



Strasbourg, 22 February 2007

Opinion No. 378 / 2006

CDL-EL(2007)002
Engl. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**LAW AMENDING THE ELECTORAL CODE
OF THE REPUBLIC OF ARMENIA**

adopted on 22 December 2006

* This document will not be distributed at the meeting. Please bring this copy.

** This document has been classified *restricted* at the date of issue. Unless the Venice Commission decides otherwise, it will be declassified a year after its issue according to the rules set up in Resolution CM/Res(2001)6 on access to Council of Europe documents.

Article 1. Remove the words “Article 3 of” from Article 1(1) of the Republic of Armenia Electoral Code (adopted on February 5, 1999, hereinafter “the Code”).

Article 2. In Article 2 of the Code:

1) In Part 1, after the words “persons” add the words “registered in and actually living in the respective community for at least one year”, and remove the words “who have a refugee status in the Republic of Armenia or have been included in a refugee family certificate issued in accordance with appropriate procedures, and who have attained the age of 18 years.”

2) In Part 1, replace the words “every person” with the words “everyone.”

3) In the second paragraph of Part 1, replace the words “have a refugee status or have been included in a refugee family certificate issued in accordance with appropriate procedures” with the words “not have citizenship of the Republic of Armenia.”

4) Amend Part 2 to read as follows:

“2. Diplomatic and consular missions of the Republic of Armenia shall, in accordance with the procedure stipulated by this Code and by the Central Electoral Commission, ensure the exercise of electoral rights by Republic of Armenia citizens living or residing abroad.”

Article 3. Amend Article 6 of the Code to read as follows:

“In elections, voting shall be confidential. Confidentiality of the vote is not only a right, but also a responsibility of the voter. Control of the free expression of a voter’s will shall be prohibited and prosecuted under law.”

Article 4. In Article 7 of the Code:

1) In Part 4, replace the words “Central Electoral Commission” with the words “authorized body filing the national voter register of the Republic of Armenia.”

2) In the third sentence of Part 6, add the words “, by electoral districts, ” after the words “every three hours.”

3) Amend the last sentence of Part 6 to read as follows: “The Central Electoral Commission shall, by 10:00 of the day following the voting day, officially publicize summative data on the voter turnout in nationwide elections on the basis of data received by telecommunication means from Territorial Electoral Commissions.”

4) Amend Part 8 to read as follows:

“8. In the cases stipulated by Part 6 of this Article, the Central Electoral Commission shall publicize the data by means of live radio and television broadcast of the Public Radio and the Public Television of Armenia from the administrative building of the Central Electoral Commission.”

Article 5. Amend Article 9(6) of the Code to read as follows:

“6. Twice a year—once in July and once in January—the authorized body shall adjust the Republic of Armenia Voter Register and submit it in electronic form, broken down by communities and marzes (regions), and, in case of nationwide elections, also by precincts, at least 41 days in advance of the voting day, to the Central Electoral Commission for posting on the website of the Central Electoral Commission. The Republic of Armenia Voter Register is a permanent and integral part of the website of the Central Electoral Commission, which shall contain lists of voters broken down by marzes and communities and, in cases stipulated by this Code, also by precincts, provided that such lists shall meet the requirements of Article 11(2) of this Code regarding voter lists.”

Article 6. In Article 10 of the Code:

1) Amend Part 3 to read as follows:

“3. Everyone that has the right to vote under Article 2 of this Code shall be included in the community voter list. Citizens that have the right to vote, but to not have registration, shall, in accordance with the procedure stipulated by the Central Electoral Commission, submit a request to be included in the voter list to their community head up to 21 days prior to the voting

day or, up to 15 days prior to the voting day—also to the head of the authorized body or of its respective division. Citizens that do not have registration shall be included in the voter list on the basis of a statement on the place of residence.

Prior to 14:00 or no later than the 3rd day prior to the voting day, the Republic of Armenia Police shall present to the head of the authorized body or to the head of its respective territorial division a list of police officers delegated to serve at the precinct centers on the voting day, specifying the citizen's surname, name, patronymic (if the patronymic is specified in the passport), date (day, month, year) of birth, and registered address.

The head of the authorized body or its respective division shall, based on the presented lists, remove the names of the police officers from the voter lists of their registration place and, in accordance with the provisions of Article 11 of this Code regarding voter lists, compile an additional list of police officers voting in the precinct center, sign and seal each page of that list and, two days prior to the voting day, submit it to the Chairman of the relevant Precinct Electoral Commission together with the final voter list.”

2) In the beginning of Part 5, add the words “with the exception of local government elections.”

3) In Part 6, add the words “and have so requested” after the words “have the right to vote.”

4) Amend Part 10 to read as follows:

“10. Military servicemen and their family members, which are registered outside the district of the military detachment, shall be included in the voter list on general grounds.”

Article 7. In Article 11 of the Code:

1) Replace the word “citizens” with the word “voters.”

2) Remove the words “is registered in another community or” from Part 2(4).

3) Amend Part 3 to read as follows:

“3. In the voter lists submitted to Precinct Electoral Commission, the numbering referred to in Part 2(1) of this Article shall be performed by precinct centers; the number of the precinct center, too, shall be specified on each page of the list; four additional columns shall be designated—one for each of the following: the series and number of the voter's personal identification document, the voter's signature, the signature of the commission member responsible for registering voters, and additional notes.”

4) In Part 4, remove the words “(presidential, National Assembly, local self-government elections, or a referendum),” and replace the word “citizen” with the word “voter.”

5) At the beginning of the second sentence of Part 5, add the words “The voter list shall be compiled and numbered, and ”.

Article 8. In Article 12 of the Code:

1) Remove the words “the chairmen of the appropriate Territorial Electoral Commissions and to” from Part 1.

2) Amend Part 2 to read as follows:

“2. The final voter lists, by precincts, and the addresses of buildings (houses) included in the precinct, printed in two copies (the first copy of the voter lists—compiled in the form of a journal, and the second copy of the voter lists—for posting in the precinct center), as well as the blanks needed to compile additional voter lists as per Article 14¹ of this Code shall be submitted by the authorized body or by the head of its respective division to the chairmen of the respective precinct electoral commissions two days prior to the voting day.”

3) Add a new Part 2¹ to read as follows:

“2¹. Within the term stipulated by Parts 1 or 2 of this Article, the head of the authorized body or of its respective division shall provide the voter lists to the chairman of the respective Territorial Electoral Commission on an electronic carrier.”

4) In Part 3, replace the word “compiled” with the word “registered.”

Article 9. In Article 13 of the Code:

- 1) In the second sentence of Part 1, replace the words “compiled in military units and detention facilities and signed by voters” with the words “signed by voters.”
- 2) Amend Part 2 to read as follows:
“2. The authorized body shall post in the Internet the Republic of Armenia Voter List, which shall correspond to the requirements of Article 11(2) of this Code regarding voter lists, broken down by marzes and communities and, in cases stipulated by this Code, also by precincts.”
- 3) Amend Part 3 to read as follows:
“3. Everyone and every party shall have the right, within three days of applying, upon payment of an appropriate fee, to receive from the authorized body or its divisions voter lists in electronic or paper form, by marzes and communities and, in case of elections, also by precincts, which are included in the National Voter Register and comply with the requirements of Article 11(2) of this Code regarding voter lists.”
- 4) In Part 4, replace the words “a copy of their voter lists” with the words “the list.”
- 5) In Part 6, add the words “, including the additional lists, ” after the word “final version of voter lists.”
- 6) In Part 7, replace the word “compiled” with the word “registered.”
- 7) At the end of Part 8, add the words “ no later than 3 days prior to the voting day.”

Article 10. In Article 14 of the Code:

- 1) In Part 1, replace the words “every person” with the words “every one,” and replace the words “errors in voter lists” with the words “correcting errors in voter lists.”
- 2) Add the following new paragraph to Part 1:
“Parties, too, shall have the right to apply within the period set by this Part and ask to correct mistakes in the voter lists.”
- 3) In Part 6, after the words “to voter lists,” add the words “and about correcting errors.”

