



Strasbourg, 25 November 2008

Opinion no. 475 / 2008

CDL-EL(2008)025
Engl. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

DRAFT LAW
ON THE ALL-UKRAINIAN REFERENDUM

by

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Draft-Law
is submitted by
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The Law of Ukraine

On an all-Ukrainian Referendum

This Law identifies the legal principles, organization and the procedure for conducting an all-Ukrainian referendum.

Chapter I. BASIC PROVISIONS

Article 1. The definition of an all-Ukrainian referendum

1. An all-Ukrainian referendum is a supreme form of direct democracy, and an expression of free will of Ukrainian citizens.
2. An all-Ukrainian referendum is a way for Ukrainian citizens to adopt decisions on issues of national importance by a secret vote.

Article 2. Subject of an all-Ukrainian referendum

1. Any issues may become subject of an all-Ukrainian referendum with an exception of those prohibited by the Constitution of Ukraine.

Article 3. National referendum called by the public initiative

1. An all-Ukrainian referendum called by the public initiative is a way of citizens to adopt decisions on all issues with the exception of those stipulated by the Article 74 of the Constitution of Ukraine (in reference to draft laws on taxing policies, budget and amnesty).
2. An all-Ukrainian referendum is declared as a public initiative upon the petition of no less than three million of Ukrainian citizen that have a right to vote, on condition that the signatures in favor of the referendum are collected in no less than two thirds of Ukrainian oblasts with the minimum requirement constituting 100 000 signatures in each oblast.
3. The president of Ukraine is to declare an all-Ukrainian referendum as submitted by the public initiative.

Article 4. All-Ukrainian referendum on introducing amendments to the Constitution of Ukraine and approving its new edition

1. An all-Ukrainian referendum on introducing the amendments to the Constitution of Ukraine is a way of citizen decision to approve introducing of amendments into the following chapters of the Constitution of Ukraine: chapter I "Basic Provisions," chapter III "Elections. Referendum," and chapter XIII "Introducing amendments into the constitution."
2. The draft law on introducing the amendments to the chapters listed above of the Constitution of Ukraine is submitted to the parliament by the president of Ukraine or the members of

parliament that constitute no less than two thirds from the constitutional composition of the Verkhovna Rada of Ukraine, and is approved by an all-Ukrainian referendum.

3. The president of Ukraine is to appoint an all-Ukrainian referendum on amending the chapters of the Constitution of Ukraine listed above.

4. An all-Ukrainian referendum on approving the Constitution in the new edition shall be adopted by citizen collective resolution to approve the text of the new edition of Constitution that was adopted by no less than two thirds of members of parliament of the constitutional composition of the Verkhovna Rada.

5. The draft of the new edition of the Constitution of Ukraine is submitted to the Verkhovna Rada by the president of Ukraine or the parliamentary majority calculated based on its constitutional composition.

6. An all-Ukrainian referendum on adopting the new edition of the Constitution of Ukraine is appointed by the Verkhovna Rada.

Article 5. National referendum on the territorial changes of Ukraine

1. An all-Ukrainian referendum on changing the territory of Ukraine is a way for citizens to approve/disapprove a draft law on international agreement ratification on changing the territory of Ukraine. The president is to conclude an international agreement ratification, and then to submit this document to review at the Verkhovna Rada.

2. The Verkhovna Rada is to declare an all-Ukrainian referendum on the territorial changes of Ukraine.

Article 6. Limitations to the carrying out of an all-Ukrainian referendum

1. An all-Ukrainian referendum shall not be conducted in circumstances of military law or emergency situation announced at the whole territory of Ukraine or its separate regions during or within three months after those were renounced. An all-Ukrainian referendum with the same topic/issue submitted for the voting shall be conducted after one year from the date of conduct of an all-Ukrainian referendum on the same issue.

2. An all-Ukrainian referendum shall not be conducted on the same day as the election day of the state power institutions and/or local self-government.

3. The number of issues to be submitted for all-Ukrainian referendum is limited to one.

Article 7. The rules for citizen participation in an all-Ukrainian referendum

1. An all-Ukrainian referendum is conducted on the basis of the general, equal, direct and free will expression of citizen secret vote.

The citizens are guaranteed a free expression of will. No one is to be forced to participation or lack of participation in an all-Ukrainian referendum.

2. The citizens take part in an all-Ukrainian referendum on equal terms; each citizen has a single vote.

3. Citizens shall vote at an all-Ukrainian referendum personally. Voting on behalf of a different person is not allowed.
4. An all-Ukrainian referendum is direct: all issues submitted for the vote are resolved by the voters directly.
5. The voting at an all-Ukrainian referendum is secret. Any control over the citizen's free will expression is prohibited.

Article 8. The right to participate in the national referendum

1. Any Ukrainian that reached an age of 18 has a right to vote at an all-Ukrainian referendum, take part in the initiation of an all-Ukrainian referendum, and also participate in other legal actions in regards to preparation and carrying out of an all-Ukrainian referendum according to the procedures stipulated by this Law.
2. The citizens that were declared incapable by the court do not have a right vote in an all-Ukrainian referendum; participate in the initiation to conduct an all-Ukrainian referendum and/or take part in other legal actions in regards to preparation and carrying out of an all-Ukrainian referendum.
3. A Ukrainian citizen that resides or currently stays abroad has a full right to vote at an all-Ukrainian referendum.

Ukrainian representations abroad are to assist the citizen in the realization of his/her right to vote at an all-Ukrainian referendum.

Article 9. The financial provisions for the preparation and carrying out of an all-Ukrainian referendum

1. Any expenses for the preparation and carrying out of an all-Ukrainian referendum, other than expenses for the signature collection for the petition to initiate the all-Ukrainian referendum are taken exclusively from the state budget of Ukraine, from the funds allocated for the preparation and carrying out of an all-Ukrainian referendum.
2. The funds to prepare and conduct an all-Ukrainian referendum are allocated during fifteen days starting from the effective date either the Verkhovna Rada or the president enacts an all-Ukrainian referendum.
3. The order of distributing, transferring, accounting of the incoming funds, and utilization of the budget costs allocated for the preparation and carrying out of an all-Ukrainian referendum, as well as forms and timetables of financial accounting of commissions on all-Ukrainian referendum are defined according to the Ukrainian legislature.

Chapter II. PROCLAIMING AN ALL-UKRAINIAN REFERENDUM

Article 10. The procedure for proclaiming an all-Ukrainian referendum on entering the amendments into the Constitution and approving its new edition

1. Upon ten days from receiving the law on introducing the amendments into the chapters I, III, XIII of the Constitution of Ukraine, the president is to issue a decree on declaring an all-Ukrainian referendum on introducing the amendments into the Constitution of Ukraine with a date assigned for the referendum. The text of the law is submitted for the approval by an all-Ukrainian referendum is obligatory to be attached to the decree issued by the president of Ukraine.

2. The decree of the president of Ukraine shall determine the date for an all-Ukrainian referendum on introducing the amendments into the Ukrainian Constitution. The date shall not be earlier than ninety days or later than one hundred twenty days counting from the decree on all-Ukrainian referendum effective date.

3. The decree of the president of Ukraine on declaring an all-Ukrainian referendum on introducing the amendments into the Constitution of Ukraine shall be officially published within three days from the enactment date.

4. Upon three days after the new edition of the Constitution of Ukraine is approved, the Verkhovna Rada shall pass a decree declaring an all-Ukrainian referendum by two thirds majority from its constitutional composition.

The text of the new edition of the Constitution of Ukraine that is being submitted for the approval at an all-Ukrainian referendum shall be attached to the decree of Verkhovna Rada of Ukraine.

5. The decree of Verkhovna Rada of Ukraine on declaring an all-Ukrainian referendum on approving the new edition of the Constitution of Ukraine determines the date for the referendum: it shall not be earlier than ninety days and not later than one hundred twenty days after the enactment date of the decree by Verkhovna Rada.

6. The decree of Verkhovna Rada of Ukraine on declaring an all-Ukrainian referendum on approving the new edition of the Constitution of Ukraine shall be officially published within three days from the effective date.

Article 11. The procedure on proclaiming an all-Ukrainian referendum on changing the territory of Ukraine

1. The decision to appoint an all-Ukrainian referendum on changing the territory of Ukraine is approved by the decree of Verkhovna Rada.

2. The Verkhovna Rada decree shall contain the date for the conduct of an all-Ukrainian referendum and formulated question submitted for the referendum. The date for an all-Ukrainian referendum is assigned not earlier than ninety days and not later than one hundred twenty after the enactment date of a decree on declaring an all-Ukrainian referendum by Verkhovna Rada.

3. The Verkhovna Rada decree on declaring an all-Ukrainian referendum shall be officially published within three days of its effective date.

Article 12. The procedure on proclaiming an all-Ukrainian referendum by the public initiative

1. Upon seven days from the date of receiving resolution from the Central Election Commission that provides basic summary of citizen signature collection for the petition to call an all-Ukrainian referendum, the president of Ukraine issues a decree to declare the referendum with the set date for its conduct and formulated question that is being submitted for an all-Ukrainian referendum.
2. The date of an all-Ukrainian referendum is outlined by the president's decree shall not be earlier than ninety days prior to and no later than one hundred twenty days after the date the decree on declaring an all-Ukrainian referendum had been signed.
3. The decree on declaring an all-Ukrainian referendum on introducing the amendments into the Ukrainian Constitution is issued by the president of Ukraine and shall be officially published no less than three days after the date it had been signed.

Article 13. The right of citizens to petition for conduct of an all-Ukrainian referendum

1. The request to conduct an all-Ukrainian referendum by the public initiative is done by the citizens that have a right to vote, through collection of their signatures under the petition to conduct the referendum.
2. The president of Ukraine is to call an all-Ukrainian referendum under the public initiative provided that no less than three million Ukrainian citizens that have a right to vote had signed under the petition to declare an all-Ukrainian referendum. The signatures shall be collected in no less than two thirds of oblasts with no less than 100 000 signatures in each oblast.
3. The groups of initiators specialized in an all-Ukrainian referendum that are created and function in accordance with this Law organize and carry out collection the signatures for the petition to conduct an all-Ukrainian referendum.

Article 14. Creating the groups of initiators specialized in an all-Ukrainian referendum

1. The group of initiators on conducting an all-Ukrainian referendum is being formed at the citizen's meeting. There shall be no less than five hundred participants that possess a right to vote at the meeting. The meeting shall be conducted at the citizen place of residence.
2. The initiators of an all-Ukrainian referendum shall notify the Central Election Commission about the date, time, place and the purpose of the meeting in writing no less than three days prior to the date of the meeting.
3. The Central Election Commission receives notification on citizen meeting called to discuss the issue of carrying out an all-Ukrainian referendum, and shall send its representative that would monitor the compliance of the meeting with the requirements of this Law at the citizens' meeting.
4. Prior to the beginning of the citizens' meeting a list of participants shall be compiled with the indication of each participant's full name, birth date, and place of residence. Each participant shall put a personal signature in the area across the line indicating their last name to testify their participation in the meeting.

5. During the citizens' meeting for conducting an all-Ukrainian referendum, the participants elect a chairman and the secretary of the meeting, approve the daily agenda, and include the issue that provides the reasoning for the expediency of conducting of an all-Ukrainian referendum, as well as formulate a question that is being submitted for an all-Ukrainian referendum.

