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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**ELECTION CODE
OF GEORGIA
as of 28 December 2009**

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ELECTION CODE OF GEORGIA

GENERAL PART PART I

CHAPTER I GENERAL PROVISIONS

Article 1. Aim of the Law (23.12.2005 N 2441)

The present Law defines legal bases for preparation and implementation of the election of the President of Georgia, Parliament of Georgia, local self-governance representative bodies – Sakrebulo, election rights and guarantees, rule for creation and authorities of the election administration, and the rule of dispute resolution in cases envisaged by the present Law.

Article 2. Legal bases of elections (23.12.2005 N 2441)

Legal basis for preparation and implementation of the elections of the President of Georgia, Parliament of Georgia, local self-governance representative bodies – Sakrebulo is the Constitution of Georgia, universally acknowledged principles and norms of international law in the sphere of human rights, the present Law, other legal acts and legal acts of the election administration.

Article 3. Definition of terms

Terms used for the purpose of the present Law have the following meaning:

Elections – for the purpose of the present Law, elections are a process of voting, the aim and result of which is election of the representative bodies of public authorities and representatives of public authorities via universal voting; (14.08. 2003 N 2965-RC)

Elections with proportionate system – elections of the members of the Parliament of Georgia, local self-governance representative bodies – Sakrebulo – based on the party lists;

Elections with majoritarian system – elections of the members of the Parliament of Georgia, local self-governance representative bodies – Sakrebulo – based on single or multi-member constituency; (23.12.2005 N 2441)

Voting right – active and passive voting right;

Active voting right – citizen's right, via voting, to participate in elections of the people's representatives to the representative bodies of public authorities and in universal elections and referenda for occupying vacancies in public authorities; (14.08. 2003 N 2965-RC)

Passive voting right – citizen's right to run for representative bodies of public authorities and for occupying vacancies in public authorities; (14.08. 2003 N 2965-RC)

Voting registration – registration of parties, election blocks, voters' initiative groups and candidates by the relevant election committees with the purpose of receiving the voting rights; (14.08. 2003 N 2965-RC)

Election subject – members of representative body of public authorities or nominees for the positions in public authorities, party registered by a relevant election committee, election block and voters' initiative group; (14.08. 2003 N 2965-RC)

Election administration – Central Election Committee of Georgia, higher election committees of Abkhazia and Adjara Autonomous Republics, district and regional election committees; (15.07.2008 N 231)

Party – a political union acting according to the Organic Law of Georgia „On Political Affiliations of Citizens“, which with the purpose of participation in the elections is registered by the Central Election Committee of Georgia;

deleted (28.12.2009. N2525)

Election block – 2 or more political unions registered by the Central Election Committee of Georgia;

Election campaign – complex of measures implemented with the purpose of participation and winning in the elections by candidates of the election subject(s); (21.03.2008 N 6013)

Election propaganda – call for voters to support or against the candidates of election subject(s); (21.03.2008 N 6013)

Candidate of the election subject – a person who is nominated for registration in the relevant election committee with the purpose of running for office; (21.03.2008 N 6013)

Presidential candidate of Georgia – a citizen of Georgia nominated by a party or voters' initiative groups with the purpose of President of Georgia Central registered by the Election Committee of Georgia;

Candidate nominated by party lists – a citizen of Georgia registered by the Central Election Committee of Georgia and included in the party lists with the purpose of participation at the elections to Parliament of Georgia and local self-governance representative bodies – Sakrebulo;

Majoritarian candidate – a citizen of Georgia presented by a party/election block at the electoral district and registered by the relevant election committee with the purpose of participation in the elections to the Parliament of Georgia, and of the local self-government representative bodies – Sakrebulo; (28.12.2009. N2525)

Local majoritarian election district – single member constituency, which is created for the purpose of 06.2006 N3400)

deleted (23.12.2005 N 2441)

deleted (23.12.2005 N 2441)

General elections – regular or extraordinary universal elections, which have conducted for election to the representative body of public authorities or public officers, with the right of participation in which is given to all voters for these representative bodies or public servants; (14.08. 2003 N 2965-RC)

Regular elections – general elections, which are held due to expiration of the authorities of the representative body of public authorities or public officers within the terms defined by the Constitution of Georgia, the present Law, Constitutions of Abkhazia and Adjara Autonomous Republics and the relevant laws; (14.08. 2003 N 2965-RC)

Off-season elections – elections, which are conducted to replace the composition of the representative bodies of state authorities; (21.03.2008 N 6013)

Extraordinary elections – general elections, which are conducted due to early termination of authorities of the representative bodies of public authorities or public officers; (14.08. 2003 N 2965-RC)

Election district – territory (ies) covered by district election committee(s), which are defined with consideration of administrative division; (23.06.2006 N3400)

deleted (23.12.2005 N 2414)

By-elections – elections, which are conducted anew within the rule defined for regular elections:

a) in case of elections with proportionate system on the whole territory of Georgia, if they are declared as failed, and the law does not envisage the possibility for conducting by-elections;

b) in the whole election district, in case of elections with majoritarian system, if they are

declared as failed, or were conducted but no one was elected and the law does not envisage the possibility for conducting second round of elections;

c) if the elected individual, within the terms defined by the present Law, failed to present to the CEC evidence of drug test and the elections results were annulled by the relevant decision of the CEC;

d) if the elections results were acknowledged as void by the court decision; (12.10.2004. N488)

Repeated voting – a repeatedly conducted voting in the election region(s), which announced the result of the elections as void, or in all multi-member constituency election district by the party lists, when the mandates were not given to any party/election block; (14.08. 2003 N 2965-RC)

Second round of elections – voting, which is conducted in cases and terms envisaged by the present Law, when the first round of elections has not revealed a winner; (14.08. 2003 N 2965-RC)

End of elections – the date of the concluding protocol of the final results of the elections adopted by the relevant election committee elections (including second round of elections and repeated voting); (14.08. 2003 N 2965-RC)

Election day – the day of general or repeated elections; (23.12.2005 N 2414)

Voting day – the day of conducting elections, repeated voting or second round of elections; (14.08. 2003 N 2965-RC)

Election documentation – statements, claims, letters, work papers, protocols, ballot papers, special envelopes, legal acts of the election administration, control papers, registration journals, lists of voters' cards and other documents submitted to and provided by the election committees; (12.10.2004. N488)

Packaging of documents – such a packaging of documents or placing them in boxes that after sealing of the package/box it would be impossible to take something out of or placing something into the package/box without breaking the seal; (14.08. 2003 N 2965-RC)

Seal – a paper line glued to the election equipment, boxes for documents, packages of documents, registration journals, the place of opening of the log-book during the voting day, with indication of the date and time of seal and signature of the persons defined by the present Law; (14.08. 2003 N 2965-RC)

Representative body of local self-governance - Sakrebulo; capital of Georgia - Tbilisi, municipalities and Sakrebulo of self-governing cities; (23.12.2005 N 2441)

Majoritarian election district – single member constituency majoritarian election district created for the elections to the Parliament of Georgia; (21.03.2008 N 6013)

Political governmental officer – for the purposes of the present Law, defined by the Law of Georgia on „On Public Service“, state-political governmental officer, also deputy minister, member of a representative body local self-governance and head of an executive agency. (23.06.2006 N3400)

Political/election advertisement – an advertisement in mass media with a content targeting facilitation of election of an election subject, which features the election subject and/or his/her registration number and which includes signs of election campaign; (28.12.2009. N2525)

Information related to the election campaign fund – the information about the account of the election campaign fund, all types of free-of-charge goods and services, sources of funding, amount of funding, date of receipt of the funding, opening and closure of the fund accounts, and on proportionate return of the balance on the fund account to the contributors; (21.03.2008 N 6013)

Contribution to the election fund – monetary means transferred by physical and legal entities to the fund account of the election campaign, and also free-of-charge material values and services, except for cost of broadcasting time received within the frameworks of the present Law. (21.03.2008 N 6013)

Article 3¹. Time calculation as defined by the present Law (14.08. 2003 N 2965-RC)

1. All the terms defined by the present Law, including from the start of elections to their end, court appeals and court decisions, mean calendar days (including holidays defined by the labor legislation of Georgia).

2. In the expression “within N days from the elections“, “from the elections” means calculation of days from end of the elections.

3. Expressions „in N days from the given date“, „within N days from the given date“, „not earlier/later than in N days from the given date“, „not earlier/later than on N day from the given date“ mean calculation of days starting from the next day from the indicated date.

4. Expressions “in N days before the given date”, „not earlier/later than in N days before the given date“, „not earlier/later than on N day before the given date “ mean retroactive calculation of days starting from the next day from the indicated date.

Article 4. Main principles of the elections

Elections are conducted in Georgia on the basis of the principles of universality, equality and direct voting right, via secret voting.

Article 5. Universal voting right(14.08. 2003 N 2965-RC)

1. Elections are universal, as defined by the present Law:

a) active voting right is given to every citizen of Georgia who had reached the age or will 18 years old by the date of elections and who satisfy conditions defined by the present Law, except for the limitations of active voting right by the Constitution of Georgia and/or by the present Law in accordance with it the Constitution (Articles: 10, 56, 110);

b) passive voting right is given to every citizen of Georgia who satisfy the conditions defined by the present Law except for those conditions that are provided in the Constitution of Georgia and/or by the present Law in accordance with it (Articles 73, 76, 78, 80, 92, 94, 98, 109), or when the passive is restricted by the Law of Georgia „On Anti-Drug Enforcement“. (3.07.2007 N5186)

2. The right for participation in elections and referenda is not given to those citizens who are considered by the court as disabled or are placed at the penitentiaries by the court decision.

Article 6. Equal voting right

1. Voters participate in the elections on the equal basis.

2. All voters of the same election district have equal number of votes.

Article 7. Direct voting right

1. Elections are direct in Georgia.

2. President of Georgia, Parliament of Georgia and members of local self-governance representative bodies - Sakrebulo are directly chosen by the voters. (23.12.2005 N 2441)

Article 8. Secrecy of voting and free expression of voters' will

1. Elections are conducted by secret voting in Georgia.

2. Any pressure limiting freedom of expression of voters' will, and control over expression of voters' will are prohibited.

Article 8¹. Transparency of elections (14.08. 2003 N 2965-RC)

1. Election process, operation of the election administration, sources of funding of and numbers of elections participants, and expenditures for the elections are open and transparent.
2. Openness and transparency of elections are provided for by the election legislation.

Article 8². Guarantee for voting right (14.08. 2003 N 2965-RC)

1. Acceptance/issuing of such a normative act is prohibited, which limits free expression of will or violates equality of elections participants. Such normative act may be appealed against at the Constitutional Court of Georgia.
2. Violation of election legislation in cases, terms and rules defined by the present Law and other legislative acts, can be appealed against in the Constitutional Court of Georgia or other courts.
3. A person violating the election legislation shall be charged with the responsibility as envisaged by the present Law and other legislative acts (28.12.2009. N2525)

Article 8³. Elections day is a holiday (23.06.2006 N3400)

Regular elections, except for the Presidential elections, can be conducted at any during a week. The election day is declared as a holiday.

CHAPTER II REGISTRATION OF VOTES

Article 9. Uniform list of voters and rule for its creation (14.08. 2003 N 2965-RC)

1. Uniform list of voters is, within the rule defined by the legislation, a list of registered persons with active voting right, which is divided by election district.
2. The following data on voters is included in the uniform list of voters:
 - a) name, surname (12.10.2004. N488)
 - b) date of birth (day, month, year);
 - c) registration address according to the ID card; (28.12.2009. N2525)
 - d) personal number of the citizen of Georgia; (23.06.2006 N3400)
 - e) actual residence (temporary residence is taken for IDPs; for the people living abroad: „in a consular registry “ (except for the local self-governance representative bodies - Sakrebulo elections); „being abroad“ - if such a person is not in a consular registry); (23.06.2006 N3400).
 - f) date of registration in uniform list of voters. (23.06.2006 N3400)
3. Voters' data is included in the uniform list of voters according to the place of their registration. IDPs are included in the uniform list of voters according to the place of their actual residence. (22.04.2005 N 1427)
4. Central Election Committee of Georgia is responsible for electronic processing of the uniform list of voters and placing the parts designated for the public (surname, name, place of birth, registration place, for the IDPs – also actual residence) on the CEC website. (15.07.2008 N 231)
5. Uniform list of voters is drafted: (23.06.2006 N3400)
 - a) On the basis of the data on the persons, including those individuals, who have reached the age of 18 by the election day, as well as the deceased ones, being present at the territorial units of the Ministry of Justice of Georgia and registered on the specific territory; (28.12.2009. N2525)
 - b) On the basis of the information issued by the local self-governing entity for the

deceased, whose family members have not applied to territorial units of the Ministry of Justice of Georgia for the death certificates, and also on the basis of the information on those streets and apartment houses whose names/numbers have been changed; (28.12.2009. N2525)

c) on the basis of the information provided by the Ministry of Refugees and Resettlement and/or its territorial units on the IDPs;

d) on the basis of the issues pertaining to the defense of Georgia, justice, execution of punishment, probation and legal assistance, and the information on those fixed and contract servicemen of Georgian military forces and units of the Ministry of Interior, Intelligence Service, and Special Service of State Protection, the conditions of services of which require their presence in the places different from their registration address that belong to different electoral district; (28.12.2009. N2525)

e) on the basis of the information provided by the heads of consular services of Georgia concerning those voters, who are on Georgian consular registration (except for local self-governance representative bodies - Sakrebulo elections);

f) on the basis of the registration of voters conducted by the election administration and changes of registration data.

g) on the basis of the information provided by the Supreme Court of Georgia concerning those individuals who are considered disabled by the Court; (28.12.2009. N25252)

h) on the basis of the information provided by the Ministry of Execution of Punishment, Probation and Legal assistance on those individuals who are under imprisonment before trial. (28.12.2009. N25252)

6. With the purpose of renewal of the joint list of constituency, the agencies mentioned in para 5 "a", "b" and "c" of the present Article shall, four times per year – on February 1, May 1, August 1 and November 15 – provide the information about the persons having election rights, and the agencies mentioned in para "g" and "h" shall, four times per year, provide the renewed or new information about the persons having election rights to the Central Election Committee (CEC) within the terms defined by the present para. Based on these data, the CEC shall provide for renewal of the electronic database of the unified list of constituency. (28.12.2009 N2525)

7. A party, an election block, having election registration, a monitoring organization defined in Article 68 of the present Law, and a voter have the right to study the public versions of the election lists kept in the central, regional and district election committees of Georgia (the voter has the right to request and make any change in the information concerning himself and his immediate family) and, in case of mistakes, no later than 16 days prior to the election day, and at any time during a non-election period, to request making changes to the voters information and lists of constituency. Study of the information and provision of its copies is done within the rule of the legislation of Georgia concerning proliferation and provision of public information. (28.12.2009 N2525)

8. Election administration, during the election period, shall check the constituency lists. District election committee reviews the results of the checks and makes the relevant decision in 2 calendar days from the date of receiving the statement, but no later than 14 days prior to the election day. Decision of the Committee on refusal to make changes to the information/list of constituency shall be duly substantiated and on the day following its publishing shall be provided to the claimant upon his request. (28.12.2009 N2525)

9. Order of the district election committee on introducing changes to the data/lists of constituency shall be submitted within 2 days to the Central Election Committee of Georgia and the relevant regional election committees.

10. It is possible to appeal against the decision of the district election committee on refusal to make changes to the information/list of constituency, in 2 days after its publishing, in the relevant district/city court. If the appeal is satisfied by the court, the decision shall, in 2 days, but no later than 11 prior to the election day, be transferred to the regional election committee, which shall immediately provide the relevant information to the Central Election Committee of

Georgia and the relevant district committee. Election committees shall immediately make the relevant changes to the information/lists of constituency. *(28.12.2009. N2525)*

11. Regional election committees, no later than the day of its first meeting, shall receive unitary lists of voters signed by chair and secretary of the district election committee, and, no later than the second day – two copies of the final version of the corrected lists (designated for the election committees and the other one for the public). The public version shall be immediately placed in a well-visible place of the regional election committee. *(21.03.2008 N 6013)*

11¹. The issue of registration of those voters, who, within the term defined by the law, failed to be registered, if they provide a request and relevant documents (indication in the passport on crossing the border, a note from a stationary medical facility, a note on being released from a penitentiary), is solved by the district election committee. The request of a voter shall be reviewed by the district election committee within 2 days upon its receipt; if there is less than 2 days before the voting day – shall be reviewed immediately. The voter shall be immediately informed about the negative decision. If such a voter applies to the election administration at the day of voting with the request to participate in elections, he is registered by a relevant regional election committee, which shall attach photocopies of the documents to voters' lists. *(23.06.2006 N3400)*

11². Making changed to the voters' lists in 10 days prior to the elections is prohibited, except for the cases envisaged by para 11¹ of the present Article; whereas on the 13th and 10th day before the election day changes may be made only by the court decision. *(15.07.2008 N 231)*

12. deleted (by decision N 1/1/257,268 of the Constitutional Court 24.12. 2005)

13. Central Election Committee of Georgia and the relevant election committees, in accordance with the rule defined by the legislation of Georgia, shall provide transparency and accessibility of the uniform list of voters.

Article 9¹. Definition and publishing total number of voters *(14.08. 2003 N 2965-RC)*

1. Total numbers for the elections to Parliament of Georgia, President of Georgia and local self-governance (except for regular elections of the President of Georgia), and also for the referenda, are defined by the corresponding information available at the date of announcement of elections/referendum, whereas for the regular elections of the President of Georgia – by the latest information available for March 1 of the election year.

2. During general elections to the Parliament of Georgia, President of Georgia and local self-governance representative bodies - Sakrebulo (except for regular elections of the President of Georgia), and also for the referenda, no later than in 10 days after announcement of the date of elections/referendum, whereas for the regular elections of the President of Georgia – by the latest information available for March 1 of the election year, Central Election Committee of Georgia, through mass media and internet shall publish total numbers of voters in Georgia and in every election district of Georgia, whereas in the next 10 days district election committees shall publish total number of voters in election districts (during elections to local self-governance representative bodies - Sakrebulo – also in local majoritarian election districts) and its all elections regions. *(23.06.2006 N3400)*

3. deleted (23.12.2005 N 2414)

4. During general elections to the Parliament of Georgia and President of Georgia and also referenda, no later than in 5 days before the elections/referendum day, Central Election Committee of Georgia, through mass media and internet shall publish revised total numbers of voters in Georgia and in every election district of Georgia, whereas at the same time district election committees shall publish revised total number of voters in election districts and its all elections regions. *(23.06.2006 N3400)*

5. deleted (23.12.2005 N 2414)

6. During local self-governance elections, no later than in 5 days before the elections, the Central Election Committee of Georgia shall publish, via internet, revised total numbers of voters in the election districts, which do not include the data from local election districts, whereas the district election committee shall publish, via local mass media, within the same deadline, revised total numbers of voters in the election districts, if they do not include local election districts, or local election districts of the election district, and also in every election region.

Article 10. Special lists of voters(14.08. 2003 N 2965-RC)

1. Special lists of voters include (the lists include the data mentioned in Article 9 para 2 of the present Law):

a) election administration officers who due to the work of their election committee, cannot participate in the elections during the voting day in accordance to the place of their registration (they are included in the list by the relevant district election committee in the pre-defined election region); (12.10.2004. N488)

b) The voters undergoing medical treatment at hospitals or other stationary medical facilities and, based on their health conditions, cannot leave these facilities by the voting day; (28.12.2009. N2525)

c) voters, who at the voting day are in preliminary custody;

c¹) fixed and contract servicemen of the military (paramilitary) forces and units of the Ministries of Defense and Interior of Georgia; (28.12.2009. N2525)

d) voters being in sea voyages during the voting day (they are included in the lists of the port of registry of the ship);

e) voters being in other states during the voting day who are included in the Georgian consular registry, and also those who are not included but are registered no later than in 21 days prior to the election day in regional election committees in other states or in consular offices.

f) persons defined by Article 9 para 11¹ of the present Law. (23.06.2006 N3400)

2. Lists of individuals defined by para 1 "a" of the present Article, no later than 5 days before the election days are defined by the relevant district election committee.(12.10.2004. N488)

3. Lists of individuals in para 1 "b" of the present Article are defined by the heads of relevant medical facility who, no later than 6 days before the voting, shall submit them to the relevant district election committee. (12.10.2004. N488)

4. Lists of individuals in para 1 "c" of the present Article are defined by the heads of relevant penitentiaries who, no later than 6 days before the voting, shall submit them to the relevant district election committee. (12.10.2004. N488)

4¹. Lists of individuals in para „c¹“ of the present Article are defined by the heads of relevant military units who, no later than 30 days before the voting, shall submit them to the relevant district election committee. (28.12.2009. N2525)

5. Lists of individuals in para „d“ of the present Article are defined by the captains of relevant ships who, no later than 15 days before the voting, shall submit them to the relevant district election committee.

6. Lists of individuals in para „e“ of the present Article are defined by the heads of relevant consular officers who, no later than 20 days before the voting, shall submit them to the Central Election Committee of Georgia. During Parliamentary and Presidential elections, no later than in 21 days from announcement of elections until the election day, voters are free from paying consular service fees for consular registration.

7. Heads of relevant officers are responsible for the validity of the data included in

the special lists who certify this by their signature.

8. No later than in 3 days before the election day, district election committee defines, approves by its order the special lists the persons mentioned in para 2–6 of the present Article, and also on the basis of own data, and immediately provides them to the relevant regional election committees. *(23.06.2006 N3400)*

9. If voters are included in the special lists, a special note is made in the uniform lists of voters of the election regions, which are certified by signatures of the chair and secretary of the regional election committees.

10. A voter in the special lists participate:

a) during elections held by majority, as well as proportionate election systems, if he changes his location within the same election district, and, in case of local self-government bodies elections, within the same local election district (except for the voter mentioned in para 1 „c¹“ of the present Article); *(28.12.2009. N2525)*

b) in elections to the Parliament of Georgia conducted by proportionate system, and also during elections of the President of Georgia and referenda, if he voters on the territory of another election district.

10¹. Voters mentioned in para 1 „c¹“ of the present Article, who during elections to the local self-government bodies – Sakrebulo – and the mayor of Tbilisi city, are located:*(28.12.2009. N2525)*

a) in special disposition places, permanently for one year or more than one year before the election day, shall participate in elections/referenda held by majority, as well as proportionate election rules;

b) in permanent disposition places, less than one year before the election day, shall participate in majority elections, if their registration place is within the borders of the relevant election district.

11. With the purpose of participation in the elections with proportionate/majoritarian system to the Parliament of Georgia and elections of the President of Georgia, also referendum, envisaged by para 1 “c¹” of the present Article, a voter, included in the special lists, votes in his military regiment. If this voter want to vote in the place of his registration, not later than in 16 days prior to the elections he shall refer to the relevant regional election committees at the place of his registration to be included in uniform list of voters. *(21.03.2008 N 6013)*

Article 11. Annex to the voters’ list (mobile ballot box list) *(14.08. 2003 N 2965-RC)*

1. Annex to voters’ list (hereinafter – the annex) is created on the basis of uniform and special lists if:

a) voters, due to their limited abilities or their medical conditions, cannot vote at the polling station;

b) voters are in preliminary custody;

c) voters are at hospitals or other stationary medical facilities where there are no polling stations;

d) voters are soldiers serving in military regiments at the state borders, which are far from the polling stations and where there are no polling stations;

e) voters are present at the territory of polling stations but only in adjacent locations.

2. Only those disabled voters are included in the annex that cannot independently come to the polling stations.

3. In case of inclusion of voters in the annex, the causes of their inclusion in the annex are noted in the uniform and special list of voters and certified by signatures of the chair and secretary of the regional election committees.

4. Same data on the voters is included in the annex that is in the uniform list of voters, and together with their registration numbers in the unified or special lists.

Article 12. deleted(14.08. 2003 N 2965-RC)

Article 13. Publishing of voters' lists and annexes (14.08. 2003 N 2965-RC)

1. Regional election committee shall post the voters' lists and the rule of submission of claims against them as defined by the present Law, at the first day of meeting of the committee, and the annexes – upon their creation – on the well-visible place in the buildings of regional election committees and polling stations. Chair of the regional election committee shall be held responsible for failure to implement this requirement.

2. On the basis of checking the data included in the lists mentioned in para 1 of the present Article, within the terms defined by the present Law, the following shall be included next to the surname of the voter „actual condition“:

- a) “on consular registration” – if he has Georgian consular registration in another state;
- b) “is abroad” – if he is in another state but has no Georgian consular registration;
- b¹) “in military service” – if he in regular or contract service of the military forces and regiments of Georgia; (12.10.2004. N488)
- c) “committee member”, “at a hospital”, “in pretrial custody” or “in sea voyage”- if he is included in the special lists;
- d) “included in the annex” – if he is included in the annex.

Article 14. Voter card

1. Regional election committee shall, no later than 2 days before the elections, provide all the voters registered and included in the voters' lists on the territory of the polling station with voters' cards, which should include the following:

- a) date and time of voting;
- b) address of the polling station, floor and room number;
- c) voter's number in the voters' list;
- d) rule of making a statement or a declaration on the matter of participation of the voters in elections via mobile ballot box because of his health condition or other causes, phone (fax) numbers and other data of the regional election committee.
- e) number of the polling station; (12.10.2004. N488)
- f) name/surname of the voter, date of birth (day, month, year); (12.10.2004. N488)
- g) place of registration of the voter. (12.10.2004. N488)

2. failure to receive the voter's card is not the basis for limitation of the right to participate in voting.

**CHAPTER III
ELECTION DISTRICTS AND ELECTION REGIONS**

Article 15. Election districts

1. 75 single member constituency majoritarian election districts are created for the elections to the Parliament of Georgia. As a rule, each self-governing body is a single member constituency majoritarian election district; for the exception of the capital of Georgia, where there shall be 10 single member constituency majoritarian election districts, and also Eredvi and Kurta regions, which together represent one majoritarian election district, and Azhara and Teghvi regions, which are not independent majoritarian election districts. (21.03.2008 N 6013)

2. For the purposes of elections to the local self-governance representative bodies – Sakrebulo, every local self-governing unit represents an independent election district. Local

majoritarian districts are created on the territory of self-governing units by the rule defined by the present Law. (23.06.2006 N3400)

3. For elections to the local self-governance units, the rule for creation of election districts of Tbilisi City is defined by Chapter XVII1 of the present Law. (9.12.2005 N 2208)

4. deleted (23.06.2006 N3400)

5. deleted(14.08. 2003 N 2965-RC)

6. Borders of the election districts, their names and numbers are defined by the Central Election Committee of Georgia in 2 days after announcement of the elections date, which published the relevant information with indication of district borders. (21.03.2008 N 6013)

Article 16. Election regions

1. For the purpose of voting and counting of votes, election districts are divided into election regions.

2. Election regions are created for not less than 20 and not more than 1500 voters. Elections regions are created, their borders and numbers are divined by the relevant district election committee no later than July 1 of the election year and in 2 days publishes the relevant information with indication of the borders of the region. On the basis of the information from local self-governance, district election committee defines and checks the list of the all the houses included in the election region together with their addresses, and also the list and addresses of the houses, which can be used by the election administration for the election purposes. In case of extraordinary parliamentary elections, polling stations are set no later than in 40 days. (22.11.2007 N 5500)

2¹. Information about the borders of the election region with indication of all its houses and buildings (if any) is made publicly available in the building of the regional election committee. (21.03.2008 N 6013)

3. (14.08. 2003 N 2965-RC) In exceptional cases (military regiment with more than 50 voters (soldiers), hospitals and other stationary medical facilities with more than 50 voters, ships in high seas during the voting day, etc.) polling stations can be created 15 prior to the election day. A hospital (stationary medical facility), military regiment (unit) with not more than 50 voters (patients, soldiers), with the decision of the district election committees, will be attached to the adjacent election region. On the basis of substantiated written request of the heads of relevant military regiments, the relevant district election committee shall make a decision on creation of election regions in such military regiments (units) with not more than 50 voters (soldiers).