Article 11. In Article 14¹ of the Code:

- 1) At the end of Part 2, add the words “, as well as citizens registered in the district of the precinct, but not included in the voter list, on the basis of a statement issued by the respective division of the authorized body.”
- 2) Add the following new sentence to Part 2: “The Central Electoral Commission shall approve the form of the statement issued by the division of the authorized body for submission to the precinct electoral commission to certify that a voter is not included in the voter list.”
- 3) At the end of Part 3, add the words “, or the statement issued by the respective division of the authorized body.”

Article 12. In Article 15 of the Code:

- 1) In Part 1, replace the words “vote counting” with the words “summarizing the results of the vote.”
- 2) From Part 3, remove the words “located within up to 50 kilometers away from the nearest settlement.”
- 3) At the beginning of Part 4, add the words “At least 45 days prior to voting day,” and, in the first sentence of Part 4, replace the words “electoral precincts” with the words “precinct centers.”
- 4) At the beginning of the second sentence of Part 4, replace the words “Electoral precincts” with the words “During the same period, precinct centers.”
- 5) Repeal Part 5.
- 6) Add the following new sentence to Part 6: “The number established by this Part may be changed in case of adjustments to the voter lists, but not by more than 1%.”

Article 13. In Article 16 of the Code:

- 1) Amend Part 2 to read as follows:

“2. The head of the respective community shall be responsible for furnishing the precinct center in such a way as to ensure that the voting takes place normally.”

2) From Part 3, remove the words “in military units located at least 50 kilometers away from the nearest electoral precinct,”.

Article 14. In Article 17¹ of the Code:

1) In Part 2, after the word “Commission,” add the words “on the basis of the number of voters included in the Republic of Armenia National Voter Register.”

2) In the first sentence of Part 4, after the word “deviation,” add the words “for each electoral district.”

3) In the second sentence of Part 4, replace the words “If the number of voters in any district exceeds the 10 percent of the ratio of the total number of eligible voters to the number of districts,” with the words “If the difference between the number of voters in a district and the ratio of the total number of voters to the number of districts, in absolute terms, exceeds 10% of the ratio of the total number of voters to the number of districts...”

Article 15. In Article 18 of the Code:

1) Throughout Part 8, after the word “parties,” add the words “(or party alliances).”

2) In Part 8, replace the word “to rule on it” with the word “to reach its judgment.”

Article 16. Amend Article 19 of the Code to read as follows:

“During the electoral campaign, it shall be prohibited to advocate violence, war, or overthrowing of the constitutional order, to incite ethnic, racial, or religious hatred, and to publish or disseminate materials causing racial, ethnic, or religious hatred.”

Article 17. In Article 20(2) of the Code, replace the words “within three days after” with the words “on the day following.”

Article 18. Amend Article 22(1) of the Code to read as follows:

“1. Journalists and editorial staff of the Public Radio and the Public Television, as well as of other radio companies and television companies, which are registered as candidates, shall be prohibited from covering the elections and moderating radio and television programs.”

Article 19. Remove the words “to the Central Electoral Commission” from Parts 2 and 3 of Article 24 of the Code.

Article 20. In Article 25 of the Code:

1) In Part 1, replace the word “in the territory of” with the words “in all marzes of.”

2) Add the following new paragraph 8 to Part 2:

“8) State non-commercial organizations.”

3) In Part 11, replace the words “Electoral commissions, which had registered them, shall forward” with the words “During nationwide elections, electoral commissions shall forward.”

3) In Part 11, replace the word “president” with the words “presidential candidates.”

Article 21. In Article 26 of the Code, replace the word “Chairman of the Central Electoral Commission” with the words “Central Electoral Commission,” and amend the last sentence of the second paragraph to read as follows: “The procedure of formation and operation of the Oversight and Audit Service shall be defined by the Central Electoral Commission.”

Article 22. In Article 27(2) of the Code, after the word “candidates,” add the words “or their authorized representatives.”

Article 23. In Article 27¹(1) of the Code:

1) Amend paragraph 2 to read as follows:

"2) To become familiar with electoral documents, including the relevant court judgments and the respective statement issued by the authorized body."

2) In paragraph 3, replace the words "all relevant documents" with the words "all documents under the control of the respective electoral commission."

3) In paragraph 3, replace the words "the chairman and the secretary of the commission" with the words "the chairman (deputy chairman) and the secretary of the commission."

4) Amend paragraph 6 to read as follows:

"6) Without interfering with the work of a commission member, be physically present next to the commission members performing the voter registration, allocation of ballots and voting envelopes, the sealing of voting envelopes, and the supervision of the ballot box, and to observe their work."

5) Add a new paragraph 6¹ to read as follows:

"6¹) On the voting day, observe the commission work and make comments and suggestions to the commission chairman regarding such work, in respect of which the commission chairman shall undertake necessary measures."

6) In paragraph 7, replace the words "the counting and summarization of ballots" with the words "the counting of ballots and the summarization of the vote results."

Article 24. In Article 28 of the Code:

1) Add a new Part 1¹ to read as follows:

"1¹. International organizations, representatives of foreign states, and foreign non-governmental organizations may carry out observation mission in case of having an appropriate invitation.

The following shall have the right to send to the aforementioned organizations and individuals an invitation to carry out observation mission:

- 1) The President of the Republic;
- 2) The National Assembly of the Republic of Armenia;
- 3) The Government of the Republic of Armenia; and
- 4) The Central Electoral Commission."

Article 25. In Article 29 of the Code:

1) Repeal Part 4.

2) In Part 6, replace the words "10 days after the end of elections" with the words "on the 8th day following the official promulgation of the election results, unless such results have been challenged in court. In case the election results have been challenged in court, the authority shall terminate on the day following the day on which the judicial act is published, unless re-voting or a new election is ordered by court. In case of re-voting or a new election, the observer organizations shall not be required to re-register."

Article 26. In Article 30(1)(2) of the Code, after the words "protocols of meetings" add the words "possessed by the respective electoral commission."

Article 27. In Article 33 of the Code:

1) In Part 3, replace the words "Cassation Court judges" with the words "Judicial servants."

2) In Part 9, amend the third, fourth, and fifth sentences to read as follows: "In case of nationwide elections, in case of new or additional elections of a member of the parliament under the majority contest, in case of local government elections running concurrently in 5 or more communities of the same electoral district, and/or in case of local government elections in a community with more than 10,000 voters, the Territorial Electoral Commission Chairman, his deputy, and the commission secretary shall be remunerated for each month of the period of conducting elections (60 days) in the amount of 50% of the remuneration of the central electoral commission chairman, deputy chairman, and secretary, respectively; the Territorial Electoral Commission members, respectively, shall be remunerated for the same period in the amount of 50% of the monthly remuneration of the deputy chairman of the Territorial Electoral

Commission. Judicial servants appointed to Territorial Electoral Commissions shall work in such commissions on public grounds (without remuneration).

During the election period, the chairman of a precinct electoral commission shall be paid in the amount of twice the minimum salary established by the Republic of Armenia legislation; the deputy commission chairman, the commission secretary and the members shall be remunerated in the amount of 15,000 Armenian drams each, with the exception of the members of precinct electoral commissions formed in overseas diplomatic or consular missions of the Republic of Armenia.

A member of a precinct electoral commission shall be obliged to take part in the commission work and perform duties placed on him by law. Failure to perform obligations without an excusable reason shall result in liability prescribed by law.”

Article 28. In Article 34 of the Code:

1) At the end of Part 1, add the words “with the exception of the members of precinct electoral commissions formed in overseas diplomatic or consular missions of the Republic of Armenia.”