The daily agenda for the citizen meeting shall also include a paragraph on discussing the law or law statements that are suggested to be abrogated, and the law or law amendments that are being suggested for approval at an all-Ukrainian referendum.

6. The citizens' meeting on conducting an all-Ukrainian referendum shall be properly recorded. The date, place of the citizen meeting, number of participants, information on the election of the chairman and the secretary of the meeting, the course of the discussion of the points outlined in the daily agenda, the voting results on the issues on the daily agenda, forming of the personnel composition of the group of initiators specialized in conducting an all-Ukrainian referendum and the election of the group's chairman (in case if the group of the initiators was elected) shall be entered into the meeting record. The list of participants of the citizen meeting on conducting an all-Ukrainian referendum is an inalienable part of the meeting record.

7. In case when the majority of the participants of the citizen meeting on conducting an all-Ukrainian referendum votes in favor of conducting an all-Ukrainian referendum and approves the wording of the issue/question submitted for the referendum, the group of initiators is to be elected. The group of initiators' function is to organize the collection of the signatures of the citizen for the petition to call an all-Ukrainian referendum and to carry out other functions as stipulated by this Law.

8. The group of initiators specialized in conducting an all-Ukrainian referendum shall consist of no less than fifty citizens that have a right to vote as of effective date the group was created. The personnel composition of the group of initiators is indicated in the record of the citizen meeting. The citizen meeting can form only one group of the initiators specialized in conduct of an all-Ukrainian referendum.

9. The documents on citizen meeting conducted (the protocol, the list of participants, the list of the group of initiators specialized in conduct of an all-Ukrainian referendum that include all data from the documents verifying the identity of each member of the group of the initiators, and written statements confirming the agreement to be a member of the group of initiators, list of persons authorized to act on behalf of the group of initiators specialized in the conduct of all-Ukrainian referendum (later referred to as delegates) or manage the group of initiators' financial and technical resources for the purposes of organization and conduct of the referendum (referred to as managers of the funds of the group of initiators) are being signed by the chairman and the secretary of the citizen meeting in a ten-day period from the date of citizens' meeting conduct. All the listed documents are to be sent to the Central Election Commission.

10. The number of citizen meetings with the purpose of creating the group of initiators specialized in the conduct of an all-Ukrainian referendum is not limited.

Article 15. Registering the groups specialized in the initiating of an all-Ukrainian referendum

1. Upon seven days after receiving all documents from the citizen meeting, the Central Election Commission is to inspect the documents as to their compliance with the law requirements, and is to make a decision to register or decline the registration of the group of initiators specialized in the conduct of an all-Ukrainian referendum based on the results of the inspection. The

Central Election Commission shall provide justification with listed reasons to decline the registration in case of the refusal to register the group of initiators.

2. The decision to decline the registration of the group of initiators specialized in an all-Ukrainian referendum shall only be made in case the Constitution of Ukraine and the laws of Ukraine were violated during the creation of the group of initiators.

In case if the Central Election Commission adopts a decision to decline the registration of the group of initiators specialized in the conduct of an all-Ukrainian referendum the authorized persons of the group of initiators specialized in the conduct of an all-Ukrainian referendum shall be given a justification statement. After that any procedures for implementing the initiatives to conduct an all-Ukrainian referendum are terminated.

3. The refusal of the Central Election Commission to register the group of initiators specialized in the conduct of an all-Ukrainian referendum or Central Election Commission's failure to adopt a decision to register the group of initiators specialized in the conduct of an all-Ukrainian referendum during the period defined by the paragraph one of this Article may be appealed in the court by the delegate from the group of initiators specialized in the conduct of an all-Ukrainian referendum according to the order outlined by the Code of Administrative Legislation of Ukraine.

4. The Central Election Commission's decision on registering the group of initiators specialized in the conduct of an all-Ukrainian referendum shall provide a formulated question submitted for an all-Ukrainian referendum, last names, first names and patronymic of all the members of the group of initiators specialized in the conduct of an all-Ukrainian referendum, and also the last names, first names and patronymic of the delegates and managers of the funds of the group of initiators specialized in the conduct of an all-Ukrainian referendum.

5. Upon five days from the date of registration of the group of initiators specialized in the conduct of an all-Ukrainian referendum the Central Election Commission is to issue a certificate on registration and identification passes to all the members of the group of initiators specialized in the conduct of an all-Ukrainian referendum according to the requirements and procedures set forth by the Central Election Commission. The certificate on the registration of the group of initiators specialized in the conduct of an all-Ukrainian referendum shall indicate the timelines for the signature collection, which are defined during the registration of the first group of initiators specialized in the conduct of an all-Ukrainian referendum on a certain question submitted for an all-Ukrainian referendum.

The announcement on registration of groups of initiators specialized in the conduct of an all-Ukrainian referendum is published in the newspapers "*Golos Ukrayiny*" and "*Uryadoviy Kuryer*" during the three day period, and also announced in other printed and electronic mass media based on the decision of the Central Election Commission.

6. Only one group of initiators specialized in the conduct of an all-Ukrainian referendum can be registered per referendum question suggested for submission. The decision on registration of a group of initiators specialized in the conduct of an all-Ukrainian referendum on the question that doubles the content of the question submitted earlier and around which the group of initiators specialized in the conduct of an all-Ukrainian referendum was registered according to the order and all procedures may be approved after the completion of the implementation of the proposal of the earlier registered group of initiators specialized in the conduct of an all-Ukrainian referendum, or in case of denial given to the group of initiators specialized in the conduct of an all-Ukrainian referendum in further participation in the organization of an all-Ukrainian referendum in accordance with this Law.

7. The group of initiators specialized in the conduct of an all-Ukrainian referendum is exempt from the registration fee payment.

The state governmental institutions, local self-government structures, businesses, enterprises, and organizations that are owned by the state are prohibited from carrying out the expenses connected to the organization or activities of the groups of initiators specialized in the conduct of an all-Ukrainian referendum.

8. The group of initiators specialized in the conduct of an all-Ukrainian referendum shall create a personal fund account for the referendum in order to organize the citizen signature collection for the petition to conduct an all-Ukrainian referendum, and finance other activities while implementing the initiative on conducting an all-Ukrainian referendum, including campaigning on the referendum issues, in amounts and order that are set by the Central Election Commission from the funds of the members of the group of initiators specialized in the conduct of an all-Ukrainian referendum and voluntary contributions.

9. The group of initiators specialized in the conduct of an all-Ukrainian referendum has a right to recall its initiative prior to the official publication of the resolution to declare an all-Ukrainian referendum by submitting a meeting protocol (with more than a half of its members) to the Central Election Commission. Upon review of all documents submitted, Central Election Commission approves a decision to terminate all procedures that relate to the implementation of the initiative to conduct the referendum.

Article 16. The procedure and the timeframes for collecting signatures by groups initiating an all-Ukrainian referendum

1. Upon the receipt of the certificate on its registration a group initiating an all-Ukrainian referendum has the right to freely collect signatures of citizens under the petition to declare a referendum.

The signatures of citizens collected by the group initiating an all-Ukrainian referendum before its registration shall not be taken into account.

2. Signatures of citizens shall be collected in sign-in form (petition) (petition) established by the Central Election Commission. The group initiating an all-Ukrainian referendum has the right to produce the sign-in form (petition) (petition) in due form in print, by photocopying or by other means.

3. The sign-in (petition) form shall obligatory include the registration number of the group initiating an all-Ukrainian referendum, registration date, serial number of the sign-in form (petition) (petition), name of administrative-territorial unit where the signatures are collected, exact wording of the question proposed for a referendum.

4. Only members of the registered groups initiating an all-Ukrainian referendum have the right to collect signatures within three months from the day of issuance of the registration certificate to the group initiating an all-Ukrainian referendum. The Central Election Commission shall officially announce the start of the three-month period for collecting signatures in the newspapers '*Golos Ukrainy*' and '*Uryadovyi Kurier*'.

If the collection of citizens' signatures was prevented by natural disaster or other circumstances independent of activities of the groups initiating an all-Ukrainian referendum, the Central Election Commission upon the request from this group has the right to prolong the general term for collecting signatures under the petition to conduct an all-Ukrainian referendum, for a period not longer than fifteen days.

5. A citizen who supports the petition to conduct an all-Ukrainian referendum shall affix a signature and put a signing date in the sign-in (petition) form. A citizen shall indicate his/her last name, name, patronymic, date of birth and place of residence in the sign-in form (petition) in his/her own writing. If a citizen can not put the aforementioned data in the sign-in form (petition) by his/her own hand due to the physical defects, upon his/her request it can be done by a member of the group initiating an all-Ukrainian referendum who collects signatures. A citizen may not affix his/her signature in the sign-in form (petition) if he/she has no passport or other document certifying his/her identity and age. In case such signature is detected it shall be deemed as invalid and shall not be taken into account.

6. A citizen that supports the petition to conduct of an all-Ukrainian referendum has the right to affix his/her signature in support of one and the same initiative on the conduct of a referendum only one time.

7. Each sign-in form (petition) shall be certified by signature of the member of the group initiating an all-Ukrainian referendum that collected signatures of citizens supporting the request to conduct an all-Ukrainian referendum, and of one of the authorized representatives of the group initiating an all-Ukrainian referendum. While certifying sign-in form (petition) the member of the group initiating an all-Ukrainian referendum, who collected signatures, shall indicate his/her last name, name, patronymic, date of birth, place of residence, serial number and date of issuance of passport or other document replacing passport of citizen with his/her own hand, as well as sign it and put the date of signing.

8. Signatures in support of the initiative to conduct a referendum can be collected at the educational facilities, at a place of residence and in other places where the collection of signatures and campaigning on referendum question is not prohibited by the law.

9. State authorities, bodies of local self-government, managerial bodies of enterprises, institutions and organizations of all forms of ownership, and members of commissions in charge of conducting an all-Ukrainian referendum are not allowed to participate in the collection of signatures in support of the initiative to conduct an all-Ukrainian referendum.

Forcing citizens to affix their signatures or offering them compensation of any kind for it during the process of collecting signatures in support of the initiative to conduct an all-Ukrainian referendum is prohibited.

Collecting signatures in support of the initiative to conduct an all-Ukrainian referendum at working places, during and at the places of paying salaries, pension, benefits, scholarship, other social payments, and charitable allowances is prohibited.

10. The expenses for collecting signatures of citizens to support the initiative to conduct an all-Ukrainian referendum shall be covered from the referendum fund established by the group initiating an all-Ukrainian referendum in accordance with this law.

Article 17. Procedure on handing over the sign-in form (petition) by the groups initiating an all-Ukrainian referendum to the Central Election Commission

1. After the collection of signatures in support of the initiative to conduct an all-Ukrainian referendum is completed, but no later than the ending date of the period for collecting signatures as specified in the registration certificate, the group initiating an all-Ukrainian referendum shall count the number of signatures collected for each administrative-territorial unit, as defined in paragraph two Article one hundred thirty three of the Constitution of Ukraine,

as well as the general number of signatures collected in support of the initiative to conduct an all-Ukrainian referendum.

2. Sign-in form (petition) numbered and packed in the form of folders separately for each administrative-territorial unit as defined in paragraph two Article one hundred thirty three of the Constitution of Ukraine, together with the protocol on results of collecting signatures in the support of the initiative to conduct an all-Ukrainian referendum completed in accordance with the form established by the Central Election Commission, and the first financial report of the group initiating an all-Ukrainian referendum on the usage of funds from the referendum fund, shall be submitted by an authorized representative of the group initiating an all-Ukrainian referendum to the Central Election Commission no later than at 18:00 of the last day of the period determined for collecting signatures in support of the initiative to conduct an all-Ukrainian referendum.