4. The relevant district election committees shall define the borders of the existing election district, including the list and addresses of the buildings and facilities at the election district no later than 50 days prior to the elections on the basis of the information and inspections of the local self-governing bodies of the municipalities, self-governing cities, cities on the territories of regions. Corrected borders of the election districts shall be immediately made public. (28.12.2009. N2525)

5. During the voting day, polling stations are created in the ships in high seas and also military regiments within the rule of the present Law, according to ports of registry and dislocation of the military regiment.

6. Polling stations in other states are created by the Central Election Committee of Georgia no later than in 30 days before the election day on the basis of the information of the Ministry of Foreign Affairs of Georgia. These polling stations are considered as independent election district and their results are summarized by the CEC.(22.11.2007 N 5500)

7. In no later than 5 days after creation of the district election committee, and, in cases envisaged by para 3 of the present Article – in 2 days, printer and other mass media shall promulgate the numbers of polling stations, addresses of regional election committees, their phone (fax) numbers and other information.

CHAPTER IV ELECTION ADMINISTRATION

Article 17. Status and system of the election administration of Georgia (14.08. 2003 N 2965-RC)

1. Election administration of Georgia is an independent administrative agency, which is created in accordance with the present Law. Authorities of the election administration are defined by the present Law. (22.11.2007 N 5500)

2. Election administration operates within the frameworks of the election legislation and on the basis of the present legislation provides for conducting of referenda/plebiscite, universal elections of the members of public representative bodies of the state authorities and public officers, and for full and free usage of their rights by the participants of the elections and referenda/plebiscites. Election administration, within its authorities, controls implementation of the election legislation on the whole territory of Georgia and provides for its effective implementation. (22.04.2005 N 1427)

3. Election administration, within its authorities, is independent from other state bodies.

4¹. The Center of Development of Election Systems, Reforms and Training is a legal person of public law created on the basis of the present law, which is independent in its authorities as defined by Article 171 para 2, is accountable to the CEC and presents to it the annual report of its activities (28.12.2009. N2525)

5. Rule for creation of election committees and their authorities are defined by the present Law. (to be enacted from January 1, 2009 22.11.2007 N 5500)

6. CEC is accountable to the Parliament of Georgia. Within 60 days after the end of every elections the CEC shall submit to the Parliament of Georgia the report on facts of violation of the election legislation during the course of elections, cases submitted to the Attorney's Office by the public officers, the CEC and district election committees of Georgia, appeals submitted by those committees to courts and the relevant decisions of the courts.

7. deleted (23.06.2006 N3400)

Article 17¹. The Center of Development of Election Systems, Reforms and Training (28.12.2009. N2525)

1. Authorities of the Center of Development of Election Systems, Reforms and Training (hereinafter – the Training Center) are defined by the legislation of Georgia and regulations of the Training Center.

2. Training Center has the following functions: facilitation of election reforms, monitoring over elections, within its authorities making suggestions and recommendations, with the purpose of development of the election system, training of the employees of the election administration and other interested individuals through close cooperation with local and international organizations; the Center also fulfills the functions of a fund as defined by Article 301 of the Organic Law of Georgia “On Political Unions of Citizens”.

3. Main principles of the work of the Training Center and its and authorities are defined in its statute, which is adopted by the CEC's decision.

4. The head of the Training Center, with agreement of the CEC, is appointed by the CEC Chair. Agreement of CEC is achieved as a result of its decision; an order of the CEC Chair is required for appointment/firing of the head of the Center.

Article 18. Composition of election administration (22.04.2005 N 1427)

1. Election committee is composed of the chair of the committee, deputy chair, secretary

of the committee and other members.

2. Members of the election committee and members of staff are employees of the election administration.

3. Employees of the election administration (except for the members of the committee appointed by the parties according to the rule defined by the present Law) have no right to become members of any party; if they were members of parties in past, then they shall leave their party ranks. *(22.11.2007 N 5500)*

4. Members of the Central Election Committee of Georgia, staff and members of the district election committee, except part-time and contracted employees, are public officers and are covered by the Law of Georgia „On Public Service“, if otherwise not provided in the present Law. *(22.11.2007 N 5500)*

5. Only voters may be elected/appointed members of the central or district election committee, except for: *(21.03.2008 N 6013)*

a) persons who have not been certified as election administration officers (except for the members of the regional election committee); *(15.07.2008 N 231 to be enacted from January 1, 2009)*

b) persons who are released from their responsibilities as officers of election administration for violations of the election legislation by the election committee or the court;

c) persons whose violations of election legislation have been confirmed by the court;

d) persons who have criminal records (except for those cases when they have been fined as a form of a sanction) and charges have not been dropped against them;

e) candidates of the election subject(s) and their representatives;

f) local and international observers.

5¹. Voters may be members of regional election committee, except for: *(21.03.2008 N 6013)*

a) persons who are released from their responsibilities as officers of election administration for violations of the election legislation by the election committee or the court persons;

b) persons whose violations of election legislation have been confirmed by the court;

c) persons who have criminal records (except for those cases when they have been fined as a form of a sanction) and charges have not been dropped against them;

d) chair of the Parliament of Georgia and his deputies, chairs of committees and fractions, chief of staff;

e) ministers of Georgia and autonomous republics and their deputies;

f) heads of departments and divisions at the ministries;

g) chairs of the local self-governance representative bodies - Sakrebulo – and their deputies;

h) heads of executive bodies of the local self-governance – gamgebeli/mayor and their deputies;

i) officers of the ministries of defense and internal affairs of Georgia, state protection service and special border protection service;

j) judges and their aides;

k) staff of the attorney's office;

l) candidates of the election subject(s) and their representatives;

m) local and international observers.

5². A public servant may be appointed member of regional election committee, except for the persons defined by para 5¹ „d“–„k“ of the present Article; such persons will not be covered by requirements of the Law of Georgia „On Public Service“ about service incompliance. During implementation of the authorities of a member of a regional election committee, a public servant's authorities at his permanent job place shall be temporarily stopped, for which he may use his leave. *(21.03.2008 N 6013)*

5³. Rule and conditions of special education for the members of regional election committee are defined by the Central Election Committee in its decision. *(21.03.2008 N 6013)*

6. If elected as an officer of the election administration, the person shall, within 7 days, comply with the requirements of para 3 and 4 of the present Article concerning limitations of activities and service in compliance.

Article 19. Rights and responsibilities of election committee members

1. Member of the election committee shall start his activities from the date of appointment (election) as a member of the relevant committee.

2. Member of the district or regional election committee shall sign the concluding protocols of voting on elections results; if he does not agree with the protocol data, he is authorized to indicate about that next to his signature and to attach a different opinion in a written form.

3. *(14.08. 2003. N 2965-RC)* A member of the election committee is not a representative of the election subject, which had appointed/elected him. Within his terms of reference, he is independent and is accountable to only the Constitution of Georgia and law. Pressure on the election committee member or intrusion into his activities with the purpose of influencing decision-making is prohibited and punished by the law.

Article 20. Terms of authorities of the member/head of the election committee *(22.04.2005 N 1427)*

1. Terms of authorities of the chairs/members of the CEC and district election committees is 5 years; terms of authorities of those members of the district election committee who were selected by the Central Election Committee on the basis of Article 32 para 3 of the present Law after announcement of the elections, are defined from the appointment time till the announcement of the final results of the relevant elections. *(15.07.2008 N 231)*

2. Term of authorities of the member of the regional election committee starts at the first day of the creation of the regional election committee and is over upon adoption the relevant district election committee of the concluding protocol. *(21.03.2008 N 6013)*

3. Authorities of the member of the election committee are terminated upon selection of his replacement committee member.

4. First meeting of the newly created regional election committee is conducted no later than in 34 days prior to the general elections day. In exceptional cases and in polling stations of the regional election committee set up in other states, the first meeting is conducted no later than on the third day from creation of the committee. First meeting of the regional election committee is assembled by the chair of the relevant district election committee for the exception of regional election committees set up in other countries whose first meeting is assembled by the Chair of CEC. *(23.06.2006 N3400)*

5. deleted *(22.11.2007 N 5500)*

Article 21. Termination of the authorities of the member/head of the election committee *(22.04.2005 N 1427)*

1. Authorities of the chair/member of CEC are revoked before their end of term with the decision of the Parliament of Georgia (except for the CEC members appointed by the parties as envisaged by Article 28¹ of the present Law and the cases included in para 13 of the present Article); the authorities of the member of the district/regional election committee are revoked by the decision of a higher election committee (except for para 21 of the present Article and the cases envisaged by Article 28¹ of the present Law) the CEC: *(28.12.2009. N2525)*

a) if a member of the election committee, in case of the election, in 7 days had not stopped the activities and/or job compatible with the status of the member of the election committee;

b) if a member of the election committee is occupying a position incompatible with his status as defined by the present law;

c) if the fact of incompatibility of the job with the status of the member of the election committee has been confirmed;

d) if it was proved that the information contained in the statements mentioned in Article 28 para 6, Article 33 para 7 and Article 37 para 9 of the present Law, decisions and their annexes is incorrect– from the day of proving this fact;

e) in case of failure to fulfill by the chair/member of the CEC or a district election committee of his authorities with unreasonable excuse for consecutive 2 months or 3 consecutive absences at the meeting of the CEC or a district election committee;

f) in case of an accusatory decision of the court if violation of the election legislation by a member of the election committee has been confirmed by the court – in case of legal enforcement of the court decision;

g) in case of recalling a member of the election committee by the party which had appointed him – in case of presentation of the statement on recalling;

h) in case of annulling the voter status of the member of the election committee;

l) election legislation, systematic or serious violation of the regulations of the election administration, or in case of other relevant basis as envisaged by the Law of Georgia “On Public Service;

j) in case of death of a member of the election committee

1¹. In case of stepping down of the chair of the election committee, his deputy, secretary of the committee: *(21.03.2008 N 6013)*

a) statement on stepping down of the CEC is submitted to the Parliament of Georgia;

b) statement on stepping down of the Deputy Chair of the CEC and Secretary of the CEC is submitted to the CEC;

c) statement on stepping down of chairs of district or regional election committees, their deputies, secretaries of the committee is submitted to the relevant election committees.

1². Chair of the CEC is dismissed before the end of the term by the decision of the Parliament of Georgia; Deputy Chair of the CEC, it's Secretary and also the chair of district or regional election committees, their deputies and secretaries of the committees are dismissed by the orders of the relevant election committees. *(21.03.2008 N 6013)*

1³. In case of death of the elected member of the CEC, the Parliament acknowledges this fact by a protocol record made at its plenary meeting, and in case of death of the elected member of the district election committee, the CEC acknowledges this fact by a protocol record made at its plenary meeting. *(28.12.2009. N525)*

2. It is prohibited to raise the issue of dismissal of the chair/deputy chair/secretary of election committee and also to dismiss the members of the election committee before the end of their term twice during 6 months on the same grounds.

2¹. In case of dismissal of the members of the election committees appointed by the parties, according to para 1 of the present Article (except for para 1 “g” of the present Article and Article 28¹ of the present Law), are released of their duties before the end of their term by the court decision. *(15.07.2008 N 231)*

3. In case of any of the grounds mentioned in para 1 of the present Article, the issues of dismissal of the chair/deputy chair/secretary of the election committee, member of the election committees and also dismissal of the members of the election committee before the end of their term are considered/solved by: the Parliament of Georgia – within 15 days or the authorized election committee – within 5 days. The decision is made by the same rule as the one on their election.

4. If the decision on dismissal/termination of authorities was not implemented within the terms of the present Article, the chair/deputy chair/secretary of the election committee are considered as dismissed, and authorities of the election committee members are terminated from the following day from the deadline.

5. Revoking of the authorities of the members of the regional election committees less than in 15 days prior to the voting day is not permitted *(23.06.2006 N3400)*

Article 22. Rule of operations of the election committee

1. The rule of operations of the election committee are defined by the regulations of the present Law and the regulations of the relevant committees, which are adopted by the decision of the Central Election Committee of Georgia.

2. deleted *(14.08. 2003 N 2965-RC)*

3. In case of absence of the chair of the election committee or with his orders, his duties are fulfilled by his deputy.

4. Regularity of the meetings of the election committee is defined by the relevant committee. If required, chair of the committee or his deputy may request convocation of extraordinary meeting.

6. The meeting is authorized to make decisions if it is attended by simple majority of the committee members. *(22.04.2005 N 1427)*

7. Decision of the election committee is considered as made, if it is supported by majority of those present at the meeting (if a higher number is not otherwise envisaged by the present Law), but no less than one-third of the total numbers. Decisions of the election committee, which deal with the decisions made by the lower level committees, including annulling the results of the elections at the election district/region, opening of the packages sent by regional election committees and counting of ballots and special envelopes, shall be made by no less than two-thirds of those present. *(28.12.2009. N2525)*

8. In case of equal division of the votes, the vote of the chair of the meeting is decisive.

9. Staffing issues at the meeting are solved by simple majority of the committee members. *(22.04.2005 N 1427)*

10. The meeting shall conclude the protocol, which shall be signed by the chair of the meeting and the secretary of the committee.

11. Protocol of the meeting is registered within 1 day after the meeting. *(21.03.2008 N 6013)*

12. Member of the election committee who does not agree with the decision of the committee, has the right to express his views in a written form, which shall be attached to the protocol. Also, the member with a different opinion shall respect the decision made by the committee. He shall not hinder, with his actions, implementation of this decision.

13. deleted *(22.04.2005 N 1427)*

14. deleted *(14.08. 2003 N 2965-RC)*

15. Election committee shall approve, provide and register the election documentation by 6 pm on a work day except for the cases defined by the present Law.

16. During acceptance of the claim(appeal), the election committee shall indicate in the registration journal and the notice for acceptance of the claims (appeals) the date and time of its receipt. The committee shall review the claims (appeals) and make relevant decision.

16¹. Acceptance of the documents by the committee shall be followed by a signature of the applicant in the registration journal. *(14.08. 2003 N 2965-RC)*

17. Election committee is authorized not to review the claim(appeal) if the terms and rule for its submission have been violated.

Article 22¹. Selection of the leadership of the election committee *(22.04.2005 N 1427)*

1. The relevant committee shall select its chair (except for the CEC Chair), deputy chair/secretary (except for secretary of the district election committee), after appearance of the relevant vacant position, at the first meeting of the committee, within the terms of their authority, and with majority of total members, with open ballot and from the members of the committee. (28.12.2009. N2525)

2. Not less than 2 members of the committee have the right for nomination of the candidacies for leadership of the election committee (except for the secretary of the regional election committee). (28.12.2009. N2525)

2¹. Secretary of the regional election committee is elected among the members nominated by the parties (except for the members nominated by the party achieved the highest results during the previous elections). (28.12.2009. N2525)

2². Not less than two members of the committee have the right to nominate the secretary of the regional election committee according to para 21 of the present Article. (28.12.2009. N2525)

2³. Members of the Committee defined by para 21 of the present Article, within the terms of their authorities, with majority of those present, with open ballot, shall elect the secretary of the regional election committee. Election of the secretary of the regional election committee is approved by the decision of the committee. If the decision was not reached, secretary of the regional election committee is elected by the committee among the nominees with the majority vote of its total members. (28.12.2009. N2525)

2⁴. If according to para 23 of the present Article, the decision was not made, the member of the committee who gained the highest vote in the regional election committee shall fulfill the duties of the secretary of the regional election committee before the election; in case of equal vote – the person defined by voting. (28.12.2009. N2525)

2⁵. If by the rule of the present Article no one is selected as the secretary of the regional election committee, he/she is elected among the members of the committee, by the majority of its members; any two members of the committee have the right to making the nomination. (28.12.2009. N2525)

3. The same candidate can be nominated only once.

4. If within the defined terms the chair/deputy chair/secretary of the election committee was not elected (except for the secretary of the regional election committee), the member of the committee who gained the highest vote shall fulfill the duties of the secretary of the regional election committee before the election, in case of equal vote – the person defined by voting. (28.12.2009. N2525)

5. If simultaneously the chair of the election committee or his deputy or the secretary of the committee cannot fulfill their duties are defined by the present Law, when, according to the same Law, such actions shall be taken that require special authorities of the chair of the committee or his deputy, then the committee, within the rule defined by para 1 and 2 of the present Article, shall immediately select persons fulfilling the authorities of the chair of the committee or his deputy out of its members. Authorities of the substitute for the chair of the committee are terminated as soon as the Chair of the committee or his deputy are able to fulfill their duties; authorities of the substitute for the secretary of the committee are terminated as soon as the secretary is able to fulfill his duties.

6. If election committee has no chair or deputy, the secretary of the committee convokes the meeting to elect the chair and fulfills his duties before his election; if there is neither secretary, the eldest member of the committee convokes the meeting to elect the chair and fulfills his duties before his election.

Article 23. Salary of a member of the Central Election Committee of Georgia

1. Chair of the Central Election Committee of Georgia, his deputy, secretary of the

committee and other members shall receive salaries from the state budget of Georgia for the whole period of their duties.

2. List of staff members of the CEC and its expenses, upon submission by the CEC Chair, is approved by the CEC; the budget is approved by the Parliament. *(22.11.2007 N 5500)*

3. Non-working time and overtime of the members of the Central Election Committee of Georgia and its staff are paid during election and election periods (for 3 months) within the amounts defined by the Central Election Committee from the money allocated for the election purposes. *(23.06.2006 N3400)*

Article 24. Salaries of the members of district and regional election committees

1. Chairs of the district election committees, their deputies, secretaries of the committee and other members shall receive salaries from the state budget of Georgia for the whole period of their duties. *(22.04.2005 N 1427)*

2. deleted *(22.04.2005 N 1427)*

3. Chairs of the regional election committees, their deputies, secretaries of the committee and other members (upon the order of the higher district election committee) starting from the 30th day prior to the elections till approval of the concluding protocol of the elections results by the higher district election committee, shall receive salaries from the money allotted for the election purposes. *(21.03.2008 N 6013)*

4. Size of salaries of the members of district or regional election committees are defined by the Central Election Committee of Georgia.

5. Non-working time and overtime of the members of the district election committees are paid only during the elections period, within the amounts defined by the Central Election Committee of Georgia, elections the money allocated for the election purposes. *(23.06.2006 N3400)*

Article 25. Legal acts of the election administration of Georgia (14.08. 2003 N 2965-RC)

1. Legal acts of the election administration of Georgia: *(28.12.2009. N2525)*

a) decisions and decrees of the CEC, orders and decrees of the CEC Chair, orders of the Secretary of the CEC, concluding protocol of the results of the elections in the CEC;

b) decrees of the district election committee, decrees of the chairs of the district election committee, orders of the secretaries of the district election committee, concluding protocols of the results of the elections and voting in the district election committees;

c) decrees of the regional election committee, decrees of the chairs, concluding protocols of the results of the elections and voting in the regional election committees.

2. Decisions of the CEC are subordinate normative acts, adoption of which may be only in the cases directly referred to by the present Law. Resolutions may also be adopted in exceptional cases, between start and end of the elections, if solution of the issues required by the present Law and for implementation of elections is necessary. The resolution may also adopt an instruction describing a separate election procedure, which may not include the norm defined by the present Law or a new one and which may include only detailed description of the procedures as provided by the present Law.

3. Decision of the CEC is considered as adopted if it is supported at least by 2/3 of the total number of the election committee members. The decision is signed by chair of the relevant CEC meeting and members of the committee. Decision of the CEC is enacted upon its publishing in the "Legal Herald of Georgia", if a later time is not envisaged by the decision itself. Making the decision no later than in 4 days prior to the elections is prohibited. Appealing against the decision of the CEC is possible from the time of its adoption. For 24 hours upon its adoption, the decision of the CEC shall be placed on the official web-site of the CEC. *(22.10.2009. N1880)*

to be enacted from January 1, 2010)

4. Orders of the election committee, its chair and secretary, concluding protocols of the results of the elections/voting are individual administrative-legal acts, which are adopted/published in cases and within frameworks defined by the present Law and decision of the CEC. The chair and secretary of the relevant session of the committee shall sign the decisions of the committee, whereas other orders are signed by the person giving them. Concluding protocols are signed the persons authorized by the committee in question. If otherwise not defined by the law, decisions of the commission is considered as adopted, if it is supported by the majority of those present at the meeting, but no less than one-third of the total number of the committee members. (28.12.2009. N2525)

41. An order of the CEC Chair is an individual legal act, which is issued in relation to internal organizational issues, including staffing matters. (23.06.2006 N3400)

5. Fulfillment of the decisions by the central, district and regional election committees of Georgia and their officers within the scope of their authorities is compulsory on the whole territory of Georgia, its election districts and regions.

Article 26. Composition of the election administration (22.11.2007 N 5500)

1. The CEC is composed of its chair and 12 members. Chair of the CEC is at the same time its member. Cessation of the authorities of the CEC Chair simultaneously causes cessation of his membership. The CEC Chair is elected within the rule defined by the present Law; 5 members of the CEC are elected by the Parliament of Georgia upon nomination by the President of the country, and the remaining 7 members are appointed by the parties within the rule defined by the present Law. (28.12.2009. N2525)

2. District and regional election committees are composed of 13-13 correspondingly, who, within the terms and rule defined by the present Law are appointed/elected by the subjects defined by the same Law. (15.07.2008 N 231)

Article 27. Rule for election of the CEC Chair (28.12.2009. N2525)

1. The CEC Chair is elected upon nomination by the President of Georgia, by the party members of the CEC (except for the members nominated by the party achieved the highest results during the previous elections), within the rule defined by the present Article.

2. No later than 30 days prior to expiration of the term of the authority of the CEC Chair, and, in case of cessation of his authorities – no later than 15 days after cessation – President of Georgia, after consultations with the non-governmental organizations, shall nominate three candidacies on the position of the CEC Chair.

3. The nominee for the position of the CEC Chair shall be an able citizen of Georgia, with the age exceeding 25 years, who is non-partisan, has high education, fluent in the state language of Georgia, satisfies the requirements of Article 18 para 5, the present para of the present Law and Article 17 of the law of Georgia “On public Service”, has no less than 3 years of work experience and holds an election administration officer certificate.

4. The nominations for the position of the CEC Chair by the President of Georgia shall include the following: nominee first/last name, (higher) education; specialty, scientific degree (if any); address (according to the personal ID (registration) of a citizen of Georgia); job place and position; contact details and telephone (if any). The nomination shall include the following attachments:

- a) 2 pictures of the nominee;
- b) a copy of the private identification (registration) card of a citizen of Georgia;
- c) a copy of the higher educational degree (scientific degree – if any);
- d) a copy of the certificate of the election administration officer;

e) a resume and description of his/her election participation experience (if any).

5. The decision of election of the chair the CEC is made by the members appointed in the CEC by the parties in 5 days after submission of the nominees (except for the members nominated by the party achieved the highest results during the previous elections). The meeting is summoned and presided by the elder of the members defined in present para. Election of the CEC Chair shall be held by a secret ballot. Each member participating in the voting has one voice. All three nominees shall be voted for simultaneously. A person is considered as elected as Chair of the CEC if he/she received 4 or more votes.

6. If within the terms defined by para 5 of the present Article Chair of the CEC failed to be elected, the Parliament of Georgia, within 7 days shall elect a Chair of the CEC out of the 3 nominees introduced by the President of Georgia.

7. Decision of CEC on election of its Chair within 7 days shall be sent to the Parliament of Georgia, whereas in case envisaged by para 6 of the present Article the decision of the Parliament of Georgia shall be submitted to the CEC within 7 days.

Article 28. Rules for election of the CEC members (28.12.2009. N2525)

1. President of Georgia, within the rule defined by the present Article, shall select and present to the Parliament of Georgia 5 nominees for the CEC membership.

2. A nominee for CEC membership is elected by an open competition.

3. No later than 30 days prior to expiration of the authorities of the CEC member, and in case of a vacancy – no later than 15 days – President of Georgia shall issue the order on conducting the competition and on setting up the competition commission.

4. A nominee for CEC membership may be a non-partisan person with a higher education who is fluent in the state language of Georgia, has not less than 3 years of work experience and holds an election administration officer certificate.

5. An able citizen of Georgia aged 25 years and above who satisfies para 5 of Article 18 of the present Law, para 4 of the present Article and Article 17 of the Law of Georgia “On Public Service”, has right to participate in the competition. The deadline for presentation of the competition documents is no later than 14 days after announcement of the competition.

6. The competition application shall include the following: nominee first/last name, (higher) education; specialty, scientific degree (if any); address (according to the personal ID (registration) of a citizen of Georgia); job place and position; contact details and telephone (if any). The nomination shall include the following attachments:

a) 2 pictures of the nominee;

b) a copy of the private identification (registration) card of a citizen of Georgia;

c) a copy of the higher educational degree (scientific degree – if any);

d) a copy of the certificate of the election administration officer;

e) a resume and description of his/her election participation experience (if any).

7. If within the terms defined by the present Law it was impossible to nominate minimum 2 persons for the vacant position, the competition is continued until the time when minimum 2 persons are nominated for the vacant position.

8. The list of nominees is published in 2 days upon completion of the deadline of their submission.

9. No later than in 5 days after the end of the deadline for submission of the nominees, the competition commission shall present to the President of Georgia not less than 2 and not more than 3 candidates for the CEC membership. No later than in 7 days after selection of the candidates President of Georgia shall make a decision on selection of the candidates and present to the Parliament of Georgia 2 nominees per one vacant position of the CEC member.

10. No later than in 14 days after submission of the candidates for the CEC membership by the President of Georgia to the Parliament of Georgia, the Parliament within the open ballot

shall elect the CEC members. Each candidate shall be voted for separately. A CEC member is considered as elected if he/she is supported by the majority of the listed members of the Parliament of Georgia. If this number is more than the number required for voting, 5 candidates with the highest votes shall be considered as elected. If no winner is announced because of the parity of the votes received by the candidates, re-voting for these candidates shall be conducted immediately until a winner is revealed.

