results in the territorial constituency, at each such meeting the commission shall appoint from its composition the chairperson of the meeting from those members of commission that represent the same subject of the candidacies nomination; in case of the absence or refusal of such member (or such members) of the commission another member of the commission shall be appointed';

2). para. 2 of the Article 54 shall be excluded;

3). in para. 6 of the Article 61 the words 'Central Electoral Commission' shall be replaced with words 'In case of conduct of regular elections of people's deputies the Central Electoral Commission';

4). In Article 84:

para. 2 shall be supplemented with the following section:

'The voters included in such extract shall be notified about that no later than seven days before the election day and shall be provided with an explanation of their right to vote at their location and the possibility to decline that right no later than three days before the election day. In case the voter has refused from the given right to vote at his or her location, this voter is not included in the respective extract. In the event that voter within the fixed term has not declined the right to vote at his/her location, the electoral commission is obliged to provide voting of this voter at

the place of his/her location. Immediately after its composition this extract is made available at the premises of the polling station commission for general familiarization.'

section 2 of the para. 3 shall be read as follows:

'2). at the decision of the polling station commission – voters that are not able to move on their own, on the ground of their application. The form of such application and its requirements shall be determined by the Central Electoral Commission.'

para. 5 shall be read as follows:

'5. The voter mentioned in para.1 of this Article, shall submit by mail or through other people an application written by the very voter with a request to provide him/her with a possibility to vote at his/her location. This application shall be submitted to the polling station commission no later than 20.00 of the last Friday before the election day.'

para. 7 shall be excluded;

in para. 9 the words 'with enclosed documents envisaged in para. 7 of this Article or their copies' shall be excluded;

in para. 18 the words 'with documents confirming their inability to move on their own or their copies' shall be excluded.

5) in Article 90, para. 1, section 2 the word 'ten' shall be substituted with the word 'twenty';

6) section 2 of para.15 of Article 92 shall be read as follows:

'2) finding of the facts of the deliberate impeding of the fulfillment of the powers by the members of the electoral commissions during the day before the election day, on the election day or vote count, deliberate unlawful expulsion from the voting premises or premises where the calculation of the votes takes place of the official observers from the parties (blocs) - subjects of the electoral process, which are entitled to be present in the mentioned premises as well as unlawful non-admission of the indicated official observers to the premises where the voting or vote count takes place';

7) Article 93 shall be supplemented with paras.11 and 12 of the following content:

'11. District election commission is obliged to determine the voting results within territorial constituency regardless of the quantity of the polling stations where voting was declared invalid.

12. Invalidation of the voting within the territorial constituency shall be banned';

8) Article 94 shall be supplemented with paras.7 and 8 of the following content:

'7. Central Electoral Commission is obliged to determine voting results within the foreign electoral district regardless of the quantity of the polling stations where voting was declared invalid.

8. Invalidation of the voting within the foreign electoral district shall be banned';

9) Article 96 shall be supplemented with para.13 of the following content:

'Central Electoral Commission is obliged to determine the voting results regardless of the quantity of the polling stations where voting was declared invalid';

10) in Article 101:

para.1 shall be read as follows:

'1. In case of pre-term termination of the powers of the deputy on the grounds and pursuant to the procedure foreseen by the Constitution of Ukraine (254к/96-BP), not earlier than on the sixth day after the day of receipt of respective decision or copy of a death certificate the next candidate for the deputy on the electoral list of the corresponding party (bloc) shall be considered elected by the decision of the Central Electoral Commission. If the decision on the pre-term termination of powers of the deputy is appealed, the Central Electoral Commission shall adopt the decision to consider as elected the next candidate for the deputy on the electoral list of the corresponding party (bloc) after court's decision enters into force. If the list of the candidates for the mandate of the deputy is exhausted, the mandate of the deputy shall remain vacant till the conduct of regular or irregular elections';

para.3 shall be excluded;

11) Article 102 shall be read as follows:

'Article 102. General Particularities of Preparation and Conduct of Irregular Elections of Deputies'

1. Preparation and conduct of the irregular elections of the deputies shall be carried out in time-frames and pursuant to the procedures established by this Law and with due regard to the particularities stipulated in this Article and Articles 102-1 – 102-6 of this Law.