3. Sign-in form (petition) with signatures of citizens who support the request to conduct an all-Ukrainian referendum and reside outside the territory of Ukraine, numbered and packed in the form of folders separately for each foreign state where signatures were collected, and certified by the respective representation of Ukraine abroad, shall be submitted by the authorized representative of the group initiating an all-Ukrainian referendum to the Central Election Commission together with the other documents within the timeframe as specified in paragraph two of this Article.

4. During the receiving of the documents the Central Election Commission shall certify each folder with sign-in form (petition) with its stamp, verify the correspondence of the number of sign-in form (petition) submitted with their number indicated in the protocol on results of collecting signatures in support of the initiative to conduct an all-Ukrainian referendum, and shall issue to the authorized representative of the group initiating an all-Ukrainian referendum a document in a written form confirming the receipt of the sign-in form (petition) with indication of the number of the sign-in form (petition) received, the number of signatures of citizens supporting the request to conduct an all-Ukrainian referendum stated by the group initiating an all-Ukrainian referendum, the date and time of receiving the sign-in form (petition).

The Central Election Commission does not have the right to restrict an access of an authorized representative of the group initiating an all-Ukrainian referendum to its premises or to refuse them to receive the documents in case that the documents are submitted by the end of the term as specified in paragraph two of this Article.

5. If the group initiating an all-Ukrainian referendum does not carry out the activities as specified in paragraph two of this Article by 18:00 of the last day of the period determined for collecting signatures in support of the initiative to conduct an all-Ukrainian referendum, the Central Election Commission shall make a decision to terminate the procedures aimed at implementation of the initiative to conduct an all-Ukrainian referendum.

Article 18. Counting of signatures by the Central Election Commission

1. After sign-in form (petition) and protocols are submitted, the Central Election Commission shall verify within thirty days the adherence to the procedure of collecting signatures in support of the initiative to conduct an all-Ukrainian referendum, execution of sign-in form (petition), authenticity of citizens' information contained in the sign-in form (petition) and their signatures in support of the initiative to conduct an all-Ukrainian referendum, as well as the adherence by the group initiating an all-Ukrainian referendum to the procedure of financing its activities and the rules of campaigning on the question submitted for a referendum, and shall summarize the results of the collection of signatures in support of the initiative to conduct an all-Ukrainian referendum.

2. No less than a half of the number of signatures necessary for the implementation of the initiative to conduct a referendum, and the respective information about citizens supporting the request to conduct an all-Ukrainian referendum contained in the sign-in form (petition) shall be verified. The procedure for conducting the selective verification shall be established by the Central Election Commission.

3. Based on the verification results the CEC shall make a decision on results of the initiative to conduct an all-Ukrainian referendum.

4. In case that the number of authentic signatures of citizens who support the request to conduct an all-Ukrainian referendum is sufficient to proclaim an all-Ukrainian referendum, the Central Election Commission shall indicate it in its decision on the results of the initiative to conduct an all-Ukrainian referendum.

The Central Election Commission shall send this decision to the president of Ukraine and the Verkhovna Rada of Ukraine within three calendar days as of the day it made the decision.

5. In case that the number of authentic signatures of citizens who support the request to conduct an all-Ukrainian referendum is not sufficient to proclaim an all-Ukrainian referendum, the Central Election Commission shall indicate it in its decision on the results of the initiative to conduct an all-Ukrainian referendum. After this decision is made the procedures on implementation of the initiative to conduct an all-Ukrainian referendum shall be terminated.

6. The copies of the Central Election Commission decision shall be sent to the group initiating an all-Ukrainian referendum within three calendar days as of the day the decision was made, as well as shall be published by the Central Election Commission in the newspapers 'Golos Ukrainy', 'Uryadovyi Kuryer' and other mass media.

7. After receiving a copy of the decision as specified in paragraph 5 of this Article the group initiating an all-Ukrainian referendum has the right to appeal against it according to the procedure established in the Code of Administrative Procedure of Ukraine.

Article 19. Submission of the decision on the results of collecting signatures under the request to conduct an all-Ukrainian referendum together with the protocol of the Central Election Commission to the president of Ukraine

Within three days as of the day when the decision on the results of collecting signatures under the request to conduct an all-Ukrainian referendum and the completion of the respective protocol was made by the Central Election Commission the chairman of the Central Election Commission or the person executing his/her duties shall hand over them to the president of Ukraine to prepare the decree on proclamation of the referendum according to the procedure as specified in Article 12 of this law.

Article 20. The principles for preparation and conduct of an all-Ukrainian referendum

1. The preparation and the conduct of an all-Ukrainian referendum shall be open and public.

2. Decisions made by state authorities, bodies of local self-government which concern an all-Ukrainian referendum shall be brought to citizens' notice through mass media within the timeframes specified in this law.

3. The state shall guarantee citizens, political parties and other associations of citizens, groups initiating an all-Ukrainian referendum, and campaigning groups the right to discuss freely the expediency of the conduct of an all-Ukrainian referendum, to campaign for or against the participation in it, as well as on making decision on questions submitted to an all-Ukrainian referendum during meetings, in the press, on radio and television.

4. Commissions in charge of the conduct of an all-Ukrainian referendum, state authorities and bodies of local self-government, their officials are obliged to assist in conducting meetings and rallies to discuss questions submitted to an all-Ukrainian referendum, to inform citizens timely about the time and place of their conduct, to provide premises when necessary and to take other measures to ensure free and conscious expression of citizens' will.

5. The participation in campaigning is prohibited for:

1) State authorities, authorities of the Autonomous Republic of Crimea, bodies of local self-government, and their officials;

2) Command staff of military units, military institutions and organizations;

3) Charitable and religious organizations;

4) Persons who are members of commission in charge of the conduct of an all-Ukrainian referendum;

5) Foreign physical and legal persons, stateless persons.

6. During the campaign on an all-Ukrainian referendum commissions in charge of the conduct of an all-Ukrainian referendum shall:

1) inform citizens about the commission membership, its address and working hours, about establishment of territorial constituencies and polling stations in charge of the conduct of an all-Ukrainian referendum, about the place and time of voting, about the basic rights of the referendum participants, including the right of appeal against illegal decisions, actions or inactivity of commissions in charge of the conduct of an all-Ukrainian referendum and their members, state authorities and bodies of local self-government, enterprises, institutions and organizations, their heads, other officials;

2) provide for the possibility of citizens to familiarize themselves with the lists of citizens who have the right to vote at an all-Ukrainian referendum, with the content of the question submitted for an all-Ukrainian referendum, and with the procedure of filling in the ballots for voting at an all-Ukrainian referendum;

3) clarify to citizens the voting procedure as well as the procedure of filling in the ballots for voting at an all-Ukrainian referendum;

4) publish voting results and the results of an all-Ukrainian referendum;

5) provide other information in the cases and in accordance with the procedure established in this law.

7. Initiators of the conduct of an all-Ukrainian referendum, political parties, and public organisations may provide for the production of the respective campaign materials (posters, leaflets, pamphlets) at their own expense.

8. The requester of production of the materials shall provide a copy of each printed campaign material to the district commission in charge of the conduct of an all-Ukrainian referendum no later than within three days after they were produced.

9. All campaign materials must include the name and the code from the Unified State Register of Enterprises and Organizations of Ukraine ('EDRPOU') of those enterprises, institutions and organizations, which printed the materials, and the circulation. It is prohibited to produce and distribute anonymous campaign materials.

10. The bodies of local self-government shall allot places, arrange stands, and boards in crowded places to place there campaign materials as specified in this law, as well as notifications about activities on preparation for and the conduct of an all-Ukrainian referendum in accordance with budget of expenditures for the conduct of an all-Ukrainian referendum. It is prohibited to place such stands, boards, materials, and notifications on the buildings which are the architectural monuments and on the monuments, at the premises of commissions in charge of the conduct of an all-Ukrainian referendum, as well as in the places where they would hamper the traffic safety.

12. The campaigning accompanied by giving the citizens who have the right to vote at an all-Ukrainian referendum any goods, stocks, lotteries, money, services, etc free of charge or on preferential terms during the preparation and the conduct of an all-Ukrainian referendum is prohibited. The campaign at work places, in the process and at the place of payment of salary, pension, benefits, scholarship, other social payments, provision of charitable assistance is prohibited.

13. It is prohibited to publish sociological research, public opinion polls' results and the forecast on an all-Ukrainian referendum in mass media of all forms of ownership including foreign mass media, which have the license for distributing information in Ukraine, fifteen days before the referendum day.

14. It is prohibited to campaign (to distribute campaign leaflets, posters, to call upon to vote for or against the questions submitted to an all-Ukrainian referendum, to participate or not to participate in an all-Ukrainian referendum) on an all-Ukrainian referendum day. The campaign materials posted up before the referendum day outside of the premises for voting shall remain at the same places.

15. Mass media representatives shall be guaranteed an unimpeded access to all activities, including meetings of commissions in charge of the conduct of an all-Ukrainian referendum, connected with the preparation and the conduct of an all-Ukrainian referendum. The commissions in charge of the conduct of an all-Ukrainian referendum, state authorities, authorities of the Autonomous Republic of Crimea and bodies of local self-government shall provide them the information about the preparation and the conduct of an all-Ukrainian referendum.

16. Mass media which founders include state authorities, authorities of the Autonomous Republic of Crimea, or mass media funded in full or in part from the state or local budgets (hereinafter, mass media with the state participation), as well as enterprises, institutions, organizations of the state or municipal forms of ownership, or those funded in full or in part at the expense of the state or local self-government funds must provide for equal opportunities for campaign for or against the question submitted for an all-Ukrainian referendum.

Chapter III. ORGANIZATION AND MANAGEMENT OF THE CONDUCT OF AN ALL-UKRAINIAN REFERENDUM

Article 21. Announcing the beginning of the campaign for the conduct of an all-Ukrainian referendum

1. The Central Election Commission is responsible for announcing the beginning of the campaign on conducting an all-Ukrainian referendum.
2. The announcement on the beginning of the campaign for the conduct of an all-Ukrainian referendum is done not later than 5 days after the decree issued by the Verkhovna Rada of Ukraine or after the date the president of Ukraine signed the decree on calling or declaring an all-Ukrainian referendum.

Article 22. Commissions specialized in an all-Ukrainian referendum.

The preparation and conduct of an all-Ukrainian referendum in Ukraine is being implemented by the following institutions:

- 1) Central Election Commission;
- 2) District commissions for an all-Ukrainian referendum;
- 3) Polling stations commissions for an all-Ukrainian referendum.