2) Add a new Part 1¹ to read as follows:

“1¹. Specialized training courses on how to conduct elections shall be organized by the Central Electoral Commission. The Central Electoral Commission shall, at least 10 days prior to the date of accepting applications for participation in specialized training courses on how to conduct elections, make an announcement over the mass media about the deadline and procedure of applying. Republic of Armenia citizens that have voting rights and have applied in accordance with the procedure established by the Central Electoral Commission shall have the right to participate in the specialized training courses on how to conduct elections. Passing a test upon completion of the training course shall be a basis for a qualification certificate to be issued to citizens.”

3) In Part 4, after the words “Constitutional Court,” add the word “judges;” after the word “prosecutor’s offices,” add the words “judicial enforcement department, penitentiary department, and customs agency.”

Article 29. In Article 35 of the Code:

1) In Part 1(3), replace the words “From among the judges of the Republic of Armenia courts of general jurisdiction” with the words “from among judicial servants.”

2) Amend Part 1(4) to read as follows:

“4) One judicial servant appointed by the Council of Court Chairmen of the Republic of Armenia.”

3) In Part 2, replace the words “from among judges of the Cassation Court” with the words “from among judicial servants.”

4) At the end of Part 3, add the words “within a 10-day period of making the nomination.”

5) Remove the word “former” from the last sentence of Part 6, and replace the words “Chairman of the Central Electoral Commission” with the words “the member of the Central Electoral Commission that is senior by age.”

6) In Part 9, replace the words “the nominee that receives more votes” with the words “the nominee that receives more than half of the votes.”

Article 30. In Article 36 of the Code:

1) In Part 1, replace the words “with the exception of Central Electoral Commission members appointed by the Cassation Court and the Board of Chairmen of the Republic of Armenia Courts, who shall appoint members of Territorial Electoral Commissions from among judges of courts of general jurisdiction” with the words “with the exception of judicial servants that are Central Electoral Commission members, who shall appoint members of the Territorial Electoral Commissions from among the number of judicial servants”

2) In the third paragraph of Part 1, replace the words “from among judges of the Republic of Armenia courts of general jurisdiction” with the words “from among the number of judicial servants.”

3) At the end of the last paragraph of Part 1, add the words “within a ten-day period of making the nomination.”

4) Amend the last sentence of Part 4 to read as follows: “The first session of the Territorial Electoral Commission shall be chaired by the Commission member that is senior by age.”

Article 31. In Article 37 of the Code:

1) In Part 2, replace the number “24” with “19”; and replace the number “21” with “16.”

2) In Part 3, replace the word “certifying paper” with the word “certificate.”

3) In Part 7, remove the words “paragraph 6 of”; and replace the words “after the Precinct Electoral Commission is formed” with the words “after the date specified in Part 6 of this Article.”

4) Amend Part 8 to read as follows:

“8. The authority of the Precinct Electoral Commission shall terminate 14 days after the voting day, or, in the event re-voting is held, then 14 days after the re-voting day.”

Article 32. In Article 38 of the Code:

1) Add a new Part 2¹ to read as follows:

“2¹. In case of the early termination of the authority of a member of an electoral commission, the person or entity that has the power to appoint an electoral commission member may nominate the same person as an electoral commission member again during a three-month period.”

2) In Part 3, replace the words “by persons or entities who have the power to appoint members of that commission, except in cases specified by this Code” with the words “upon the nomination of persons or entities who have the power to appoint members of that commission, except in cases specified by this Code, and, in case of the Central or Territorial Electoral Commissions, by decree of the Republic of Armenia President.”

3) In Part 3¹(1), after the words “within the period of 20 days before the voting day,” add the words “but before taking a decision on the results of elections.”

4) In Part 3¹(1), replace the words “from among judges of the Cassation Court. The resulting number of Commission members shall not be less than two thirds of the total number.” with the words “from among the number of judicial staff, provided that, as a result, the Commission is able to take all decisions reserved to its authority by this Code.”

5) In Part 3¹(2), after the words “within the aforementioned period of time,” add the words “prior to taking a decision on the results of elections.”

6) In Part 3¹(2), replace the words “from among judges of the Cassation Court. The resulting number of Commission members shall not be less than two thirds of the total number.” with the words “from among the number of judicial staff, provided that, as a result, the Commission is able to take all decisions reserved to its authority by this Code.”

7) In Part 3¹(3), replace the number “20” with the number “15”; replace the number “15” with the number “5”; and remove the words “and the day before.”

8) Add a new paragraph 4 to Part 3¹ to read as follows:

“4) Vacancies in the central and territorial commissions shall be filled upon nomination by the body that appointed the respective member, by a decree of the Republic of Armenia President, within a 10-day period.”

Article 33. In Article 39 of the Code:

1) Repeal Part 3.

2) At the end of Part 6, add the words “with the exception of regular sessions that take place during the period from the date of scheduling nationwide elections to the date of taking a decision summarizing the results of the elections.”

3) Add a new paragraph to Part 6 to read as follows:

“During the period from the date of scheduling nationwide elections to the date of taking a decision summarizing the results of the elections, regular sessions shall have authority to act, regardless of the number of members present in the session, if all the possibilities of ensuring

the participation of the number of commission members necessary to convene a session have been exhausted.”

4) Add a second sentence to Part 7 to read as follows: “A commission member shall be obliged to take part in the voting.”

5) Add a new paragraph to Part 7 to read as follows:

“During the period from the date of scheduling nationwide elections to the date of taking a decision summarizing the results of the elections, a decision shall be considered taken, if the number of commission members that voted for such decision is greater than the number of commission members that voted against it.”

Article 34. Amend Article 40 of the Code to read as follows:

“Article 40. Complaints against Decisions, Actions, or Inaction of Electoral Commissions

1. Complaints about decisions or actions (inaction) of Precinct Electoral Commissions, including requests for a recount of the precinct voting results, shall be submitted to the appropriate Territorial Electoral Commission.

2. Complaints about decisions or actions (inaction) of Territorial Electoral Commissions, except the ones concerning decisions on results of National Assembly elections under the majority contest and of local government elections, shall be submitted to the first instance court of the place where the respective Territorial Electoral Commission is located.

3. Decisions or actions (inaction) of the Central Electoral Commission, except decisions on election results, may be appealed in a court of appeals.

4. The Central Electoral Commission shall have the right to eliminate any decision of a Territorial Electoral Commission, which contradicts the requirements of this Code, and pass an appropriate decision on the issue; the execution of such decision shall be binding for the Territorial Electoral Commission. The requirement in this Part shall not apply to the Territorial Electoral Commissions’ decisions on elections of National Assembly members under the majority contest, elections of heads of local government bodies, or community council elections.

If such violations of this Code’s requirements occur during the voting process, which may have affected the outcome of the vote, the Territorial Electoral Commission may void the results of the vote in that particular precinct. In case of voiding voting results in a precinct in accordance with the procedure stipulated by this paragraph, available materials on the matter shall be presented to the prosecutor’s office for opening a criminal case.

5. Decisions of electoral commissions and actions or inaction of an electoral commission and/or any of its officials may be appealed within two days after the decision is announced, the action is performed, or the violation of law caused by such inaction is discovered, but no later than by 12:00 (noon) of the fifth day following the voting day, except in cases described in paragraphs 6, 9 and 12 of this Article.

6. A request for a recount of the voting results in a Precinct Electoral Commission may be submitted only to the respective Territorial Electoral Commission on the day following the voting day, by 14:00.

7. During the period from scheduling elections to summarizing the election results, electoral commissions shall respond to all complaints received or, in cases specified by this Code, adopt decisions regarding such complaints, within five days. Complaints, which are received during five days prior to the voting day or to the deadline set for summarizing the election results, shall be reviewed and, in cases specified by this Code, decisions regarding them shall be taken before the voting day or before the summarization of the election results, respectively.

8. Courts shall adjudicate on complaints regarding decisions and actions (inaction) of electoral commission within the timeframe set in Part 7 of this Article. Such court verdicts shall be final and shall enter into force from the moment they are announced.

9. Disputes related to decisions on the outcome of elections, except in the case of local government elections, shall be resolved by the Constitutional Court of the Republic of Armenia.