2. During the conduct of the irregular elections the documents approved (established) by the Central Electoral Commission for the last regular elections of the deputies (except for the ballot paper, list of voters of the polling district, protocol of the polling station commission on the vote count in the polling district, of the district election commission on the second vote count in polling district, of the district election commission on the results of the voting within the limits of the territorial constituency, of the Central Electoral Commission on the results of voting in the foreign constituency, of the Central Electoral Commission on the results of the election of the deputies) shall be used with respective alterations as to the date of the elections.

3. The form and the text of the ballot paper shall be approved by the Central Electoral Commission no later than 25 days before the election day. Supervisory group envisaged by Article 79, para.4 of this Law, shall be established based on the submissions of the factions mentioned in Article 102-2, para.1 of this Law.

4. The terms established in Article 49, para.4, Article 58, para.1(2) and the actions envisaged in Article 56, para.5 and Article 58, para.2 of this Law related to the announcement of the beginning of the electoral process shall commence on the next day after the day of publication of the Decree of the President of Ukraine on pre-term termination of powers of the Verkhovna Rada of Ukraine.

5. Non-governmental organization which meets the requirements of Article 76, para.1 of this Law no later than 30 days before the election day can address the Central Electoral Commission with a petition for a permission to have its official observers at the irregular elections of the deputies.

6. The list of non-governmental organizations granted permission to have official observers at the elections of the deputies shall be officially published by the Central Electoral Commission in the newspapers 'Holos Ukrainy' and 'Uryadoviy Kuryer' no later than 20 days before the election day.

7. During the conduct of the irregular elections the absentee ballots are not produced and are not used. In that respect:

1) the form of the protocol of the polling station commission on the vote count in the polling district as well as of the protocol of the district election commission on the second vote count in polling district shall not contain the information indicated in Article 89, para.2, sections 7, 10, 20-22 of this Law;

2) the form of the protocol of the district election commission on the results of the voting within the limits of the territorial constituency shall not contain the information indicated in Article 93, para.1, sections 9, 12, 21-25 of this Law;

3) the form of the protocol of the Central Electoral Commission on the results of voting in the foreign constituency shall not contain the information mentioned in Article 93, para. 1, sections 9, 12, 21-25 of this Law;

4) the form of the protocol of the Central Electoral Commission on the results of the election of the deputies shall not contain the information mentioned in Article 96, para.1, sections 12, 15 of this Law.

8. The Central Electoral Commission no later than 23 days before the election day shall approve the forms of the protocols indicated in para.7 of this Article.

9. The irregular elections of the deputies shall be considered as such that have failed if less than half of the voters included in the voters lists participated.

10. In case the irregular elections are considered as such that have failed, the Central Electoral Commission no later than within two months from the day of the irregular elections shall announce the commencement of the repeated irregular elections of the deputies. Repeated irregular elections of the deputies shall be carried out pursuant to the procedures and time-frames set forth by this part';

12) Article 102 shall be supplemented with articles 102-1 – 102-6 of the following content:

'Article 102-1. Particularities of the Territorial Organization of Irregular Elections of Deputies

1. Territorial and foreign constituencies created for the last elections of deputies shall be used during the conduct of irregular elections of deputies.

2. Decision of the Central Electoral Commission on the creation of the territorial polling districts on the basis of the last elections of deputies indicating numbers, limits and centers shall be published by the Commission within three days after the day of the commencement of the electoral process in newspapers 'Holos Ukrainy' and 'Uryadoviy Kuryer' as well as within seven days after the day of the commencement of the electoral process in the regional press.

3. Decision of the Central Electoral Commission on the creation of foreign polling district during the conduct of the last elections of deputies shall be published in the newspapers 'Holos Ukrainy' and 'Uryadoviy Kuryer' within three days after the day of the commencement of the electoral process. Respective official diplomatic mission or consular institution of Ukraine announces the information on the establishment of the foreign polling district pursuant to the procedures and in time-frames stipulated by Article 23, para.3 of this Law.

4. Regular polling districts established for the last elections of the deputies are used for the conduct of irregular elections of the deputies.