Article 23. Districts for an all-Ukrainian referendum

1. The Central Election Commission forms 225 territorial districts for the purposes of carrying out an all-Ukrainian referendum. The amount of such districts in the Autonomous Republic of Crimea, oblasts, and the cities of Kyiv and Sevastopol are being determined by the Central Election Commission with consideration of their administrative-territorial structure and the size of population. The territorial district for the conduct of an all-Ukrainian referendum consists of one or several regions, cities, neighborhoods within the cities or city regions.
2. The Central Election Commission issues a decision to set up the territorial districts for the conduct of an all-Ukrainian referendum not later than 75 calendar days prior to the conduct of an all-Ukrainian referendum based on submissions from the Verkhovna Rada of the Autonomous Republic of Crimea, oblast councils, and Kyiv and Sevastopol city councils. The territorial districts for the conduct of an all-Ukrainian referendum are being created so that they accommodate an approximately even number of Ukrainian citizens that have a right to vote at an all-Ukrainian referendum.
3. The international district consists of all the international polling stations that are being formed in accordance with the point 11 of Article 24 of this Law.
4. The list of the territorial districts for the conduct of an all-Ukrainian referendum with indication of their numbers, territorial borders and centers is to be published by the Central Election Commission not later than 72 days prior to the day of the conduct of an all-Ukrainian referendum.

Article 24. Polling stations for an all-Ukrainian referendum

1. In order to carry out the voting and the vote count at an all-Ukrainian referendum the territorial districts are being divided into the polling stations.

All polling stations have a unified numeration within the limits of the territorial district.

2. The polling stations for the conduct of an all-Ukrainian referendum are formed not later than 60 days prior to the date of an all-Ukrainian referendum. In exceptional cases the polling stations are formed not later than 5 days prior to the day of an all-Ukrainian referendum.

3. The polling stations are created for the number of participants of election ranging from 20 persons to 2500 persons.

In case the corresponding territory, institution or organization numbers less or more participants of the referendum than the indicated ranges it is forbidden to transfer their surplus to another polling station. It is also prohibited to create an additional polling station within the limits of the given territorial district, within the corresponding institution or organization. The polling station shall be created with a smaller or greater number of the referendum participants than the number mentioned within the range frames.

4. The polling stations are classified as average, specialized, or international.

5. The ordinary polling stations are created with the purpose of organization of the voting for the participants of the referendum based on their place of residence.

The ordinary polling stations are created by the district commissions specialized in the conduct of an all-Ukrainian referendum in terms defined by the point 2 of this Article by the submission of executive boards of the village, town, and city (cities that do not have the neighborhood separate councils), and neighborhood councils within city. In case if councils are not represented the proposals are submitted correspondingly by the village, town, and city chairmen, the chairmen of the neighborhood within the city or elected officials that are authorized to carry out their responsibilities according to the law. The submissions listed above are filed to the district commission specialized in the conduct of an all-Ukrainian referendum by the appropriate institutions or elected officials not later than 70 days prior to an all-Ukrainian referendum.

The district commission specialized in an all-Ukrainian referendum issues a decision that defines the borders of each ordinary polling station (the name of the populated area, street, list of the residential buildings), and also location of the polling station for an all-Ukrainian referendum and the accommodation for the actual voting.

6. The specialized referendum polling stations are created in the in-patient medical institutions, aboard the vessels flying the National flag of Ukraine on the ballot day, at the polar stations of Ukraine, in penitentiary institutions and other places of voters' sojourn limiting their freedom of movement. Specialized referendum polling stations are created in a way to allow the voters to vote without violating institutional routine. Establishing a unified referendum polling station for two or more institutions or facilities is prohibited.

Special referendum polling stations are established by district referendum commissions at the location of the corresponding institutions or facilities or in the place of registry of the vessel or polar station of Ukraine, not later than thirty days before the referendum day, upon submission of the regional state administrations or executive committees of cities of regional (republican, in the Autonomous Republic of Crimea) subordination. Such submissions must be delivered to the respective district referendum commission not later than forty days before the day of elections.

A submission request for the creation of a special referendum polling station in a corresponding institution or facility shall indicate:

- 1) name of institution or establishment;
- 2) institution or establishment's legal address;
- 3) estimated number of voters staying in the institution or establishment on the ballot day;
- 4) availability of appropriate premises for voting and its address (where the address of such voting premises differs from the legal address of the institution or establishment);
- 5) pledge of the administration to provide free access of the commissioners of the relevant referendum commission and other persons who may be present under this Law during voting and count of votes on the voting premises.

7. A submission requesting formation of a special referendum polling station aboard a vessel flying the National flag of Ukraine indicates:

- 1) the ship's name;
- 2) its home port;
- 3) estimated number of voters aboard the vessel;
- 4) most recent date of departure from the home port before the ballot day;
- 5) estimated date of call at a port of Ukraine nearest to the ballot day and the name of such port.

8. As a rule, referendum polling stations are not created at military units (formations). The servicemen vote at ordinary referendum polling stations located outside their military units (formations). As an exception, the Central Election Commission may create, on submission of the respective district referendum commission, a special referendum polling station in the territory of a military unit (formation) deployed outside and at considerable distance from a settlement. Such submission must be delivered to the Central Election Commission not later than forty days before the ballot day and provide, in addition to information required under paragraph 3 of this Article, a justification for establishing the respective special referendum polling station, the grounds for such submission being a request of the commander of the military unit (formation) to be filed at the respective district referendum commission not later than forty five days before the ballot day.

A request provided in paragraph of this Article indicates:

- 1) the number and (or) address of the military unit (formation);
- 2) justification for establishing a special referendum polling station in the military unit (formation);
- 3) estimated number of voters at such polling station;
- 4) availability of appropriate voting premises and its address (where the address of such premises is distinct from the legal address of the military unit (formation));
- 5) the pledge of the administration to provide free access of the commissioners of the relevant referendum commission and other persons who may be present under this Law during voting and count of votes on the voting premises to such.

9. In the exceptional case of establishing a new in-patient medical, penitentiary or any other institution (establishment) where voters' sojourn may limit their freedom of movement, or that of a vessel's flying the National flag of Ukraine setting sail out of emergency or unforeseen creation (re-deployment) of a military unit (formation) to have station outside of, and at a considerable distance from, a settlement, the Central Election Commission may, not later than ten days before the ballot day, create a special referendum polling station upon submission of the respective district referendum commission. A district referendum commission brings such submission, not later than fifteen days before the day of elections, following a relevant request of the district state administration, executive committee of a city of regional (republican, in the Autonomous Republic of Crimea,) subordination or the commander of a military unit (formation). Such submission must supply information provided in paragraphs 3, 4 or 6 of this Article, respectively.

Together with a submission requesting creation of a special referendum polling station according to points 6, 7 and 8 of this Article, the district referendum commission refers to the Central Election Commission the proposals as respects the number of such referendum polling station.

10. The district commission specialized in an all-Ukrainian referendum submits the proposals for the number to assign to the specialized polling station in reference to the point 8 of this Article.

11. The overseas polling stations are created by the Central Election Commission by the submission of the Ministry of Foreign Affairs of Ukraine.

The overseas polling stations are created by the diplomatic missions and other official representations and consular offices of Ukraine abroad, military units, located outside of Ukraine.

The Ministry of Foreign Affairs of Ukraine shall file a submission to the Central Election Commission not later than 65 days prior to the date of an all-Ukrainian referendum. The submission is to be signed by the foreign affairs minister of Ukraine and to be sealed with the stamp of the ministry. The submission shall include:

- 1) name of the foreign country where the overseas polling station is being created at;
- 2) name and address of the diplomatic, or other official mission or consular office of Ukraine abroad, where the polling station is being formed at, the name and the address of the military unit located outside the Ukraine;
- 3) name and address of the place of the voting;
- 4) availability of the written agreement of the competent governmental institutions of the country of location or creation of the overseas polling station, including the actual location where the voting will take place outside the borders of the official representation or consular office of Ukraine abroad;
- 5) the borders of each overseas polling station including the territories of the consular districts or their divisions;
- 6) approximate number of the referendum participants that will be entered into the lists of referendum participants at the corresponding polling station.

The list of the countries where the most participants of an all-Ukrainian referendum reside at, is being determined by the Central Election Commission not later than 75 days prior to the date of conduct of an all-Ukrainian referendum as submitted by the Ministry of Foreign Affairs of Ukraine.

In separate cases the overseas polling station can be formed in such a way that the location of the actual voting place may be located outside of the borders of the official representation or a consular office building of Ukraine. This kind of overseas polling station can only be formed at the territory of the bigger city of the country where no less than 1000 Ukrainian citizens with a right to vote are temporarily located or reside at. In order to guarantee a timely creation of the overseas polling stations the Ministry of Foreign Affairs of Ukraine shall appeal to the governmental institutions of the foreign countries with request to give the permission to create the polling stations with the building facilities for the voting outside the borders of the official representations or consular offices of Ukraine abroad.

Overseas polling stations specialized in the conduct of an all-Ukrainian referendum is being formed by the Central Election Commission in timelines that are determined by the point 2 of this Article. The Central Election Commission issues a decision which determines the borders of each overseas polling station; the name and the address of the diplomatic or other official

representation or consular office of Ukraine abroad by which a polling station is formed, the name or the place of location of the military unit located outside of Ukraine; determines the facility for the voting at the overseas polling station; sets a unified numeration of the overseas polling stations.

Article 25. Creating district commissions for all-Ukrainian referendum

1. The district commission specialized in the conduct of an all-Ukrainian referendum is being created by the Central Election Commission not later than 72 days prior to the date of an all-Ukrainian referendum by the chairman, deputy chairman, secretary and other members of commission by the submission of the chairmen of the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, Kyiv and Sevastopol city councils or the mayors.

The proposals for the candidates for the district commission specialized in the conduct of an all-Ukrainian referendum may be submitted according to the registration order as set by this law. Among those that can submit the respectful candidates are: oblast, city, and regional political party organizations and other citizen associations, and group of initiators specialized in the conduct of an all-Ukrainian referendum, citizen collective meetings according to the place of residence, the military meetings at the military unions, and individually by citizens.

In case an all-Ukrainian referendum is conducted by the public initiative, the group of the initiators specialized in an all-Ukrainian referendum has a right to be represented in each district commission specialized in the conduct of an all-Ukrainian referendum by at least one person.

2. The submission shall indicate the experience possessed by the suggested candidates for the work in the commission specialized in the conduct of an all-Ukrainian referendum or the election commissions, or relevant education or training. The candidates that are suggested for the chairman, deputy chairman, and secretary of the district commission specialized in the conduct of an all-Ukrainian referendum shall be fluent in the official state language. The submission shall also include application forms for membership testifying the agreement to be a member in the relevant district commission specialized in the conduct of an all-Ukrainian referendum written by the candidates that are being submitted to serve on the commission.

3. The number of the members of the district commission specialized in the conduct of an all-Ukrainian referendum is calculated with the consideration of the amount of the applications for the candidates submitted according to all the requirements, but can not be less than 11 or greater than 15.

4. The district commission specialized in the conduct of an all-Ukrainian referendum shall publish information containing data on its location, mailing address, telephone number, working schedule, its membership composition, and also any changes that appear in this information. The information shall be placed within 5 days upon the commission creation and be posted in the local mass media with a state share.

5. In case if the Central Election Commission does not receive applications for the suggested candidates for membership in the district commission specialized in an all-Ukrainian referendum within the timelines stipulated by the paragraph 1 of this Article, or in case the number of submitted applications for the suggested candidates for the membership in the district commission specialized in an all-Ukrainian referendum constitutes less than 11 persons, the Central Election Commission shall assign a chairman of the corresponding district commission on the 72 day prior to the date of an all-Ukrainian referendum. The Central Election Commission approves the members of the district commission specialized in the conduct of an all-Ukrainian referendum as submitted by the chairman of the commission in the term of not later than 70 days prior to the referendum date. The number of the members of the commission

is 11 persons including the candidates submitted according to the paragraph 1 of this Article (if there were any submitted).