11. If all the vacancies are not filled as a result of the voting, the re-voting of the remaining candidates is conducted. If the vacancy has not been filled yet, an additional voting is conducted. If the vacancy has not filled again, President of Georgia, within 3 days, shall submit to the Parliament of Georgia 2 nominees among the other candidates participating in the competition per remaining vacancy. If the vacancy has not been filled yet, a competition is announced for the remaining vacancies no later than in 3 days and the procedure of nomination of the candidates is repeated.

12. The same candidate may be nominated only twice.

13. In case of (22.11.2007 N 5500) of the authorities of a member of the CEC appointed by the Parliament of Georgia, with the purpose of election of his substitute, President of Georgia shall, during the next parliamentary session week, re-submit to the Parliament of Georgia the nominations who have not less than the majority of votes of the listed members of the Parliament of Georgia or no later than 3 days shall re-open the competition. The same rule applies in case of absence of such candidacies.

14. Decision of the Parliament of Georgia on election of the CEC member is presented to the CEC within 7 days after it is made.

15. The decision mentioned in para 14 of the present Article shall include the name/surname of the person elected as a CEC member. The decision shall include the documentation submitted for the competition as defined by para 6 of the present Article and a signed statement of the mentioned above individual stating that he/she satisfies the requirements of Article 18 para 5 of the present Law.

Article 28¹. Rule for appointment of CEC members by the parties and termination of their authorities (15.07.2008 N 231)

1. 7 members of the CEC are appointed by the parties within the rule defined by the present Article.

2. Each member of the CEC is appointed by the political unions, which, according to the Organic Law of Georgia „On Political Unions of Citizens“, receive funding from the state budget.

3. If the number of persons mentioned in para 2 of the present Article is more than 7, each member is appointed by 7 parties which received more funding than others. If several parties have equal funding, priority is given to the party with the best result at the elections. If several parties included in the election block have equal funding, priority is given to the parties leading the list of the parties in the block. (15.07.2008 N 231)

4. The number of persons mentioned in para 2 of the present Article is less than 7, it shall increase up to 7 members by the parties following them in the list of parties with the best elections result (with decreasing order of number of received votes), which independently participated in the elections or were united in the election block and which are lead the list of the block member-parties (if the first party refused to appoint a committee member, this right is transfer to the party next in line, and so on) with the condition that they should have received more than 3% of the votes during the elections. If this time the number of parties with the right to appoint committee members is less than 7, all the parties mentioned in the present para, according to their rating, have the right to appoint an additional member of the committee to full the 7-member commission. (15.07.2008 N 231)

5. In case of termination of state budget funding for the parties or other party's receiving

higher funding, authorities of the party-appointed committee member are terminated and the number of committee members reached 7 by the representative of the party(ies) that received higher funding; in case of its absence or if this party(ies) refused to appoint their member, the rule of para 4 of the present Article is used. (15.07.2008 N 231)

6. A party has the right to recall its previously appointed CEC member. This is possible from the election date to summarizing its final results. A party has the right, within this deadline, to appoint a new member to the CEC only in case of dismissal or death of the appointed member.

7. CEC chair shall inform CEC member about termination of his authorities at the coming meeting of the CEC. (15.07.2008 N 231)

Article 29. Authorities of the Central Election Committee of Georgia (14.08. 2003 N 2965-RC)

1. Central Election Committee of Georgia:

a) within its authorities, provides for implementation of elections and referenda/plebiscite, controls fulfillment of the election legislation on the whole territory of Georgia and provides for its universal application; (22.04.2005 N 1427)

b) adopts regulations of the election administration by its decision;

c) in exceptional cases, if fulfillment of certain requirements/terms of the present Law became impossible, is authorized to define, in its order, the actions and terms required for conducting elections/voting; also, if required, in accordance with the present Law, to present suggestions to the President of Georgia on setting new elections dates; (12.10.2004. N488)

d) defines, in its order, participation and the rule of operations of the state and private mass media in the election process in accordance with the present Law and other laws of Georgia and controls their fulfillment;

e) issues orders to create election districts and defines their borders;

f) if required, for solution of the issues referred to in Article 105 para 13 of the present Law, is authorized to issue an order, approved by at least two-thirds of its total members, which would create a special group, define scope of its authorities and terms of action; (23.06.2006 N3400)

g) if the lower level election committee fails to perform the duties as provided by the Law, is authorized to issue an order, approved by at least two-thirds of its total members, terminating authorities of this committee and to create a temporary group, which be responsible, before creation of a new committee, for carrying out of its duties;

h) makes decisions defining allocation and usage of state funds for elections and referenda/plebiscite; (22.04.2005 N 1427)

h¹) registers parties and election blocks participating in elections, voters' initiative groups (elections of the President of Georgia); their representatives in the CEC; (22.11.2007 N 5500)

h²) registers presidential candidates and party lists; (21.03.2008 N 6013)

i) makes decisions defining forms of the elections/referenda/plebiscite ballots; texts of the ballots for elections to the Parliament of Georgia, of the President of Georgia to Tbilisi City Sakrebulo, referenda/plebiscites; types of ballot boxes, voting envelopes and election committee seals; types of election documents not defined by the present Law but nevertheless required for the elections; (22.04.2005 N 1427)

j) provides for preparation of election documents, ballot boxes, election envelopes and election committee seals and supplies for the district election committees;

k) according to the terms defined by the present Law, makes decisions defining the timeline of election events;

l) makes decisions scheduling extraordinary elections, repeated elections and off-season elections, repeated voting and second rounds of elections; (15.07.2008 N 231)

m) upon its own initiative or based on claim/appeal, within the rule of review of election claims as defined by the present Law, inspects election committees, legality of decisions of their authorized representatives and their protocols, and, in case of violations, makes decisions annulling or changing them; makes decisions on opening of the packages submitted from the relevant regional election committees and on re-counting of the ballots/special envelopes/voters' lists; (15.07.2008 N 231)

n) based on the concluding protocols of the results of the elections in the district and regional election committees, defines the elections to the Parliament of Georgia (by party lists), elections of the President of Georgia, elections of the Tbilisi city Sakrebulo, Mayor and referenda/plebiscite results, on the basis of which the concluding protocol of the elections by the Central Elections Committee of Georgia; (28.12.2009. N2525)

o) deleted (23.06.2006 N3400)

p) provides for electronic processing of the results received from district election committees and their immediate uploading in the Internet; in case of the decisions mentioned in para „m“ of the present Article – also its placement in the Internet;

q) makes decisions giving observer status at elections/referenda/plebiscite to non-profit (non-commercial) legal entities as indicated by the present Law, international organizations, other locally registered organizations, groups of representatives of governments of other states; (14.12.2006 N 3990)

r) operates the district election committees; periodically reviews their reports;

s) controls availability of buildings, communication means, and transport to the election committees; solves other material-technical issues of the election administration;

s1) makes decisions defining the list of those districts where video surveillance and recording equipment – so-called “video eye” – will be placed; (15.07.2008 N 231)

t) publishes and disseminates information materials.

t¹) makes decision defining the rule for certification of the officers of the election administration and terms of competition for selection of the staff members of the CEC and district election committee members. (22.04.2005 N 1427)

u) provides for increase of qualifications of election administration staff through seminars and training courses;

v) within the rule defined by the present Law, defines claims and appeals made in relations to the elections and, within its authorities, makes relevant decisions;

w) is responsible for creation of uniform list of voters, its electronic processing and uploading the parts belonging to the public information (surname, name, date of birth, registration address, for the IDPs – also actual residence address, date of registration of the voters in the uniform list of voters) in the Internet; (21.03.2008 N 6013)

x) implements other activities as authorized by the present Law.

y) makes decisions defining additional rules for creation of uniform list of voters and voting procedures. (9.12.2005 N 2208)

2. All the decisions of the Central Election Committee of Georgia are published in the “Legal Herald of Georgia” and may also be published by other mass media. Decisions of the Central Election Committee of Georgia concerning the issues mentioned in para 1 „e“–„g“, „h¹“, „h²“, „k“–„o“ and „p“ of the present Article, are published within 3 days after there are taken. (22.11.2007 N 5500)

3. Central Election Committee of Georgia is authorized to issue decisions on other issues connected with other procedures not envisaged by the present Law.

Article 30. Authorities of the Chair of the Central Election Committee of Georgia, his Deputy and Secretary of the Committee (14.08. 2003 N 2965-RC)

1. Chair of the Central Election Committee of Georgia is the chief officer of the election

administration.

2. The CEC Chair:

a) undertakes full administrative functions in the CEC;
b) presides over the CEC sessions;
c) manages financial issues of the CEC;
d) according to the regulations of the election administration, issues orders to deputy chair, deputy chair, secretary of the committee, other members of the committee and its staff;
e) issues relevant ID cards to the representatives from parties and election blocks, voters' initiative groups (in case of Presidential elections) participating in the elections; (22.11.2007 N 5500)

f) issues relevant ID cards to the presidential candidates, candidates nominated by the parties/election blocks in the election districts (during parliamentary elections); (22.11.2007 N 5500)

g) issues relevant ID cards to the elected President of Georgia, members of the Parliament of Georgia, members of Tbilisi City Sakrebulo. In case of pre-term termination of the authorities of the member of the Parliament and Tbilisi Sakrebulo – issues ID to their successors; (23.12.2005 N 2441)

h) provides to the temporary mandate committee of the newly election Parliament of Georgia, and after creation of the permanent committee – to this committee – the documents required for checking authorities of the elected members of Parliament;

i) if the authorities of the member of the committee elected by the Parliament of Georgia have been terminated before their term and, thus, the number of the committee members became less than 7, informs the Parliament about this matter on the second day after termination of the authorities;

j) implements other activities as authorized by the election legislation.

k) besides the issues pertinent to the authorities of the election committee as envisaged by the Law, on the basis of the order of the CEC Chair, the CEC Chair transfers administrative and financial function with the limited time to the heads of CEC units. (15.07.2008 N 231)

3. Deputy Chair of the Central Election Committee of Georgia:

a) fulfills duties of the CEC Chair in case of absence of the Chair in the Committee or he is not able to fulfill his duties;

b) with the order of the CEC Chair and the agreement from the Committee, fulfills selected duties of the chair of the committee (the order shall specifically indicate the scope and terms of the authorities).

4. Secretary of the Central Election Committee of Georgia:

a) analyzes election documents submitted to the CEC and the correspondence sent to the Committee;

b) registers representatives from party/election block independently participating in the elections to the Parliament of Georgia and local self-governance bodies, presidential candidates nominees from the parties and voters' initiative groups (in case of presidential elections) in district election committee and issues relevant ID cards to them;

c) registers voters having observer status at the elections/referenda appointed in the CEC by the non-profit (non-commercial) legal entities/international organizations, observers from the governments of other states and issues them observer ID cards; (14.12.2006 N 3990)

d) provides accreditation for mass media representatives and issues accreditation cards; (12.10.2004. N488)

e) drafts concluding protocol of elections results;

f) implements other activities as authorized by the election legislation.

Article 31. Staff of the Central Election Committee of Georgia

1. Staff of Central Election Committee of Georgia is created and functions with the purpose of provision of organizational, legal and technical support to the elections.

2. Structure of the staff, work rules and authorities are defined by the regulations of the Central Election Committee.

3. Hiring a person who has not received election administration officer certificate from the Central Election Committee, except for part-time and technical personnel, and also employees of those services, whose activities is not directly related to the election procedures. The list of these agencies and employees is defined by the CEC order. (23.06.2006 N3400)

Article 31¹. deleted. (to be enacted from January 1, 2009 22.11.2007 N 5500)

Article 32. Creation of the district election committees (15.07.2008 N 231)

1. District election committees are created by the majority of the CEC members.

2. 5 members of the district election committee, within the terms of 5 years, are elected by the majority of the CEC members.

3. After announcement of the elections, 7 members of the district election committee 7 are appointed by the parties as provided in Article 28¹ of the present Law; 1 member is elected by the majority of the CEC members before announcement of the final results of the relevant elections.

4. Decision of a party to appoint its representative to the district election committee shall be made within 7 calendar days from the date of announcement of elections by the CEC 7. If the authorized representatives are not appointed as district election committee members within the terms defined by the present para, the CEC has the right, by the next day after expiration of this deadline, to fill up the number of district election committee members, within the rule of the present Law, by 13.

5. District election committee shall elect its leadership among its members, by a simple majority.

6. After announcement of the day of the elections and till their completion, district election committee has the right to hire part-time and technical personnel within the number approved by the CEC.

Article 33. Election of the chair/members of the district election committee (22.04.2005 N 1427)

1. The CEC shall elect members of district election committee no earlier than 20 days and no later than 10 days from the date of termination of authorities of district election committee members. Same deadline shall apply to election of leadership of district election committees.

2. If authorities of a member of the district election committee appointed by the CEC are terminated before their, his successor shall be appointed by the CEC in 15 days (in 7 days after announcement of the elections). Same deadline shall apply to the elections of district election committee leadership in case of early termination of their authorities. (15.07.2008 N 231)

2¹. According to Article 32 para 2 of the present Law, authorities of 1 member of the district election committee selected by the CEC and the members appointed by the parties within the terms envisaged by 28¹ of the present Law, are terminated upon announcement of final results of the relevant elections. (15.07.2008 N 231)

3. Candidates to membership in the district election committee shall be selected by roll-call vote.

4. No later than in 60 days upon termination of the authorities of the district election committee members or no later than in 3 days upon early termination of the authorities of the members, the CEC shall issue the decree on opening the competition.

5. District election committee member candidate can be a non-partisan person, with higher education who is fluent in the state language of Georgia and hold election administration officer certificate.

6. The right to participate in the contest is given to able citizen of Georgia who is more than 21 year old and who satisfies the requirements of Article 18 para 5 of the present Law, para 5 of the present Article and Article 17 of the Law of Georgia „On Public Service“. The deadline for submission of the contest documents is:

a) in case of termination of authorities – 14 days after announcement of the contest;
b) in case of early termination of authorities – 10 days after announcement of the contest; in case of already announced elections – 2 days after announcement of the contest.

7. The statement for participation in the contest shall include: name/surname of the candidate; education (higher); specialty, scientific degree (if any); address (according to the personal ID (registration) of a citizen of Georgia); job place and position; contact details and telephone (if any); number and title of the election district where he wants to become a committee member; the statement shall be signed by the candidate and it shall include:

a) 2 photographs of the candidate;
b) photocopy of personal ID (registration) of a citizen of Georgia;
c) photocopy of higher education (scientific degree – if any) certificate;
d) photocopy of election administration officer certification;
e) resume of the candidate and description of the election-related experience (if any).

8. District election committee member candidates shall provide the context documentation indicated in para 7 of the present Article to the CEC.

9. If the documents presented do not comply with the requirements defined by the present Article, the CEC Chair, within 2 days, shall inform candidates about this (with indication of incompliance). Revised documents shall be re-submitted to the CEC within 2 days.

10. Within 5 days from the deadline of submission of the documents, the CEC shall publish the list of candidates.

11. District election committee members are selected by the CEC by the roll-call vote. Each candidate is voted for separately. The person is considered as elected if he received majority of the votes of the committee members. If the numbers of the persons is more than the number of persons to be elected, the candidate with the highest votes is considered as elected; if the candidates had received equal number of votes, additional voting is taking place among those candidates to reveal the winner. If there is no winner, another voting shall be held. If all the vacancies have not been filled up as a result of voting, voting continues for the remaining candidates. If again all the vacancies are not filled up, the contest for the remaining vacancies is re-open.

12. A candidate can be nominated only twice.

13. The statement on election of district election committee members shall include name/surname of the elected persons, title of the district election committee which he became chair/member of. The decision shall include the competition document included in para 7 of the present Article and the signed statement of the above-mentioned individual, which shall indicate that he satisfies requirements of Article 18 para 6 of the present Law.

14. The CEC shall publish the list of elected committee members.

Article 34. Authorities of district election committees (14.08. 2003 N 2965-RC)

1. District election committee is a permanently operational territorial unit of the election administration of Georgia, which is created by the rule defined by Article 32 of the present Law. (22.04.2005 N 1427)

11. District election committee holds the seal with its name, stamp, independent account, settlement and current. Chair of the district election committee and its accountant are

responsible for the financial means allocated to the district election committee by the CEC. District election committees have the right to use financial means for elections from the accounts open at any commercial banks and/or their branches. (23.06.2006 N3400)

2. District election committee:

a) within its authorities, election district provides for elections and referenda/plebiscite, controls fulfillment of election legislation and provides for universal application; (22.04.2005 N 1427)

b) makes decisions creating and correcting borders of the election districts;

c) if the lower regional election committee does not or cannot fulfill the duties defined by the legislation, is authorized, by the decision of simple majority, to appeal to the CEC with the request to terminate authorities of this committee;

d) makes decisions defining texts of ballots for the elections to election district local self-governance bodies;

e) upon own initiative or on the basis of claim/appeal, checks regional election committees, legality of decisions of their leadership and, in case of violations, makes decisions annulling or changing them; (21.03.2008 N 6013)

f) on the basis of claim/appeal (if claim/appeal was submitted according to rules and terms defined by the present Law), and also by its own initiative, shall check legality of the actions and decisions of the regional election committees and their leadership during the voting day (including registration of election participants, accuracy of calculation of ballots, etc.) and, in case of violations, make the relevant decisions (including, changing the information contained in the concluding protocols of the regional election committees according to inspection results or annulling voting results at the election regions). If the violation causes replacement of an elected person in the single-member constituency or the candidate who participates in the second round of elections, change of the persons elected in the multi-member constituency (during local self-governance elections), change of the announcement of the elections as completed or not completed (according to majoritarian election district and during local self-governance elections) and if the mentioned above inspection does not give enough basis for defining of the legality of the election results, it shall take decisions on annulling the results of the voting at the relevant election region and addressing the CEC with the request for repeated elections; (21.03.2008 N 6013)

g) on the basis of concluding protocols of regional election committees, taking into account review of the results of violations of election legislation, summarizes results of the district elections to the Parliament of Georgia (by party lists), elections of President of Georgia, Tbilisi City Sakrebulo elections, and also during referenda/plebiscite, about which it drafts concluding protocols of election results of the district election committees; (21.03.2008 N 6013)

h) on the basis of the concluding protocols of regional election committees, taking into account review of the results of violations of election legislation, summarizes results of the majoritarian elections to the Parliament of Georgia, local self-governance elections by election districts (except for the Tbilisi City Sakrebulo elections), about which it drafts concluding protocols of election results of the district election committees (21.03.2008 N 6013)

h¹) deleted (28.12.2009. N2525)

h²) registers majoritarian candidates nominated by the party/election blocks in the election districts; (21.03.2008 N 6013)

i) makes decisions on granting the status of local observers at elections/referendum/plebiscite local to local non-profit (non-commercial) legal entities; (14.12.2006 N 3990)

j) supervises activities of regional election committees; periodically reviews their reports;

k) provides for off-season elections, repeated elections, by-elections and second rounds of elections; (23.12.2005 N 2414)

l) controls provision of polling stations with buildings, means of communication,

- transport, solves other material-technical issues of election administrations of election districts;
- m) provides regional election committees with ballot boxes, voting envelopes, seals of regional election committees and the required election documentation;
 - n) reviews the information on fulfillment of the responsibilities of local self-governance and executive bodies located on the territory of election districts, state agencies and organizations, national and local self-governance mass media election as defined by the legislation and checks fulfillment of these responsibilities; controls usage of space for placing election billboards of local self-governance and executive bodies;
 - n) controls fulfillment by mass media of “The Rule for Participation and Usage of Mass Media in Elections”;
 - o) prints and publishes information materials pertinent to elections;
 - p) facilitates meetings between voters and parties/election blocks/candidates participating in elections;
 - q) defines claims and appeals in relation to the election process and, within its authorities, makes relevant decisions;
 - r) deleted (23.12.2005 N 2414)
 - s) by rule of the present Law, facilitates creation of voters’ lists, provides for their transparency and accessibility;
 - s¹) with the purpose of increase of qualification of the regional election committee members, conducts seminars and training courses; (23.06.2006 N3400)
 - t) implements other authorities as given by the present Law.
3. Decision of the district election committee, which deals with the issues mentioned in para 2 „b“, „e“-„i“ of the present Article, and also the decision of its chair, which deals with the issues mentioned in Article 35 para 1 „f“ and „g“ of the present Law, is published within 5 days.

Article 35. Authorities of the chair district election committee, his deputy and secretary of the committee (14.08. 2003. N 2965-RC)

- 1. Chair of the district election committee:
 - a) implements full administrative functions in the district election committee;
 - b) presides over meetings of the election committee;
 - c) deleted (22.04.2005 N 1427)
 - d) manages finances of the district election committee;
 - e) according to election administration regulations issues orders to deputy chair, secretary of the committee, other committee members and committee staff members;
 - f) deleted (28.12.2009. N2525)
 - g) issues relevant ID cards to the candidates presented by the parties/election blocks for the local self-governance bodies; (28.12.2009. N2525)
 - h) issues relevant ID cards to the elected Sakrebulo members (except for the Tbilisi Sakrebulo); in case of early termination of their authorities – issues ID cards to their successors;
 - i) submits to the CEC the documents required for checking the authorities of persons elected as Sakrebulo members and other documents as requested by the election legislation;
 - j) if authorities of election committee members have been terminated before their term, informs the CEC immediately on the second day;
 - k) implements other authorities given by the election legislation.
- 2. Deputy chair of the district election committee:
 - a) fulfills the duties of district election committee chair if the committee had no chair or the chair is not able to fulfill his duties;
 - b) with the order of the district election committee chair, fulfills separate duties of the committee chair (the order shall specify the scope and terms of the duties).
- 3. Secretary of the district election committee:

- a) processes documents submitted to the district election committee and incoming correspondence;
- b) registers party/election block independently participating in the elections; representative of voters' initiative groups in the regional election committees and issues them corresponding ID cards;
- c) registers monitors in district and regional election committees appointed by non-profit (non-commercial) legal entities participating as observers at the elections/referendum and issues them observers' ID cards;(14.12.2006 N 3990)
- d) provides for accreditation of mass media representatives and issues them accreditation cards; (12.10.2004. N488)
- e) drafts protocols of election committee meetings, including concluding protocols of elections and voting;
- f) fulfills other duties as given by the election legislation.

Article 36. Creation of regional election committees (22.11.2007 N 5500)

1. 6 members of a regional election committee are elected by the relevant district election committee by simple majority of votes.
2. 6 members of a regional election committee created in other states are elected by the CEC simple majority of votes.
3. 7 members are appointed, by the rule of Article 281 of the present Law, by the subjects defined by the present Law.

Article 37. Appointment/election of regional election committee members (22.11.2007 N 5500)

1. District election committee shall elect 6 members of the regional election committee no earlier than 50 and no later than 46 days before the elections, except for extraordinary elections of President of Georgia; in this case the district election committee shall elect 6 members of the regional election committee no earlier than 38 and no later than 36 days before the elections. In exceptional circumstances the members are elected in the committees no earlier than 10 and no later than 9 days before the elections. (28.12.2009. N2525)
2. CEC elects 6 members in the regional election committees created in other states not earlier than 24 days and not later than 20 days before the elections.
3. Decision of the party authorized by Article 36 para 3 of the present Law on appointment of a member of the regional election committee is submitted to the relevant district election committee no earlier than 50 and no later than 46 days before the elections, except for extraordinary elections of President of Georgia; in this case decision of the authorized party shall be submitted to the relevant district election committee no earlier than 39 and no later than 36 days before the elections, in exceptional circumstances the decision is sent to the committee no earlier than 14 and no later than 9 days before the elections, and no later than 20 days before the elections to other state committee – the CEC, after creation of the polling districts. (28.12.2009. N2525)
4. The list of regional election committee members is published by the relevant district election committee not later than 29 days prior to the elections; as for the committees created in exceptional cases – no later than 5 days prior to the elections, whereas in case of the committees created in other states – by the CEC, no later than 10 days prior to the elections.
5. If there are less members that is required in the regional election committee 30 days prior to the elections, 8 days prior to the elections in case of committees created in exceptional cases, and 19 days prior to the elections in the committees created in other states, within 3 days the right for election of the committee members from those participating in the competition or to

announce a new competition is given to the higher district election committees (in the first two cases) and to the CEC (in the third case). The rule, terms and deadlines for the competition for regional election committee membership are set by the CEC.

6. Decision of the authorized party to recall its member of the regional election committee and to appoint his successor shall be submitted to the regional election committees and higher district election committees, whereas in case of the committees created in other states – to the CEC.

7. If after early termination of the authorities of a committee member, the party with the right to appoint his successor has not used this right, and also if the authorities of a committee member elected by the district or Central Election Committee have been terminated early, and due to this there is less of committee members than defined by the rule, the right to elect a committee member to fill the required number of members, in 5 days prior to expiration of the deadline for nomination of a new candidate, is given to the district or Center Election Committees respectfully.

8. Members of regional election committees are elected by the district and Central Election Committees by a roll-call vote. Each candidate is voted separately. The person is considered as elected if he is supported by a simple majority of the committee members. If the number of those individuals is more than the number that shall be elected, the candidate with the highest voting result will be considered as elected. If no winner was revealed due to equality of votes received by some of the candidates, re-voting shall be immediately conducted for those candidates until the winner is revealed. If there is no winner again, he shall be revealed by casting of lots. If casting of lot has not filled all the vacancies, the CEC shall make the relevant decision.

9. The decision on election/appointment of the committee member shall include name/surname of the person elected/appointed as a committee member, number of the regional election committee of which he was elected/appointed as a member. Decision of the party on appointing a committee member shall include:

a) information describing: education of the elected/appointed committee member (higher, secondary specialty, scientific degree (if any); address (according to the personal ID (registration) of a citizen of Georgia); election district and election region where he is registered as a voter; job place and position; contact details and telephone (if any);

b) photocopy of personal ID (registration) of a citizen of Georgia;

c) a statement signed by the person, which shall indicate, that he agrees to become a member of the regional election committee and satisfies the requirements of Article 18 para 5 of the present Law.

10. A nominated individual shall not be considered as a committee member in case of violation of the terms of document submission as provided in the present Article or the submitted documents are incomplete or incorrect and the drawbacks in the documents have not been improved within the terms defined by the present para. If the submitted documents do not comply with the requirements of the present Article, the relevant district election committee or the CEC Chair, within 2 days, shall inform the side who had elected/appointed the member about this (indicating the incompliance). Corrected documents shall be returned to the district election committees or the CEC, respectfully, within 3 days.

Article 37¹. Measures of disciplinary responsibility of a district election committee member (28.12.2009. N2525)

1. Disciplinary violations of a district election committee member are:

a) confirmed non-fulfillment or incomplete of duties;

b) inflicting material damage to the election administration or confirmed existence of threat for such a damage;

c) failure to appear at the office with an unreasonable excuse;
 d) missing office three times with an unreasonable excuse;
 e) serious violation of the election legislation and regulations of the district election committee;

f) refusal for compulsory signature of the ballot by a member of the commission and the concluding protocol of the results of the elections.

2. A higher district election committee may use the following means of disciplinary punishment against a member of the regional election committee for disciplinary violations:

- a) a citation;
- b) a warning;
- c) withholding a salary or its part;
- d) revoking the authorities before the end of their term.