10. A Territorial Electoral Commissions’ decision on the outcome of election of a head of local government may be appealed:

- 1) To a first instance court in case of rural communities;
- 2) To an appellate court in the case of urban communities (and the district communities of Yerevan).

11. Decisions of Territorial Electoral Commissions on the outcome of community council elections may be appealed in courts of the first instance.

12. Decisions of Territorial Electoral Commissions on the outcome of local government elections may be appealed within three days of adopting such decisions.

13. If the voting results in a precinct have been voided, then the voter turnout in that precinct shall be reported as the magnitude of inaccuracies in that precinct, and shall be taken into consideration in accordance with the procedure stipulated by this Code when summarizing the election results.”

Article 35. Amend Article 40¹ of the Code to read as follows:

“Article 40¹. Procedure of Reviewing Applications (Complaints) and Suggestions in Electoral Commissions

1. Electoral commissions shall review applications (complaints) and suggestions and reply to them within the timeframes established by the Republic of Armenia legislation, except for cases specified by this Code.

2. Electoral commissions shall receive, register and review only applications (complaints) and suggestions (hereinafter “applications”) addressed to that particular electoral commission.

3. An application shall be signed by the applicant and contain his/her first name, last name, residence address, and the filing date (day, month and year). The applicant shall clearly state his/her demand, provide justifications, and attach any possible evidence. Applications without the information on the applicant and/or applications containing false information shall be not reviewed.

If an application contains formal mistakes, which can be corrected, then the electoral commission shall point them out to the applicant, giving the latter an opportunity to correct such mistakes, or the commission itself shall correct them and notify the applicant in advance of or after making such correction. If the list of documents attached to the application is not complete, then the electoral commission shall recommend that the applicant complete the list within the established deadline.

An application shall be given to the electoral commission that has jurisdiction over the matter raised. The receipt of the application shall be registered by the electoral commission. The commission chairman or, in his absence, the deputy chairman, shall forward the application to a commission member. The commission member shall study the matters raised in the application and present suggestions on how to resolve them. The applicant may take part in the discussion of his application in the electoral commission and, if necessary, present evidence to support the facts stated in the application.

4. Electoral commissions shall take appropriate measures on issues that need to be addressed urgently. In case of complaints against the election results submitted in accordance with the procedure stipulated by this Code, the party filing such complaint shall, in addition to other documents, have the right to become familiar with the lists signed by voters. The party filing the complaint shall not have the right to publicize, print, take excerpts from, or make copies of such lists.

5. The reply to an application shall be sent to the applicant with the signature of the commission chairman or deputy chairman. The commission member that prepared the reply shall sign the copy of the reply retained by the commission.

6. Commission members, proxies, observers, and representatives of mass media shall be notified regularly about the transparent and fair discussion of applications received by electoral commissions and about their progress.”

Article 36. Remove the words “Precinct Electoral Commission” from the title of Article 40² of the Code.

Article 37. In Part 2 of Article 41 of the Code , replace the word “marz” with the word “district.”

Article 38. In Article 42 of the Code:

- 1) From Part 1(4), remove the words “and local self-government bodies’ electoral districts.”
- 2) At the end of Part 1(4), add the words “ and specify the place of voting (the precinct center), and, within a two-day period, submit such data to the Central Electoral Commission.”
- 3) In Part 1(12), replace the word “voting” with the word “precinct.”

Article 39. Add the following new sentence to the first paragraph of Article 45 of the Code: “The vehicle transporting the electoral documents may be escorted by proxies, international and local observers, and representatives of the mass media, by their own vehicles.”

Article 40. Add the following new paragraph to Article 46 of the Code:

“For citizens undergoing in-patient treatment in medical institutions carrying out in-patient treatment, which are unable on their own to attend the precinct center on the voting day, may be organized in such institutions.

Before 14:00 of at least the 3rd day prior to the voting day, the head of the medical institution carrying out in-patient treatment shall present to the head of the authorized body or to the head of its respective territorial division a list of citizens undergoing in-patient treatment, which have voting rights and wish to take part in the voting, and specify in the list each such citizen’s surname, name, patronymic (if the patronymic is specified in the passport), birth date (day, month, and year), and registration address.

The head of the authorized body or to the head of its respective territorial division shall, based on the presented lists, remove the names of citizens undergoing in-patient treatment from the voter lists of such citizens’ places of registration, and, in accordance with the requirements of Article 11 hereof on voter lists, shall compile an additional list of voters taking part in the voting in a medical institution carrying out in-patient treatment, and, after signing and sealing each page of such list, present it to the chairman of the respective Precinct Electoral Commission 2 days prior to the voting day, together with the final voter list.

On the voting day, one member of the precinct electoral commission, decided by a draw held in a session of the precinct electoral commission, shall organize, within the boundaries of the precinct center, using a traveling ballot box, the voting by citizens that have the right to vote and are undergoing in-patient treatment in medical institutions carrying out in-patient treatment. The voting shall be performed with respect for the confidentiality of the vote, in accordance with the procedure established by the Central Electoral Commission. Proxies, observers, and representatives of the mass media may be present in the organization of the voting of voters in medical institutions carrying out in-patient treatment.”

Article 41. Add the following new paragraph 3 to Part 2 of Article 47 of the Code:

“3) The process of summarizing the voting results may be videotaped by proxies, observers, and representatives of the mass media, without any hindrance.”

Article 42. In Article 48 of the Code:

- 1) Remove the word “(rooms)” from the title and the words “(rooms, henceforth – “voting booths”)” from Part 1.
- 2) Add a new Part 5 to read as follows:
 - “5. Voting booths shall be placed at least 1 meter away from one another. If a voting booth is affixed to a wall, then an appropriate zone with a restrictive tape, with one entrance and one exit, shall be set up 2 meters away from the booth or, if it is impossible, then 1.5 meters away from the booth. It shall be prohibited for the number of voters inside such zone to be greater than the number of voting booths.”

Article 43. In Article 49¹ of the Code:

- 1) Add the words “, voting envelope” to the title.
- 2) Add a new Part 11 to read as follows:

“11. The Central Electoral Commission shall ensure the preparation of voting envelopes. If different votes are conducted concurrently, separate ballots shall be prepared for each vote, provided that their colors make them obviously different, and provided that their colors match the colors of the ballots.

The number of voting envelopes, which shall be allocated to the precinct electoral commission on the day preceding the voting day, shall be up to 3% greater than the number of voters in the precinct.”

Article 44. In Part 6 of Article 49² of the Code, replace the word “local” shall be replaced with the word “precinct.”

Article 45. In Article 50 of the Code:

- 1) In Part 2, add the words “, voting envelopes” after the word “ballots.”
- 2) Throughout Part 4, add the words “, voting envelopes” after the word “ballots.”

Article 46. In Article 53 of the Code:

- 1) Amend Part 1 to read as follows:

“1. On the day preceding the voting, the precinct electoral commission shall, by means of a draw held in its session, determine the three commission members signing ballots, which shall be obliged to sign all ballots and all pages of the voter lists prior to 24:00 (the signatures shall be placed on the opposite side of the ballots and of each page of the voter lists), and an entry to such extent shall be made in the administrative journal. Signed ballots, voting envelopes, voter lists, and the seal package shall be stored in a special fireproof box. The procedure of storing ballots, voting envelopes, voter lists, and the seal shall be established by the Central Electoral Commission.”

- 2) Amend Part 2 to read as follows:

“2. On voting day, at 17:00, the precinct electoral commission shall, in its session held in the precinct center, hold a draw to decide the commission members registering voters, provided that there is at least one commission member per 1,000 voters; it shall also decide the commission members allocating ballots and voting envelopes, provided that there is at least one commission member per 1,000 voters; it shall also decide the commission member responsible for sealing the voting envelopes and for the ballot box, the commission member holding the voting by means of a traveling ballot box, as well as the shift of functions to rotate between precinct electoral commission members at 2 hour intervals. The commission chairman and secretary shall not participate in the draw. They shall replace the other commission members in case of the absence of the latter.”