6. The participants that reside within the limits of the relative district or city that belongs to the area of the corresponding district can serve on the district commission specialized in the conduct of an all-Ukrainian referendum. One person can serve only on one commission specialized in the conduct of an all-Ukrainian referendum.

7. Government officials and public servants that serve in the state power institutions and local self-government bodies cannot be members of the district commission specialized in the conduct of an all-Ukrainian referendum. Citizens that are currently kept in the penitentiary facilities or have a previous conviction record that was not settled or removed according to the order set by the law.

8. The Central Election Commission issues identification documents to all the members of the district commissions on an all-Ukrainian referendum, the form of the identification documents is being approved by the Central Election Commission.

Article 26. Creating the polling stations commissions for an all-Ukrainian referendum

1. The polling station commission specialized in the conduct of an all-Ukrainian referendum is created by the relevant district commission specialized in the conduct of an all-Ukrainian referendum not later than 55 days prior to an all-Ukrainian referendum day in the membership of chairman, deputy chairman, secretary, and other members of commission.

The proposals for the candidates for the polling commission specialized in the conduct of an all-Ukrainian referendum may be submitted according to the registration order as set by this law. Among those that can submit the respectful candidates are: oblast, city, and regional political party organizations and other citizen associations, and group of initiators specialized in the conduct of an all-Ukrainian referendum, citizen collective meetings according to the place of residence, the military meetings at the military unions, and individually by citizens.

In case an all-Ukrainian referendum is conducted by the public initiative, the group of the initiators specialized in an all-Ukrainian referendum has a right to be represented in each polling commission specialized in the conduct of an all-Ukrainian referendum by at least one person.

2. The duration for receiving the applications from the candidates suggested for the membership in the polling commissions shall not be exceed 7 days. The announcement on creation of the polling commissions and timelines for receiving the applications for the suggested candidates for polling commission membership information shall be publicized before the application process is open.

3. The polling station commission specialized in the conduct of an all-Ukrainian referendum is calculated with the consideration of the amount of the applications for the candidates submitted according to all the requirements, but can not be less than 7 or greater than 11 persons.

The polling commissions at the polling stations with no more than 50 persons with a right to vote at an all-Ukrainian referendum shall consist of the chairman, secretary, and from one to three commission members.

4. The participants that reside within the limits of the relative district or city that belongs to the area of the corresponding district can serve on the district commission specialized in the conduct of an all-Ukrainian referendum. One person can serve only on one commission specialized in the conduct of an all-Ukrainian referendum.

5. Government officials and public servants that serve in the state power institutions and local self-government bodies cannot be members of the polling commission specialized in the conduct of an all-Ukrainian referendum. Citizens that are currently kept in the penitentiary facilities or have a previous conviction record that was not settled or removed according the order set by the law.

6. The chairman, deputy chairman, and secretary of the 3. The number of the members of the district commission specialized in the conduct of an all-Ukrainian referendum shall be fluent in official state language.

7. In case if the district commission does not receive applications for the suggested candidates for membership in the district commission specialized in an all-Ukrainian referendum within the timelines stipulated by the paragraph one and two of this Article, or in case the number of submitted applications for the suggested candidates for the membership in the district commission specialized in an all-Ukrainian referendum constitutes less than seven persons, the district commission shall assign a chairman of the corresponding district commission on the fifty four days prior to the date of an all-Ukrainian referendum. The district commission approves the members of the polling commission specialized in the conduct of an all-Ukrainian referendum as submitted by the chairman of the commission in the term of not later than fifty two days prior to the referendum date. The number of the members of the commission is seven persons including the candidates submitted according to the paragraph one and two of this Article (if there were any submitted).

8. Polling station specialized in the conduct of an all-Ukrainian referendum aboard the vessels flying the National flag of Ukraine on the ballot day, at the polar stations of Ukraine are created by the district commission specialized in the conduct of an all-Ukrainian referendum at the place of the vessel's registration, polar station of Ukraine according to the submission of the vessel captain, the chairman of the polar station of Ukraine respectively. The submission may be transferred via technical communication means within the terms stipulated by the paragraph seven of this Article.

9. The polling station commission specialized in the conduct of an all-Ukrainian referendum of the overseas station is created by the Central Election Commission in terms set by the paragraph one of this Article with consideration of recommendations from the Ministry of Foreign Affairs of Ukraine.

10. The decision on creation of polling station specialized in the conduct of an all-Ukrainian referendum is subject to publication in the printed mass media or in case of unavailability of those by other method not later than on the third day from the day of its creation.

11. The district commission hands over the identification documents to the members of the polling station commission specialized in the conduct of an all-Ukrainian referendum. The form of the identification document is being set by the Central Election Commission.

Article 27. Responsibilities of commissions specialized in the conduct of an all-Ukrainian referendum

1. The powers of the Central Election Commission on organization of and conduct of an all-Ukrainian referendum are defined by this Law and the Law of Ukraine "On Central Election Commission."

2. District commission specialized in the conduct of an all-Ukrainian referendum shall:

- 1) provide control over the adherence to the requirements of the legislature on all-Ukrainian referendum at the territory of the district;
- 2) create stations specialized in an all-Ukrainian referendum, set the stations' borders and unified numeration within the limits of the district, and provide this information to the participants of an all-Ukrainian referendum;
- 3) distribute the funds allocated for the preparation and conduct of an all-Ukrainian referendum as approved by the Central Election Commission among the polling commissions specialized in the conduct of an all-Ukrainian referendum in accordance to the expenditures budgets; control over the process of providing the premises, transport, communication, and other technical equipment and logistics support required for an all-Ukrainian referendum at the territory of the district;
- 4) in conjunction with the polling commissions specialized in the conduct of an all-Ukrainian referendum provides control over the process of compiling the list of citizens that have a right to vote at an all-Ukrainian referendum, as well as supervising the polling commissions in distributing the lists among the public;
- 5) listens to the reports received from the polling commissions specialized in the conduct of an all-Ukrainian referendum, chairmen, and other officials of the local executive branch bodies, self-government institutions, businesses, institutions and organizations on issues connected with the preparation and conduct of an all-Ukrainian referendum;
- 6) ensures that the voting ballots are provided to the polling commissions specialized in the conduct of an all-Ukrainian referendum;
- 7) ensures the production of the invitation letters for the citizen to participate in an all-Ukrainian referendum and delivers those to the polling commissions specialized in the conduct of an all-Ukrainian referendum;
- 8) establishes the voting results for the corresponding district on all-Ukrainian referendum, compiles a protocol with data containing voting results and sends it to the Central Election Commission;
- 9) within its powers reviews and resolves on applications and complaints filed by the voters concerning the preparation of an all-Ukrainian referendum and organisation of voting at the territory of the district, including complaints filed against the members of the district or polling commissions specialized in the conduct of an all-Ukrainian referendum, complaints on resolutions, actions or lack of action by the polling commissions specialized in the conduct of an all-Ukrainian referendum;
- 10) carries out other responsibilities according to the provisions of this law and other laws of Ukraine.

The responsibilities of the district commission specialized in the conduct of an all-Ukrainian referendum are terminated in ten days after the date the Central Election Commission posts an announcement on the results of an all-Ukrainian referendum in the mass media.

3. Polling station specialized in the conduct of an all-Ukrainian referendum:

- 1) verifies the accuracy of the voter lists of citizens that have a right to vote at an all-Ukrainian referendum;

- 2) ensures that the citizens have an access to the list of the participants of an all-Ukrainian referendum, reviews claims and requests to correct the mistakes and inaccuracies in the list and resolves on entering the required corrections into the list according to the order set by the Central Election Commission;
- 3) hands over or sends personal invitations to the citizens indicating the date of the referendum, address of the voting premises, time of commencement and end of voting in advance;
- 4) Provides the information for voters on the question submitted to the all-Ukraine referendum, and in case of referendum on revocation of a law or its provisions - on the text of the law (its specific provisions) on which the voters are invited to vote during the preparation of the referendum as well as on the day of the vote;
- 5) prepares of the voting premises and booths;
- 6) provides control over the adherence to the provisions of this Law order at the territory of the polling stations, in particular in reference to the placement of the campaigning materials;
- 7) organizes the voting at the polling station on the day of conduct of an all-Ukrainian referendum;
- 8) conducts the vote count of the votes cast by the participants of an all-Ukrainian referendum at the polling station;
- 9) within its powers reviews and resolves on applications and complaints filed by the voters concerning the preparation of an all-Ukrainian referendum and organisation of voting at the polling station, including complaints filed against the members of the commission;
- 10) carries out other responsibilities according to this law and other laws of Ukraine.

The responsibilities of the polling commission specialized in the conduct of an all-Ukrainian referendum are terminated in ten days after the date the Central Election Commission posts an announcement on the results of an all-Ukrainian referendum in the mass media.

Article 28. Legal status of persons that serve as members of commissions on all-Ukrainian referendum

1. The legal status of persons that are members of the Central Election Commission is defined by this Law and the Law of Ukraine on "Central Election Commission."
2. Any citizen that has a right to vote at an all-Ukrainian referendum may be appointed to serve on the district or polling commission specialized in the conduct of an all-Ukrainian referendum.
3. The chairman, deputy chairman, secretary or member of commission specialized in the conduct of an all-Ukrainian referendum may be withdrawn from commission by the same authority that appointed them, personal decision to resign, in case they violate the legislature on an all-Ukrainian referendum, leave abroad or renounce Ukrainian citizenship, or by the prohibition to take such posts ruled by the court.
4. The appointments of the new members of commissions specialized in the conduct of an all-Ukrainian referendum in replacement of members that vacated the seat is done according to the procedure outlined by the Articles 25, 26 of this Law.

5. The district, polling commissions specialized in the conduct of an all-Ukrainian referendum may appeal to the respectful authority that they were created by with a reasoned proposal on the replacement of the chairman, deputy chairman, or secretary of the commission upon general vote of no less than two thirds of the commission members taken during the commission meeting. The proposal submitted by the commission is subject to obligatory review with a relevant resolution issued. In case the person is dismissed from the chairman, deputy chairman, or a secretary of the commission specialized in the conduct of an all-Ukrainian referendum seat, this person may remain to be a member of the commission by their choice.

6. Upon the decision of commission specialized in the conduct of an all-Ukrainian referendum that had been approved respectfully by the district commission specialized in the conduct of an all-Ukrainian referendum or Central Election Commission, the chairman, deputy chairman, secretary or individual members of the commission specialized in the conduct of an all-Ukrainian referendum may be exempt from carrying out their industrial or professional responsibilities at their main work place for the period of the preparation and conduct of an all-Ukrainian referendum. The payment by the work in commission specialized in the conduct of an all-Ukrainian referendum is drawn from the funds of the State budget of Ukraine allocated for the conduct of an all-Ukrainian referendum according to the order set by the Central Election Commission.

7. The amount of the salary payment for the persons that serve as members of the district and polling commissions specialized in the conduct of an all-Ukrainian referendum is defined by the Cabinet of Ministers of Ukraine.

8. The damage caused to life, health or material possessions of the member of commission specialized in the conduct of an all-Ukrainian referendum due to their performance of the work responsibilities is reimbursed according to the order and amounts defined by the Cabinet of Ministers of Ukraine.

Article 29. Organizing the work of the commissions specialized in the conduct of an all-Ukrainian referendum

1. Meeting is the main method of work of the commissions specialized in the conduct of an all-Ukrainian referendum. The commission meeting is being called by the commission chairman, in case of his absence by the deputy chairman.