5. The Central Electoral Commission no later than 30 days before the election day on a motivated submission of the district election commissions, initiated address of the city (cities of oblast (region) level, of republican level in Autonomous Republic of Crimea) Mayor, head of the district, district in the city of Kyiv, Sevastopol city rada (council) may establish new regular polling districts. Such submission shall be submitted to the Central Electoral Commission no later than 32 days before the election day. The submission shall contain information on the suggested boundaries of the polling district, proposals as to the location of the polling station commission and voting premises, tentative number of voters in this polling district as well as tentative changes of the number of voters in other polling districts caused by the establishment of the new district. Decision on the establishment of a new regular polling district shall be sent no later than on the next day after its approval to the working group on the registration of voters of the administrative and territorial unit, within the limits of which the polling district is established.

6. Special polling districts for the conduct of irregular elections of deputies are created by the district election commissions no later than 25 days before the election day. Submissions mentioned in Article 21, para.2 of this Law shall be received by respective district election commission no later than 28 days before the election day.

7. Application for the establishment of a special polling district on the territory of the military unit (formation) dislocated beyond the boundaries of the considerably remote inhabited locality mentioned in Article 21, para.5 of this Law shall be submitted to the Central Electoral Commission no later than 28 days before the election day. Such special polling district shall be created within the period set in para.6 of this Article.

8. List of ordinary and special polling districts with the indication of numbers of the polling stations, their boundaries or institutions, in which they are established, location of respective polling station commissions and voting premises shall be published in the regional and local press no later than 17 days before the election day or if not possible shall be made public by other means within the same time-frame.

Article 102-2. Particularities of Establishing Electoral Commissions for the Irregular Elections of Deputies

1. The district election commissions are created by the Central Electoral Commission no later than within 12 days after commencement of the electoral process. Candidacies for the composition of the district election commissions are nominated by the factions of the deputies which were established at the current convocation of Verkhovna Rada of Ukraine (hereinafter referred to as factions). Submissions as to the candidacies from the factions shall be signed by the head of the faction, whose signature is to be certified by the apparatus of the Verkhovna Rada of Ukraine or by the notary, and shall be directed to the Central Electoral Commission no later than within 8 days after commencement of the electoral process.

2. The number of candidacies included in the list of the district election commission on the submission of each faction, shall be determined by the Central Electoral Commission no later than on the next day after the commencement of the electoral process based on the quantitative limits of the composition of the commissions set forth in Article 27, para.1 of this Law and adhering to the equitable representation of the coalition of deputies' factions and opposition (the deputies factions that do not belong to the coalition) formed in Verkhovna Rada of Ukraine of current convocation, and equal number of the candidacies from each separate faction in the context of representation of coalition and opposition.

3. Leading positions in the district election commissions shall be assigned in accordance with the procedure stipulated by Article 27, para.10 of this Law. Moreover, both the head and the secretary of the same commission may not be representatives only by the coalition or the opposition.

4. If within the time-frame set by the para.1 of this Article the faction, mentioned in para.1 of this Article, did not present its submissions or if quantity of the candidacies nominated by the factions for the composition of the district election commission is less than the quantity allocated to this faction, the right to nominate the candidacies in the number necessary to ensure the representation of the coalition (opposition) shall be passed to other factions, which belong respectively to coalition or opposition. Such submission may be proposed no later than on the next day after the expiry of the time for the submissions introduced in accordance with para.1 of this Article.

5. If after expiry of the period set in para.4 of this Article the submissions as to the composition of the district election commission were not received or if the number of the candidates nominated for the composition of the district election commission is less than 12, the Central Electoral Commission is obliged to establish district election commission consisting of 12 people on the submission of the Head of the Central Electoral Commission by all means taking into account the candidacies nominated by the factions mentioned in para.1 of this Article.

6. Polling station commissions of the regular and special polling districts are established no later than 15 days before the election day and simultaneously with the establishment of the polling district in the exceptional case of the establishment of the polling district on the basis of Article 21, para.7 of this Law, on the submission of the factions, mentioned in para.1 of this Article.

7. The polling station commission shall consist of:

- 1) 9-14 members in case of small districts;
- 2) 13-18 members in case of medium districts;
- 3) 18-23 members in case of large districts.