- 3) In the first sentence of Part 3, add the words “, voting envelopes, and voter lists” after the word “ballots.”

- 4) In Part 3, replace the words “ballots (in batches of 100) to the commission member responsible for handing out ballots” with the words “ballots and voting envelopes (in batches of 100 each) to the commission member responsible for handing out ballots and voting envelopes”; and replace the words “commission member responsible for stamping the ballots” with the words “commission member responsible for stamping the voting envelopes and for the ballot box.”

Article 47. In Article 55 of the Code:

- 1) Add a new second sentence to Part 2 to read as follows: “The responsible member shall sign next to the voter’s signature in the column designated for such member’s signature; in case of military servants registered in military detachments, such member shall also seal the military certificate or military card in accordance with the procedure established by the Central Electoral Commission.”

- 2) Add a new paragraph to Part 3 to read as follows:

“The voter’s passport validity being expired is not a ground for not permitting him or her to vote.”

Article 48. In Article 56 of the Code:

- 1) At the end of Part 1, add the words “and one voting envelope (or envelopes—in case of more than one votes being held concurrently).”
- 2) At the end of Part 2, add the words “and voting envelopes.”
- 3) Amend the second sentence of Part 2 to read as follows: “The latter shall tear the stub of the ballot (or of ballots—in case of more than one votes being held concurrently), and give the bottom part of the ballot, together with the voting envelope, to the voter, who shall proceed to the voting booth to vote.”
- 4) Remove the word “(room)” from Part 3.
- 5) Remove the word “(room)” from all of Part 4.

Article 49. In Article 57 of the Code:

- 1) Replace the word “Ballot” in the title with the word “Voting Envelope.”
- 2) Amend Part 3 to read as follows:
“3. After marking the ballot, the voter shall fold the ballot while in the voting booth, place it inside the voting envelope, and approach the ballot box. The commission member responsible for stamping voting envelopes and for the ballot box shall seal the voting envelope, open the slot of the ballot box, and enable the voter to drop the voting envelope into the ballot box. The commission member responsible for stamping voting envelopes and for the ballot box may, at his initiative or if so demanded by a proxy, proceed to check whether a voter is registered in that precinct. After dropping the voting envelope in the ballot box, the voter shall leave the precinct center.

If more than one voting is held concurrently, the voter shall place each ballot in the envelope designated for the respective voting.”

- 3) Repeal Part 4.

Article 50. Amend Article 58(1)(5) of the Code to read as follows:

“5) It is not signed.”

Article 51. Amend Article 59 of the Code to read as follows:

“Ballots differing from the established specimen, as well as the following ballots shall be considered ballots of non-established specimen:

- a) Ballots found in voting envelopes that differ from voting envelopes of the established specimen;
- b) All ballots found in a voting envelope of the established specimen, if there is more than one ballot in such envelope; and
- c) Ballots found in the ballot box, which are not in voting envelopes.”

Article 52. Add a new Article 59¹ to the Code to read as follows:

“Article 59¹. Voting Envelopes of Non-Established Specimen

Voting envelopes differing from the established specimen, voting envelopes that are not sealed, and voting envelopes that are sealed with a different seal, as well as the following voting envelopes shall be considered voting envelopes of non-established specimen:

- a) A voting envelope that does not contain a ballot;
- b) A voting envelope that contains more than one valid ballot or contains an invalid ballot;
- c) A voting envelope that contains a ballot of non-established specimen; and
- d) A voting envelope that contains notes disclosing the voter’s identity.”

Article 53. In Article 60 of the Code:

- 1) Amend paragraph 1 of Part 1 to read as follows:

"1) count the total number of unused voting envelopes, as well as unused, incorrectly filled and returned ballots, and cancel such ballots and voting envelopes in accordance with procedures defined by the Central Electoral Commission, package them and stamp the packages;"

2) Amend Part 2 to read as follows:

"2. The results of paragraphs 1-4 of paragraph 1 of this Article shall be announced and recorded in the administrative journal. The precinct electoral commission shall file a protocol on the number of voters participating in the vote. The form of the protocol on the number of voters participating in the vote shall be approved by the Central Electoral Commission.

The Commission Chairman shall open the ballot box, take one voting envelope out of the ballot box, announce out loud whether the envelope is of established or non-established specimen. If so demanded, he shall pass the envelope on to other commission members. In the event of disagreement with the opinion expressed by the Commission Chairman, a commission member shall raise an objection. Based on the results of a vote by all the commission members (if an objection is raised) or the original announcement of the Commission Chairman (if no objection is raised), the Chairman shall take the ballot out of the voting envelope of established specimen, announce whether the ballot is valid, invalid, or of non-established specimen, and, in case of a valid ballot, also announce what vote has been cast. If so demanded, the ballot shall be passed on to other commission members. In the event of disagreement with the opinion expressed by the Commission Chairman, a commission member shall raise an objection. Based on the results of a vote by all members (if an objection is raised) or the original announcement of the Commission Chairman (if no objection is raised), the Chairman shall put the ballot in the stack of ballots cast for the respective candidate (party, party alliance) or, if there is only one candidate, in the stacks of "for" or "against" ballots. The voting envelope shall be placed in the package of envelopes of established specimen. Thereafter, he shall pull the next envelope out of the ballot box.

If the voting envelope contains more than one ballot for the same voting, or if it contains a ballot or ballots of non-established specimen, the ballot/-s shall be placed in the envelope, and the envelope shall be placed in the package of voting envelopes of non-established specimen.

In case of voting envelopes of non-established specimen, the ballots shall not be taken out of the envelope, and the envelope shall be placed in the package of voting envelopes of non-established specimen.

Voting envelopes of non-established specimen, together with the ballots inside them, shall be immediately cancelled.

If an envelope of established specimen contains one invalid ballot, the ballot shall be placed in the package of invalid ballots, and the envelope shall be placed in the package of envelopes of established specimen.

This action shall be repeated for all the envelopes present in the ballot box. During the sorting of ballots and voting envelopes, commission members shall be prohibited from making any notes, and from having any pens, pencils, or other objects for making notes."

3) In Part 3, after the word "ballots," add the words "and voting envelopes"; after the words "one by one," add the words "voting envelopes of established specimen."

4) In Part 4, after the word "ballots," add the words "and voting envelopes."

5) In Part 5, after the word "ballots," add the words "and voting envelopes."

Article 54. In Article 61 of the Code:

1) Add the following new paragraphs 1¹, 2¹, and 9¹ to Part 1:

"1¹) The number of voting envelopes allocated to the Precinct Electoral Commission."

"2¹) The number of unused voting envelopes."

"9¹) The number of voting envelopes of established specimen (F)."

2) In Part 8, after the words "or observers" add the words "and commission members"; after the words "on precinct voting results" add the words "and the voter turnout in the precinct"; and replace the word "protocol" with the word "protocols."

3) In Part 9, replace the words "one copy" with the words "two copies."

Article 55. In Article 62 of the Code:

1) Add a new paragraph 3¹ to Part 1:

“3¹) The number of voting envelopes of established specimen (F) shall be compared with the sum (D) of the number of valid and invalid ballots in the ballot box. The difference (its absolute value) shall be noted as the amount of the fourth inaccuracy.”

2) In Part 1(4), replace the words “1, 2 and 3” with the words “1, 2, 3, and 4.”

3) In Part 2, replace the words “in sub-paragraph 3 of paragraph 1” with the words “in paragraph 1.”

Article 56. In Article 63 of the Code:

1) Add a new sentence to Part 2 to read as follows: “In the Territorial Electoral Commission, the voting results, by precincts, shall be tabulated, sealed, and endorsed by the Chairman (Deputy Chairman) and Secretary of the Territorial Electoral Commission. If a proxy so demands, he shall be provided the tabulated data on the voter turnout in a precinct, endorsed by the Commission Chairman.”