In case the chairman and deputy chairman are both absent or refuse to call the commission meeting, the commission meeting may be appointed by no less than one third of the commission members with obligatory informing of all the members of commission about the place and the time of the meeting.

In case of absence of the chairman of the polling commission the commission meeting is to be called by the deputy chairman or secretary of the commission.

The first commission meeting is called not later than on a third working day after its creation, the following are called upon their necessity.

2. The commission meeting is considered authorized with the presence of no less than two thirds of members of its total membership. The commission meeting is to be led by either a chairman or a deputy chairman. In case of their absence the commission appoints the leader for the exact meeting from their membership.

3. The interested party representatives may be present at the commission meeting during the review of appeals, claims and complaints by the commission members.

4. The members of commissions specialized in the conduct of an all-Ukrainian referendum have a right to access the documents and other sources regarding the issues that are being reviewed during the commission meeting, ask questions to the speakers, and other participants of the meeting in regards to the issues related to the daily agenda, submit proposals and take part in the discussion of the issues submitted for the commission review.

5. A proper record shall be taken during the work of all the meetings of commissions specialized in the conduct of an all-Ukrainian referendum. A protocol of the meeting is signed by the leader of the meeting, the secretary or a member of commission that was performing the duties of a secretary during the commission meeting.

6. The decisions of the commissions specialized in the conduct of an all-Ukrainian referendum are made by the open majority vote from the total membership and are issued in the form of resolutions. In case if there is an equal amount of votes given for the certain issue on voting, the preference is given to the resolution voted for by the leader of the commission meeting. Resolutions of the commissions specialized in the conduct of an all-Ukrainian referendum shall be reasoned and cite all the references to or exact norms of the legislative acts, as well as cite the case circumstances. The persons that are members of the commissions specialized in the conduct of an all-Ukrainian referendum, took part in the commission meeting, but do not agree with the resolution adopted by the commission may express their opinion in writing and attach it to the protocol of the commission meeting.

The commission's resolution is to be signed by the leader of the corresponding meeting.

7. Among those qualified for the right to attend the meeting of commissions specialized in the conduct of an all-Ukrainian referendum are: members of the group of initiators specialized in the conduct of an all-Ukrainian referendum and/or persons authorized by the group of initiators specialized in the conduct of an all-Ukrainian referendum, official observers representing political parties, NGO's, other countries and international organizations, and mass media representatives. Other persons may be present at the commission mission upon the commission's resolution.

The members of the group of initiators specialized in the conduct of an all-Ukrainian referendum have a right to speak at the meeting of commissions specialized in the conduct of an all-Ukrainian referendum.

The official observer status representing the political party, NGO, other countries and international organizations is defined by the regulations adopted by the Central Election Commission.

8. Commission specialized in the conduct of an all-Ukrainian referendum may resolve to restrict the rights to participate in the works of the commission meeting of the persons listed in paragraphs three and seven of this Article if they hinder the work of the meeting.

9. Resolution of the commissions specialized in the conduct of an all-Ukrainian referendum adopted within the limits of their authority is obligatory for the participants of the referendum, state power bodies, and local self-government institutions. No one has a right to interfere in the works of the commissions specialized in the conduct of an all-Ukrainian referendum, except for the cases stipulated by this Law.

10. Among those authorized to accept the incoming documents, application, claims and complaints addressed to the commission are: chairman, deputy chairman, secretary or the member of commission, in appliance to the Central Election Commission the collection of the listed documents is done by the staff of the corresponding secretariat' sub-division. All incoming documents, appeals, claims and complaints are registered according to the order set by the Central Election Commission.

11. The commission specialized in the conduct of an all-Ukrainian referendum may delegate the verification of the incoming appeals, claims and complaints, as well as preparation of the issues and materials for review to individuals (or a group of individuals) that belong to commission' membership and/or relative specialists according to the paragraph twelve of this Article and Article 33 of the Law of Ukraine "On Central Election Commission." The decision shall be approved at the commission meeting.

12. Commission specialized in the conduct of an all-Ukrainian referendum may employ the specialists, and technical workers with the relevant experience in order to provide organizational, legal, and technical services stipulated by this Law with the remuneration for their services within the limits of the funds allocated to the commission for the purpose of preparing and conducting of an all-Ukrainian referendum.

13. The state power institutions, local self-government structures, their officials, citizen associations, as well as enterprises, institutions and organizations are obliged to assist the commissions specialized in the conduct of an all-Ukrainian referendum in the implementation of their responsibilities.

The commission specialized in the conduct of an all-Ukrainian referendum has a right to appeal with requests related to preparation and conduct of an all-Ukrainian referendum to the state power institutions, the government bodies of the Autonomous Republic of Crimea, local self-government structures, their officials, citizen associations, as well as enterprises, institutions and organizations regardless of the form of their ownership. The listed entities are obliged to review the requests filed by the commission and respond to the request in a three-day period, in case the requests are filed five or less than five days prior to the day of an all-Ukrainian referendum, the response shall be delivered within the day the request was received.

Article 30. Appealing the resolutions, actions or lack of action of the commissions specialized in the conduct of an all-Ukrainian referendum

1. The decisions, actions or lack of actions of the polling or district commission specialized in the conduct of an all-Ukrainian referendum, or its members may be appealed by the citizens, including the group of initiators specialized in the conduct of an all-Ukrainian referendum and have a right to vote at an all-Ukrainian referendum at the commission higher in the hierarchy or at the court within three days after the decisions was adopted, certain action or lack of action took place. The appeal to the commission of a higher rank does not hinder a simultaneous appeal to the court or vice versa.

2. Commissions specialized in the conduct of an all-Ukrainian referendum review the claims and complaints and adopt decisions based on the review results within three days upon receiving the corresponding complaint, in case the complaint came in less than five days prior to the day of an all-Ukrainian referendum or on the day of the referendum the response shall be issued on the day the complaint was received.

3. Commissions specialized in the conduct of an all-Ukrainian referendum within the limits of their power have a right to suspend, terminate or cancel the resolutions issued by the commissions of a lower rank, turn over the relative question for the additional review or adopt own decision in regards to the corresponding issue.

4. The order of the court's procedures on the cases of appealed decisions, actions or lack of actions demonstrated by the commissions specialized in the conduct of an all-Ukrainian referendum, or their members are set by the Code of Administrative Procedure of Ukraine.

Article 31. Compiling of the lists of citizens that have a right to vote at an all-Ukrainian referendum

1. The lists of citizens that have a right to vote at an all-Ukrainian referendum (participants of the referendum) are compiled for the purposes of conducting the voting for each polling station according to the Law of Ukraine "On state voter register."

2. The preliminary lists of the participants of the referendum are turned over to the corresponding district commissions not later than thirty days prior to the day of the conduct of an all-Ukrainian referendum.

3. The citizens have a right to get familiarized with the lists and check the accuracy of their personal data submitted to the lists.

4. Each citizen that has a right to vote at an all-Ukrainian referendum has a right to appeal to the polling commission specialized in the conduct of an all-Ukrainian referendum with the request to make corrections into the list of citizens that have a right to vote at an all-Ukrainian referendum, including submission or removal of their name or other persons' names, as well as a right to appeal to the court with an administrative claim according to the order set by the Code of Administrative Procedure of Ukraine.

5. The election commissions shall complete all measures for the clarification of the preliminary lists of the participants of the referendum not later than fifteen days prior to the day of the conduct of an all-Ukrainian referendum. They turn over all documents including the personal requests, requests filed by the participants of the referendum, and other subjects of the referendum process that relate to non-inclusion, incorrect inclusion into the preliminary list of the referendum participants or inaccuracies in the personal data information on the participant of the referendum.

6. Based on all requests and applications received the corresponding State Voter Register managing body enters all the necessary changes into the personal data within the Register according to the order defined by the Law of Ukraine "On State Voter Register."

7. The register maintenance body shall issue the final voter lists for each polling station at the corresponding territory, that are being turned over to the corresponding district and polling commissions not later than three days prior to the day of voting at the election or referendum.

Chapter IV. CONDUCT OF THE VOTING. ESTABLISHING THE RESULTS OF AN ALL-UKRAINIAN REFERENDUM

Article 32. Voting ballot.

1. The Central Election Commission approves the form and the text of the ballot for voting at an all-Ukrainian referendum according to the question submitted for an all-Ukrainian referendum. The text of the ballot shall not contradict the formulation of the question submitted for an all-Ukrainian referendum.

2. The ballots for the voting at an all-Ukrainian referendum are the documents of the strict accountability and are subject to be recorded.

The chairman, deputy chairman, secretary and the members of the corresponding commissions specialized in the conduct of an all-Ukrainian referendum are personally accountable for providing proper storing of and use of the ballots for the voting at an all-Ukrainian referendum.

3. The ballot for voting at an all-Ukrainian referendum shall contain printed topic of an all-Ukrainian referendum, district number, polling station specialized in an all-Ukrainian referendum number and indication of its location (region, city or the region within the city), and also an indicated area for the signature of the member of the commission specialized in the conduct of an all-Ukrainian referendum that will hand over the ballot.

4. Each ballot for the voting at an all-Ukrainian referendum shall indicate the formulated resolution, or question that is being submitted for an all-Ukrainian referendum. In case when referendum is held in order to reject a certain draft law or certain provisions of legislature the name of the law shall be indicated in the ballot, the citizen is suggested to choose between the options "yes" or "no" to a question whether to approve or reject a certain law, corresponding resolution, or a question.

5. Each ballot has a counterfoil separated by a tear-off line. The counterfoil is to carry the title and date of the referendum, the number of the district, number of the polling station and designated spaces for the number signature of the voter who received the ballot and commission member who is going to provide the ballot to the voter.

6. The counterfoils are to remain at the polling commission specialized in the conduct of an all-Ukrainian referendum and are used as a proof of the number of citizens that received the ballots for voting.

7. The ballot for voting at an all-Ukrainian referendum shall contain explanation on the rules of filling in the ballot in the voting booth or room designated for a secret vote.

8. The Central Election Commission is responsible for ensuring the production of the ballots for voting at an all-Ukrainian referendum and placement of orders for the production of ballots. The order of storing the produced ballots and staffing the polling commissions specialized in the conduct of an all-Ukrainian referendum with the ballots is set by the Central Election Commission.

Article 33. Organization of the voting process. The procedure on voting.