8. Candidacies for the composition of the polling station commissions shall be nominated by the factions, mentioned in para.1 of this Article. Submission of the candidacies shall be signed and put forward by the head of the faction or the person authorized by the head of the faction whose signature on the respective submission or document of instruction is to be certified by the apparatus of the Verkhovna Rada of Ukraine or by the notary. Mentioned document of instruction shall be valid till the election day inclusive if not indicated otherwise in the very document. Copy of the document of instruction shall be enclosed to the submission and shall be kept at the respective commission. The submission shall be directed to the respective district election commission no later than 20 days before the election day. The person authorized to introduce the submission shall show one of the documents listed in Article 2, para.3 of this Law.

9. Number of the candidacies from each faction mentioned in para.1 of this Article, who are included in the composition of the polling station commission, shall be determined by the Central Electoral Commission no later than 40 days before the election day with due regard to the quantitative limits of the composition of the commissions set forth in para.7 of this Article and adherence to the equitable representation of each faction.

10. Leading positions in the polling station commissions shall be assigned in accordance with the procedure stipulated by Article 28, para.10 of this Law. Moreover, both the head and the secretary of the same commission may not be representatives only of the coalition or opposition.

11. If within the period set by the para.8 of this Article the faction, mentioned in para.1 of this Article, did not provide the submission as to the composition of the polling station commission or if the number of candidates nominated for the composition of the polling station commission is less than the minimum number set by para.8 of this Article, the district election commission is obliged upon a submission by its head to establish polling station commission consisting of the minimum number of members set by para.8 of this Article by all means taking into account the candidacies nominated by the factions, mentioned in para.1 of this Article.

12. Candidacies for the composition of the foreign polling station commissions in addition to the factions mentioned in para.1 of this Article shall be nominated by the Ministry of Foreign Affairs of Ukraine with due regard to the requirements stipulated in Article 29 of this Law.

13. Clarifications as to the procedure of the establishment of the polling station commissions and assignment of the positions in these commissions during the conduct of irregular elections of deputies shall be adopted by the Central Electoral Commission no later than 30 days before the election day.

Article 102-3. Particularities of Compiling and Updating the Voters Lists for the Irregular Elections of Deputies

1. Compilation of the voters lists for the irregular elections of the deputies shall be carried out by means of the main mechanisms and procedures determined by the Law of Ukraine 'On the State Voter Register' (698-16) pursuant to the procedure and with due regard to the particularities set forth by this Article.

2. Compilation of the lists for the ordinary polling districts shall be carried out by the working groups on the registration of voters to be established by the district, district in the cities of Kyiv and Sevastopol public administrations, executive committees of city radas (councils) (cities of republican level in the Autonomous Republic of Crimea, of oblast (region) level) no later than within 5 days after the commencement of the electoral process of the irregular elections of the deputies and shall be effective till the election day inclusive. The authority which established the working group shall notify the Central Electoral Commission about the head of the group, its location and means of communication no later than the next day.

3. The working group on the registration of voters engages Mayors of the settlements, villages, towns (towns of the district level), and heads of the district radas (councils) in the city or other officials, who, in accordance with the law, fulfill their duties in the process of compiling and updating the voters lists in the respective territorial communities.

4. Ministry of Interior of Ukraine, Ministry of Justice of Ukraine, Ministry of Defence of Ukraine, State Department on the Execution of Punishments no later than within 5 days after the commencement of the electoral process appoint responsible officials in each territorial structure for the purpose of interacting with the working groups on the registration of voters and providing the groups with information necessary for the compilation of the voters lists.

5. Lists of voters at the regular polling districts shall be compiled in accordance with the sample approved by the Central Electoral Commission and on the grounds of general lists of voters, provided by the Central Electoral Commission using the lists of voters of the regular

polling districts used during the last election of the deputies, no later than within 5 days after commencement of the electoral process.

6. The Central Electoral Commission no later than on the next day after the receipt of the notification on creation of the working group provides the latter with the electronic database of the general lists of voters with regard to the respective administrative and territorial unit.