3. Only one measure of disciplinary punishment shall be used for one disciplinary violation.

4. The rules of easy administrative procedures as defined by the General Administrative Code of Georgia as applied during making decision by a relevant district election committee on the matter of choosing a measure of disciplinary punishment against a member of a regional election committee.

Article 38. Authorities of a regional election committee (23.12.2005 N 2441)

1. Regional election committee is a temporary territorial unit of the election administration of Georgia, which is created from the subjects defined by Article 36 of the present Law, and the persons appointed/elected by the CEC and higher district election committee. (22.04.2005 N 1427)

2. Regional election committee:

a) within its authorities, conducts elections and referenda/plebiscite on the territory of the election regions, implementation of the election legislation, compliance with the procedures defined by election legislation at the times of voting, application and protection of the rights of voters, representatives and observers safeguarded by the Constitution of Georgia and by the present Law; (22.04.2005 N 1427)

b) checks correctness of the voters' lists, views claims against the lists, and, in case of any drawbacks or shortfalls, no later than the following day informs the higher district election committees about making changes to the lists;

c) on the basis of claims and appeals of the voters, defines the annex to the voters' list (the list for mobile ballot boxes); (12.10.2004.N488)

d) summarizes the results of voting in the election region in the form of a concluding protocol of election results in the regional election committee; (21.03.2008 N 6013)

e) is authorized, by the decision of the majority of its total members, to address the higher district election committee with annulling the results of the voting at the election region;

f) distributes voting cards to the voters;

g) is responsible for placing the information defined by the election legislation at the polling station, for preparation of the voting space and counting of ballots; for keeping order at the polling station;

h) controls allocation of space for placards and billboards with election placards by local self-governance and executive bodies;

i) facilitates meetings between the voters and parties/election blocks/candidates participating at the elections;

j) reviews the claims and appeals in relation to preparation of the election process and voting and, within its authorities, makes the relevant decisions;

k) provides for unconditional implementation of the election rights of voters during the

voting day and is responsible for their protection;

l) annuls decisions of regional election committee chair on temporary closure of the polling station, stopping of voting, opening of the building after its closure, resumption of voting;
m) implements other responsibilities as envisaged by the election legislation.

3. All orders of regional election committees and their chairs shall be posted on the next day at the polling stations.

Article 39. Authorities of regional election committee chair, his deputy and secretary of the committee (23.12.2005 N 2441)

1. Regional election committee chair:

- a) undertakes full administrative functions in the regional election committee;
- b) presides regional election committee sessions;
- c) receives and allocates the election documents submitted to the regional election committee and the correspondence sent to the regional election committee;
- d) is personally responsible for storage and purposeful dissemination of the ballots, special envelopes, committee seals concluding protocols and other election documents;
- e) according to the regulations of the election administration, gives orders to his deputy, secretary of the committee and other members;
- f) at the voting day coordinates allocation of duties between the committee members by casting of lots;
- g) is responsible for keeping order at the polling station and adjacent territory at the voting day;
- g1) shall not allow access to the polling station individuals having rights to be at the polling station without relevant badges; (12.10.2004. N488)
- h) upon summarizing the election results, submits to the higher district election committees all the election documents;
- i) implements other authorities given by the election legislation.

2. Deputy chair of the regional election committee:

- a) fulfills the duties of regional election committee chair if the committee had no chair or the chair is not able to fulfill his duties;
- b) with the order of the regional election committee chair, fulfills separate duties of the committee chair (the order shall specify the scope and terms of the duties).

3. Secretary of the regional election committee:

- a) prepares draft resolutions of the committee;
- b) is responsible for provision of public information;
- c) drafts protocols of election committee meetings, including concluding protocols of elections and voting;
- d) fulfills other duties as authorized by the present Law.

4. Members of the regional election committee, in case of failure to fulfill the requirements of the committee, are subject to disciplinary measure as defined in Article 371 pares 1 and 2 of the present Law. (28.12.2009. N2525)

Article 39¹. deleted (22.04.2005 N 1427)

**CHAPTER V
REGISTRATION OF AN ELECTION SUBJECT AND LIST OF SUPPORTERS**

Article 40. Registration of an election subject

1. An election subject, with the purpose of receiving the right to participate in the

elections, is registered, within the rule of the present Law, by the relevant election committee.

2. Election subjects shall submit requests for registration to the relevant election committees and, within the rule of the present Law, provide the required documents.

3. (14.08. 2003. N 2965-RC) The relevant unit of the election committee, within the terms defined by the present Law, shall review the submitted documents and provide its conclusion to the chair of the committee who shall make a decision on a registration matter. If the submitted documents do not comply with the requirements of the present Law, chair of the committee shall, within 2 days (if otherwise not envisaged by the present Law), inform about this (with indication of incompliance) representatives of party/election block/voters' initiative groups who are given 3 days (if otherwise not envisaged by the present Law) for correcting the documents. Review of the corrected documents and registration issue is solved within 2 days upon their submission (if otherwise not envisaged by the present Law). In case of refusal of the registration, election committee shall immediately inform representatives of party/election block/voters' initiative group about this who have the right to receive this decision upon request.

Article 41. Supporters' lists

1. Initiative of the election subject to participate in the elections shall be indicated by the voters' signatures on a special form.

2. Sample of the supporters' list is approved by the decision of the Central Election Committee of Georgia.

3. Supporters' list shall include the following voter data:

a) name/surname;

b) date of birth (year, month and date);

c) personal ID (passport) of a citizen of Georgia and personal number;

d) place of registration (according to the registration card of a citizen of Georgia);

e) signature date;

f) signature.

4. The form shall include the name/surname, place of registration (according to the registration card of a citizen of Georgia), and contact phone number of a person responsible for collecting the signatures; and also date of filling out the form and a signature of that person.

5. Top left corner of the form shall include the identity of election subject (name/surname), whose participation in the elections is supported by the voters.

Article 42. Checking the supporters' lists

1. Lists of supporters of the party and presidential candidates are reviewed by the CEC, whereas other lists of supporters are reviewed by the relevant district election committees. (14.08. 2003. N 2965-RC)

2. The election committee by random selection conducts non-consecutive check of the validity of 20% of supporters' signatures. If not less than 10% of the signatures have been invalidated, the committee re-checks the same number of supporters' signatures with the same rule. If not less than 10% of the signatures have been again invalidated, the invalidated part of supporters' lists is returned to the relevant election subject, which is given 2 days to improve the situation. The amended part of the supporters' lists submitted by the election subjects, together with the remaining part of the list, is again checked by the election committee by the above-mentioned rule. If more than minimum numbers of supporters' signatures have been repeatedly invalidated by the same rule, the whole supporters' list is invalidated and the election subject, by the order of the election committee, is refused to have election registration. (21.03.2008 N 6013)

3. Voter's signature is considered as void in the supporters' list if:

a) name/surname is not indicated or is not completely indicated;

- b) date of birth (year, month and day) is not indicated or is not completely indicated;
- c) registration place (settlement, street, house and apartment number) is not indicated or is not completely indicated;
- d) signature date is not indicated or differs from the day of drafting of the supporters' list as defined by the present Law;
- e) is not signed or the signature belongs to another individual which is confirmed in written by the voter instead of whom the list was signed;
- f) a registered voter from another election district was included in the candidate supporters' list submitted to the election district;
- g) (14.08. 2003. N 2965-RC) The signer by the statement submitted to the relevant confirms that the signature was completed by deception, under threat or force and his signature on the statement had been notarized;
- h) personal ID of a citizen of Georgia (passport of a citizen of Georgia) and personal number were incompletely or incorrectly indicated.

4. All signatures are nullified on the form, which is not certified by a person responsible for collection of signatures, or which does not include or includes incorrectly the data defined in Article 41 para 4 of the present Law (14.08. 2003. N 2965-RC).

5. The CEC shall check the supporters' lists within the defined rule. Checking party supporters' list shall be concluded in 10 days after their submission, whereas for candidate supporters' list - in 3 days after their submission. (22.11.2007 N 5500)

6. Representatives of election subjects have the right to be present during the process of checking supporters' list.

7. Only Central, the relevant district election committee members and staff of relevant units of the CEC have the right to view the list of supporters; if a claim is submitted to the court – the lists can also be viewed by the court. Supporters' lists are destroyed within 10 days from the deadline for submission of the claim to the court due to election registration.

CHAPTER VI FUNDING OF ELECTIONS

Article 43. Financial coverage of preparation and implementation of elections (14.08. 2003. N 2965-RC)

1. The amount paid by the election administration for preparation and implementation of the elections and its activities, within the term of its authorities, is funded by the state budget of Georgia (22.11.2007 N 5500)

2. CEC, within the rule defined by the law, shall annually submit to election administration a draft budget for the next year, on the basis of which budgetary finding for the next year is defined.

3. deleted (12.10.2004. N488)

4. If budgetary means allocated for preparation and implementation of elections within the terms defined by the present Law were not transferred to the account of the CEC, it is authorized to submit a claim to a district (city) court. (29.12.2006 N4219)

5. Terms of enforcement as envisaged by Article 92¹ of the Law of Georgia "On Execution of Enforcement" do not cover execution of the court decisions as envisaged in Article 77 para 14 of the present Law. Enforcement of allocation of financial means to the CEC is not provided from the fund of execution of court decisions as envisaged by the state budget of Georgia.

6. The election administration, represented by the CEC, has the right to receive grants from an entity authorized by the law. Grants shall be used in accordance with the agreement concluded between the CEC and the authorized entity. (12.10.2004. N488)

Article 44. Monetary means required for the elections

1. Central Election Committee of Georgia, no later than in 55 days before the voting, shall submit financial plan of preparation and implementation of elections to the Ministry of Finances of Georgia.

2. Ministry of Finance of Georgia, in accordance with the submitted plan, no later than 50 days prior to the voting, shall transfer the money from the state budget for the election purposes on the account of the Central Election Committee of Georgia.

3. Rule for allocation and usage of the monetary means for the elections by the election committees is adopted by the decision of the Central Election Committee of Georgia.

4. No later than 45 days before the elections, Central Election Committee of Georgia shall transfer the money allocated for the district election committees to the current account of the later.

Article 45. Usage of monetary means for the elections

1. Chair of the election committee and its accountant are responsible for usage of monetary means allocated to the election committees on behalf of the committee.

2. District election committee, no later than in 30 days after the voting, shall cease any transactions with organizations and individuals and, within 10 days, Central Election Committee of Georgia shall transfer the remaining balance to its account. Within 2 weeks from transfer of the balance district election committee shall submit financial report to the Central Election Committee of Georgia.

3. The form of the election financial reporting of the district election committee is defined by the Central Election Committee of Georgia.

4. Central Election Committee of Georgia shall submit unified election financial report to the Ministry of Finance of Georgia.

5. Chamber of Control of Georgia is authorized to check the target usage of the monetary means for the elections within the rule defined by the legislation of Georgia. (26.12.2008 N 883)

Article 46. Fund of the election committee

1. Fund of the election committee is the complex of monetary means and all types of goods and services (with their market values) received free of charge for the election campaign of the election subject, except for the cost of the advertisement time received within the rule defined by the present Law. (21.03.2008 N 6013)

2. Opening of the election campaign fund is compulsory for an election subject. A candidate nominated by the election subject shall use the election committee level of the subject it was nominated by. Majority candidates nominated by a party/election block for the elections in local self-governance bodies may voluntarily open the election campaign fund. 928.12.2009. N2525)

3. Monetary means received by the election subject shall be transferred to the election campaign account, which is opened in the National Bank of Georgia or in commercial banks or their relevant branches within 5 days from registration of the election subject in the relevant election committee (from the moment of submission of the request by the registered party for the elections of the President of Georgia, off-season elections to the Parliament of Georgia and local self-governance representative bodies - Sakrebulo). The account is opened only in national currency. (15.07.2008 N 231)

3¹. deleted (21.03.2008 N 6013)

4. Election subject, in 2 days from opening of the election campaign account, shall submit to the relevant election committees the documents issued by a bank confirming opening account for election campaign and the account number, and also inform on the identity and contacts of the manager and accountant of the election campaign fund.

5. Private accounts of voters' initiative groups, parties, presidential candidates or majoritarian candidates shall not be used as accounts for election campaign fund. Opening more than one account for the election campaign fund is not permitted. *(12.10.2004. N488)*

6. The party, upon opening of the account of the election campaign fund and in relations with banks, has the right to use the party seal; whereas with the agreement of the parties included in the election block – the seal of one of the party member of the block, which is defined in the statute of the election block.

7. Both the monetary means transferred to the account of the election campaign fund and free goods and services (with their market values) are considered as funds attracted in the election campaign fund.

Article 47. Donations to the election campaign fund

1. Donations to the election campaign fund are considered monetary means transferred to its account by physical and legal entities and all types of goods and services received free.

2. A legal entity making donations in the election campaign fund shall indicate its name and legal address; physical entity shall indicate his name, surname, ID of a citizen of Georgia (passport of the citizen of Georgia) and personal number. Financial donations by physical and legal entities in the election campaign fund are accepted by cashless settlement, via banks. This limitation does not apply to deposits made by one physical entity if their amounts are less than 300 GEL. Thus, donations by using other names are prohibited. *(8.06.2007 N4919 enacted from October 1, 2007)*

3. Monetary means deposited without indication of the information contained in para 2 of the present Article are considered as anonymous. Anonymous donations shall be immediately transferred to the state budget of Georgia. *(8.06.2007 N4919 enforced from October 1 2007)*

3¹. Amounts of financial and material donations transferred to the election campaign funds of party/election block nominees and presidential candidates shall not exceed: *(21.03.2008 N 6013)*

a) from a single individual, including individual entrepreneurs – 30 000 GEL;

b) from a single legal entity – 100 000 GEL.

3². Amounts of financial and material donations transferred to the election campaign funds of majoritarian candidates to the Parliament of Georgia and to the local self-governance representative bodies - Sakrebulo - shall not exceed: *(8.06.2007 N4919 enforced from October 1 2007)*

a) from a single individual – 10 000 GEL;

b) from a single legal entity – 30 000 GEL.

3³. Limitations envisaged by para 31 and 32 of the present Article do not extend to the amounts transferred from the party funds to the funds of own election subjects' election campaign funds. *(8.06.2007 N4919 enforced from October 1 2007)*

4. Usage of other sources by an election subject during elections apart from money from the election campaign funds is prohibited.

5. It is prohibited to accept donations in the election campaign fund from:

a) other states;

b) legal and physical entities from other states;

c) persons without citizenship;

d) international organizations and movements;

e) non-entrepreneurial legal entities and religious organizations;

f) Georgian entrepreneurial legal entity partially owned by the state.

Article 48. Rule of managing the election campaign fund

1. With the purpose of effective usage and management of the election campaign fund, election subject shall appoint (elect) a manager and an accountant of the election campaign fund.

2. Manager and accountant shall manage the election campaign fund, as instructed by the election subject. They are responsible for purposeful usage of the election campaign fund.

3. The rule of appointing (electing) manager and accountant for the election campaign fund by election blocks is defined by the statutes of the election blocks.

4. Manager of the election campaign fund shall transfer in 10 days all illegally received donations to the state budget of Georgia; also, once a month from the date of opening of the election campaign fund, he shall submit to the relevant election committees, with the form approved by the Central Election Committee of Georgia, information about sources of donations, their amount and transfer date, whereas after the elections he shall submit the fund report within the terms defined by the law. Responsibilities of the manager and accountant of the election campaign fund, by the present Law, for receiving and hiding financial and material donations is defined by the legislation of Georgia. *(8.06.2007 N4919 enforced from October 1 2007)*

5. Manager of the election campaign fund shall register all operations. If any expenses cannot be registered, it shall be nevertheless registered as a bilateral act.

6. Election subjects, no later than one month after announcement of final results of elections, and those election subjects, who, by preliminary reports, will receive the required number of votes, as defined by the present Law, no later than in 8 days after the voting day, shall submit to the relevant election committees, together with audit report (by an auditor company), the report on usage of election money from the election campaign fund with indication of sources of monetary donations. Auditors (auditor companies) acting on the territory of Georgia have the right for auditor checks. *(16.12.2005 N 2263)*

6¹. After registration in the Central Election Committee of Georgia, from the day of opening of the account of the election campaign fund by an election block, the subjects included in the block shall stop activities of their election campaign funds and use only the election campaign fund of the election block. Those election subjects who are united in the election blocks, during implementation of the responsibilities envisaged by para 6 of the present Article, together with submission of reports on own election campaign funds, shall also submit to the election committees the certificate issued by their banks on stopping financial operations in their funds' accounts. Those election subjects whose majoritarian candidates participate in the second round of elections, no later than one month after announcement of the final results of the second round, and those election subjects, who, by preliminary reports, will receive the required amount of votes, as defined by the present Law, no later than in 8 days after the voting day, shall submit to the relevant election committees, the additional information as envisaged by para 6 of the present Article. For those election subjects whose majoritarian candidates participate in the second round of elections, the 20-day deadline for closure of the election campaign fund, as envisaged by para 9 of the present Article, will start from announcing the summary of the results of the second round of elections by the election districts. *(15.07.2008 N 231)*

7. Election subjects, which do not produce the report on their election campaign funds, on the basis of court decisions, are prohibited from participation in the corresponding elections in future. *(21.03.2008 N 6013)*

8. If election subjects, which have received, as defined by the present Law, the required number of votes, failed to produce the report on their election campaign funds within the defined

deadline, or the violation of the requirements of Article 46 para 2, 3, 4, 5; Article 47 para 4, 5; para 4, 5, and 6 of the present Article of the present Law has been confirmed, they shall received written warnings from the relevant district election committee or the CEC and shall be requested to improve the drawbacks and to provide detailed written information in relation to each violation. If the relevant district election committee or the CEC consider that the violation is of a substantial nature and may influence the elections results, they have the right to apply to the court and to request summarizing elections results without taking into account the number of voters received by this election subject. If a report submitted by the election subject on election campaign fund contained errors, its responsibility and that of the manager of its election campaign fund is defined by the legislation of Georgia. *(22.11.2007 N 5500)*

9. Election subjects shall, no later than in 20 days after summarizing the final results of elections, close the account of the election campaign fund. The available account balance is returned to the depositors proportionately to their monetary deposits.

10. The form of accounts of the funds used for elections is defined by the Central Election Committee of Georgia.

10¹. With the purpose of monitoring of the accounts of the funds used by election subjects for elections, the financial monitoring groups is created under the Central Election Committee of Georgia, within 5 days from announcing the date of elections, by the order of the CEC, which includes representatives from the public, lawyers and licensed auditors, which shall study the information provided by the election committee during the elections period and shall submit the conclusions for the relevant measures to be taken by the legislation of Georgia to the relevant election committees. Statute of the financial monitoring group and the rule of its operation, with indication of the names of the members of corresponding group, are approved by the order of the CEC no later than in 5 days after creation of the group. *(21.03.2008 N 6013)*

11. Information of election donations is open, public and accessible. Central Election Committee of Georgia shall provide the information about election subject's election campaign fund to all interested parties and provide publishing of the same information on the relevant web-page within 2 working days from receiving of the information. *(21.03.2008 N 6013)*

CHAPTER VII VOTING

Article 49. Elections premises *(28.12.2009. N2525)*

1. Preparation of the elections of the state authorities and local self-governance bodies and the required buildings and inventory are given free to the election committees on a temporary basis.

2. Regional election committee shall not be stationed and no voting place shall be used in the same building with:

- a) a party(ies);
- b) state authorities and local self-governance bodies, except for those cases when on the territory of an election district there is no other suitable building for the purpose of election in accordance with this law. The relevant decision is made by the district election committee;
- c) police services (except for district election committees set up in extraordinary circumstances).

3. Polling station, wherever possible, shall always occupy first floor of a building.

4. Upon the request from the regional election committee, the agencies mentioned in para 1 of the present Article, shall (if the relevant order of the committee was submitted to them in 20 days prior to the election day), provide for timely and simple adaptation of the polling station if disable voters using wheelchairs have applied to the regional election committee with the relevant request in 25 days prior to the election day.

5. Responsibility for violation of the requirements of para 1 and 4 of the present Article is defined within the rules of the legislation of Georgia.

6. Inside the polling station:

a) Cabins shall be provided for secret vote. One side of the cabin shall be open up to a half of its height; its upper half shall be closed firmly. Not less than one cabin shall be provided per each 500 voters. Each cabin shall have one pen;

b) there shall be space for registration of the voters and placing of special envelopes;

c) A transparent ballot box shall be placed in a visible place;

d) Lists of voters, parties, candidates, rule for filling the ballots as defined by the CEC shall be placed in a visible place, as well as an excerpt from the present Law on the cases of annulling the ballots and a demonstrational protocol(a) of the election results (the demonstrational protocol is an A2 paper, which includes the same data as in the protocol of elections in the regional election committee);

e) Video surveillance and recording may be used with the purpose of prevention of violations in the election process and reacting on them – so-called “video-eye”. The records of the video-eye do not represent public information as defined by the General Administrative Code of Georgia.

7. If any election subject included in the ballot no longer participates in the elections, a statement on this matter shall be put on a visible place both in the polling station and in the secret vote cabin (room).

8. Chair of the regional election committee is responsible for preparation of voting, free exercise of the will of the voters, provision of voting secrecy and due equipping the polling station building in accordance with the requirements of the present Law.

9. With the purpose of provision secrecy of vote, usage of photo and video recording is prohibited in the voting cabin.

Article 50. Keeping order in the polling station during voting (28.12.2009. N2525)

1. Chair of the regional election committee leads and is responsible for keeping order in the polling station during voting.

2. Implementations of the decisions with the purpose of keeping order in the polling station by the chair of the regional election committee, is compulsory for the members of the election committee, all the people and voters with the right to be present in the polling station.

3. Armed persons are not allowed in the polling station building.

4. Chair of the regional election committee has the right in case of hindrance to operation of the committee and violation of order to evict the violator from the regional election committee building, which shall be recorder in a special protocol signed by the chair and members of the committee. The protocol shall mention the name/surname of the violator, number of the polling station and region, the substance of violation and its exact time.

5. In case of threat to conducting elections or safe movement of the election documentation in the building of the polling station or its adjoining territory in accordance with the requirements of the committee, the chair of the regional election committee may request presence of police officers in the building of the polling station or its adjoining territory. Upon prevention of violation of public order and in case of agreement from the chair of the regional election committee, the police officers would leave the premises of the polling station and its adjoining territory.

Article 51. Time and place of voting (28.12.2009. N2525)

1. Voting shall take place in the polling station at the voting day from 8 am to 8 pm.

2. Regional election committee is responsible for disseminating information in any form

possible among the voters about the polling place and time, including via mass media, placing the information bulletins in public places, distribution of voting cards among voters no later than in two days before the elections.

3. During the voting closure of the polling station building is prohibited, cessation or stopping of voting, except for the cases when it is impossible to provide for universality, equality of the elections and free expression of voters' will.

4. Decision on temporary closure of the polling station building, cessation or stopping of voting, (as well as subsequent opening of the polling station and resumption of voting) is unilaterally made by the chair of the regional election committee, who is fully responsible for this decision.

5. In case of temporary closure of the polling station building upon cessation or stopping of polling, regional election committee shall make a decision to confirm the decision of the chair of the committee or to annul it. The committee is authorized after the cessation of polling to make a decision to stop polling completely and to close the polling station. The mentioned above decisions are made by the relevant orders, which shall include the causes and timing of temporary closure of the polling station building, cessation or stopping of polling. Upon solving the matter of closure of the polling station or cessation of polling, the chair of the committee may make a decision to resume polling. If voting is announced as closed, it shall not be renewed.

6. A voter may be present in the polling station building only for the time required for voting.

7. At the voting day in the polling stations in the military regiments, hospitals and other stationary medical facilities, ships in voyage and in places with difficult access, regional election committee announces voting as closed in any time before 8 pm, if all the voters included in the list participated in voting.

8. Polling before or after the voting day is prohibited, except for the cases envisaged by the legislation of Georgia.

Article 52. Opening of the polling station (28.12.2009. N2525)

1. The polling station is opened at 7 am at the voting day. In case if for this time the number of the committee members is less than 7, the relevant information shall be immediately provided to the higher district election committee, which shall immediately make the relevant decision.

2. Polling starts at 8 am at the voting day.

3. The following procedures are implemented from the time of opening of the polling station before start of polling:

a) after opening the polling station, an election log-book is started. All persons with the right to be present at the time of opening of the polling station shall put their signatures on the first and second pages of the book;

b) chair of the regional election committee shall check the integrity of the closed envelope with the special seal of the regional election committee, and shall open it;

c) chair of the regional election committee shall prepare, on similar pages and with the same pen, voting papers, verifies them with the special seal of the committee and folds in such a way as to prevent their text to be read. Total amount of the empty and filled papers shall be equal to the number of the members of the committee participating in the voting. Chair of the committee shall conduct the voting with participation of the members of the committee and all the persons with the right to be present at the polling station building; chair of the committee/deputy/secretary shall not participate in the casts. The papers are cast on the table, after which the members of the committee take them;

d) chair shall announce, as a result of voting, 2 persons out of the committee members appointed by the parties to be charged with carrying the ballot box (if needed). Also, they should

be appointed by the same election subject;

e) another voting is done for division of other functions among the committee members:

e.a) committee member responsible for ordering the flow of voters in the polling room, who also checks marking of the voters;

e.b) a voters' registrar – member of the committee (at least one member per 300 voters), who also hands out ballot papers after having signed and stamped their reverse side;

e.c) member of the committee supervising the ballot box and special envelopes;

f) after casting the lots the secretary of the regional election committee shall write the results of the voting on the third page of the election log-book;

g) temporary transfer of functions to the committee member as a result of voting votes to another member of the committee is possible only with the permission of the chairman of the committee, which is recorded on page 5 of the election log-book with indication of the time.

4. If during the voting, the number of committee members in relation to the functions to be distributed:

a) is less by one, the number of committee members registering the voters also decreases;

b) is less by two, deputy chair of the committee shall fulfill the function of a committee member responsible for controlling the flow of voters in the voting room;

c) is less by three, chair of the committee shall fulfill the function of a committee member responsible for supervision over the ballot box and special envelopes.

5. The district election committee shall decide the matter of remuneration of a member of the regional election committee who joins the committee after completion of the voting, and the matter of his/her functions shall be solved by chair of the regional election committee.

6. Upon completion of voting procedure, chair of the regional election committee:

a) declares the number of voters by combined and special lists, and also their annexes (the list of mobile voters box);

b) checks integrity of ballots and special envelopes and declares the number of accepted ballots and special envelopes;

c) checks and, within the rule defined by the CEC, seals the main and mobile ballot boxes by a seal with an individual number.

7. Each registrar of voters shall have separate notebooks for every type of ballots, which is confirmed the signatures of the committee chair and the registrar on the cover of the notebooks. After distribution of all ballots from the notebook the registrar receives another notebook and so on.

8. Chair of the regional election committee shall give to each voters' registrar the registrar's seal as defined by the voting, the number of which is included in the voting day log-book.

9. Data mentioned in para 6 „a“ and „b“ of the present Article is announced by the secretary of the election committee and included in the protocol of the results of the voting and in the voting day log-book.