2) Amend Part 3 to read as follows:

“3. A copy of tabulated district voting results, endorsed with the signatures of the Commission Chairman (Deputy Chairman) and Secretary and the Commission seal, shall be immediately posted in the Commission in a place that is visible for everyone. Upon their request, commission members, proxies, or observers shall be given a copy of tabulated district voting results, endorsed with the signatures of the Commission Chairman (Deputy Chairman) and Secretary and the Commission seal. Within 24 hours of the end of the voting, seals of Precinct Electoral Commissions shall be submitted from the Territorial Electoral Commissions to the Central Electoral Commission in accordance with the procedure defined by the Central Electoral Commission.”

Article 57. In Article 63¹ of the Code:

1) From Part 2, remove the words “in a court or”.

2) Add the following new paragraphs 1¹, 2¹, and 9¹ to Part 3:

“1¹) The number of voting envelopes allocated to the Precinct Electoral Commission.”

“2¹) The number of unused voting envelopes.”

“9¹) The number of voting envelopes of established specimen (F).”

3) In Part 10, after the words “or observers” add the words “and commission members.”

Article 58. In Article 63² of the Code:

1) In Part 1, replace the words “28 hours” with the words “24 hours.”

2) From Part 3, remove the words “in a court or”.

3) Add the following new paragraphs 1¹, 2¹, and 9¹ to Part 4:

“1¹) The number of voting envelopes allocated to the Precinct Electoral Commission.”

“2¹) The number of unused voting envelopes.”

“9¹) The number of voting envelopes of established specimen (F).”

4) At the end of Part 9, add the words “from the administrative building of the Central Electoral Commission.”

Article 59. In Article 66 of the Code, add the words “, party alliances” after the word “parties.”

Article 60. Add a new sentence to Article 67(1) to read as follows: “Each party or party alliance has the right to nominate one candidate for the President of the Republic.”

Article 61. In Article 71 of the Code:

1) In the title, replace the words “Nominated Presidential Candidates” with the words “Presidential Candidates.”

2) In Part 1, replace the words “Persons nominated to be presidential candidates” with the words “Citizens nominated as presidential candidates”; and replace the words “5 or more percent of the votes cast for the candidates” with the words “ballots amounting to 5 or more percent of the number of valid ballots as a result of the election.”

3) In Part 2, replace the words “votes less than 5 percent of the votes cast for presidential candidates” with the words “ballots amounting to less than 5 of the number of valid ballots.”

Article 62. In Article 72 of the Code:

1) Amend the title to read as follows:

“Article 72. Registration as a Presidential Candidate of a Citizen Nominated as a Presidential Candidate

2) Amend Part 1 to read as follows:

“1. Every citizen nominated as a presidential candidate may be registered as a presidential candidate upon nomination by one party, one party alliance, or one initiative group.”

3) In Part 2, replace the words “the issue of registering a candidate nominated as a president” with the words “the issue of registering as a presidential candidate a citizen nominated as a presidential candidate.”

4) In Part 4, replace the words “candidate nominated as president” with the words “citizen nominated as a presidential candidate.”

5) In Part 5, replace the words “candidates nominated as president” with the words “presidential candidates.”

Article 63. In Article 73 of the Code:

1) Amend the title to read as follows:

“Article 73. Refusal to Register a Citizen Nominated as a Presidential Candidate.”

2) In the first sentence of Part 1, replace the words “registration of a candidate nominated as president” with the words “registration as a presidential candidate of a citizen nominated as a presidential candidate.”

3) In Part 1(3), add the words “and/or nomination” after the word “registration.”

4) In the second sentence of Part 1 and in Part 2, replace the words “candidate nominated as president” with the words “citizen nominated as a presidential candidate.”

5) Remove the word “a candidate’s” from the last sentence of Part 2.

Article 64. In the title and in Part 1 of Article 74 of the Code, replace the words “Nominated Presidential Candidate’s” with the words “Presidential Candidate’s.”

Article 65. In the title and in Parts 1 and 2 of Article 75 of the Code, replace the words “Refuse the Registration of a Candidate Nominated as President or” with the words “Refuse the Registration of a Citizen Nominated as a Presidential Candidate or.” In Part 2, replace the word “rules” with the words “establishes in a judgment.”

Article 66. In the title and in Parts 1 and 2 of Article 76 of the Code, replace the words “Nominated Presidential Candidate’s” with the words “Presidential Candidate’s.”

Article 67. In the title of Chapter 15, and in the titles and texts of Articles 77 and 78 of the Code, replace the words “nominated presidential candidate” with the word “presidential candidate.”

Article 68. Repeal the second sentences of each of Parts 2 and 3 of Article 78 of the Code.

Article 69. In the title of Chapter 16 and in the title of Article 79 of the Code, replace the words “nominated presidential candidate” with the word “presidential candidate.”

Article 70. In Article 79 of the Code:

- 1) In Part 1, replace the words “candidate nominated as president” with the words “presidential candidate or citizen nominated as a presidential candidate.”
- 2) In the second sentence of Part 1, replace the word “candidate” with the words “citizen nominated as a candidate.”
- 3) In Part 6, replace the words “more than 5 percent of the votes cast for the candidate” with the words “ballots amounting to 5 or more percent of the number of valid ballots voted for the candidate.”
- 4) In Part 7, replace the words “If the candidate nominated as president receives less than 5 percent of the votes” with the words “If the presidential candidate receives less than 5 percent of the number of valid ballots voted for the candidate.”
- 5) In Part 9, replace the words “nominated presidential candidate” with the word “presidential candidate.”

Article 71. In Article 81 of the Code:

- 1) In the title and in the text, replace the words “candidates nominated as president” with the words “presidential candidates.”
- 2) In Part 5, add the words “(party alliance)” after the word “party.”
- 3) Amend Part 7 to read as follows:
“7. The Republic of Armenia Government shall refund 50 percent of the campaigning costs incurred by presidential candidates for whom 25 or more percent of the total number of valid ballots were cast in the presidential elections.”

Article 72. In Article 82 of the Code:

- 1) In Part 1, add the words “(party alliance)” after the word “party.”
- 2) In Part 3, add the words “up to” before the words “3 percent.”

Article 73. In Article 83 of the Code:

- 1) From Part 1, remove the words “based on summary protocols on election results in electoral districts.”
- 2) Add a new paragraph to Part 1 to read as follows:
“If none of the aforementioned decisions is taken in accordance with the procedure stipulated by this Code, then the decision for which the largest number of commission members have voted shall be deemed taken. In case of an equality of votes of the commission members, the vote of commission chairman shall be decisive.”

Article 74. In Article 84 of the Code:

- 1) In Part 1, replace the words “who has received more than half of the votes cast for all candidates” with the words “in favor of whom have voted more than half of the voters that voted for all the candidates.”
- 2) Amend Part 2 to read as follows:
“2. If one candidate is running, he shall be elected, if more than half of those participating in the voting have voted for him.”

Article 75. In Article 85 of the Code:

- 1) Amend Part 1 to read as follows:
“1. If more than two candidates were running, and none of them received the required number of votes, then, on the 14th day after the voting, a second round of voting for the President of the Republic shall be held. The two candidates who have received the most votes may run in the second round of voting.”
- 2) Amend Part 2 to read as follows:
“2. In the second round, the candidate for whom more voters have voted shall be elected.”
- 3) Repeal Part 3.

Article 76. Amend Article 86(1) of the Code to read as follows:

"1) The magnitude of inaccuracies is greater than or equal to the difference between the numbers of ballots voted for the two candidates for whom the largest number of "for" ballots was cast, or, in case one candidate ran, the magnitude of inaccuracies is greater than or equal to the difference between the number of votes cast for and the number of votes cast against that candidate, which significantly affects the outcome of elections, i.e. it is impossible to reestablish the real results of the election and to determine the elected candidate."

Article 77. Amend Article 87(1) of the Code to read as follows:

"1) The necessary number of voters have not voted for the only candidate that ran."

Article 78. In Article 89 of the Code:

- 1) In Part 1, add the words "(party alliance)" after the word "party."
- 2) Repeal Part 2.