7. Corresponding local executive authorities and local self-government institutions no later than 47 days before the election day shall ensure that respective archive institutions provide the working groups on the registration of voters with the lists of voters for the polling districts without voters' signatures, which were used during the voting at the last elections of deputies and were deposited in accordance with Article 118 of this Law.

8. Corresponding working group on the registration of voters no later than 30 days before the election day shall receive the information about the citizens of Ukraine from the following authorities:

1) the head of respective district (city or district in the city) body of the Ministry of Interior of Ukraine shall submit the information:

a) about citizens of Ukraine registered at their residence in the corresponding administrative and territorial unit who have reached the age of eighteen after the day of last elections of deputies or who will be eighteen as of the day of irregular elections;

b) about individuals, who have acquired the citizenship of Ukraine and received interim certificate of the citizen of Ukraine or passport of the citizen of Ukraine and are registered at their residence in the corresponding administrative and territorial unit;

c) about voters, who, after the day of last elections of deputies, have changed their residence registration within the limits of the corresponding administrative and territorial unit;

d) about voters, who, after the day of last elections of deputies, registered their residence in the corresponding administrative and territorial unit;

e) about voters, who, after the day of last elections of deputies, have cancelled their registration of the place of residence in the corresponding administrative and territorial unit;

f) about individuals whose Ukrainian citizenship ceased after the day of the last elections of deputies;

2) the head of respective district (city or district in the city) body of the Ministry of Justice of Ukraine shall submit the information:

a) about voters who resided in the corresponding administrative and territorial unit and died after the day of the last elections of deputies;

b) about voters who after the day of the last elections of deputies changed their surname, name, patronymic name, date of birth;

3) the head of local military registration and enlistment office shall submit the information:

a) about voters who resided on the corresponding territory and were drafted for the fixed term military service after the day of the last elections of deputies;

b) about voters who after the day of the last election of deputies were transferred to the reserve upon completion of the fixed-term military service;

4) The commander of military unit (formation) dislocated within the limits of corresponding administrative and territorial unit shall submit the information:

a) about voters – fixed-term service military men who arrived within last 12 months before the election day for the irregular elections in order to undergo military service at this military unit (formation) (and in case of the military men that undergo their fixed-term military service on ships, vessels and coastal units of the security support of the Naval Forces of the Armed Forces of Ukraine and Coastal Forces of the Border Guard of Ukraine – within the last 18 months);

b) about other voters that settled on the territory of that military unit (formation) dislocation after the day of the last elections of the deputies;

c) about voters (including the fixed term service military men) that left the dislocation territory of this military unit (formation) after the day of the last elections of the deputies;

5) the head of the respective district (city or district in the city) guardianship and care authority shall submit the information:

a) about voters that after the day of the last elections of the deputies were considered incapable and consequently were placed under the guardianship;

b) about individuals with regard to which after the day of the last elections the decision on incapability was cancelled by the court and consequently the guardianship was discontinued;

6) head of the respective district (city or district in the city) health care authority, social service institutions, Mayor of the village, settlement, town (towns of district level) shall submit information about the voters permanently unable to move without assistance for the purpose of including these persons in the extract of the voters list to ensure voting at their location;

7) head of the specialized institution located in the administrative and territorial unit which according to the law carries out registration of homeless citizens shall submit the information about:

a) about voters that after the day of the last elections of the deputies were registered at the juridical address of the institution;

b) about voters that after the day of the last elections of the deputies were removed from the registration at the juridical address of the institution;

8) head of the local punishment execution authorities of the State Department of Ukraine on the Execution of Punishments shall submit the information about citizens of Ukraine who serve their sentences at the institutions situated on the corresponding territory;

9) head of the state tax authority in the corresponding administrative and territorial unit shall submit the information about persons which are included in the state registry of the physical persons – taxpayers and payers of other compulsory payments in corresponding administrative and territorial unit.

9. State Border Guard authorities within three days before the election day shall submit to the district election commission information about individuals registered in corresponding administrative and territorial unit, who in fact have crossed Ukrainian state border and as of the moment of the information submission there is no data with regard to their return to the territory of Ukraine.

10. Information envisaged in paras.8 and 9 of this Article shall be submitted on paper and in electronic format. Validity of the information shall be certified by the signature of the head of corresponding body, institution, organization, commander of the military unit (formation) and shall be respectively sealed.