10. The first voter and all the present members of the regional election committee shall sign the control paper; the paper shall include the correct time of placing the ballots in the ballot box and the name/surname of the first voter, place of registration and personal ID number of a citizen of Georgia. Before starting the voting chair and secretary of the committee shall fill out three copies of the control papers (except for the data on the first voter). Chair of the committee fills out one copy of the control paper after entry of the first voter into the voting cabin, the second copy – in the mobile ballot box; the third copy is stored together with the control papers in the ballot box with the purpose of further comparison.

Article 53. Voting day log-book (28.12.2009. N2525)

1. The process of voting in the polling station and claims, appeals and remarks on the process of voting are reflected in voting day log-book (hereinafter – the log-book).

2. The log-book is produced in the Georgian language, whereas for those polling stations where ballots are printed in the language of local population, the log-book may be also produced in the corresponding language.

3. The log-book is handed over to the secretary of the committee, who shall, together with the chair of the committee, to include in it all the election procedure of the day with indication of their time.

4. Each copy of the log-book, together with the ballots, is handed to the regional election committees.

5. The log-book is so-called spiral book. The spiral is sealed; the seal paper is signed by the chair and secretary of the regional election committee and is stamped with the seal of the district election committee. Each page of the log-book shall be numbered and each page shall have the numbers of the election district and region.

6. Secretary of the committee shall indicate the number of the ballots given to the members of the committee accompanying the ballot box, available in the ballot box by the end of the voting day and used ones, together with special envelopes, on page 4 of the log-book.

7. Secretary of the committee shall include on page 5 of the log-book the information on temporary transfer of the functions of committee members to other members as defined as a result of voting.

8. Secretary of the committee shall include on pages 6-9 of the log-book each data on the results of the voting included in the concluding protocol.

9. Every person with the right of being present at the polling station may include the claims, appeals and remarks in relation to the election procedure of the voting day in the log-book (in pages 10 and beyond) and mention the witnesses (if any). The person making the notes shall include in the log-book his name/surname and address as indicated in his/her registration card.

10. No one has the right to prevent any person with the right of being present in the voting room from making notes in the log-book.

11. After summarizing the results of the voting, the log-book is closed, signed by the chairman and secretary of the election committee and is verified by the seal of the regional committee. The log-book together with the claims/appeals is sealed and, together with the concluding protocol(s) of the regional election committee, is handed over to the higher district election committee.

Article 54. Ballot paper and a special envelope (28.12.2009. N2525)

1. Ballots are printed on the basis of the CEC order, according to its sample, in the Georgian language; in Abkhazia – also in the Abkhazian language; and, if needed – in other languages of the local population.

2. For the polling stations having registered people with visual disabilities, CEC shall provide for a technology allowing for their independent filling the ballots.

3. CEC shall provide for printing of the ballots and preparation of ballot boxes (the main and mobile ones); the relevant district election committee is responsible for verifying the information contained in the ballots in case of the elections in local self-governing representatives bodies – Sakrebulo (except for the capital of Georgia – Tbilisi self-governing body – Sakrebulo). Ballots are printed under permanent supervision of the persons authorized by the CEC and district election committees and other observers. 2 members of the election committee appointed by relevant decree of the committee and, on the basis of the present Law, the registered monitoring agencies have the right for observing the ballots printing process (in each place), which by their agreement shall nominate not more than 3 observers.

4. In 2 days after making the relevant decision the corresponding election committee shall publish the data on printing the ballots and the place of preparation of the ballot boxes, as well as on the persons responsible for printing the ballots and preparation of the ballot boxes.

5. An entity printing the ballots is personally responsible to ensure that the number of printed and provided to the relevant election committee is the same as the amount requested, and that no additional ballots are printed and disseminated.

6. Chair and the secretary of the election committee are personally responsible for storage and purposeful dissemination of the ballots in the election committee.

7. With the purpose of correct numbering of the ballots, each ballot is consecutively numbered (the number is indicated on its bend; the ballot and its bend are separated with a perforated line) and folded by its half as a notebook. The notebooks, separately for each ballot, are consecutively numbered. Each notebook has a cover page, indicating the title of the ballot, columns with the notebook number, ballots numbers, numbers and names of polling district and polling region, columns for signatures of the chair and the member of the regional election committee (voters' registrar), who receives this notebook, and also the column for calculation of the used ballots.

8. The quantity of special converts given to each regional election committee is equal to the total number of the voters in the polling region, and the quantity of the notebooks with ballots is 50 times less the total number of the voters in the polling region (an approximate number).

9. No later than in 2 days before the voting, the CEC shall give to the district election committees the ballots and special envelopes. On its part, the district election committee shall give the ballots and special envelopes to the regional election committees no later than 12 hours before the voting.

10. The number of the ballots and special envelopes is verified. During transfer of the ballots and special envelopes from the CEC to the district election committees and from the district election committees to the regional election committees, the protocol of transfer is concluded in two duplicate copies, which includes the titles of the sender and receiver committees, amount of the special envelopes, types of the ballots, amount of ballot notebooks (with their numbers and ballot numbers), and the names of sending and receiving persons. The protocols are signed by sending and receiving persons (one copy remains within the committee who sends the ballots and special envelopes; the other copy is handed over to the receiver of the ballots and special envelopes). A representative of the election committee, which receives the ballots and special envelopes, shall request one copy of the acceptance certificate for the relevant district/regional election committee. The acceptance certificate is an open document.

11. Before concluding the acceptance certificate mentioned in para 10 of the present Article, the signatory parties, after verifying compliance of the ballots requisites, shall count the ballots and make the relevant notes in the acceptance certificate; after which the ballots are re-sealed and signed by the parties.

12. The first page of the ballot shall include:

- a) title and date of election/referendum;
- b) title and number of the election district;
- c) number of the polling station (on the bend of the ballot and on the ballot itself);
- d) during proportionate elections – number and name of the party/election block independently participating in the elections; during elections of the President of Georgia, Mayor of Tbilisi city and by majoritarian system – the number assigned to the candidate, name/surname, name of the representing election subject;
- e) rule for filling out the ballot.

13. If the ballot is meant for another polling station or it does not correspond with its indicated number or it has a typo or other inaccuracy, this shall be immediately told to the CEC; the district election committee is authorized on the basis of the relevant note, to include in the concluding protocol the real number of the ballots.

14. Reverse side of the ballot shall include:

- a) place for the signature of the voters' registrar;
- b) place for the special seal of the voters' registrar.

15. In case of removal of an election subject from the elections, during dissemination of the ballots, the stamp "Removed from elections" shall be placed next to the name/title of the election subject.

16. Ballots are state property. During voting, taking the ballots from the polling station building, its removal or destruction is prohibited.

17. The ballots are printed on a special paper; the right for ordering and procuring of which is given exclusively to the CEC.

18. Violation of the restriction included in para 16 of the present Article, and also production, dissemination and usage of fake ballots and the special paper mentioned in para 17 above is a criminal offence and is punished by the Law.

Article 55. Concluding protocols of voting and elections results (28.12.2009. N2525)

1. Results of voting and elections are reflected in the concluding protocols of voting and elections of CEC, district and regional election committees.

2. The concluding protocol is an individual administrative-legal act certifying the results of the voting and elections. The concluding protocol and its copy certified by the rule defined in the present Law have equal legal power.

3. Making changes to the information included in the concluding protocol is prohibited. The matter of annulling of such a concluding protocol is decided by a higher election committee. Making changes to the information included in the concluding protocol causes the charges against the chair and secretary of the election committee in question within the rule defined by the present Law.

4. If a mistake was made during filling the concluding protocol, with the purpose of its correction the word "Corrected" shall be immediately placed next to the relevant data in the concluding protocol. The election committee shall draft the correction report, where it shall mention corrections made to the concluding protocol and date and place of the report. All members of the committee present at the meeting shall sign the report. The correction report shall have the stamp of the committee, be registered in the journal of the election committee and shall be attached to the protocol with the amended data.

5. Each concluding protocol (concluding protocol of elections in the regional election committee and concluding protocols of elections in the district election committee) are numbered individually, and the numbers shall not be repeated.

6. Verified protocols shall be strictly counted. CEC is responsible for their printing. Protocols are printed under constant supervision of the persons authorized by the CEC and other observers. The printer of protocols is directly responsible to ensure strict compliance of the number of printed and sent protocols to the CEC with the requested number, and that no other protocols are printed and disseminated.

7. Chair of the election committee is personally responsible for storage and purposeful dissemination of the ballots in the election committee.

8. District election committee shall send to the regional election committee each type of concluding protocols of every election in the polling station.

9. Concluding protocols are printed on special paper, the right for ordering and procuring of which is given exclusively to the CEC.

10. Concluding protocols are printed in the Georgian language; in those polling stations where the ballots are also printed in local languages, the protocols may be also printed in the corresponding language.

Article 56. Marking the voters (28.12.2009. N2525)

1. Voters shall be marked in each polling station (except for the cases mentioned in para 5 of the present Article), which means placing invisible and harmless chemical paint on the voter's right hand's the middle or index finger (if this is not possible – on the nail of the right hand's other finger; if this is impossible – the same way on the left hand).

2. The procedure for checking the marks takes place before the voter enters the polling room by the relevant members of the election committee, who verify with the special equipment the place of the mark and when it is confirmed that the voter is not marked, the voting right is given to the voter. If the equipment reveals that the voter has already got the mark, he/she will be prohibited from voting and his name is included in the log-book.

3. After passing the procedure of marking verification, the voter moves to the registration table, where the voters' registrar marks him and he receives the ballot(s). In case of refusal to undergo the marking verification procedure the voter is not given the right to vote and no ballot(s) is given to him.

4. If a member of the election committee, an observer at the polling station and/or representative of an election subject has suspicions in relation to marking or the verification procedure, he is authorized to request renewal of the procedures as defined in pases 2 and/or 3 of the present Article. This person has the right to request corresponding action at any instance of violation of the marking procedure.

5. Marking is not used for individuals being ships, in preliminary detention facilities, hospitals and other stationary medical facilities (to the patients), and also those voting via mobile ballot boxes.

6. A voter who had undergone the marking procedure and participated in voting, has no right to participate in voting in the same or another polling station.

7. Person violating the requirements of the present Article is responsible before the legislation of Georgia.

Article 57. Distribution of ballots and special envelopes (28.12.2009. N2525)

1. Regional election committee shall distribute the ballot(s) and special envelopes on the basis of the voters' lists, and provision of personal ID of a citizen of Georgia, passport of a citizen of Georgia, refugee and IDP cards (together with personal IDs).

2. During the voting day each voter shall receive one special envelope and the relevant number of ballots.

3. Distribution of ballot(s) is confirmed by signing the voters' lists by the registrar-member of the committee.

4. Receiving of ballot(s) is confirmed by signing the voters' lists by a voter.

Article 58. Voting (28.12.2009. N2525)

1. Each voter shall vote personally. It is prohibited to vote instead of another person.

2. The voting procedure is conducted within the following rule and sequence:

a) upon entry to the polling room, the voter is marked;

b) if the voter is not marked, he/she will be given a right to vote. A committee member keeping in order the flow of voters in the room shall let a voter in the polling room only if there are not more than two people at a registration table;

c) in the polling room a voter goes to the registration table where the first letter of his surname is included in the voters' list belongs to, and shows to the voters' registrar the ID card or a passport of a Georgian citizen, if he/she is an IDP – also an IDP card (together with the ID card). If the voter is included in the voters' list, the registrar marks the voter after which the

registrar signs the corresponding column of the unified list of voters, and the voter endorses by his/her signature the acceptance of the ballot(s). After handing the ballot(s), the registrar signs in the corresponding column on the back of the ballot(s) and verifies the ballot(s) with the special seal;

d) after verification of the ballot(s), the voter enters in the secret voting cabin and fills out the ballot(s) within the rule defined by the present Law. After filling the ballot(s) the voter shall fold it(them) in such a way as to prevent them from being read;

e) the voter shall take the folded ballot(s) to a separate table, where he independently takes a special envelope and places ballot(s) in them. Only the voter has the right to place ballot(s) in a special envelope; no committee member has the right to open a ballot(s) or otherwise violate the secrecy of voting;

f) more than one voter shall not simultaneously approach the polling box;

g) A committee member supervising ballot box and special envelopes shall be constantly present near the box. He shall keep close the opening for envelopes, which shall be opened only after he is ensured that a voter has only one envelope;

h) after completion of voting opening for envelopes in the box is closed.

3. During filling out the ballots presence of other individuals is prohibited. The voter who cannot independently fill out the ballot, has the right to ask any individual into the in the secret voting cabin except for:

a) a committee member;

b) a candidate;

c) a representative of an election subject;

d) an observer.

4. If a ballot or a special envelope of a voter or a member of the election committee is spoiled, he has to inform the chair of the regional election committee about this, to hand the spoiled ballot(s)/special envelope and to receive a new one. The spoiled ballot(s)/special envelope, with a presence of the voter, is cut in the corner, a word "Spoiled" is written over it, chair then signs them and they are kept separately.

5. Members of the regional election committee and the persons legally present in the polling station have the right to ask the voters before entering into secret voting cabin and putting their ballot(s) into secret envelopes to show that they have with them only the number of ballot(s) and special envelopes allowed by the Law. The voter shall follow this request.

6. At the voting day secretary of the regional election committee shall count the number of signatures of the voters in the lists of those participating in the elections twice, at 12 pm and 5 pm and include this number, with indication of the relevant time, in the demonstrational protocol and the log-book of the regional election committee.

7. If during voting integrity of the seal of the ballot box has been compromised, the regional election committee shall stop the voting process make a decision on re-sealing of the box and continuation of voting.

8. Building of the polling station is locked at 8 pm. For this time the voters standing in the list may vote, for which by the order of the chair of the regional election committee one of its members writes down the names of the voters in the line, and informs the chair of the regional election committee about their number, and the secretary of the committee writes down in the log-book the number of voters in the line. Chair of the regional election committee declares that only those in the line may vote.

Article 59. Voting with mobile ballot box (28.12.2009. N2525)

1. Voting with mobile ballot box starts at 9 am of the voting day and ends at 7 pm. The box shall be returned to the polling station no later than by 8 pm.

2. The persons defined in Article 11 of the present Law have the right to vote with the

mobile ballot box.

3. During the voting day, if the voters cannot reach the polling station, they shall inform the regional election committee about their wish to vote via the mobile ballot box no later than in 2 days prior to the voting. District election committee shall send the information on the voters in stationary medical facilities to the relevant regional election committee no later than in 2 days prior to the voting. The voters are included in the annex (the list for the mobile ballot box) to the voters' list after:

a) secretary of the regional election committee registers in the registration journal and confirms by his signature the written request of the voter or a verbal statement made over the phone, with indication of precise timing and telephone number;

b) the unified and special list of voters mention movement of the voters to the annex (the list of ballot box voters), which is confirmed by signatures of the chair and secretary of the regional election committee.

4. During voting at 9 o'clock, chair of the regional election committee gives the annex (the list of ballot box voters), special envelopes and the required amount of ballots verified by the signature and special stamp of the voters' registrar to the list of voters to the committee members accompanying the mobile ballot box.

5. 2 members of the regional election committee revealed as a result of voting and the persons entitles to be present in the polling station, if they wish so, participate in voting according to the location of voters.

6. During voting with the mobile ballot box, in case of usage of cars, regional election committee shall allocate place in the car for 2 observers among those entitles to be present in the polling station revealed as a result of voting.

7. Voters vote in the mobile ballot box if his actual location belongs to the territory of the election region where he is registered.

8. One mobile transparent ballot box shall be used according to locations of voters. Secretary of the regional election committee shall mention in the log-book the number of the ballots and special envelopes has been given to the members of the election committee accompanying the ballot box. Upon finishing of voting, the number of the ballots in the box and unused ones and special envelopes is counted for comparison. After completion of the mentioned above procedure the remaining unused ballots and special envelopes are cut in the corners, the word "Spoiled" is written on them, and the chair and secretary of the regional election committee signs on them, after which they are stored separately.

9. If, in cases envisaged by Article 11 of the present Law, place of registration of the voters and their actual location belong to the same election district, the voters have the right to vote both in the proportionate and majoritarian election systems and they will be given the relevant ballots and special envelopes. Otherwise, the voters are given the right only to vote by proportionate election system.

10. The voting procedure given in para 9 of the present Article is conducted by the regional election committee, on the territory of which a military regiment, hospital or other stationary medical facilities or penitentiaries with voters are located.

11. The opening of the mobile ballot box, upon ending the voting, is sealed to prevent its opening without breaking the seal.

Article 60. Procedures to be implemented before opening the ballot box (28.12.2009. N2525)

1. After ending voting, chair of the regional election committee, witnessed by the persons having the right to be present in the polling station, within the rule define by Article 52 para 3 „c“ of the present Law, shall select not less than 3 counters via voting, and the witnesses shall chose within themselves not more than 2 observers (if the witnesses do not agree on this, 2

observers will be selected among them by the chair via voting).

2. The counters shall count the total number of voters who participated in the elections in the unified and special lists of voters as well as their annexes. The secretary of the regional election committee shall immediately include the results in the demonstrational protocol and the log-book, after which he wraps up and seals separately the unified and special lists of voters together with their annexes.

3. The counters shall count:

a) first, unused ballots, the number of which is announced by the secretary of the regional election committee and included in the demonstrational protocol and the log-book;

b) then spoiled ballots, the number of which is announced by the secretary of the regional election committee and included in the demonstrational protocol and the log-book.

4. Unused and spoiled ballots are tied up in separately packages. Each package shall include the name and number of the polling station, titles of the ballots, number of unused and spoiled ballots.

5. The packages shall be sealed and signed by the secretary and chair of the regional election committee.

6. In exceptional cases, voting in the polling stations is conducted within general procedural rules. After end of voting, regional election committee created in exceptional cases shall seal the opening of the ballot box, the list of voters, used and spoiled ballots. The ballot box, the list of voters, used and spoiled ballots shall be immediately handed over to the polling district which had been pre-selected on the basis of the order of the district election committee (main polling district).

7. The main polling district, within the rule defined by para 8 of the present Article, opens the ballot box of the polling station created in exceptional circumstances and special envelopes and ballots in the box with the special envelopes and ballots of the main polling district.

8. The ballot box of the polling station created in exceptional circumstances is opened after the mobile and main boxes of the main polling station are opened. The results of the main polling station and the polling station created in exceptional circumstances are registered by one concluding protocol.

Article 61. Opening of the ballot box (28.12.2009. N2525)

1. Chair of the regional election committee, with presence of the members of the regional election committee and persons with the right to be present at the polling station, shall check the integrity of the ballot box.

2. If integrity of the seal is compromised, but the regional election committee considers that this has not violated the requirements of the present Law, the counting of votes is continued by the order of the regional election committee. Otherwise, the ballot box is sealed the decision of the regional election committee and the sealed ballot box shall be immediately handed over to the higher district election committee.

3. The counters shall move the ballot boxes to a separate table and place them so that the members of regional election committee shall remain in the opposite side, in the distance of 2 meters and the persons with the right to be present in the polling district. Two monitors elected from the observers shall stand close to the counters.

4. First, the regional election committee shall open the mobile polling box. The counters place the special envelopes from the mobile box on the table, check the presence of the control paper in the box and compare it with the control paper kept by the regional election committee. If there is no difference between these control papers, the counters count the special envelopes with ballots. The amount of the special envelopes shall correspond to the number of voters in the annex (mobile box list). If the number of special envelopes with ballots, according to the annex to the voters' list (mobile box list) is more than the amount of signatures of the voters

participating in the voting, all special envelopes and ballots are packed, the word "Void" is written on the package, and after finishing the counting of votes in the polling station are handed over to the higher election committee. The same rule is applied in case of difference between the control papers or if there is no control paper in the mobile box. After completion of the mentioned above procedure the counters open the main polling box.

5. The counters place the special envelopes and ballots from the main box on a separate table, check the presence of the control paper and compare it with the control paper stored by the chair of the regional election committee. In case of difference between the control papers or absence of the control paper in the main box, all special envelopes and ballots are packed, sealed, the relevant protocol is concluded and immediately handed over to the higher district election committee. If everything is in order, the counters mix the special envelopes from the main and mobile ballot boxes and start counting of ballots.

Article 62. Counting of votes (28.12.2009. N2525)

1. Regional election committee counts the ballots the following way:

a) the first counter takes a ballot from a special envelope, declares the vote and hands one type of ballots to the second counter, and the other type – to the second counter, and so on; he places the special envelope separately. The counters place the ballots separately, according to each voted election subject;

b) unidentified and cancelled ballots by counters are placed separately; and also those ballots, whose origins are considered suspicious.

2. One monitor among the observers stands close to the second counter as indicated in para 1 „a“ of the present Article, the other monitor stands close to the third counter. They have a right to observe the whole procedure, to point out to drawbacks, to request their correction, and, in case of non-fulfillment of their request, to appeal against the actions of the regional election committee to the higher district election committee, and further – to the court. The persons authorized to be present in the polling station have the right to tell the counter to put separately those ballots, whose origins are considered suspicious.

3. Ballots complying with the sample are considered as void only if:

a) the ballot is not verified by a signature and a special stamp of a registrar;

b) it is impossible to verify, which election subject was voted for;

c) an excessive amount of ballots appeared in the special envelope;

d) the special envelope does not comply with the sample;

e) ballots are without special envelopes in the box;

f) a ballot was from other election district.

4. After voting is completed, making any corrections, changes or additions in the ballots is punishable by the legislation of Georgia.

5. After sorting all ballots, suspicious ballots are checked. The issue of origins of each ballot is solved by the election committee via voting of lot. Ballots considered as legit are added to other ballots; void ballots are added to the pile of void ballots.

6. Upon completion of the procedure of para 5 of the present Article, void ballots are counted and the word "Void" is written on them; these ballots are placed in a package signed by the counters and the chair of the regional election committee, and their number is immediately noted by the secretary of the regional election committee in the demonstration protocol and the log-book; void ballots designated for other polling stations are put in a separate package and their number is mentioned only in a log-book.

7. Each package with ballots shall be wrapped and sealed in a corresponding side envelope. The seal shall have the number of the polling station, type and number of ballots.

8. Upon completion of the procedure of para 7 of the present Article, the votes given to each election subject are counted and the ballots are compiled within the rule of para 9 of the

present Article. The pile of the ballots belonging to each election subject shall be wrapped and sealed separately. The number of votes given to each election subject is immediately included by the secretary of the regional election committee in the demonstration protocol and the log-book.

9. Every 10 ballots are tied up by a metal thread and the number of ballots in each batch, full and incomplete, is written over them. These piles are tied up are a separate batch. The batches with ballots have the name and number of the polling station, data on the election subject(s) (title and name) and the number of votes it(they) had received, and the number of ballots included in the batch.

Article 63. Concluding protocol of the results of the elections in the regional election committee (28.12.2009. N2525)

1. After clarification of all the data mentioned in para 3 of the present Article secretary of the regional election committee in agreement of the chair of the regional election committee and acceding to the information available, shall create a concluding protocol of the results of each type of election.

2. Two concluding protocols are drafted during the elections to the Parliament of Georgia and local self-governance bodies – Sakrebulo. One protocol is for the elections with proportionate system, the other one - for the majoritarian system. During elections of the President of Georgia, Tbilisi city Mayor and intermediary elections, only one protocol is concluded.

3. The concluding protocol of elections shall include the following:

- a) number and name of the election district and the polling station;
- b) number and name of the election district created in exceptional circumstances (if any), which is attached to the main polling district;
- c) title of the elections/referendum;
- d) election date (also include if this is a by-elections or the second round of elections);
- e) the number of the seal of the regional election committee and the seal of a registrar;
- f) number of voters in the unified list;
- g) number of voters in the special list;
- h) number of signatures of voters participated in elections at 12 pm and at 5 pm;
- i) total number of voters participated in elections (according to their signature in the voters' lists);
- j) number of accepted ballots;
- k) number of unused ballots;
- l) number of spoiled ballots;
- m) number of void ballots;
- n) name of election subjects; number of votes given to them;
- o) date and time of the protocol;
- p) information in the protocol, which a member of the regional election committee objects to (this note is made by the committee member in the column "differing opinion" and signs it);
- q) protocol registration number, date and time (are made during transfer of the protocol).

4. Every member of the regional election committee shall sign the concluding protocol of elections, which confirms their presence in the polling station. The protocol is verified by the seal of the regional election committee.

5. If a member of the regional election committee does not agree with the information of the concluding protocol of the regional committee, he has the right to attach a different written opinion to the protocol.

6. In case of a different opinion a member of the regional election committee shall sign the concluding protocol of the election results.

7. Concluding protocol of the election results (with a different opinion of a member of the regional election committee) together with the sealed package of ballots and voters' lists shall be immediately given to the higher district election committee, which hands over to the CEC the mentioned above protocol together with the concluding protocol of the district election results.

8. Regional election committee shall place the copy of concluding protocol of the election results for public notice. If requested, the regional election committee shall immediately provide the copy of the protocol (together with the different opinion of a committee member) to the representatives of the party/election block/initiative group or a party-appointed member of the regional election committee and a monitor from the observer organization. The copy of the protocol shall be certified by the stamp of the regional election committee and signatures of the chair of the regional election committee and the secretary of the regional election committee (these protocols have legal force equal to the concluding protocols of the regional committee elections). The representative/monitor shall confirm the receipt of the protocol by his signature in the log-book of the committee.

9. District election committee shall issue copies of the protocols of the regional committee elections results from the second day after the elections. District election committee gives out copies of the concluding protocols of the regional committee elections certified by the district election committee seal and signatures of the chair of the district election committee and the secretary of the district election committee (these protocols have legal force equal to the concluding protocols of the regional committee elections). The representative/monitor shall confirm the receipt of the protocol by his signature in the log-book of the committee.

10. If the request made within the rule of the present Law, failure to distribute the copies of the concluding protocols of the elections leads to responsibility of the authorized member of the committee according to the present Law.

11. Together with the concluding protocols of elections, lists of voters with the signatures of those who voted shall be sent to the district election committee. The district election committee, on its part, sends these lists to the CEC, which sorts them and stores in the archive.

12. After completion of all the election procedures, the registration journal of the regional election committee is closed, signed by the chair of the regional election committee and the secretary of the regional election committee and is certified by the stamp of the regional election committee.

13. The stamp of the regional election committee is sealed in a separate envelope. The envelope is signed by the chair of the regional election committee, the secretary of the regional election committee and other members of the regional election committee.

14. The regional election committee shall immediately send the copy of the concluding protocol of the election results, upon its completion, to the CEC by all technical means available (including fax, if required).

**Article 64. Rule for drafting and submitting a claim/appeal during elections
(28.12.2009. N2525)**

1. Claim/appeal is handed to the chair of the regional election committee, his deputy or secretary of the committee. Secretary of the committee shall register the claim/appeal in the log-book, and give a (signed) note to the claimant/appellant, in accordance with Article 22 para 16 of the present Law mentioning the date and time of submitting the claim/appeal to the committee and its registration number.