Article 79. Amend Article 90 of the Code to read as follows:

"1. If the President of the Republic is not elected in the cases referred to in Articles 86 and 87 of this Code, then a new election shall be scheduled, and the voting shall be held on the 40th day after scheduling a new election.

2. If insurmountable obstacles arise for one of the presidential candidates, the elections of the President shall be postponed for a two-week period. If the obstacles, which have been recognized as insurmountable, do not cease, a new election shall be scheduled, and the voting shall be held on the 40th day after the expiration of the aforementioned two-week period.

3. If one of the candidates dies before the voting day, a new election shall be scheduled, and the voting shall be held on the 40th day a new election is scheduled.

4. A new election of the President of the Republic shall be held with a new nomination of candidates."

Article 80. Amend Article 91 of the Code to read as follows:

"1. In case of the resignation or death of the President, or of his impeachment under Article 57 of the Constitution, or of the impossibility for him to carry out his authority, an extraordinary presidential election shall be scheduled, and the voting shall be held on the 40th day of the President's position becoming vacant.

2. During a state of emergency or a state of martial law, presidential election shall not be conducted, and the President of the Republic shall continue to exercise his authority. In such cases, presidential election shall be held in accordance with the procedure stipulated by this Code for conducting extraordinary elections on the 40th day after the ceasing of the state of emergency or the state of martial law."

Article 81. In Article 93 of the Code:

- 1) In Part 1, add the words "(party alliance)" after the word "party."
- 2) In Part 4, replace the words "Community leaders" with the words "The head of the authorized body or of its respective division."

Article 82. In Article 97 of the Code:

1) In Part 2, remove the words "under majoritarian system" and the words "and employees of social security bodies (services)"; add the word "temporarily" before the word "resign."

2) Repeal Part 3.

3) Add a new Part 4 to read as follows:

"4. Employees and officials of central and local government bodies, in respect of whom the restrictions stipulated by this Article do not apply, may register as candidates for MP in case of temporarily suspending their work duties, with the exception of persons occupying political positions."

Article 83. In Article 100 of the Code:

- 1) In the third sentence of Part 2, in Part 3(6), in Part 8, and in Part 3, add the words “(party alliance)” after the word “party.”
- 2) In Part 3(2), after the words “permanently functioning body” add the words “(in case of a party alliance—the joint decision of the permanently functioning bodies of the parties that are members of the alliance).”
- 3) Repeal Part 4.
- 4) In Part 5, replace the number “3” with the number “2”; and replace the words “to be registered by the Central Electoral Commission” with the words “to be accredited by the Central Electoral Commission for the whole term of elections.”
- 5) In Part 8, add the words “(party alliances)” after the word “parties.”

Article 84. In Article 101 of the Code:

- 1) In Part 1(2) and in Parts 2 and 3, add the words “(party alliance)” after the word “party.”
- 2) In Part 1(3), add the words “(party alliance)” after the word “party.”
- 3) In Part 1(4), add a new sentence to read as follows: “Within a three-day period of applying, the authorized body shall, in accordance with the procedure defined by the Central Electoral Commission, make available to the candidate for MP the documents specified in paragraphs (2) and (3) of this Part.”

Article 85. In Article 102 of the Code:

- 1) In the title and the text, add the words “(party alliance)” after the word “party”; and replace the word “and” in the title with the word “or.”
- 2) In Part 1(2), Part 2(2), and Part 4(2), add the words “and/or nomination” after the word “registration.”
- 3) In Part 9, replace the words “the decision to refuse” with the words “the electoral commission’s decision to refuse.”

Article 86. In Article 103 of the Code:

- 1) In the title and the text, add the words “(party alliance)” after the word “party”; and replace the word “and” in the title with the word “or.”
- 2) In Part 1(4) and Part 2, add the words “(party alliance)” after the word “party.”

Article 87. In Article 106 of the Code:

- 1) In Part 1, replace the word “and” with the word “or”; and replace the words “application (decision)” with the word “decision.”
- 2) In Part 2, replace the words “registered in that particular” with the words “registered as a candidate for MP in that particular.”

Article 88. In Article 108 of the Code:

- 1) In Part 3, replace the words “more than 5 percent of the votes cast for the candidates” with the words “ballots amounting to 5 or more percent of the number of valid ballots voted for.”
- 2) In Part 4(3) and Part 7(2), add the words “and/or nomination” after the word “registration.”

Article 89. From the title and the text of Article 109 of the Code, remove the word “nominated.”

Article 90. In Article 112(3) of the Code, add the words “(party alliance)” after the word “party.”

Article 91. In Article 113(2) of the Code, add the words “(party alliance)” after the word “party.”

Article 92. In Article 114(7) of the Code, add the words “up to” before the words “3 percent.”

Article 93. In Article 115 of the Code:

1) Add a new paragraph to Part 1 to read as follows:

“If none of the aforementioned decisions is taken in accordance with the procedure stipulated by this Code, then the decision for which the largest number of commission members have voted shall be deemed taken. In case of an equality of votes of the commission members, the vote of commission chairman shall be decisive.”

2) Amend the first and second sentences of Part 2 to read as follows: “The National Assembly mandates for the proportional contest shall be distributed between the electoral lists of parties and party alliances that have received at least 5 percent and 7 percent of the sum of the total number of valid votes and the number of inaccuracies, respectively. If only one party’s or party alliance’s electoral list received at least 5 percent and 7 percent of the sum of the total number of valid votes and the number of inaccuracies, respectively, then two parties (party alliances) that have received the next highest number of votes shall participate in the distribution of mandates.”

3) In Parts 3 and 9, add the words “(party alliances)” after the word “parties”; in Parts 3 and 5, add the words “(party alliance)” after the word “party”; in Part 3, replace the words “the number of votes cast for those lists” with the words “the number of ballots voted for each of them”; in Parts 3 and 4, replace the words “votes cast for” with the words “ballots voted for.”

Article 94. In Article 116 of the Code:

1) Add a new paragraph to Part 1 to read as follows:

“If none of the aforementioned decisions is taken in accordance with the procedure stipulated by this Code, then the decision for which the largest number of commission members have voted shall be deemed taken. In case of an equality of votes of the commission members, the vote of commission chairman shall be decisive.”

2) In Part 2, replace the words “who receives the most “for” votes” with the words “for whom the largest number of voters have voted.”

3) Amend Part 3 to read as follows:

“3. If one candidate is running, he shall be elected, if more than half of those participating in the voting have voted for him.”

4) In Part 4, replace the words “of “for” votes” with the words “of ballots voted for.”

5) Amend Part 5 to read as follows:

“5. An MP’s election shall be declared void, if:

1) The magnitude of inaccuracies is greater than or equal to the difference between the numbers of ballots voted for the two candidates for whom the largest number of “for” ballots was cast, or, in case one candidate ran, the magnitude of inaccuracies is greater than or equal to the difference between the number of votes cast for and the number of votes cast against that candidate, which significantly affects the outcome of elections, i.e. it is impossible to reestablish the real results of the election and to determine the elected candidate; or

2) During the preparation and conduct of elections, such violations of this Code have taken place, which could have influenced the outcome of elections.”

6) Amend Part 6(1) to read as follows:

“1) The necessary number of voters have not voted for the only candidate that ran.”

7) In Part 6(2), replace the words “the elected candidate” with the words “the candidate that received the largest number of ballots voted for.”

8) Add a new paragraph 3 to Part 6 to read as follows:

“3) No candidate has been nominated or registered in the term and procedure stipulated by this Code.”

9) Add a new Part 10¹ to read as follows:

“10¹. If the election is declared void or failed, the candidate’s electoral deposit shall be refunded.”

Article 95. In Article 117 of the Code:

1) Amend Part 1 to read as follows:

“1. The regular election of the National Assembly shall be held no earlier than 40 and no later than 30 days prior to the expiry of its term of authority.”

2) In Part 3, add the words “(party alliances)” after the word “parties.”