11. In case a new regular polling district is established in accordance with the procedure foreseen in Article 102-1, para.5 of this Law, the working group on the registration of voters compiles the lists of voters of this polling district on the basis of the information available. The voters included into the list of voters of the new polling district shall be removed from the lists of voters of the other regular polling districts.

12. The working group on the registration of voters shall update the lists of voters using the information received in accordance with para.8 of this Article. The working group shall produce two copies of the list of voters at each regular polling district established within the limits of administrative and territorial unit no later than 20 days before the election day.

13. The lists of voters of each polling district in two copies shall be signed no later than 18 days before the elections by the head of the working group and by the corresponding Mayor of the village, settlement, towns/cities (cities of district, regional and republican level in the Autonomous Republic of Crimea without regional division), head of the district rada (council) in the city or by any other official fulfilling such authorities according to the law whose signature is certified by the seal of corresponding rada (council).

14. The head of the working group shall pass the lists of voters of each polling district in two copies signed in accordance with para.11 of this Article on paper and in electronic format to the district election commission at its meeting no later than 17 days before the election day. With regard to that an act is drawn up on the basis of a sample and pursuant to the procedure set by Article 35, para.8 of this Law.

15. In order to ensure public control over the process of the voters lists compilation and reliability of the lists the Central Electoral Commission no later than within 15 days after the commencement of the electoral process shall establish central and regional (in the Autonomous Republic of Crimea, oblasts (regions), cities of Kyiv and Sevastopol) supervisory groups each of which shall be composed of two representatives of factions mentioned in Article 102-2, para.1 of this Law. Submission of candidacies nominated for the membership in the supervisory groups shall be signed by the corresponding head of faction, whose signature shall be certified by the apparatus of Verkhovna Rada of Ukraine or by notary and shall be submitted to the Central Electoral Commission no later than within 10 days after the commencement of the electoral process.

16. Members of the supervisory groups shall be entitled:

1) to receive information about the course of compiling and updating the lists of voters at the polling districts;

2) to receive upon its own written request an electronic copy of the lists of voters at the polling districts (as of the day of delivery of the lists of voters to the district election commissions) from the working group.

17. List of voters at the polling district shall have continuous numbering of voters. The information about voters shall be ordered according to their addresses so that information about voters with the same address is placed alongside.

18. The district election commission no later than 12 days before the election day shall communicate the lists of voters of the polling district to the corresponding polling station commission of the regular polling district in order established by Article 41, para.8 of this Law. Information received by the district election commission in accordance with Article 102-3, para.9 of this Law shall be communicated to the polling station commission on the next day. In this case the polling station commission is obliged to exclude the persons mentioned in the received information.

19. The updating of the voters lists after they are received by the polling station commission of the regular polling district shall be carried out pursuant to the procedure envisaged in Articles 43-45 of this Law.

20. Individual invitation foreseen by the Article 43, para.2 of this Law shall be delivered to every voter included in the lists of voters no later than 7 days before the election day.

21. At the special polling districts the lists of voters shall be compiled in order envisaged by this Law no later than 7 days before the elections. One copy of the list of voters is passed to the corresponding district election commission no later than on the next day after its compilation.

22. Information about voters that as of the day of elections are located at the territory of special polling districts shall be submitted no later than 8 days before the election day by the corresponding polling station commission in order determined by Article 46, para.3 of this Law.

23. The lists of voters at the foreign polling district shall be compiled and produced pursuant to the procedure established by this Law. Working group on the registration of the voters at the Ministry of Foreign Affairs of Ukraine shall be established within the timeframe envisaged by para.2 of this Article. The Central Electoral Commission is notified of the aforementioned no later than on the next day.

24. During the conduct of irregular elections of the deputies voters, who are registered with the consulate as of the moment of the lists compilation shall be included in the lists of voters of the foreign polling district. The lists of voters shall be communicated to the polling station commissions of the foreign polling district no later than 12 days before the election day. Updating of the lists of voters at the foreign polling district shall be carried out according to the procedures determined by this Law. Members of the central supervisory group possess the powers envisaged by para.16 of this Article with regard to lists of voters at the foreign polling district.