2. Claim/appeal shall include:

- a) date and time of submitting the claim/appeal;
- b) name and address of the claimant/appellant;
- c) number and address of the polling station;
- d) in case of a witness – his name and registration address;

- e) essence and time of violation;
- f) in case of a known identity of the violator – all the possible information about him;
- g) explanation of the violator (if any);
- h) additional information.

3. Chair of the regional election committee shall immediately react on the claim/appeal and to correct the drawback. If the committee chair failed or did not correct the drawback or otherwise refused to react on the claim/appeal, the claimant/appellant has the right to immediately submit the same claim/appeal to the higher district election committee. The district election committee during review of claim/appeal, is authorized to consider the issue of acknowledging the results of the relevant regional elections as void.

4. If the violation included in the claim/appeal is corrected by the regional election committee, the relevant record "Corrected" is made in the log-book with the exact time indication.

Article 64¹. Claims and appeals on violation of the procedures of counting of votes (28.12.2009. N2525)

1. Claim/appeal on violations of the election procedure in the polling station shall be drafted immediately upon noticing violation of the Law, within the rule defined by Article 64 of the present Law, from 7 o'clock of the voting day until closure of the ballot box.

2. Claim/appeal on violations during the procedure of counting votes and the conclusion of the election results, rechecking of the election results or concerning the request to nullify them shall be made from the time of opening of the ballot box until drafting of the concluding protocol of election results, within the rule defined in Article 64 of the present Law.

3. Secretary of the regional election committee shall register the claim/appeal mentioned in para 2 of the present Article in the log-book and the regional election committee shall hand it over to the higher district election committee in 48 hours from 8 pm of the election day (taking into account the rule of the present Law on receiving documents by the district election committee). Claimant/appellant may himself submit the claim/appeal to the district election committee within the same deadline.

Article 64². Review of the claim/appeal in relation to counting of votes and summarizing the election results (28.12.2009. N2525)

1. Upon receiving the claim/appeal mentioned in Article 64¹ in the district election committee, secretary of the district election committee shall register it the registration journal of the district election committee. The committee shall review it and make a decision in one calendar day from the date of receiving of the claim/appeal by the district election committee. District election committee shall make a decision by its order, which can be appealed against only in court within the rule of the present Law.

2. If the rule of provision of information as defined in Article 64 para 2 „a“–„d“ has been violated, the officer of the election committee who receives the claim/appeal shall explain the violation and define the sound term for its correction, after which the secretary of the committee includes a record in the committee journal signed by the claimant/appellant and the relevant officer. In case if the violation is not corrected within the defined term, the relevant election committee uses the rule of para of the present Article.

3. If the drawback is confirmed the claimant/appellant has the right, within the terms defined by the officer of the election committee, to correct the drawback via submission of a similar claim/appeal, which would eradicate the basis for the drawback and/or submit a statement mentioning the data of the drawback.

4. In case of correction of the drawback, the relevant record is made in the registration

journal of the election committee about the exact time and date of correction of the drawback, which is signed a person correcting the drawback and the relevant officer of the committee.

5. Claims/appeals submitted with violations of the procedures defined by Articles 64 and 641 of the present Law and para 3 and 4 of the present Article, shall not be considered, the decision on which is made by the relevant election committee.

**Article 64³. Summary of elections results in the district election committee
(28.12.2009. N2525)**

1. District election committee, on the basis of the concluding protocols of the regional election committee, taking into the results of considerations of violations of the election legislation, no later than in 10 days after the elections shall summarize the results of the elections to the Parliament of Georgia, of the President of Georgia and Tbilisi City Sakrebulo, shall make conclusions of the elections to the Parliament of Georgia and the local self-governance bodies – Sakrebulos, and concluding protocols of elections in the election districts, which it shall submit to the CEC no later than the next day.

2. The concluding protocol of casts/elections in the district election committee shall include the following:

- a) number and name of the election district;
- b) title of the elections/referendum;
- c) election date (also include if this is a by-elections or the second round of elections);
- d) number of voters in the election district;
- e) number of voters participated in the election in the district;
- f) number of accepted ballots;
- g) number of unused ballots;
- h) number of spoiled ballots;
- i) number of void ballots;
- j) name of election subjects; number of votes given them;
- k) number of real ballots (sum of the votes given to the election subjects);
- l) number of the polling station, where the election results were announced as void, total number of voters in the station and the reason for nullifying the election results;
- m) number of given ballots in the polling station, where the election results were announced as void;
- n) date and time of the concluding protocol;
- o) the information in the protocol, which is not accepted any member of the district election committee (this member shall make such a notice in the column „different opinion“ and sign it);
- p) registration number and date of the protocol and (during giving the protocol).

3. Concluding protocol of the election results shall mention the data listed in para 2 of the present Article, including the identity of the elected person(s), identities of the persons who are in the second round, identity of the person made it in the second round.

4. If district election committee proclaimed election results as void in the polling station(s) and total number of voters in the station(s) is such that by-election will not influence the results of elections of the person(s) in the district or those who made it in the second round, district election committee shall define the person(s) elected or in the second round without taking into account those district(s).

5. All members of the district election committee, who attends the meeting of the committee, shall sign the concluding protocol of voting/elections. The protocol is certified by the seal of the district election committee.

6. If a member of the district election committee does not agree with the data included into the concluding protocol, he has a right to mention what exactly he does not agree with in

the protocol and to attach a different opinion to the protocol.

7. Secretary of the district election committee, upon confirmation of the information mention in the present Article, shall include them in demonstration protocol placed in the visible place in the district election committee.

8. Concluding protocol of the results of voting/elections in the district election committee (with the attached diverse opinion of the members of the district election committee), together with the orders of the district election committee on making changes to the concluding protocols of the regional election committees (if any) shall be immediately handed over to the CEC.

9. If requested, a copy of the concluding protocol of the elections of the district election committee (with the attached diverse opinion of the members of the district election committee) shall be immediately provided to the representatives of the party/election block/initiative group and monitors of the observer organizations. Copy of the protocol shall be certified by the seal of the district election committee and the signatures of the chair and secretary of the district election committee (the protocol has legal force equal to the protocol of the district election committee). Receipt of the protocol is acknowledged by the representative/monitor with the signature in the log-book of the district election committee.

10. If a request is made within the rule of the present Law, chair and the secretary of the district election committee are responsible for failure to provide a copy of the concluding protocol of the results of the voting according to the legislation of Georgia.

Article 64⁴. Summary of the election results in the CEC (28.12.2009. N2525)

1. On the basis of the protocols received from the district election committees and the regional election committees, no later than in 18 days after the elections, the CEC shall summarize the elections to the Parliament of Georgia, of President of Georgia and Tbilisi City Mayor at its meeting, on the basis of which the protocol of the election results in made.

2. CEC shall summarize the election results and prepares the protocol of the election results, which shall include:

- a) number of voters;
- b) number of voters participated in the elections;
- c) number of void ballots;
- d) number of votes given to election subjects.

3. The concluding the protocol of the election results is signed by the chair and secretary of the CEC. Once copy of the protocol is sent to the CEC, the second is sent to the bodies defined by the present Law. Copies of the protocol shall be given to all interested persons.

4. Together with accepting concluding the protocol of the election results from the election districts, the CEC provides for placing the results of the protocols on its website. Officers of the election administration shall make statements on the preliminary results of the elections if these results are not properly published on the CEC webpage.

5. Summarizing the results of the elections by the CEC before completion of the relevant court cases in the common courts and without complete consideration of these cases by the courts is prohibited.

6. In case of a claim/appeal and/or different opinion of a CEC member, the CEC may summarize the election results on the basis of the protocols of the regional election committees.

7. Upon completion of summarizing the final results of the elections, the CEC shall publish on its website a note about the result of the elections by each polling stations and no later than the following day shall send it over to press and other mass media.

8. CEC shall provide for transparency of the protocol as envisaged by Article 63 para 14 of the present Law, including its immediate publishing on the its webpage; also, if the results of the polling station are appealed against in the court within the rule defined by the legislation of Georgia, the CEC shall, before an official notice, make the corresponding record in the protocol

places in the webpage.

CHAPTER VIII TRANSPARENCY IN PREPARATION AND CONDUCTING ELECTIONS

Article 65. Transparency of elections

1. The process preparing and conducting elections in Georgia is transparent.
2. Based on the aims of the present Law, activities of the election committees, election subjects, state authorities and governance bodies, non-profit (non-commercial) legal entities registered in accordance with the legislation of Georgia are open and transparent. (14.12.2006 N 3990)
3. Election subjects, representatives of local and international observer organizations, press and other mass media have the right during the voting day to be present in the polling stations and to observe the voting process.

Article 66. Transparency during preparing and conducting elections

1. During preparing and conducting elections, with the purpose of provision of transparency, election committees shall publish the following information on:
 - a) their activities;
 - b) on creation of election districts and regions;
 - c) composition of the election committees, locations and working hours;
 - d) on election subjects.
2. Election committees, within buildings allocated for them, shall post in visible places:
 - a) voters' lists and the rules and terms for protesting against drawbacks in them;
 - b) lists of election subjects;
 - c) election subjects' election programs (if any), which shall be posted until 24 o'clock at the next day after the elections;
 - d) decisions of the Central Election Committee of Georgia and the relevant district election committees about their activities.
3. The relevant election committees shall publish, via press and other mass media:
 - a) party lists of the parties and election blocks participating in the elections;
 - b) deleted (14.08. 2003. N 2965-RC)
 - c) decisions of the Central Election Committee of Georgia;
 - d) concluding protocol of final results of elections.
4. Election documentation is accessible for everybody. Election committee shall provide the election documentation and the information on elections within 2 days upon their request to all interested parties; if copies are requested, the relevant election committee may request payments for making copies in accordance with the rule defined by the legislation of Georgia.
5. During providing the information noted in para 1 and 3 of the present Article via the public broadcasting company (legal person of public law) for transmitting sound information for hearing impaired voters, the public broadcast company shall use gesture language and/or relevant special technologies. (23.06.2006 N3400)

Article 67. Transparency of election committee. Persons having rights to be present at the polling station

1. Sittings of the election committee are open for public. Members of the higher election committees, their staff, representatives of press and other mass media accredited at relevant committees, representatives of each election subjects, and also each representatives from local observer organizations registered with the relevant committees and from international

organizations, together with their interpreters, registered with the CEC, have the right to attend the election committee sittings, if the building of the polling station does not permit presence of more representatives from the election subjects and observers. In case of breach of order and hindrance to the work of the election committee, chair of the committee has the right to evict the violator from the meeting, which shall be indicated in the protocol of the meeting. (23.06.2006 N3400)

2. The following persons have the right to be present in the polling station:
 - a) members of the central, district and regional election committees of Georgia;
 - b) representatives of the central and district election committees of Georgia;
 - c) representative of election subject;
 - d) representatives of press and other mass media;
 - e) observers.

3. Every person with the right to be present in the polling station shall wear the badge (ID card) with his identity and status, name, surname, status : the CEC, N...district election committee or chair/deputy chair/secretary/member of the N ...regional election committee, or representative of the CEC/ N...district election committee, or the name of the party/election block and wording „representative“, or the candidate's name, surname and wording „representative“, or the organization's name and wording „observer“, or name of the mass media and wording „representative“. (14.08. 2003. N 2965-RC)

4. Persons with the right to be present in the polling station, without hindering the voting process, may take photographs and video recording except for the voting booth. (21.03.2008 N 6013)

5. Persons with the right to be present in the polling station may request viewing of the recording of the video eye located in the election committee. The claim/appeal envisaged by the present Law shall include the exact timing of the request for viewing of the recording of the video eye and violation. The presenter of the above-mentioned claim/appeal has the right to request to view only 15-minute length of video recording with indication of specific timing and violation. The claim/appeal to view the video eye recording will not be considered by the relevant election committee if the claim/appeal is not submitted within the rule of the present Law. The claimant/appellant will have the opportunity to view video eye recording only after consideration of the claim/appeal at the district election committee, and also in case of court hearing. (15.07.2008 N 231)

Article 68. Local international observers

1. Local and international observer organizations, which satisfy the requirements of the present Law and are registered at the Central and district election committee of Georgia, have the right to monitor the course of elections. (14.08. 2003. N 2965-RC)

2. A local observer organization may be a local non-governmental (non-profit) legal entity registered no later than 2 years prior to the elections in accordance to the legislation of Georgia, whose statute or regulations by the time of registration includes monitoring over elections and/or human rights protection and which was registered with the purpose of monitoring over the elections at the Central or relevant district election committees. (14.12.2006 N 3990)

3. Local observer organization monitors elections via its representative – a local observer. One organization has the right to have not more than one monitor at a time at a polling station. (14.08. 2003. N 2965-RC)

4. A local observer from the local observer may be a citizen of Georgia who is at least 18 years old except for:

- a) state-political governmental officer;
- b) members of Parliament of Georgia;

- c) members of local self-governance representative bodies - Sakrebulo;
 - d) heads of local administration agencies and their deputies;
 - e) judges;
 - f) officers of Ministry of Interior and Ministry of Defense of Georgia, Border Protection and Special Service of State Protection; *(23.06.2006 N3400)*
 - g) employees of the Attorney's Office;
 - h) election subject and its representatives;
 - i) member of the election committee.
5. A representative of other state, organization registered in another state or an international organization, whose founding charter includes election monitoring and/or human rights protection and which was registered with the purpose of monitoring over the elections at the Central Election Committee of Georgia, may be an international observer organization.
6. An international observer organization conducts election monitoring through 2 representatives – international observers. *(23.06.2006 N3400)*
7. International observers defined in para 6 of the present Article may be accompanied by an interpreter who shall be registered together with them at the Central Election Committee of Georgia. *(23.06.2006 N3400)*

Article 69. Registration of observer organizations

1. International observer organizations, including those local observer organizations, which conduct monitoring in more than one election district, are registered by the CEC. *(14.08.2003. N 2965-RC)*
2. Local observer organizations, which conduct monitoring in one election district, are registered by the relevant district election committee. *(14.08.2003. N 2965-RC)*
3. With the purpose of registration, a local observer organization shall submit a request to the relevant election committees no later than in 10 days prior to the elections and shall attach a notarized copy of its statute. The request shall indicate the name of the specific election district (districts) in which the organization is planning its monitoring. The election committee shall make the decision on registration of the organization in 5 days upon receiving the request. *(21.03.2008 N 6013)*
4. With the purpose of registration, an international organization shall submit a request to the CEC elections no later than in 7 days prior to the elections and shall attach a copy of its founding document. If an observer (a group of observers) is a representative of a government of another state, he shall submit only a request and the document confirming his authorities. The CEC shall make the decision on registration of the organization, observer (a group of observers) in 2 days upon receiving the request *(14.08.2003. N 2965-RC)*
5. The election committees do not have the right to refuse registration to an observer organization if the latter satisfies the requirements of the present Law. The decision of the election committee on refusal of registration shall be substantiated and shall be given to the organization no later than the next day. The decision of the committee can be appealed against in the court in 2 days, which shall make a decision within 2 days. *(23.06.2006 N3400)*
6. The international organization registered by the CEC, no later than in 2 days prior to the elections, shall submit the observers' list to the secretary of the CEC with indication of their identities (name/surname). *(21.03.2008 N 6013)*
7. A local observer organization registered by the CEC, no later than in 5 days prior to the elections shall submit to the CEC secretary the list of their representatives in the CEC, district and regional election committees. The list shall include copies of ID cards of the citizens of Georgia of the monitors. A local observer organization registered by the district election committee, within the same deadline, shall send to the district election committee the list of monitors for the district and/or lower level regional election committee. The list shall mention the

identity of the monitor (name, surname, place of registration) and the election district(s) and election regions(s), where he performs monitoring (28.12.2009. N2525)

7¹. A local observer registered at the Central Election Committee has the right to conduct monitoring of all levels at any election committee within the rules of Article 68 para 3 of the present Law. (21.03.2008 N 6013)

8. Secretary of the election committee shall, no later than in 2 days after submission of the observers' list, register the observers in accordance with the requirements of the present Law and to hand over to the observer organizations the observers' IDs, which can be used as badges. (14.08. 2003. N 2965-RC)

8¹. Observers of the local observer organization at the district election committee and observers conducting monitoring on the territory of the election region of a given election district, have the rights to conduct monitoring during the voting day at any election region on the territory of the given district in compliance with the rule of Article 68 para 3 of the present Law.(21.03.2008 N 6013)

9. The observer's ID card shall include:

a) observer's name/surname;
b) name of local or international organization he is representing;
c) number(s) and name(s) of the election district(s)/region(s) where monitoring takes place. (12.10.2004. N488)

10. ID card of the observer of international organization, in addition to the data indicated in para 9 "a" and "b" of the present Article, shall mention that has the right to conduct monitoring at any region of any election district. (22.11.2007 N 5500)

11. ID card of an observer is in force from the moment of its issuance and expires in two weeks after announcement of the final results of the elections. (28.12.2009. N2525)

Article 70. Observer's rights

1. An observer has the right to:

- a) attend and observe election committee sittings;
b) be present in the polling station at any time during the voting day, move without hindrance around the territory of the polling station and observe freely all stages of the voting process from any place; (12.10.2004. N488)
c) at any time during the voting day substitute for another registered representative (if any) of his organization;
d) participate in checking the ballot boxes before sealing them and after opening;
e) witness registration of voters in the voters' lists, distribution of ballot papers and special envelopes and their certification without hindrance to the voting process;
f) witness counting of votes and the procedures of summarizing the results;
g) observe the voting process by means of mobile ballot boxes;
h) observe counting of votes under such conditions when ballot papers are visible;
i) observe drafting of concluding protocol of the election results and other documents by the election committee;
j) submit claim (appeal) to the regional election committee chair in relation to voting and procedural matters, by which he demands corresponding reaction to each specific violation;
k) request the voter to show how many ballots and special envelopes he had at hand; (14.08. 2003. N 2965-RC)
l) appeal against the actions of the regional election committee to the higher election committee or the court;
m) observe the ballot box, the process of putting of special envelopes in the ballot box, opening of ballot boxes, counting of ballots and drafting of protocols;
n) study the results of voting and concluding protocols by election results drafted by the

election committees.

2. An observer has no right to:

a) intervene in the functions and activities of the election committee;

b) influence free expression of will by the voters;

c) tout for or against any election subjects;

d) carry on emblems or signs of any election subjects;

d¹) be present at the voting day in the polling station without a badge; (12.10.2004. N488)

e) violate other requirements of the present Law.

3. Responsibility of local/international monitor, election subject and mass media representatives for violations of their rights as provided by the present Law or intrusion into their activities is defined by the rule of the election, administrative and/or criminal legislation of Georgia. (28.12.2009. N2525)

4. Violation by monitor, election subject and mass media representatives of the requirements of para 2 „a“-„d“ of the present Article would cause their responsibility in accordance with the rule of the election legislation. (28.12.2009. N2525)

Article 71. Representative of the election subject and his authorities (14.08. 2003. N 2965-RC)

1. Representative of the election subject (independently participating party in the elections, election blocks, and voters' initiative groups) represents the election subject in the relations with relevant election committees.

2. A party independently participating in the elections, election block, initiative group of voters (during elections of the President of Georgia), and presidential candidate shall have a right to appoint two representatives per each election committee. (28.12.2009. N2525)

3. Election subject mentioned in para 2 of the present Article, shall inform the relevant election committee about the appointment of a representative. If the information provided is complete, the election committee in 24 hours shall acknowledge, by its decision, the information about registration of the representative and the relevant officer of the committee shall issue a representation ID, which is at the same time, a badge. (28.12.2009. N2525)

4. Statement on appointment of a representative of the election subject shall be signed by the head of the party/election block or a person authorized by him, representative of the voters' initiative group in the higher election committee it shall mention the name, surname, date of birth, address, and contact phone (if any) of the representative.

5. Election subject has the right to have only 1 representative to attend the sittings of the relevant election committee, to request having a speech and express his opinion, to make decision on different matters and also to enjoy other rights given by the present Law. The representative shall use fully the rights at the voting day as given by Article 70 para 1 of the present Law. (12.10.2004. N488)

6. Election subject has the right at any time to recall and/or change his representative, about which it shall inform the relevant election committees.

Article 72. Press and other mass media representatives

1. Press and other mass media representatives accredited at relevant election committee have the right to attend the meetings of the election committees and be present at the voting day in the polling station.

2. Press and other mass media representatives working in the territories of several election districts are accredited by the secretary of the Central Election Committee of Georgia or the secretaries of the relevant district election committees, whereas the representatives working

in the territory of one election district are accredited by secretary of the relevant district election committee. (14.08. 2003. N 2965-RC)

3. The request on accreditation of the press and other mass media representatives is submitted to the relevant election committees no later than 3 days prior to the voting day. (12.10.2004. N488)

4. In 1 day after submission of the request, secretary of the relevant election committee shall make a decision on accreditation of press and other mass media representatives and, within 1 day after making its decision, distribute the relevant ID cards to the accredited representatives; whereas in case of accreditation refusal – within the same deadline give the relevant order (the order shall include a substantiated refusal). (12.10.2004. N488)

5. One organization of press and other mass media during the voting day may have not more than 3 representatives at a time present in one polling station.

Article 73. Election campaign (propaganda) (14.08. 2003. N 2965-RC)

1. Election campaign/propaganda starts from the moment of announcement of the date of elections. From this moment election subject candidates are enjoying same rights given by the rule of the present Law. (21.03.2008 N 6013)

2. Any person has the right to conduct election campaign and participate in propaganda except for those indicated in para 5 of the present Article. (23.06.2006 N3400)

3. After 24 hours before the election day, paid and/or unpaid election advertisements via television and radio are prohibited. (22.11.2007 N 5500)

4. In case of a second round of elections, off-season or repeated elections, election campaign (propaganda) may be renewed from the date of its(their) announcement. (23.12.2005 N 2414)

5. The following do not have the right to participate in election propaganda:

- a) election committee members;
- b) deleted (23.06.2006 N3400)
- c) judges;
- d) officers of Ministry of Interior and Ministry of Defense of Georgia, Border Protection and Special Service of State Protection; (23.06.2006 N3400)
- e) deleted (23.06.2006 N3400)
- f) citizens and organizations of foreign countries;
- g) charities and religious organizations;
- h) officers of central and local self-governance agencies when they implement their direct duties. (21.03.2008 N 6013)

6. Election propaganda may be implemented via mass media, large-scale events (meetings and sessions with constituencies, public debates and discussions, gatherings and demonstrations) with publishing/distribution of printed propaganda materials, audio amplifiers or in other form in accordance with the rule defined by the legislation of Georgia.

7. From the election date the election subject candidate has the right to prepare election appeals, statements, posters, fliers, photographs and other materials. Impeding their dissemination and taking them away and also confiscation of vehicles and other equipment or impeding their usage for the purposes of election propaganda is prohibited.

8. deleted (22.11.2007 N 5500)

9. The following is prohibited from the date of publishing of the relevant legal act on announcement of elections until publishing of their final results: (23.06.2006 N3400)

a) giving money, presents, and other material values to the citizens of Georgia (notwithstanding their costs), sales of goods by advantageous prices, free acceptance or dissemination of any goods (except for the propaganda materials envisaged by the present Law), also promising to citizens of Georgia money, securities, and other material means

(notwithstanding their costs) personally by candidates of the election subject(s) and their representatives or through a third party; (28.12.2009. N2525)

b) providing activities or services funded by private monetary of physical and legal entities and/or from election campaign fund (except for provision of those activities or services given in the rule of the Law of Georgia „On State Procurement“), which, according to the legislation of Georgia, falls within the competence of relevant Georgian state and/or local self-governance bodies.

9¹. An election subject, which directly or through its representative or via any other physical or legal entity acting on its behalf, is involved in prohibited activities envisaged in para 9 of the present Article, is deprived of its registration by the court decision if such facts are confirmed. (23.06.2006 N3400)

10. Election campaign are prohibited in the following in the building of the following agencies:

- a) deleted (23.06.2006 N3400)
- b) executive agencies of Georgia; (1.11.2008 N479)
- c) courts; (1.11.2008 N479)
- d) military regiments. (22.11.2007 N 5500)

10¹. From the election day to summarizing the election results, implementation of such projects which have not been previously envisaged in the state/local budgets is prohibited, also increase of those budgetary programs, which were envisaged in the budget before the elections, initiation of ad hoc transfers or increase of planned transfers in the local budget. (28.12.2009. N2525)

11. Bookmaker activities in relation to any election issues are prohibited. (14.08. 2003 N 2965-RC)

12. From the date of appointment of elections until publishing the final results by the CEC and from that day within one month, during publishing of the results of the public opinion polls in relation to the elections customer of the poll shall be mentioned (its name according to public or election registry and legal address, if the customer is a legal entity or a state agency; name, surname and address according to civil ID card if the customer is a physical person), whether or not the study is paid or free or charge, the organization, which had conducted the study its name according to public or election registry and legal address), the date of the survey, survey method, exact wording to the questions used in the survey, possible margin of errors. Public opinion polls about the elections, except for possible participants of the elections and participants in the voting day, shall not be published in 48 hours prior to the elections and until 20 o'clock on the election day. (23.06.2006 N3400)

13. deleted (22.11.2007 N 5500)

14. Starting from 50 days before the election day by the approval of the final election results by the Central Election Committee of Georgia, owners of broadcasting licenses and the public broadcasting agency shall comply with the following conditions: (16.12.2005 N 2263)

a) in case of allocation of air time for election propaganda and political advertising by a broadcasting agency, it shall publicly announce and submit weekly information to the Central Election Committee of Georgia (a registered TV-radio broadcasting agency – to the relevant district election committee) on the start and ending date and the frequency of air time allocated, duration of time allocated in one day and timetable, general time tariffs, services offered;

b) paid time of TV- or radio companies allocated in one day shall not exceed 15% of the its daily broadcasting time and no of the election subject shall have more than 1/3 of this time;

c) during publishing political advertisements, the wording „paid political advertisement“ shall be placed in the corner of the picture;

d) within the period noted in this para, political advertisement shall not be allowed to be placed some other time except for the period allocated for it.

14¹. deleted (28.12.2009. N2525)

15. From the election day to summarizing the election results newspapers, which are financed by central or local budget, shall ensure that: (28.12.2009. N2525)

a) in case of a election propaganda and political advertisement in a newspaper, to publish in the same newspaper and provide to the Central Election Committee of Georgia (regional newspapers shall provide to their relevant district election committee) the information: from which date, with what frequency and until what time the newspaper space will be used, the length of the space allocated in one newspaper issue, in case of a free space – the length of the total free space allocated, space tariff, services provided;

b) no election subject may take more than 1/3 of the space in the newspaper's one issue or in one week;

c) tariffs for space for each election subject shall be equal;

d) during publishing propaganda letters and political advertisement, the words "Paid political advertisement" or "Free political advertisement" shall be written before the title and in the corner of the advertisement";

e) political advertisement is not published during the period envisage by the present para with violation of the requirements of this para.