3) In Part 5, add the words “(party alliances)” after the word “parties.”

Article 96. In Part 3 of Article 118 of the Code, replace the word “fourth” with the year “last.”

Article 97. In Article 119 of the Code:

1) In Part 3, add the words “(party alliance)” after the word “party.”

2) In Part 4, add the words “(party alliances)” after the word “parties.”

Article 98. In Article 123 of the Code:

1) In Parts 2 and 3, replace the words “more than 5 percent of the votes cast for the candidates” with the words “ballots amounting to 5 or more percent of the number of valid ballots”; and remove the words “or to the pre-election fund, if the deposit was paid from the pre-election fund.”

2) In Parts 2 and 3, replace the words “of the votes” with the words “of the number of valid ballots”; and remove the words “in the electoral district.”

3) Amend Part 8 to read as follows:

“8. A person may be nominated as a candidate for the community head or a member of the community council in only one community.”

4) Repeal Part 9.

Article 99. In Article 125 of the Code:

1) Amend the title to read as follows:

“Article 125. Annulment of the Registration of a Candidate for the Community Head or a Member of the Community Council”

2) In Parts 1, 2, and 3, replace the words “nominated as community head and community council member” with the words “candidate for the community head or a member of the community council.”

Article 100. In the titles of Chapters 27 and 28 of the Code, replace the words “nominated as community head and community council member” with the words “candidate for the community head or a member of the community council.”

Article 101. In the titles of Articles 126 and 127 of the Code, replace the words “nominated as community head and community council member” with the words “candidate for the community head or a member of the community council”; in Article 126, replace the words “nominated as community head” with the words “candidate for the community head”; in Article 126, replace the words “nominated as community council member” with the words “candidate for a member of the community council”; in Article 127, replace the words “nominated as community head and community council member” with the words “candidate for the community head or a member of the community council.”

Article 102. In the title and text of Article 128 of the Code, replace the words “nominated as community head and community council member” with the words “candidate for the community head or a member of the community council”; and remove the second sentence of Part 1.

Article 103. In Article 130 of the Code:

1) In Part 1, replace the words “candidates nominated as community head and community council member” with the words “candidate for the community head or a member of the community council.”

2) In Part 2, replace the words “election of the candidate nominated as community head” with the words “election of the candidate as the community.”

3) In Part 3, replace the words “election of the candidate nominated as a community council member” with the words “election of the candidate as a community council member.”

4) In Part 4, add the words “up to” before the words “3 percent.”

Article 104. Repeal Article 131 of the Code.

Article 105. In Article 132 of the Code:

1) In Part 1, replace the words “of candidates nominated as community head or community council member” with the words “in case of election of community head or community council members.”

2) Repeal Part 2.

Article 106. In Article 133 of the Code:

1) In the title and the text, replace the words “candidate nominated as community head” with the words “candidate for the community head.”

2) In Part 2, replace the words “he/she gets the highest number of “for” votes” with the words “the largest number of voters have voted for him/her”; amend the second and third sentences to read as follows: “If one candidate is running, he shall be elected, if more than half of those participating in the voting have voted for him.

If two or more candidates have received an equal maximum number of ballots voted “for,” then the elected candidate shall be determined from among the two by means of a draw held in accordance with the procedure defined by the Central Electoral Commission.”

3) Amend Part 3 to read as follows:

“3. The election of a community head shall be declared void, if:

1) The magnitude of inaccuracies is greater than or equal to the difference between the numbers of ballots voted for the two candidates for whom the largest number of “for” ballots was cast, or, in case one candidate ran, the magnitude of inaccuracies is greater than or equal to the difference between the number of votes cast for and the number of votes cast against that candidate, which significantly affects the outcome of elections, i.e. it is impossible to reestablish the real results of the election and to determine the elected candidate; or

2) During the preparation and conduct of elections, such violations of this Code have taken place, which could have influenced the outcome of elections.”

4) Add a new paragraph 1¹ to Part 4 to read as follows:

“1¹) No candidate has been nominated or registered in the term and procedure stipulated by this Code.”

5) Amend Part 4(1) to read as follows:

“1) The necessary number of voters have not voted for the only candidate that ran.”

6) In Part 4(2), replace the words “the elected candidate” with the words “the candidate that received the largest number of ballots voted for.”

7) Amend Part 7 to read as follows:

“7. If the elections of the community mayor are declared void, then, 21 days after the voting day, re-voting shall be held with the same candidates.”

Article 107. In Article 134 of the Code:

1) In the title and the text, replace the words “candidate nominated as a member of the community council” and the words “candidates nominated as members of the community council” with the words “candidates for membership in the community council.”

2) Repeal Part 3.

3) In Part 4, replace the words “who receive the highest number of “for” votes in one single-mandate majority district” with the words “for whom the largest number of “for” ballots were voted, shall be considered elected in the community.”

4) Amend the second sentence of Part 4 to read as follows: “In case of the equality of ballots voted “for,” a draw shall be held in accordance with the procedure defined by the Central Electoral Commission in order to determine the elected candidate.”

5) Amend Part 5 to read as follows:

“5. The election of a community council member shall be declared void:

1) If the magnitude of inaccuracies precludes the possibility of determining the candidates elected by a number corresponding to at least half of the number of community council members, as specified in Article 120(2) of this Code, i.e. if the difference between the number of ballots voted for the elected candidate and the number of ballots voted for the non-elected candidate is smaller than or equal to the difference between the magnitude of inaccuracies and the ratio of the number of community council membership candidates;

2) If, during the preparation and conduct of elections, such violations of this Code have taken place, which could have influenced the outcome of elections.

If the elections of the community council members are declared void, then, 21 days after the voting day, re-voting shall be held with the same candidates.

Re-voting with the same candidates may be held only once.”

6) In Part 6, replace the words “Community council elections shall be considered failed, if grounds to invalidate the community council elections exist as a result of re-voting.” with the words “Community council elections shall be considered failed, if the number of candidates corresponding to at least half of the number of community council members specified in Article 120(2) of this Code has not been nominated or registered in accordance with the terms and procedure stipulated by this Code, or if grounds to invalidate the community council elections exist as a result of re-voting.”

7) Repeal the second sentence of Part 6.

8) Repeal Part 7.

Article 108. In Article 137 of the Code, replace the words “nominated as community head and community council member” with the words “candidate for the community head or a member of the community council”; and add a new sentence to Article 137 to read as follows: “A new election shall be scheduled by the governor (or, as the case may be, the Yerevan Mayor).”

Article 109. In Article 138 of the Code:

1) In Part 1, replace the words “candidate nominated as head” with the word “head.”

2) Repeal Part 7.

Article 110. Amend Article 40 of the Code to read as follows:

“Article 140. Transitional Provisions

1. Within a two-day period of this Law entering into force, the authorized body shall provide to the Central Electoral Commission the number of voters included in the Republic of Armenia Voter Register, broken down by electoral districts and by communities in each district.

2. Within a ten-day period of this Law entering into force, the boundaries of electoral districts may be changed, if, based on the data in the National Voter Register, the then current division does not correspond to the requirements of Article 17¹(4) hereof.

3. Information on the judicial servant that is a member of the Central Electoral Commission shall be submitted to the Staff of the Republic of Armenia President prior to 18:00 of the 7th day following the entry into force of this Law. Information on the judicial servants that are members of the Territorial Electoral Commissions shall be submitted to the Staff of the Republic of Armenia President prior to 18:00 of the 10th day following the appointment of the judicial member of the Central Electoral Commission.

4. After this Law enters into force, the specialized training of judicial servants shall be organized and conducted prior to April 1, 2007.

5. Within a two-month period of the entry into force of this Law, specialized training on how to conduct elections shall be carried out in accordance with the procedure established by the Central Electoral Commission for candidates to membership in electoral commissions.

6. This Law shall apply to local government elections only in communities, in which elections have been scheduled after the entry into force of this Law.”

Article 111. This Law shall enter into force on the 10th day following its official promulgation.