25. Members of the electoral commissions are included into the lists of voters at the place of location of the corresponding commission in order established by Article 44, para.5 of this Law.

Article 102-4. Particularities of the Nomination and Registration of the Candidates for the Deputies at the Irregular Elections of Deputies

1. Nomination of the candidates for the deputies shall start on the next day after the publication of the Decree of the President of Ukraine on the pre-term termination of powers of the Verkhovna Rada of Ukraine and shall terminate 40 days before the election day.

2. The Central Electoral Commission is notified about the creation of electoral bloc no later than 3 days before the conduct of the interparty congress (meeting, conference) on the nomination of deputy candidates.

3. Submission of the documents for the registration of the candidates for deputies to the Central Electoral Commission shall terminate 35 days before the election day. The Central Electoral Commission adopts the decision on the registration of candidates no later than within three days after receipt of the application for the registration of the candidates for the deputies and enclosed documents. If the registration of candidates for deputies is denied due to improper filling of the submitted documents the repeated submission of the corrected documents in accordance with Article 62, para.3 of this Law shall be carried out no later than 30 days before the election day.

4. Registration of the candidates for the deputies shall terminate 27 days before the election day.

5. Size and number of the photos of the individuals included in the list of candidates of the party (bloc) is determined by the Central Electoral Commission no later than within three days after the publication of the Decree of the President of Ukraine on the pre-term termination of powers of the Verkhovna Rada of Ukraine.

6. During the conducts of irregular elections of deputies declaration on property and revenues of the candidate for his or her registration is not submitted to the Central Electoral Commission.

Article 102-5. Particularities of the Financial and Logistical Support of the Irregular Elections of Deputies

1. District election commission within 5 days after its creation shall draw an estimate of the expenses on the preparation and conduct of the irregular elections of deputies foreseen by Article 49, para.6 of this Law, which is to be submitted to the Central Electoral Commission no later than within 7 days after the creation of the district election commission.

2. A party (bloc) - subject of the electoral process shall open an accumulative account of its electoral fund no later than within 5 days after the registration of the list of candidates for deputies of this party (bloc). Opening and closing of the accounts of electoral fund of the party (bloc), financial accountability of the party (bloc) shall be carried out pursuant to the procedures and in order applied during the last regular elections of the deputies.

3. Purchase of goods, works and services for the preparation and conduct of irregular elections of deputies at the expenses of the State budget of Ukraine shall be carried out according to the procedures approved by the Inter-Departmental Commission on Public Purchases at the proposal of the Central Electoral Commission. The aforementioned procedure is adopted no later than within 5 days after commencement of the electoral process.

Article 102-6. Particularities of the Election Campaigns at the Irregular Elections of the Deputies

1. Informational posters of the parties (blocs) indicated in Article 62 of this Law shall not contain election programmes of the parties (blocs). These posters shall contain photos of five candidates for the deputies from the voting list of the party (bloc) determined by the corresponding party (bloc). Such posters are produced no later than 15 days before the election day. Informational posters are delivered to the polling station commissions no later than 7 days before the election day.

2. Local executive authorities, local self-government bodies no later than 50 days before the election day allot space and equip stands, advertisement boards in public places for the placement of the election campaign materials.

3. The procedure for allocating airtime and space in the press, at the expense and within the limits of funding from the State budget of Ukraine allocated for the preparation and conduct of the elections, shall be determined by the Central Electoral Commission no later than 26 days before the election day.

4. Prices for the unit of space in press and airtime mentioned in Article 68, paras.6 and 7 of this Law shall be determined by the corresponding mass media no later than 51 days before the day of irregular elections.

5. Mass media shall officially submit prices for the unit of space in press and airtime determined in accordance with the requirements of Article 68, paras.6 and 7 of this Law to the Central Electoral Commission no later than 50 days before the election day. Publication of the mentioned prices according to the Article 69, para.1 of this Law shall be carried out no later than 48 days before the election day.