15¹. The forms of information provided to the election committee as envisaged by para 14 and 15 "a" of the present Article are approved by the decision of the Central Election Committee of Georgia. (16.12.2005 N 2263)

16. A newspaper, except for the one envisaged by para 15, has the right to place election advertisement within any terms to any election subject.(28.12.2009. N2525)

17. If an election subject has not used its part in the shared time or newspaper space, the owner of broadcasting license as well as the public broadcasting agency and the newspaper have the right to allocate this time or space equally between the remaining election subjects. (24.12.2004 N 789)

18. deleted (21.03.2008 N 6013)

19. Persons violating para 3, 5, 7, 9 and 15 of the present Article are responsible according to the law. (21.03.2008 N 6013)

Article 73¹. Information coverage of election campaign (23.06.2006 N3400)

1. Responsibilities for equal usage of air time, creation of equal conditions for participation in public debates, and definition of equal terms for election advertisement as defined by the present Law apply only to a qualified election subject and only to broadcasting agencies mentioned in para 2 and 3 of the present Article.

11. For the purposes of the present Article, a qualified election subject is an election subject whose the party satisfies the following requirements: (28.12.2009. N2525)

a) it has independently participated in the last parliamentary elections and had received not less than 4% of the votes;

b) it has independently participated in the last local self-governance bodies elections and had received not less than 3% of the votes within the country;

c) it was united in the election block, which in the last parliamentary elections received not less than 4% of the votes and was number first in the block;

d) it was united in the election block, which in the last self-governance elections with a proportionate system received not less than 3% of the votes within the country and was number first in the block.

2. General broadcasting agency, and also the broadcasting agency which places election advertisements in its own air, shall provide the time free of charge and in a non-discriminatory way within the amount of 90 seconds per each 3 hours for every qualified election subjects. Further addition of unused time to the available broadcasting is not permitted. (22.11.2007 N 5500)

3. Public broadcasting agency, and also the thematic broadcaster, which place election advertisement in their air time, shall include in their air time 60 seconds of election advertising per each hour for each qualified election subject. Further addition of unused time to the available broadcasting is not permitted. (22.11.2007 N 5500)

4. deleted (28.12.2009. N2525)

4¹. For the purposes of the present Article, a qualified election subject for the presidential elections are considered the candidates nominated by political unions, which receive funding from the state budget based on the results of the latest parliamentary or local self-governance elections. (22.11.2007 N 5500)

5. The broadcaster is authorized to acknowledge a political party as a qualified election subject, which, according to the relevant public opinion poll conducted on the whole territory of Georgia within the terms defined by the present Article, has not less than 4% of supporting votes from constituencies according to the results of not less than 5 surveys conducted during the elections year or the survey conducted one month prior to the elections. Discriminative usage of sociological surveys by a broadcaster is prohibited.

6. Local broadcaster shall acknowledge a party/block as a qualified election subject:

- a) which satisfies the requirements of para 3 of the present Article;
- b) whose candidate(s) won in last parliamentary elections in the majoritarian election districts under its coverage, proceeded to the second round of elections or received not less than 25% of votes;
- c) which received not less than 25% of votes in elections to local self-governance representative bodies - Sakrebulo.

7. Local broadcaster shall acknowledge a political party as a qualified election subject, which, by the relevant public opinion poll conducted on the territory of its coverage within the terms of the present Law, has the support of not 25% of voters as revealed by not less than 4 surveys conducted during the election year.

8. For the purposes of the present Law, public opinion poll shall satisfy the following requirements:

- a) be based on widely used methodology of representative random sampling, which provides for not less than 95% of validity of results and whose margins of error is less than 3%;
- b) be published after re-checking reliability of public opinion poll methodology and objectivity of results;
- c) in case of existence of significant deviation or changes in the results of the same or comparative public opinion polls there should be a valid scientific explanation of deviations and changes;
- d) there shall not be any manipulation of public opinion or extortion of money; and no telephone, mail and/or internet shall be involved;
- e) shall be based on transparent methodology, which allows for independent re-assessment of results;
- f) when publishing the results, the following shall be mentioned:
 - f.a) an organization, which conducted public opinion poll;
 - f.b) client or funder of the public opinion poll;
 - f.c) exact wording and sequence of the questions used in the poll;
 - f.d) time of field survey;
 - f.e) number of respondents and selection method;
 - f.f) are and categories of selected respondents;
 - f.g) whether the survey reflects ideas of all respondents;
 - f.h) number of respondents, who refused participation in the survey, have not responded or could not be questioned;
 - f.i) sampling size;
 - f.j) margin of error;

f.k) any other factors, which may significantly influence the results.

9. deleted (28.12.2009. N2525)

10. Public broadcasting agency (legal entity of public law) shall allocate time for election advertisements to all other parties and election blocks in addition to qualified election subjects, which shall be equally distributed among these subjects.

11. With the purpose of controlling of equal distribution of the election air time among the election subjects and fulfillment of other responsibilities envisaged by the present Law for mass media, the CEC shall be directly involved in monitoring activities or via service provision. (22.11.2007 N 5500)

Article 74. Election meetings and demonstrations

1. Meetings and demonstrations during elections are regulated by the present Law.

2. If during elections, meetings and demonstrations impede traffic and movements of people, its organizers shall inform beforehand in written the relevant local self-governance and administrative bodies, 2 days prior the events, about their dates and place. The latter shall provide security to the planned event.

3. Prohibition and forceful termination of meetings and demonstrations is allowed, except the cases when the calls are made against human rights and freedoms, for violation of independence of country and territorial integrity, fostering national, ethnic, regional, religious and social hatred, violation of constitutional order and forceful change, including wars and other violence.

4. Local self-governance and administration agencies shall facilitate contacts and meetings of election subjects with constituencies, organization and implementation of public debates and discussions, gatherings and demonstrations, and provide security measures.

5. With the purpose of conducting mass election events, the buildings belonging to the central or local self-governance and administrative agencies shall be transferred free of charge to the election committees.

6. On the basis of the lists of building and facilities provided by local self-governance and administrative agencies, district election committee, in agreement with the election subjects, creates the schedule of election events for the election subjects (in case of overlapping of the events, there is no agreement between the subjects, sequence of the events shall be defined by casting of lots). (14.08. 2003 N 2965-RC)

7. deleted (14.08. 2003 N 2965-RC)

8. deleted (14.08. 2003 N 2965-RC)

9. deleted (14.08. 2003 N 2965-RC)

10. From the date of registration of the election subjects till the end of the voting day changes within the ranks of employees of local self-governance and administrative agencies, police and high-level officials of the attorney's office is prohibited except when their terms of authorities are expired and/or they have violated the law. (28.09.2001 N 1074)

Article 75. Propaganda material

1. Central and district election committees of Georgia, together with relevant state departments, no later than in 10 days prior to the elections day, and in case of repeated elections - no later than in 5 days prior to the elections day, shall assist election committees in publishing and dissemination of information materials. Dissemination of the party lists and lists of candidates nominated in single-member constituencies of the election districts is compulsory. (14.08. 2003 N 2965-RC)

2. Election subjects and their supporters have the right to come out with the program of future activities. The election program shall not call for wars and violence, forceful change of the

existing state and public order, violation of territorial integrity of Georgia, fostering national hatred and religious and ethnic confrontation.

3. Printed propaganda materials may be placed in buildings and facilities and other units with prior agreement of their owners.

4. Placing election posters on cultural monuments, state and local self-governance agencies, courts, attorney's office, military regiments and within and outside of police buildings, as well as on road signs is prohibited. Village, community, settlement and town Sakrebulo may prohibit placing election posters on different buildings only due to architectural and cultural reasoning. In such cases a list shall be published no later than in 5 days after announcement of the election date. Local self-governance bodies shall allocate special placed and/or put stands for placing election posters. The stands shall have enough space for equal positioning of election posters of all the election subjects. Taking off, ripping, covering or damaging of election posters is prohibited and is punishable by the law if they are not placed in restricted areas. *(22.11.2007 N 5500)*

5. Printed propaganda materials shall include the names and addresses of client and provider organizations, information about their circulation, registration number and date of publishing. Dissemination of printed propaganda materials without this information is prohibited. Inclusion of the registration number on printed propaganda materials shall be made by the election subject only if it has received the relevant number. *(16.12.2005 N 2263)*

6. Copies of printed propaganda materials shall be submitted to those election committees, which had registered these election subjects.

7. The relevant election subject shall within 15 days from official announcement of the election results to take off the propaganda materials, otherwise it shall be held responsible as defined by the present Law. *(28.12.2009.N 2525)*

Article 76. Prohibition of usage of administrative resources during election propaganda and campaign *(21.03.2008 N 6013)*

1. Persons participating in the election propaganda as defined by Article 73 para 2 of the present Law shall not use the following types of administrative resources during the process of election propaganda and campaign for supporting or acting against any party (election blocks) or candidates:

a) allocation of the buildings belonging to the state authorities and local self-governance agencies and the organizations funded from the state budget of Georgia, if other election subjects do not enjoy the right to use the same or similar buildings under the equal conditions;

b) communication means, information services and other equipment belonging to the state authorities or local self-governance agencies and the organizations funded from the state budget of Georgia if other election subjects do not enjoy the right to use the same or similar buildings under the equal conditions;

c) free of charge or transfer with preferential terms of transport means belonging to the state authorities and local self-governance agencies, if other election subjects do not enjoy the right to use them under the equal conditions.

2. Public officers may use office cars only with the condition of reimbursement of gasoline.

3. During the election campaign printing of such materials from the state/local budget money is prohibited, which include different election subjects or his election number, and/or which include support for/acting against different election subjects. *(28.12.2009. N2525)*

Article 76¹. Prohibition of abuse of public authority and powers during election propaganda and campaign *(21.03.2008 N 6013)*

1. Persons participating in the election propaganda as defined by Article 73 para 2 of the present Law, who have positions in national or local authorities, shall not use his official powers and position during the process of election propaganda and campaign for supporting or acting against any party (election blocks) or candidates, which, for the purposes of present Article, means:

a) involvement of state officials or otherwise involved individuals in such activities, which facilitate presentation of candidates and/or their election;

b) collection of signatures and election propaganda during business trips funded by state or local self-governance agencies;

c) election propaganda during their office term.

2. Limitation envisaged by para 1 "c" of the present Article does not apply to political officers defined in Article 3 para "w" of the present Law and also in cases when the television and radio air time is used for the election propaganda purposes.

Article 76². Violation of the requirements of lection propaganda and campaign (21.03.2008 N 6013)

1. deleted (28.12.2009. N2525)

2. The protocol on criminal violations as defined in para 1 of the present Article is drafted by the persons authorized for this by the order of the CEC.

3. Protocol on imposition of a fine on the basis of para 2 of the present Article may be appealed against in the court within 1 days after its publishing.

4. In case of violation of the requirements of Articles 76 and 761 of the present Law by a registered candidate, in addition to the responsibility envisaged by Article 12627 of the present Law, the candidate may face: (28.12.2009. N2525)

a) revoking his election registration via submission of the relevant appeal to the court before the voting day;

b) prohibition of participation in the next election with the same form via submission of a relevant appeal to the court no later than 30 days from the election day.

CHAPTER IX (21.03.2008 N 6013) ELECTION DISPUTE RESOLUTION

Article 77. Terms and conditions for appeal

1. Violation of election legislation may be appealed against in the relevant election committee. Decision of the election committee may be appealed against only in the higher election committee and only after that – in the court – within the terms and conditions defined by the present Article, if otherwise not envisaged by the present Law .

2. Decision of the regional election committee, within 2 days from its date may be appealed against in the relevant district election committee, which shall review the appeal in one calendar day. Decision of the district election committee, in 2 calendar days from its date may be appealed against in the regional/city court. The regional/city court shall review the appeal in 2 calendar days. Decision of the regional/city court may be appealed against in 2 calendar days after its date in the court of appeal, which shall review the appeal in 2 calendar days after its submission. Decisions of the court of appeal are final and not subject to appeal. (28.12.2009. N2525)

3. Due to appeal against the decision of the regional election committee, in case of appeal in the CEC against the decision made by the district election committee, the claim/appeal remains unconsidered. (28.12.2009. N2525)

4. Decision of the district election committee, in 2 calendar days from its date may be

appealed against in the central election committee, which shall review the appeal in one calendar day. Decision of the central election committee, in 2 calendar days from its date, may be appealed against in the Tbilisi city court. Tbilisi city court shall review the appeal in 2 calendar days. Decision of the Tbilisi city court may be appealed against in 2 calendar days from its date in the court of appeal, which shall make the decision in 2 calendar days from its submission. Decisions of the court of appeal are final and not subject to appeal. (28.12.2009. N2525)

5. Decision of the CEC may be appealed against in the Tbilisi city court in 2 calendar days from its date. Tbilisi city court shall review the appeal in 2 calendar days. Decision of the Tbilisi city court may be appealed against in 2 calendar days from its date in the court of appeal, which shall make the decision in 2 calendar days from its submission. Decisions of the court of appeal are final and not subject to appeal. (28.12.2009. N2525)

6. In case of submission of a claim/appeal to the court, the latter shall immediately inform relevant district/Central election committees on receiving the claim/appeal; after reaching a decision – inform about the decision. Decision of the district/city court shall be transmitted to the litigant before 12 o'clock on the following day.

7. During court hearings in absentio of one of the sides, the court shall make a decision on the basis of study of the case materials and taking into account provisions of Articles 4, 17 and 19 of Administrative-Procedural Code of Georgia.

8. A statement/claim/appeal is considered as submitted to the election committee/court from the moment of its registration in the relevant election committee/court.

9. Submission of a statement/claim/appeal to the election committee/court shall be considered without prejudice to effect of the decision appealed against.

10. Extension of the deadlines for appeals and court hearings as defined by the present Article is prohibited if otherwise not indicated by the present Law.

11. Statements/claims/appeals concerning election disputes, as envisaged by Article 771 of the present Law, submitted to the election committee/court by individuals from the persons defined by the same Article, shall remain unconsidered.

12. Deadlines and terms for appealing against the decisions of the election committee and the election legislation, review of and making decisions concerning the statement/claim/appeal, and also the circle of appellants are defined by the legislation of Georgia, if otherwise not provided by the present Law.

13. Deadlines and terms for appealing against the violations of election legislation pertaining to the competencies of the Supreme Election Committee of the Autonomous Republic are defined within the rule of the legislation of the Autonomous Republic. (15.07.2008 N 231)

14. From the election day until its end submission of election appeals/claim in the election committees and courts is possible from 10 am of the calendar day till 8 pm. (28.12.2009. N2525)

Article 77¹. Election disputes and circle of litigants

1. Terms and conditions of submission and review of the constitutional claim on the issue of compliance of norms regulating elections and elections conducted or to be conducted on their basis with the Constitution to the Constitutional Court of Georgia are defined by the Organic Law of Georgia „On Constitutional Court of Georgia“ and the Law of Georgia „On Constitutional Legal Proceeding“. (22.10.2009. N1889)

2. A registered party/election block and voters' initiative group representatives relevant election committee, organizations with observer's status at elections, members of the relevant district or regional election committees, and also citizens whose statements on inclusion in the voters' lists have not been satisfied by the election committee, have the right to submit a constitutional claim about voters' lists elections.

3. Representatives of the registered party/election block in the CEC, organizations with observer's status at elections and also CEC members have the right to submit a court claim about creation of election districts within the terms defined by the present Law.

4. Representatives of the registered party/election block in the relevant district election committees, organizations with observer's status at elections and members of relevant district election committees have the right to submit a court claim about creation of polling stations within the terms defined by the present Law.

5. A person by the legislation of Georgia has the right to submit a court claim about appointment/election of the members of Central and district election committees of Georgia within the terms defined by the present Law.

6. Representatives of the registered party/election block in the relevant district election committees, organizations with observer's status at elections and members of relevant district or regional election committees have the right to submit a court claim about appointment/election of the members of the regional election committees within the terms defined by the present Law.

7. Representatives of the registered party/election block in the relevant district election committees, organizations with observer's status at elections and members of relevant or higher election committees whose authorities have been early terminated, have the right to submit a court claim about early termination of the authorities of the members of the election committees or the leadership of the election committee by the orders of the election committee or its chair, and also failure to make a decision of early termination of the authorities (in case of the basis defined by Article 21 of the present Law) within the terms defined by the present Law.

8. The CEC members, organizations with observer's status at elections, more than one half of the members of the lower committee whose authorities have been early terminated, have the right to submit a court claim about early termination of the authorities of the member of lower election committees by the CEC and also failure to make a decision of early termination.

9. The CEC has the right to submit a court claim about failure to transfer to its account of the money allocated from the state budget of Georgia for the elections, within the terms defined by the present Law, within 10 days from the deadline.

10. The following have the right to submit a court claim on election registration of the party, election blocks and voters' initiative groups and their representatives:

a) a party, election block, voters' initiative group representatives in the CEC (during presidential elections), if the CEC has not registered this party, election block, voters' initiative group or their representatives or annulled their registration;

b) deleted (28.12.2009. N2525)

c) independently participating party, election block, voters' initiative group representatives in the CEC (during presidential elections), at least 2 people with observer status at elections (who have been appointed as observers by the CEC), if they consider that the party, election block, voters' initiative group have been registered with violations of the requirements of the election legislation;

d) deleted (28.12.2009. N2525)

11. After registration of presidential candidate, party lists submitted by the parties independently participating in elections and election blocks, separate candidates in the list, candidates in the single member constituency and candidates for the Tbilisi city Mayor, due to the decision of the election committee, the following have the right to submit claim to the court: (28.12.2009. N2525)

a) a party, election block, majoritarian candidate, representatives of the voters' initiative groups in the CEC (during presidential elections), if CEC had not registered the presidential candidate, candidates for the Tbilisi city Mayor, parties, party lists presented by the election blocks, individual candidates in these lists or the candidates in a single member constituency, and the district election committee has not registered parties, candidates presented by the election blocks, and during elections in the local self-governance bodies – Sakrebulo, or these

committees have cancelled their registration;

b) independent parties with election registration, registered election blocks, representatives of the voters' initiative groups in the CEC (during presidential elections), candidates for the Tbilisi city Mayor, at least 2 people with an observer status at the elections (which will be appointed as monitors in the CEC) – if they consider that the CEC has registered the party/election block lists, submitted in a majoritarian rule or separate candidates included the party/election block lists, candidates for the Tbilisi city Mayor with violation of the requirements of the election legislation of Georgia, and also if those submitted in a majoritarian rule or separate candidates included the party/election block lists fail to satisfy the requirements of the Constitution and legislation of Georgia or their satisfaction of their requirements happened with violation of the legislation of Georgia;

c) independent parties with election registration, registered election blocks, at least 2 people with an observer status at the elections (which will be appointed as monitors in the CEC), – if they consider that the district election committee has registered the party/election block lists, submitted in a majoritarian rule or separate candidates included the party/election block lists, with violation of the requirements of the election legislation of Georgia, and also if those submitted in a majoritarian rule or separate candidates included the party/election block lists fail to satisfy the requirements of the Constitution and legislation of Georgia or their satisfaction of their requirements happened with violation of the legislation of Georgia.

12. Local and international observer organizations if they had not been registered by the CEC, registered party/election blocks, representatives of voters' initiative groups registered in the CEC, registered organizations with observer's status at elections, have the right to submit a court claim about the decision of the CEC on registration of local and international observer organizations if they consider that the observer organization had been registered with violation of the legislation.

13. Local and international observer organizations if they had not been registered by district election committees, registered party/election blocks, representatives of voters' initiative groups registered in the district election committee, registered organizations with observer's status at elections, have the right to submit a court claim about the decision of district election committee on registration of local and international observer organizations if they consider that the observer organization had been registered with violation of the legislation.

14. Press and other mass media representatives on accreditation of press and other mass media representatives whose accreditation request was not satisfied by the election committee, registered party/election blocks, representatives of voters' initiative groups registered in this election committee, registered organizations with observer's status at elections, have the right to submit a court claim about the decision of the secretary of the CEC/district election committee.

15. The following have the right to submit a court claim about violation of the rule of Article 73 para 9 of present Law for the election campaign:

a) a party, election block, representatives of the voters' initiative groups in the CEC (during presidential elections), organizations with observer status at the elections, election committee, if the claim is about violation of the rule by a party, election block, presidential or Tbilisi city mayor candidates; (28.12.2009. N2525)

b) a party, election block, majoritarian candidates, organizations with observer status at the elections, election committees, if the claim is about violation of the mentioned-above rule by the candidates from one or multi-member constituencies.

16. Persons defined by the legislation of Georgia have the right to submit a court claim about violation of the requirements of Articles 73 para 11 and 14-17 of the present Law by the press and other mass media.

17. Party-nominated candidates and candidates themselves who are subject of the decision of the election committee, other registered parties, election blocks, representatives of

the voters' initiative groups in the CEC (during presidential elections), organizations with observer status at the elections, voters' initiative group representatives at district election committees (in case of a majoritarian candidate), have the right to submit a court claim about violation of the provisions of Articles 76 and 98¹ of the present Law due to this decision if the committee has not confirmed the mentioned above violation.

18. Election blocks, representatives of the voters' initiative groups in regional and district election committees, organizations with observer status at the elections in regional and district election committees, have the right to submit a court claim about the actions and decisions of the regional election committees and their individual members concerning violations during voting and during summarizing the voting results (except for drafting the concluding protocol of election results).

19. The appeal against the issues defined by para 17 and 18 of the present Article shall be submitted to the relevant district/city court no later than the following day; the court shall make a decision no later than the following day after receiving the claim. Decision of district/city court can be appealed against in the court of appeal no later than in the following day, which shall make a decision no later than the following day.

20. Registered parties, election blocks, voters' initiative groups representatives at the relevant district election committees, organizations with observer status at the elections, have the right to submit a court claim about relevant decision of the higher district election committee concerning the appeal against the concluding protocols of the regional election committees.

21. Parties, election blocks, voters' initiative groups' representatives, majoritarian candidates, organizations with observer status at the relevant district election committees, have the right to submit a court claim about annulling the results at the polling stations or the order of the district election committee on annulling.

22. Independently participating parties in the elections, election block, representatives of the voters' initiative groups in the CEC (during presidential elections), Tbilisi city mayor candidates, representatives of the voters' initiative groups in district election committees (if applicable), majoritarian candidates and organizations with observer status at the elections have the right to submit a court claim about against the decision of CEC declaring elections as conducted or not conducted. (28.12.2009. N2525)

23. Parties independently participating in elections, election blocks, voters' initiative groups representatives at the district election committee, majoritarian candidates and organizations with observer status at elections, have the right to submit a court claim about the relevant order of the CEC concerning appealing against the concluding protocols of the district election committees.

24. Independently participating parties in the elections, election blocks, representatives of the voters' initiative groups in the CEC (during presidential elections), Tbilisi city mayor candidates, majoritarian candidates and organizations with observer status at the elections have the right to submit a court claim about the CEC concluding protocol results of the elections. (28.12.2009. N2525)

SPECIAL PART PART II

CHAPTER X ELECTIONS OF THE PRESIDENT OF GEORGIA

Article 78. Elections of the President of Georgia

President of Georgia is elected by the citizens of Georgia for the term of 5 years. The same person may be elected as President of Georgia for two consecutive terms only.

Article 79. Regular elections of the President of Georgia

1. First round of regular elections of the President of Georgia is conducted in October of the calendar year of the expiration of the term of presidential authorities. The election date is defined by the President of Georgia no later than in 60 days prior to the elections. (22.11.2007 N 5500)

2. During emergencies and wars elections of the President of Georgia are not conducted.

Article 80. Passive voting right

1. A citizen of Georgia by birth, 35 years of age, who has lived at least for 15 years in Georgia and resides in Georgia by the date of elections, may be elected as President of Georgia.

2. A citizen who for the past 2 years has not lived in Georgia and is not registered by the Georgian consular services in any country may not be a presidential candidate.

3. Presidential candidate is free from the requirements of office compliance. (22.11.2007 N 5500)

Article 81. Right to nominate a presidential candidate

1. A political union of citizens (a party) or 5-people voters' initiative group has the right to nominate a presidential candidate.

2. Nomination of a presidential candidate shall be supported by not less than 30 000 voters' signatures. (21.03.2008 N 6013)

Article 82. Rule for nomination of presidential candidates

1. A party registered at the Central Election Committee of Georgia, voters' initiative groups has the right to nominate one presidential candidate.

2. With the purpose of nomination of a presidential candidate, a party, voters' initiative group, no later than 50 days prior to the elections, shall send the statement about this to the Central Election Committee of Georgia, after which they have a right to draft the lists of supporters' signatures.

3. The statement shall include the following data on the presidential candidate:

a) name/surname;

b) date of birth;

c) profession;

d) position (job);

e) job place;

f) registration place;

g) party affiliation;

h) terms of residence in Georgia;

i) title of the candidate, names/surnames of members of the voters' initiative group and their representative, numbers of personal ID of citizens of Georgia (passports of citizens of Georgia), registration place, contact telephone numbers and other details (if any).

4. The registration shall be accompanied a written consent of the nominated president candidate for participation at the elections, a copy of his birth certificate and three pictures.

5. The statement shall be signed by a leader of the party or all the members of the voters' initiative group.

Article 83. Supporters' lists for the presidential candidates

1. Representatives of the party and voters' initiative groups for the purpose of registration of presidential candidates, no later than 40 days prior to the elections, shall submit to the Central Election Committee of Georgia the list of constituencies supporting their candidates.

2. The list of supporting constituencies shall include not less than 30 000 voters' signature. *(21.03.2008 N 6013)*

Article 84. Registration of presidential candidates

1. Presidential candidate are registered by the order of the CEC no later than 30 days prior to the elections. *(22.11.2007 N 5500)*

2. The CEC Chair, within 3 days after the registration, shall provide a relevant ID card to the presidential candidate. *(14.08. 2003 N 2965-RC)*

2¹. The CEC Chair shall not register a presidential candidate, if: *(14.08. 2003 N 2965-RC)*

a) incomplete or incorrect data was provided as envisaged by Article 82 para 3–5 of the present Law;

b) the list of supporting constituencies includes less than 30 000 voter's signatures; *(21.03.2008 N 6013)*

c) the terms given in Article 83 para 1 of the present Law are violated.

3. The Central Election Committee of Georgia, no later than 6 days from the date of registration of the presidential candidates, shall publish by press and other mass media the information on registration of the presidential candidates, including their names, surnames, birthdates, their positions (activities), place of residence and work.

4. A presidential candidate may, before 12 noon of next day after the elections, to withdraw from the elections, for which he shall submit a written statement to the CEC. In case of a withdrawal of a presidential candidate from the elections, the word "withdrawn from elections" is placed next to his name in the election bulletin. *(14.08. 2003 N 2965-RC)*

Article 84¹. Annulling the election registration of political parties and voters' initiative groups *(22.11.2007 N 5500)*

1. Registration of a political party can be annulled by the CEC:

a) upon its own request;

b) if the party is banned by the Constitutional Court of Georgia;

c) if it failed to present or to register its presidential candidate, or the election registration of its presidential candidate has been annulled.

2. Registration of an initiative group can be annulled by the decision of the CEC:

a) upon its own request;

b) if the presidential candidate it had nominated was not registered, or the election registration of its presidential candidate has been annulled.