1. The voting is held on day of an all-Ukrainian referendum from 7.00 to 22.00 without a break. The voting at the overseas election stations is conducted by the local time of the country where the overseas polling station is located.
2. The pooling commission specialized in the conduct of an all-Ukrainian referendum shall inform the citizens on the time and place of the voting not later than five days prior to the day of an all-Ukrainian referendum.
3. The polling commission specialized in the conduct of an all-Ukrainian referendum may announce the voting closed not earlier than 22.00 in case all the citizens that were included into the list had an opportunity to vote.
4. The voting is to take place in the special designated areas with a sufficient number of equipped voting booths or rooms equipped for a secret vote. The places for handing over the ballots, ballot boxes are arranged in such a way that the citizens shall obligatory pass through the booths equipped for a secret vote on the way towards those.
5. The entrance into the booths equipped for a secret vote, and the exit from those, as well as the pass from the booth to the ballot box shall be located within the range of sight of the members of the commission specialized in the conduct of an all-Ukrainian referendum, official observers, representatives of the groups of initiators specialized in the conduct of an all-Ukrainian referendum, and citizen associations representatives.
6. The polling commission specialized in the conduct of an all-Ukrainian referendum shall arrange a board with the samples showing how to fill in the ballot for voting at an all-Ukrainian referendum in favor of, or against of certain question submitted for an all-Ukrainian referendum.
7. The polling commissions specialized in the conduct of an all-Ukrainian referendum are responsible for organizing the voting, ensuring the secrecy of the free will expression by the citizens, equipping the premises and maintaining the proper order at those. The citizen is to remain inside the voting premises only for the time required to vote.
8. The chairman or deputy chairman shall inspect the ballot boxes, and seal those on the say of conduct of an all-Ukrainian referendum and in the presence of the members of the commission, persons indicated in the paragraph five of this Article, as well as mass media representatives (if such are represented).
9. At 7.00 o'clock in the morning on the day of the conduct of the all-Ukrainian referendum the chairman of the polling commission specialized in the conduct of an all-Ukrainian referendum or his deputy announces the readiness of the polling commission specialized in the conduct of an all-Ukrainian referendum to start the voting and invites all the citizens that possess a right to vote at an all-Ukrainian referendum, are included into the list of referendum participants at this polling station and are already at the site to start the voting. The chairman of the polling commission specialized in the conduct of an all-Ukrainian referendum or his deputy informs the persons listed in the paragraph 5 of this Article and the mass media representatives (if there are any present) on the total number of citizens included into the lists for the participation in an all-Ukrainian referendum at this polling station.
10. The members of the polling commission specialized in the conduct of an all-Ukrainian referendum ballots hand over the ballots for voting at an all-Ukrainian referendum to the citizen based on the list of citizens at the corresponding polling station upon citizen showing his/her identification document. The member of the polling commission specialized in the conduct of an all-Ukrainian referendum hands over the ballot for voting and signs in the signature areas on

the ballot and counterfoil. The citizen puts a signature in proof of receiving the ballot for voting at an all-Ukrainian referendum at the designated area on a counterfoil and in the list of citizens that possess a right to vote at an all-Ukrainian referendum.

11. It is prohibited to make any kinds of marks on the ballot indicating the serial number of a citizen in the list or any other marks that allow identifying the citizen.

12. The ballot for voting is filled out by the citizen exclusively inside the booth or a room equipped for a secret vote. Any other persons' presence with the citizen during filling in of the ballot is prohibited. The citizen that is incapable of independent filling in the ballot due to health condition has a right to invite another participant of an all-Ukrainian referendum into the booth or a room equipped for a secret vote on his/her discretion upon giving a notice to the chairman or a deputy chairman of the polling commission specialized in the conduct of an all-Ukrainian referendum. It is forbidden to refer to the assistance of members of the commission specialized in the conduct of an all-Ukrainian referendum, members of the group of initiators of an all-Ukrainian referendum petitioned by the public initiative and persons authorized by them, and official observers.

13. In case of an affirmative response to the question submitted to an all-Ukrainian referendum, the citizen puts a 'plus' (+) mark or another mark inside the square underneath the word (across the word) "yes." In case of a negative response to the question submitted to an all-Ukrainian referendum, the citizen puts a 'plus' (+) mark or another mark inside the square underneath the word (across the word) "no."

14. The use of pencils for the purpose of filling in the ballots for voting at an all-Ukrainian referendum is prohibited.

15. The citizen casts down the filled out ballot into the ballot box. In case the citizen is incapable of an independent casting down of the ballot into the ballot box due to health condition, any other participant of an all-Ukrainian referendum is allowed to do it on his/her behalf with exception of persons listed on the paragraph twelve of this Article.

16. Closing of voting premises, suspending the voting, relocating the ballot boxes to other premises, opening of the ballot boxes, counting the citizens' votes before the time set forth by this Law are prohibited.

17. All citizens that were inside the voting premises at the moment the voting was announced closed according to the terms set forth by this Law, have a right to vote.

Article 34. Voting at the place of stay of the citizens that have a right to vote at an all-Ukrainian referendum

1. The polling commission specialized in the conduct of an all-Ukrainian referendum grants a right to vote at the place of stay to the citizen that is included into the list of referendum participants at the given election station but is incapable of independent moving due to the age or health condition.

2. In order to organize the voting at the place of stay for the referendum participants that are not capable of the independent moving, the polling commission specialized in the conduct of an all-Ukrainian referendum prepares excerpt from the list of the referendum participants according to the form and procedure set forth by the Central Election Commission one day before the actual voting day during its commission meeting.

3. During the inclusion of the referendum participant into the excerpt from the list of the referendum participants for voting at the place of stay at the corresponding polling station the secretary of the polling commission specialized in the conduct of an all-Ukrainian puts a mark "votes at the place of stay" in the area "signature of the citizen."

4. The citizen that had been included into the list of the referendum participants but is incapable of the independent moving shall submit a personal handwritten request to vote at the place of stay indicating the place of stay along with attached document that verifies the participant's incapability to move independently, and shall submit those in person, via other persons, or via-mail. The indicated request shall be submitted to the polling commission specialized in the conduct of an all-Ukrainian not later than 18.00 of the working day a day before the date of the meeting of the commission specialized in the conduct of an all-Ukrainian as stipulated by the paragraph two of this Article.

5. Among the documents qualified to verify the fact of the referendum participant's temporarily incapability to move independently as stipulated by the paragraph four of this Article there are: reference obtained from a social-medical expert commission, healthcare facility or institution of the public social welfare protection. In case of necessity the copy of the document verifying the fact of the referendum participant's incapability to move independently is certified according to the order set forth by the law or by the chairman, deputy chairman, or a secretary of the polling commission specialized in the conduct of an all-Ukrainian referendum and is sealed by the polling commission specialized in the conduct of an all-Ukrainian stamp.

6. The polling stations created within the in-patient medical facilities, the voting at the place of stay of the referendum participant is conducted on the basis of handwritten agreement of the referendum participant with request to provide him a voting at the place of his stay due to necessity to adhere to the medical treatment regime, authorized by the main doctor and certified by the facility stamp.

7. The number of members of the commission specialized in the conduct of an all-Ukrainian that organize the voting for the referendum participants at the place of their stay shall not be less than three and are defined by the commission they serve on.

8. The voting at the place of stay is organized in such a way that the members of the commission specialized in the conduct of an all-Ukrainian responsible for organizing this kind of voting are able to return to the voting premises not later than an hour in advance until the closing of the voting.

9. After the completion of the referendum participants' voting at the place of their stay, the member of the commission specialized in the conduct of an all-Ukrainian that handed the ballot to the referendum participant shall put a mark "voted at the place of stay" across the name of the referendum participant, indicates his/her name and puts a personal signature.

10. The excerpt from the list of the referendum participants indicating the referendum participants that vote at the place of stay is attached to the list of the referendum participants and is its unalienable part. Handwritten agreements of the referendum participants along with the documents proving their incapability to move independently or their copies are attached to the list of the referendum participants.

11. The provisions of this Article are not extended over to the overseas stations specialized in the conduct of an all-Ukrainian

Article 35. Vote counting procedure at the polling stations for an all-Ukrainian referendum

1. Citizens' votes shall be counted after the voting is completed and only by members of the polling station commission in charge of the conduct of an all-Ukrainian referendum at its meeting conducted without a break until the completion of vote counting. The protocol of this polling station commission meeting shall be completed and signed at the same premises where the voting took place.

2. Before to start vote counting the polling station commission in charge of the conduct of an all-Ukrainian referendum is obliged to cancel unused ballots for voting and count their quantity. It is prohibited to put any marks or records on ballots for voting during the counting of unused ballots and votes of citizens.

3. After the voting is completed the polling station commission in charge of the conduct of an all-Ukrainian referendum shall determine the number of citizens at the polling station for an all-Ukrainian referendum, who participated in an all-Ukrainian referendum, based on the citizens' list.

4. Before the start of the vote counting the polling station commission in charge of an all-Ukrainian referendum shall determine the number of citizens who received ballots based on the number of counterfoils with signatures of citizens and commission members who issued the ballots for voting, and based on the number of signatures in the lists.

5. Thereafter, the counterfoils and cancelled unused ballots (together with the counterfoils) shall be packed and sealed. The number¹ of the ballot, the number of the constituency, the number of the polling station for an all-Ukrainian referendum and its address (rayon, city, rayon in the city), the number of ballots packed, and the date shall be indicated on the package. All members of the polling station commission in charge of the conduct of an all-Ukrainian referendum present at this meeting shall sign the package.

6. Ballots and other documents of an all-Ukrainian referendum shall be packed and sealed as specified in this law in a way that it would not be possible to take out or to put in the package a ballot for voting or other document without damaging the seal and the package.

7. Chairman of the polling station commission in charge of the conduct of an all-Ukrainian referendum shall check whether the seal on the ballot box is undamaged and open these ballot boxes in presence of members of the polling station commission in charge of an all-Ukrainian referendum, as well as other persons who may be present at the commission meeting in accordance with this law.

8. Polling station commission shall count the number of ballots which were in the ballot box for voting and, thereby, determine the number of citizens who took part in the voting and the number of ballots declared as invalid.

9. An invalid ballot is a ballot:

in a form different from an established one;

without a signature of a member of the polling station commission in charge of an all-Ukrainian referendum, who issued it;

¹ It is probably a mistake in the Ukrainian text (note from translator).

filled in with a pencil;

which contains the respective mark both in the box under the word (near the word) 'yes' and in the box under the word (near the word) 'no' on the question submitted to an all-Ukrainian referendum;

which does not contain any mark put by voter in the boxes under the words (near the words) 'yes' or 'no';

with which it is not possible to identify the expression of will of a citizen.

When the validity of ballot is doubtful, the commission shall decide on it by voting.

10. When the commission in charge of an all-Ukrainian referendum decides the ballot is invalid, it shall notify on the reverse side of the ballot the reason for its invalidation. This note shall be certified by signatures of three members of the polling station commission and the stamp of the polling station commission.

11. The determined number of invalid ballots shall be indicated in the protocol. Invalid ballots shall be packed and sealed. The name of a ballot, the name and the number of the constituency, the number of the polling station for an all-Ukrainian referendum and its address (rayon, city, rayon in the city), the number of ballots packed, and the date shall be indicated on the package. The chairman and the secretary of the polling station commission in charge of an all-Ukrainian referendum and members of the commission present at this meeting shall sign the sealed package.

12. The commission shall count the number of votes given for and against the approval of the question submitted for an all-Ukrainian referendum, and in case of a referendum on recognition of certain law or of some of its provisions as invalid, the commission shall count the number of votes submitted for invalidation of each provision of this law or against it.

The questions that were additionally included by voter to the ballot shall not be considered. After being counted ballots shall be packed and sealed separately per each of these indicators. The name of a ballot, the name and the number of the constituency, the number of the polling station for an all-Ukrainian referendum and its address (rayon, city, rayon in the city), the number of ballots packed, and the date shall be indicated on the package. The chairman and secretary of the polling station commission in charge of an all-Ukrainian referendum and members of the commission present at this meeting shall sign the sealed package.