6. National television and radio organizations of the state ownership shall grant each party (bloc) - subjects of the electoral process airtime of the total length of 30 minutes at the national television and 30 minutes at the national radio channel during the period from 19.00 till 22.00 for the conduct of election propaganda at the expense and within the limits of funding from the State budget of Ukraine allocated for the preparation for and conduct of the elections. Airtime for the conduct of the election propaganda at the expenses and within limits of the funds of State budget of Ukraine which are apportioned for the preparation and conduct of the elections at the regional television and radio channels is not provided.

7. Preliminary broadcasting schedule for the election campaign television and radio programs envisaged by Article 69, para.6 of this Law shall be composed by the national television and radio organizations of the state ownership mentioned in para.6 of this Article and shall be sent to the Central Electoral Commission no later than 35 days before the elections.

8. The order of the allocated to the parties (blocs) - subjects of the electoral process of the airtime on the television and radio at the expense and within limits of funding from the State budget of Ukraine allocated for the preparation and conduct of the elections shall be determined no later than 25 days before the election day by casting of lots carried out by the Central Electoral Commission with the participation of the representatives of the parties (blocs) at the Central Electoral Commission.

9. Publication of the election programs of the parties (blocs) foreseen by Article 70, para.1 of this Law shall be done in the newspapers 'Holos Ukrainy' and 'Uryadoviy Kuryer'. Publication of the election programs of the parties (blocs) at the expenses and within the limits of funding from the State budget of Ukraine allocated for the preparation and conduct of the elections is not to be carried out in the regional (local) press.

10. The editorial offices of the newspapers 'Holos Ukrainy' and 'Uryadoviy Kuryer' are obliged to inform the Central Electoral Commission no later than 26 days before the election day about the specific dates of the publication of the issues of the corresponding newspapers with the programs specifying location of these programs in each issue of the newspaper (page numbers).

11. Order of the publication of the election programs of the parties (blocs) mentioned in para.9 of this Article shall be determined no later than 25 days before the elections by casting of

lots carried out by the Central Electoral Commission with participation of the representatives of the parties (blocs) at the Central Electoral Commission.

12. The Central Electoral Commission shall ensure distribution of the explanations regarding the prohibition of giving to voters, establishments, institutions, organizations as well as to electoral commissions and their members goods (except for the goods with the visual image of the title, symbols, flag of the party (parties which belong to the bloc; bloc) provided the cost of such goods does not exceed 3% of the minimum salary), services, works, valuable papers, credits, lottery-tickets, other tangible property (indirect bribery) in order determined by the Article 71, para.14 of this Law starting with the twentieth day before the election day.

13. The only requesters of the election propaganda during the electoral process are the Central Electoral Commission and parties (blocs) – subjects of the electoral process.

14. Materials of the election propaganda placed in the media shall contain full title of the party (bloc) which has ordered the propaganda. During the demonstration of the election propaganda on the television the full title of its requester shall be by all means indicated in the form of the text message which shall cover not less than 15% of the screen area, shall be done in contrasting colour against the main background of the image and shall be noticeable for the viewers.'

13) para.3 of the Article 111 shall be read as follows:

'3. Decisions of the courts of the first level shall be revised in accordance with the procedure established by the Code of the Administrative Judicial Procedure of Ukraine ([2747-15](#)).'

2. Para.2 of the Article 2 of the Law of Ukraine 'On the Purchase of Goods, Works and Services by means of the State Funds' ([1490-14](#)) (Bulletin of the Verkhovna Rada of Ukraine, 2000, #20, p. 148) shall be supplemented with a section of the following content:

'Purchase of goods, works and services for the preparation and conduct of irregular elections of deputies at the expense of the State budget of Ukraine shall be carried out according to the procedure approved by the Inter-Departmental Commission on Public Purchases at the suggestion of the Central Electoral Commission. Mentioned procedure is adopted no later than within 5 days after commencement of the electoral process.'

II. This Law enters is effective as of the day of its publication and is enforced starting from the beginning of the electoral process of irregular elections to Verkhovna Rada appointed in accordance with Article 82, para.2 of the Constitution of Ukraine ([254к/96-BP](#)) (provided there exists legal confirmation of incompetence of Verkhovna Rada of Ukraine), however not earlier than within 60 days from the day of publication of the present Law.

President of Ukraine

V. Yushchenko

Kyiv, 1 June 2007

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