13. Based on the counting results the polling station commission in charge of an all-Ukrainian referendum shall complete the protocol, which shall include:

1) the number of citizens included to the list for participation in an all-Ukrainian referendum at the polling station;

2) the number of ballots received at the polling station;

3) the number of unused ballots;

4) the number of citizens who received the ballots for voting;

5) the number of citizens who took part in the voting;

6) the number of ballots declared as invalid;

7) the number of citizens' votes submitted for the approval of the question submitted for an all-Ukrainian referendum;

8) the number of citizens' votes submitted against the approval of the question submitted for an all-Ukrainian referendum;

9) the number of citizens' votes submitted for invalidation of each provision of the law (in case of an all-Ukrainian referendum on invalidation of certain law or its provisions – of certain law provisions);

10) the number of citizens' votes submitted against invalidation of each provision of the law (in case of an all-Ukrainian referendum on invalidation of certain law or its provisions – of certain law provisions).

14. The protocol of the polling station commission in charge of an all-Ukrainian referendum shall be completed in three copies which shall be signed by the chairman, the deputy chairman, the secretary, and members of the polling station commission present at its meeting, and shall be sealed with the stamp of the polling station commission. The dissenting opinions of commission members put in writing, written applications and complaints received by the polling station commission on an all-Ukrainian referendum concerning violations of this law committed during the conduct of voting and counting of votes and the decisions made by the commission as a result of their consideration shall be attached to the protocol.

All protocol copies have equal legal effect. The first copy together with the dissenting opinions of the commission members, copy of each decision made by the commission in charge of an all-Ukrainian referendum after the consideration of applications and complaints concerning the aforementioned violations, packages of ballots and counterfoils shall be sent immediately to the district commission in charge of an all-Ukrainian referendum. The second copy shall be kept with the secretary of the polling station commission. The third copy of the protocol shall be immediately posted up for the general information at the premises of the polling station commission in charge of an all-Ukrainian referendum.

Upon a written request from representatives of the initiative group, persons authorized by it, representatives of political parties and other associations of citizens, they shall be immediately provided with the certified copy of the protocol of the polling station commission in charge of an all-Ukrainian referendum.

15. It is prohibited to fill in the copy of the protocol of the polling station commission in charge of an all-Ukrainian referendum or to make corrections with a pencil.

16. The protocol and other documents of an all-Ukrainian referendum shall be transported to the place where they are received by the district commission in charge of an all-Ukrainian referendum as well as to be handed over to the district commission in charge of an all-Ukrainian referendum by the chairman or the deputy chairman and two members of the polling station commission accompanied by an officer of internal affairs bodies and in his/her presence during the hand-over. The district commission in charge of an all-Ukrainian referendum shall issue to the representatives of the polling station commission in charge of an all-Ukrainian referendum a certificate on the receipt of the protocol and other documents with indication of the date and time of their hand-over.

Article 36. Tabulation of results by the district commission in charge of an all-Ukrainian referendum

1. Based on the protocols of polling station commissions the district commission in charge of an all-Ukrainian referendum shall determine at its meeting and include to the protocol:

1) the number of citizens included in the respective constituency to the lists for participation in an all-Ukrainian referendum;

2) the number of citizens who received ballots for voting;

3) the number of citizens who took part in voting;

4) the number of ballots declared as invalid;

5) the number of citizens' votes submitted for the approval of the question submitted to an all-Ukrainian referendum;

6) the number of citizens' votes submitted against the approval of the question submitted to an all-Ukrainian referendum;

7) the number of citizens' votes submitted for invalidation of each provision of the law (in case of an all-Ukrainian referendum on invalidation of certain law or its provisions – of certain law provisions);

8) the number of citizens' votes submitted against invalidation of each provision of the law (in case of an all-Ukrainian referendum on invalidation of certain law or its provisions – of certain law provisions).

2. The protocol of the district commission in charge of the conduct of an all-Ukrainian referendum shall be completed in three copies signed by the chairman, the deputy chairman, the secretary and members of the district commission present at its meeting and sealed with the stamp of the district election commission. All copies of the protocol have equal legal effect. The dissenting opinions of commission members put in writing, written applications and complaints received by the district commission concerning violations of this law committed during the conduct of voting and tabulation of results, and the decisions made by the commission as a result of their consideration, as well as the summary table with the data included to the protocols on counting citizens' votes at all polling stations for an all-Ukrainian referendum within the particular constituency shall be attached to the protocol.

3. The first copy of the protocol together with the dissenting opinions of the members of district commission, copy of each decision made by the district commission after the consideration of applications and complaints concerning the violations committed during the conduct of voting and tabulation of results, copy of the summary table with the data included to the protocols of the polling station commissions in charge of an all-Ukrainian referendum shall be immediately sent to the Central Election Commission. The second copy of the protocol shall be kept with the secretary of the district commission in charge of an all-Ukrainian referendum. The third copy of the protocol shall be immediately posted up for the general information at the premises of the district commission in charge of an all-Ukrainian referendum.

4. Upon a written request from representatives of the group initiating an all-Ukrainian referendum, persons authorized by it, they shall be immediately provided with the certified copy of the protocol of the district commission for an all-Ukrainian referendum on tabulation of results of voting in the respective constituency together with the copy of the summary table as specified in paragraph three of this article. The protocol and other documents of an all-

Ukrainian referendum shall be transported to the Central Election Commission by the district election commission in charge of an all-Ukrainian referendum according to the procedure established in article 35 of this Law.

Article 37. The procedure on establishment of an all-Ukrainian referendum results by the Central Election Commission

1. Based on the protocols received from the district commission specialized in the conduct of an all-Ukrainian referendum Central Election Commission establishes during the work of its meeting and enters into the protocol the following data:

1) total number of citizens included into the lists for participating in an all-Ukrainian referendum in Ukraine;

2) number of citizens that received the ballots for voting;

3) number of citizens that took part in the voting;

4) number of ballots acknowledged as void;

5) number of votes cast by the citizens in approval of the question submitted for an all-Ukrainian referendum;

6) number of votes cast by citizens against the approval of the question submitted for an all-Ukrainian referendum;

7) the number of citizen votes cast for the abrogation of the law and/or each provision/Article of the law (in case when the referendum is conducted to abrogate a certain law or its separate provisions, than separate law provisions/Articles shall be indicated separately);

8) the number of citizen votes cast against the abrogation of the law and/or each provision/Article of the law (in case when the referendum is conducted to abrogate a certain law or its separate provisions, than separate law provisions/Articles shall be indicated separately);

2. The question submitted for an all-Ukrainian referendum is considered as approved by the citizens in case more than a half of the total number of citizens included into the voting lists vote in favor of this question.

3. In case the terms set forth by the paragraph two of this Article are violated, the Central Election Commission acknowledges an all-Ukrainian referendum as such that did not take place.

4. The protocol which contains data on all-Ukrainian referendum results established by the Central Election Commission shall be signed by the chairman, deputy chairman, secretary and members of the Central Election Commission, the observers present during the meeting, and is sealed by the stamp of the Central Election Commission. Dissenting opinions of the members of the Central Election Commission are attached to the protocol in a writing, as well as summarized table containing all data on an all-Ukrainian referendum results submitted to the protocols of all the district commissions specialized in the conduct of an all-Ukrainian referendum

5. Upon the request submitted by the group of initiators specialized in the conduct of an all-Ukrainian referendum called by the public initiative, persons authorized by this group and official observers they may receive the copy of the protocol of the Central Election Commission

that contains data on established all-Ukrainian referendum results and the copy of the summarized table as described in this Article.

6. The Central Election Commission publishes an all-Ukrainian referendum results in the newspapers "*Holos Ukrainy*" and "*Uryadoviy Kuryer*," as well as places this information in other means of mass media not later than ten days after the date of the conduct of an all-Ukrainian referendum.

7. Resolutions in regards to establishing an all-Ukrainian referendum results may be appealed at the Supreme administrative court of Ukraine in terms set forth by the Code of Administrative Procedure of Ukraine.

Chapter V. LEGAL OUTCOMES OF AN ALL-UKRAINIAN REFERENDUM

Article 38. Legal outcomes of an all-Ukrainian referendum called by the public initiative

1. The law adopted at an all-Ukrainian referendum called by the public initiative is signed by the president of Ukraine, publicized and entered into the force according to the order set forth by the Constitution of Ukraine.

2. The law or separate provisions of the law that were abated during an all-Ukrainian referendum, lose their effectiveness from the date of the official publishing of an all-Ukrainian referendum results.

3. An all-Ukrainian referendum results on other issues are mandatory for review by the state power institutions that are competent in the adoption of the relevant decisions.

Article 39. Legal outcomes of an all-Ukrainian referendum on introducing the changes into the Constitution of Ukraine and on approving the Constitution in the new edition

1. The Law on introducing the changes into the Constitution of Ukraine is adopted by the Verkhovna Rada of Ukraine according to the order set forth by the Article 156 of the Constitution of Ukraine, is approved by an all-Ukrainian referendum, is signed by the president of Ukraine, publicized and enters into force according to the procedure set forth by the Constitution of Ukraine.

2. In case if the Law on introducing the changes into the Constitution of Ukraine was not approved by the referendum, it is only possible to submit the draft law on introducing the changes into the chapter I, III, and XIII of the Constitution of Ukraine on the same issue/question to the Verkhovna Rada of the consequent convocations.

3. The new edition of the Constitution of Ukraine that was approved at an all-Ukrainian referendum enters into force on the day of the official publication of an all-Ukrainian referendum results. The previous edition of the Constitution of Ukraine, as well as the amendments that were previously entered into the Constitution becomes ineffective.

Article 40. Legal outcomes of an all-Ukrainian referendum on the territorial changes of Ukraine

1. Verkhovna Rada of Ukraine is to pass the law on ratification of the international treaty on the change of the territory of Ukraine in case it is approved at an all-Ukrainian referendum. This law is enacted by the order stipulated by the Constitution of Ukraine.
2. In case if the draft law on approving the ratification of the international treaty on the change of the territory of Ukraine is rejected by the citizens, the secondary submission of the corresponding draft law on the change of the same territory in the same outlining of the borders is possible to file to the Verkhovna Rada of the next convocations.

Chapter VI. FINAL STATEMENTS

Article 41. Accountability for violating the legislature on all-Ukrainian referendum

The individuals guilty of violating the legislature on all-Ukrainian referendum are subject to disciplinary, administrative, or criminal responsibility in accordance with the laws of Ukraine.

Article 42. Storing of the documentation on all-Ukrainian referendum

1. After the Central Election Commission publishes an announcement about the results of an all-Ukrainian referendum in the press, the district and polling stations commissions specialized in an all-Ukrainian referendum shall turn all the required documentation on all-Ukrainian referendum to the corresponding local state Archives. The Central Election Commission turns all the required documentation on all-Ukrainian referendum to the corresponding central state Archives.
2. The list of documents on all-Ukrainian referendum that shall be turned for storing to the Archives is determined by the Central Election Commission.
3. The voting ballots for an all-Ukrainian referendum are stored in the local state Archives during five years.
4. The state Archives guarantee access to documentation that relates to an all-Ukrainian referendum according to the Ukrainian legislature.

Chapter VII. SEMI-FINAL STATEMENTS

1. This law is enacted on the day of its official promulgation.
2. The Law of Ukraine "On an all-Ukrainian and Local Referendums" ("Vidomosti Vekhovnoyi Rady Ukrayiny" USSR, 1991, № 33, p. 443; 1992, Vidomosti Vekhovnoyi Rady Ukrayiny, 1992 № 35, p. 515) part on all-Ukrainian referendum is deemed of no further effect.