3. The decision envisaged by the present Article is made if it is supported by at least 2/3 of the total members of the CEC.

Article 84¹. Registration number of a presidential candidate *(22.11.2007 N 5500)*

1. Registration number of a presidential candidate is defined within the rule of the present Article in 25 days prior to the elections. With the purpose of defining the registration

number, the relevant procedures are conducted in the CEC building with presence of the persons having rights for meeting attendance.

2. The candidate nominated by the political union, which during the last parliamentary elections had received the highest number of votes by proportional system, has the right to be first to choose the number. Political party representative shall submit a statement to the CEC, according to which the candidate nominated by the political unit takes up the registration number his political party had used during the last parliamentary elections or takes up number 1. The candidates nominated by the political parties which during the previous parliamentary elections had received the second and third highest number of votes by the elections results, have the right to choose the registration number used by them during the last elections or to choose number 2 and 3 respectively, except for those cases when the number which they had during the previous parliamentary elections has already been allocated to the candidate of the political unit having better results.

3. If during the previous parliamentary elections the number was given to an election block, the right to use this number is given to the candidate of the political party which is number one in the list of the block members; if he submits a written refusal to have the number, the right to use this number is given to the following party in the block list, and so on.

4. Except for the cases noted in para 2 and 3 of the present Article, the numbers are assigned to the presidential candidates by casting of lots.

5. With the purpose of casting of lots, the committee chair on the same sized and type paper sheets, with the same pen shall write down the numbers corresponding to the number of presidential candidates. All the sheets shall be certified by the committee seal. After that the numbers that had been selected according to the rule of para 2 of the present Article are put separately; all the remaining sheets are folded so that nobody could see the numbers indicated on them. The CEC Chair shall place the sheets in a non-transparent box, from where the representatives of presidential candidates shall pick them up. The picked up number becomes the number for the presidential candidate.

6. In case of annulling election registration of a presidential candidate, the remaining candidates retain their numbers.

7. The list of registered presidential candidates is published by the Central Election Committee of Georgia via press and other mass media no later than 24 days prior to the elections.

Article 85. Guarantees for activities of presidential candidates and their representatives

1. From the moment of registration in the Central Election Committee of Georgia, presidential candidates, on the basis of equality, participate in election campaign, have equal rights to use press and other mass media on the whole territory of Georgia, as safeguarded by the present Law. (22.11.2007 N 5500)

2. During the election campaign, presidential candidates and their representatives cannot be released from their jobs or given other jobs or other positions without their consent.

3. Prior to publishing final election results by the CEC, presidential candidates may not be detained, imprisoned or searched if the relevant notice of the Minister of Justice of Georgia has not been supported by the CEC. The exception is when the candidates are caught in the act of crime, which shall be immediately made known to the CEC. If the CEC issues the required order, the detained or imprisoned candidate shall be immediately released. (1.11.2008 N479)

4. Order of the CEC on giving its consent mentioned in the present Article shall be made by voting within 3 calendar days from receiving the notice from the Minister of Justice of Georgia. (1.11.2008 N479)

Article 86. Summary of elections results

1. deleted (23.06.2006 N3400)
2. A presidential candidate is considered as elected President of Georgia, who received more than one half of the votes. The number of votes shall not include the number of void ballots papers. (**enacted from March 1, 2008** 22.11.2007 N 5500)
3. If no candidate received the required number of votes in the elections first round, the second round of elections is scheduled (22.11.2007 N 5500)
4. deleted (22.11.2007 N 5500)
5. No later than in 8 days after the elections, the CEC shall summarize elections results at its meeting by election districts and drafts the relevant protocol, which is approved by order of the CEC. (22.11.2007 N 5500)
- 5¹. The CEC summarized the elections results by the concluding protocols of election districts; in case of a claim/appeal or diverse opinion of its committee members, results of separate protocols are summarized on the basis of concluding district protocols.
- 5². Regional, and the following district election committees, shall send to the CEC sealed packages with voters' lists together with the concluding protocols of voting and election results the CEC. (28.11.2003 N 3124)
6. Within 5 days from summarizing the election results, the Central Election Committee of Georgia shall publish the note on the elections results in press and other mass media.

CHAPTER XI
SECOND ROUND OF PRESIDENTIAL ELECTIONS
REPEATED ELECTIONS OF PRESIDENT OF GEORGIA
EXTRAORDINARY PRESIDENTIAL ELECTIONS

Article 87. Second round of elections (22.11.2007 N 5500)

1. If during the first round of elections none of the candidates managed to receive the required number of votes, second round of elections is announced.
2. Second round of elections is announced by the order of the CEC. Second round of elections is conducted in one week after the first round.
3. The candidates with the highest results at the first round the right for participation in the second round of elections. If during the first round the candidates with the second best results have equal number of votes, the name of the candidate participating in the second round is defined by the casting of lots.
4. A candidate is considered as elected in the second round who receives more votes.
5. If the candidates received equal number of voted in the second round, the candidate who received more votes in the first round is considered as elected.

Article 88. Repeated elections

1. Repeated elections are conducted if the first and second round had not revealed the winner of the presidential elections. (22.11.2007 N 5500)
2. Repeated elections are conducted two months after the general elections (the first round).
3. Repeated elections are announced by the Parliament of Georgia.
4. The information about the repeated elections is published in press and other mass media.
5. Repeated elections are conducted within the rule defined by the present Law for general elections and terms defined by the CEC, but no later than in 2 months after the general elections. (14.08. 2003 N 2965-RC)

Article 89. Extraordinary elections of the President of Georgia

1. In case of early termination of the authorities of the President of Georgia, extraordinary elections are conducted no later than in 45 days after termination of the authorities.

2. If early termination of presidential authorities coincided with the Parliamentary holidays or a non-in-session week, the Parliament of Georgia is assembled no later than in 48 hours from the moment of termination of the authorities of the President of Georgia.

3. The date for extraordinary presidential elections is set by the Parliament of Georgia no later than in 72 hours from moment of termination of the authorities of the President of Georgia.

4. Extraordinary presidential elections are conducted by the Parliament of Georgia Central through the Election Committee of Georgia.

5. With the purpose of nomination of presidential candidates, parties and voters' initiative groups shall submit requests to the Central Election Committee of Georgia no later than on the 40th day prior to the extraordinary elections;

6. With the purpose of registration of presidential candidates, the parties and voters' initiative groups shall, no later than 30 days prior to the extraordinary elections, submit to the Central Election Committee of Georgia the list of candidate's supporters with not less than 30 000 signatures. (21.03.2008 N 6013)

7. Presidential candidates are registered by the Central Election Committee of Georgia no later than in 25 days prior to the extraordinary elections.

8. Extraordinary elections of the President of Georgia, elections are conducted in 45 days from the date of early termination of authorities of the President of Georgia within the rule of by the present Law for general elections. (14.08. 2003 N 2965-RC)

PART III
CHAPTER XII
ELECTIONS TO THE PARLIAMENT OF GEORGIA

Article 90. Appointment of elections to the Parliament of Georgia

1. Regular elections to the Parliament of Georgia are conducted no later than in 15 days prior to termination of its authorities.

2. The election date is set by the President of Georgia no later than in 60 days prior to the elections.

3. If the elections date coincides with emergencies or wars, elections are held no later than in 60 days after abolishing of these emergencies.

Article 91. Term of authorities of the Parliament of Georgia. Composition of the Parliament

1. Parliament of Georgia is elected for the term of 4 years.

2. 75 members of the Parliament of Georgia are elected on the basis of proportionate election system; the other 75 members - are elected on the basis of majoritarian election system. (21.03.2008 N 6013)

Article 92. Passive voting right

1. A citizen of Georgia from 25 years of age, having voting rights, who has been living in Georgia for at least 10 years and knows the Georgian language, may be elected as a member of the Parliament of Georgia. (14.08. 2003 N 2965-RC)

2. A citizen of Georgia who has not lived in Georgia for the last two years and is not registered in the Georgian consular services in any country may not be elected as a member of the Parliament of Georgia.

3. A drug addict or a drug user may not be elected as a member of the Parliament of Georgia; if such a person was declared as elected by a relevant election committee; the Parliament of Georgia has the right not to acknowledge his authorities. (14.08. 2003 N 2965-RC)

Article 93. Right to participate in elections to the Parliament of Georgia

A party, an election block and a majoritarian candidate registered in relevant election committee have the right to participate in elections to the Parliament of Georgia.

Article 94. Incompatibility of the status of the membership candidate to the Parliament of Georgia with his official job (21.03.2008 N 6013)

1. No later than in 2 days after submission of a registration request of a candidate to the Parliament of Georgia to the relevant election committees, the following officials shall leave their job positions:

- a) President of Georgia;
- b) Ministers of central authorities and also those of Autonomous Republics, heads of executive agencies and their deputies;
- c) Members of the Security Council of Georgia (except for the members of the Parliament);
- d) Members of Board of the National Bank of Georgia;
- e) Chair of the Chamber of Control of Georgia and his deputies;
- f) state representatives – governors and their deputies;
- g) heads of local self-governance agencies;
- h) officers of the ministries of interior and security of Georgia, intelligence and state special protection service;
- i) judges;
- j) ombudsman of Georgia and his deputy;
- k) members of the Presidential Council of Georgia (who are not members of the Parliament);
- l) aides to the President of Georgia;
- l¹) members of the Supreme Council of Justice of Georgia (who are not members of the Parliament); (19.06.2009 N 1279)
- m) members of auditor council;
- n) members of the Commission of Accounting Standards, energy and water supply regulatory national committees and other regulatory national commissions;
- o) head of the public service bureau and his deputies; (12.06.2009 N 1182 enacted from August 1, 2009);
- p) attorneys, their deputies, aides and detectives.

2. The relevant legal act on leaving the job and dismissal defined by para 1 of the present Article shall be immediately to the relevant election committees, if not the person is denied registration as a membership candidate; if the registration had been done, it is annulled.

Article 94¹. Ballot papers to be distributed to the voters during elections to the Parliament of Georgia (23.06.2006 N3400)

During elections to the Parliament of Georgia the voters receive two types of ballots – for

majoritarian and proportionate elections.

CHAPTER XIII
REGISTRATION OF ELECTION SUBJECTS PARTICIPATING IN THE ELECTIONS TO THE
PARLIAMENT OF GEORGIA

Article 95. Election registration of parties and election blocks (14.08. 2003 N 2965-RC)

1. With the purpose of receiving the right to participate in the Parliamentary elections, the party shall submit the relevant request signed by its leader(a) to the Chair of the Central Election Committee of Georgia:

- a) after announcing the parliamentary elections, no later than on the 57th day prior to the elections if it already has a representative at the Parliament of Georgia by the time of elections;
- b) from January 1 to August 1 of the parliamentary elections year, if it has no representative in the Parliament of Georgia.

2. The submission shall include registration certificate of the party and its statute or their notarized copies and the document confirming its representation in the Parliament of Georgia (if any). (15.07.2008 N 231)

3. The statement shall include:

- a) name of the party and acronym and/or abbreviated name (if any) with which is participates in the elections;
- b) name/surname of the party leader(s), their addresses (including registration place), phone numbers and its signature sample(s);
- c) name/surname of the representative(s), their addresses (including registration place), phone numbers and scope of authorities;
- d) if there are several leaders – scopes of authorities of each of them in relation to the election process.

4. The title, its acronyms and abbreviations indicated in para 3 “a” of the present Article shall not coincide with:

- a) official names of other parties, acronyms and abbreviations, registered by the Ministry of Justice of Georgia (if they do, parties do not have the right to use them);
- b) names of election block, acronyms and abbreviations, with which it participates in elections, if this block has submitted its registration request earlier to the CEC (if they do, parties do not have the right to use them);
- c) the names used by other parties/election blocks at the previous parliamentary elections, acronyms and abbreviations, if there is no consent of the latter for this.

5. In cases envisaged by para 1 “b” of the present Article, relevant services of the CEC, upon receiving the request shall provide a sample of supporters’ list to the party representatives.

6. Relevant services of the CEC shall check statements and attached documents and, no later than the next day after receiving the statements by the committee, shall submit its conclusion to the CEC Chair.

7. In cases envisaged by para 1 “a” of the present Article, the CEC, no later than the next day after receiving the conclusion mentioned in para 6 of the same Article, shall: (15.07.2008 N 231)

- a) register party and its representative, if the submitted statement and attached documents comply with the requirements of present Law;
- b) shall inform, in written, the party representative on incompliance of the statements and the attached documents with the requirements of the present Law (with indication of incompliance), if any, and give him 3 days for improving of the statements and the documents.

8. Checking the corrected statements and documents mentioned in para 7 “b” of the present Article and solution of the registration issue shall happen in 2 days after their

submission. If the corrected statements and documents comply with the requirements of the present Law, the CEC shall grant election registration to the party and its representative. Otherwise, it, within the same terms, shall issue the order on refusal of election registration (the order shall clearly indicate the causes of refusal to register and the norms of the present Law, failure to satisfy of which led to this refusal). This order shall be immediately transmitted to the party representative and provided upon request of the latter. *(22.11.2007 N 5500)*

9. In cases mentioned in para 1 “b” of the present Article, no later than in 3 days after receiving of the conclusion mentioned in para 6 of the present Article, the CEC Chair shall inform in written the party representative on incompliance of the statements and documents with the requirements of the present Law (with indication of incompliance). Improved statements and documents shall be returned to the CEC in 3 days.

10. The party with no representative in the Parliament of Georgia, shall, in 60 days after receiving the sample of the supporters’ list but no later than August 15, submit to the CEC the list of at least 30 000 party supporters participating in the elections to the Parliament of Georgia. The supporters’ lists are checked by the relevant service of the CEC within the rule and terms of Article 42 of the present Law. *(21.03.2008 N 6013)*

11. If the statements and documents mentioned of the present Article (or corrected statements and documents) and the supporters’ lists are submitted within the terms defined by the present Law and satisfy the requirements of the present Law, the CEC, on the basis of the conclusion of its relevant service, within 10 days from the submission of the conclusion, but no later than by the 59th day prior to the elections, shall register the party and its representative. Otherwise, it, within the same terms, shall issue the order on refusal of election registration (the order shall clearly indicate the causes of refusal to register and the norms of the present Law, failure to satisfy of which led to this refusal). This order shall be immediately transmitted to the party representative and provided upon request of the latter. *(22.11.2007 N 5500)*

12. Parties registered by the CEC have the right to create election blocks and to leave the blocks. For registration of election blocks, no later than on 43rd day prior to the regular elections, the CEC shall receive the statement with the signatures of the authorized leaders of all the party members of the block and the statute of the election blocks. *(22.11.2007 N 5500)*

13. The statement shall include:

a) name of the election block and acronym and/or abbreviated name (if any) with which is participates in the elections and the list of the parties included in the block;

b) name/surname of the party leader(s), their addresses (including registration place);

c) name/surname of the representative(s), their addresses (including registration place), phone numbers and scope of authorities;

d) if there are several leaders – scopes of authorities of each of them in relation to the election process.

14. The title, its acronyms and abbreviations indicated in para 13 “a” of the present Article shall not coincide with:

a) official names of other parties (except for the member-parties of the same block), acronyms and abbreviations, registered by the Ministry of Justice of Georgia (if they do, parties do not have the right to use them);

b) names of other election block, acronyms and abbreviations, with which it participates in elections, if this block has submitted its registration request earlier to the CEC (if they do, the block do not have the right to use them);

c) the names used by other election blocks at the previous parliamentary elections, acronyms and abbreviations, if there is no consent of the latter for this.

15. The statute of the election block signed by the leaders of all the member-parties shall mention the following:

a) name of the election block and acronym and/or abbreviated name with which its participated in the elections;

- b) list of all the parties members of the election block;
- c) administrative body of the election block (if any), leaders and their authorities;
- d) the rule for making decisions in the election block, including acceptance of new members in the block, leaving and expelling the parties from the block, rules for submission and termination of nominations of members to their representative body;
- e) person(s) with rights of signature on the block documentation;
- f) rule of usage of the seal of one party included in the block with the election purpose;
- g) rule of appointment of election campaign fund administrator and accountant;
- h) rule of making changes to the statute of the election block.

16. A party included in the election block for participation in elections may not at the same time be included in other election blocks or participate independently in the elections.

17. Upon receiving statements and statutes mentioned in para 12 of the present Article, the CEC shall give a notice to the block representative on their acceptance.

18. The relevant service of the CEC checks statements and statutes mentioned in para 12 of the present Article, and, no later than the next day after submission of the statements to the committees, shall provide its conclusion to the CEC Chair. The CEC Chair, no later than the next day after receiving the conclusion, shall register the election blocks and their representatives if the submitted documents comply with the requirements of para 12-16 of the present Article; if the submitted documents do not comply with the mentioned above requirements, he shall inform, in written, the block representative on incompliance of the documents with the requirements of the present Law (with indication of incompliance). Improved statements and documents shall be returned to the CEC in 2 days. The CEC Chair shall make final decision on registration within 2 days upon receiving the corrected documents: if the corrected documents comply with the requirements of the present Law, the CEC Chair shall register election blocks and their representatives; otherwise, he shall issue an order of refusal of election registration (the order shall clearly indicate the causes of refusal to register and the norms of the present Law, failure to satisfy of which led to this refusal). This order shall be immediately made known to the block representative and provided upon request. The registration procedure mention in the present para is stopped on 37th day prior to the elections.

19. Registered parties have the right before expiration of the term of registration of the election blocks, to join them, for which it is necessary to submit the relevant statement to the CEC Chair and have consent of the election block.

20. Upon registering the election block, by the order of the CEC, authorities of the election committee representatives of all parties in blocks are terminated; election blocks may appoint two representatives in every election committees. (22.11.2007 N 5500)

21. Before expiration of the deadline for submission of the party lists/candidates, in case of leaving or expelling a party(ies) from the election block, each of them has the right to continue participation in the elections. If as a result of this, there is only one party left in the block, election registration of the block is annulled by the order of CEC and the parties that were its members have the right to continue participation in the elections. (22.11.2007 N 5500)

22. After expiration of the deadline for submission of the party lists/candidates, in case of leaving or expelling a party(ies) from the election block, election registration of this party is annulled by the order of the CEC. If as a result of this, there is only one party left in the block, election registration of the block is annulled by the order of CEC and the remaining party becomes successor of the block. (22.11.2007 N 5500)

23. Party/election block registered in accordance with the present Article, has the right, on the basis of its statement, to participate in elections of any level held before the forthcoming parliamentary elections. A party-member of the election block has the right to participate independently or within another election block in elections of any level held before the forthcoming parliamentary elections. (23.12.2005 N 2414)

24. No later than 30 days prior to the voting day, the Central Election Committee shall

publish in press and other mass media the list of registered parties and election blocks where they are listed by the order of submission of registration requests, and also the list of those parties and blocks, which were denied registration or whose registration has been annulled, with indication of causes of annulling.

25. With the purpose of participation in off-season elections to the Parliament of Georgia, party/election block, which was registered in the CEC for the recent parliamentary elections, to receive the right to participate in the off-season elections shall submit the statement signed by its leader(s) to the CEC after announcing off-season elections but no later than 57 days prior to the voting day. *(15.07.2008 N 231)*

26. A party, which has no election registration for participation in off-season elections to the Parliament of Georgia with the signature of its leader(s), shall submit the statement to the CEC after announcing off-season elections no later than 57 days prior to the voting day, and, upon receiving the statement (if there is no representative in the Parliament) it shall receive the party supporters' list sample. A party, which has no representative in the Parliament of Georgia, shall, no later than 50 days prior to the voting day, submit to the CEC the list of at least 30 000 party supporters participating in the elections to the Parliament of Georgia. The supporters' lists are checked in accordance with the rule and terms of the present Law. *(15.07.2008 N 231)*

27. A party/election block registered in CEC loses the right to participate in off-season elections in the Parliament of Georgia if: *(28.12.2009. N2525)*

a) a party/election block has not submitted candidates for majoritarian elections to the Parliament of Georgia in any of the majoritarian constituency with off-season elections in the Parliament of Georgia;

b) the relevant election committees have not registered any candidates of party/election block for majoritarian elections to the Parliament of Georgia in those districts where there are off-season elections in the Parliament of Georgia;

c) registration of all candidates of party/election block for majoritarian elections to the Parliament of Georgia in those districts where there are off-season elections in the Parliament of Georgia has been cancelled.

Article 95¹. deleted (23.12.2005 N 2414)

Article 95². Annulling election registration of party/election block (21.03.2008 N 6013)

1. Election registration of a party is annulled by the order of the CEC:

a) on the basis of own request;

b) if the party is banned by the Constitutional Court of Georgia;

c) if the election registration of its election block has been annulled on the basis of para 2 "c" or "d" of the present Article;

d) if before the end of the parliamentary elections had left its election block or has been expelled from it, after expiration of the terms of submission of the party lists by the block; *(15.07.2008 N 231)*

e) if it failed to provide the party list or the submitted party list has not been registered;

f) if no later than 2 days prior to the voting day the number of candidates in its party list is less than the minimal number defined by the present Law.

2. Election registration of an election block is annulled by the order of the CEC:

a) on the basis of own request;

b) if the election block has been dissolved or if only one party remains in the block due to leaving, expelling of party(ies) from the block or annulling election registration;

c) if it failed to produce party lists or the submitted party lists was not registered;

d) if no later than 2 days prior to the voting day the number of candidates in its party list is less than the minimal number defined by the present Law.

Article 96. Presentation of party lists

1. Parties and election blocks independently participating in the elections have the right to submit party lists.

2. All the parties and election blocks independently participating in the elections have the right to submit each list.

3. The number of parliamentary membership candidates in the submitted lists shall not be less than 100 and more than 200. (23.12.2005 N 2414)

4. Party lists may include candidates from majoritarian election districts. In this case the party list shall indicate that the candidate is nominated in majoritarian election district. (21.03.2008 N 6013)

5. Inclusion of those in the party lists who are the members of other parties participating in the elections at the same time is not allowed except for the parties included in the election block.

6. Inclusion of the same person in different party lists is not allowed.

7. The rule of composition of the party list is defined by the parties and election blocks.

8. Composition of the list shall take into account that fact that the mandates received by the party and election block as a result of elections are allocated in succession down from the start of the list.

9. The party list shall be submitted to the CEC by the party/election after the election registration, no later than in 30 days prior to the voting day. The list shall be attached to the registration cards filled and signed by each parliamentary membership candidate together with their photographs. If a candidate is simultaneously nominated in a majoritarian election district, 2 copies of the registration card and a photograph shall be submitted; in 2 days after receiving each copy of these documents they shall be transferred to the relevant district election committees. (21.03.2008 N 6013)

10. A party list shall be certified with the title of the party/election block independently participating in the elections signed by an authorized person(s) with the power to sign. (14.08.2003 N 2965-RC)

11. A party list shall include the following data on each candidate: (23.12.2005 N 2441)

a) name/surname;

b) date of birth (day, month, year);

c) address (according to the place of registration);

d) ID card number of a citizen of Georgia or a passport of a citizen of Georgia and personal number;

e) deleted (15.07.2008 N 231)

f) work place (name of office, the organization, company, etc.)

g) position (if unemployed, mention "unemployed");

h) party affiliation (in case of party members; if non-partisan, mention "no party");

i) if the candidate is nominated in a majoritarian election district, the name and number of this district. (21.03.2008 N 6013)

12. A registration card shall include the following data on each candidate: (23.12.2005 N 2441)

a) name/surname;

b) date of birth (day, month, year);

c) sex;

c) address (according to the place of registration);

d) ID card number of a citizen of Georgia or a passport of a citizen of Georgia and personal number;

e) education (high, unfinished high, professional, secondary, basic, primary);

- f) specialty (according to diploma/certificate);
 - g) work place (name of office, the organization, company, etc.)
 - h) position (if unemployed, mention "unemployed");
 - i) party affiliation (in case of party members; if non-partisan, mention "no party");
 - j) fact of permanent residence in Georgia for at least 10 years; if he had not permanently resided in Georgia for the last, he shall include the consulate of Georgia where he was registered;
 - k) military service;
 - l) name and number of the majoritarian election district where the candidate is nominated (if this is the case); *(21.03.2008 N 6013)*
 - m) consent to run via the mentioned-above party list (if he is nominated by a party list, the name of independently participating party/election block shall also be mentioned);
 - n) consent to run at the majoritarian election district; *(21.03.2008 N 6013)*
 - o) the fact of membership at the last parliamentary elections;
 - p) signature and date.
13. Registration cards envisaged by para 9 of the present Article shall be given to the party/election block representatives by the Central Election Committee. *(23.12.2005 N 2441)*
14. deleted *(14.08. 2003 N 2965-RC)*

Article 97. Nomination of candidates in majoritarian election district *(21.03.2008 N 6013)*

1. The following have the right to nominate parliamentary membership candidates at the majoritarian election districts: *(21.03.2008 N 6013)*
- a) an independently participating party in the elections;
 - b) an election block.
2. An independently participating party/election block in the elections has the right to nominate parliamentary membership candidates at election district every election district with the purpose of participation in the elections by the majoritarian rule. *(21.03.2008 N 6013)*
3. An independently participating party/election block in the elections shall nominate majoritarian candidates in the election districts by the rule of Article 96 para 9-13 of the present Law.
4. deleted *(21.03.2008 N 6013)*
5. deleted *(21.03.2008 N 6013)*
6. During the elections, the name/surname of majoritarian candidate shall be placed next to the registration number in the ballot paper and the name of the party/election block which had nominated him. *(21.03.2008 N 6013)*
7. The statement of a party/election block with election registration and election rights on nomination of a parliamentary membership candidate in the majoritarian election district shall include the following information for each candidate: *(21.03.2008 N 6013)*
- a) 2 copies of a registration card filled and signed by the candidate;
 - b) 2 photo pictures of the candidate.
8. District election committee, within 2 days after receiving of each copy of the documents mentioned in para 7 "a" and "b" of the present Article, shall submit them to the CEC. *(21.03.2008 N 6013)*
9. deleted *(21.03.2008 N 6013)*

Article 98. Checking the party lists and the documents of the parliamentary membership candidates nominated in the majoritarian election districts and their election registration *(21.03.2008 N 6013)*

1. A party list is granted election registration by the order of the CEC, whereas a

parliamentary membership candidate nominated by the party/election block – by the order of the relevant district committee if all the documents defined by the present Law satisfy the requirements of the present Law. In case of violation of the terms by the present Law of submission of the documents, the issue of election registration is not considered. *(21.03.2008 N 6013)*

2. A party list submitted by the party/election block is checked by the relevant service of the CEC, which, within 10 days from submission of the list but no later than in 26 days prior to the voting day, shall provide its conclusion to the CEC, which within 3 days but no later than in 25 days prior to the voting day:

a) shall register the party list and the candidates nominated by the party/election block, if the submitted party list and the attached documents satisfy the requirements of the present Law;

b) inform in written the party/election block representative on incompliance of the data in the party lists and the attached documents with the requirements of the present Law (with indication of incompliance), if any, and give 3 days to the party/election block representatives to correct the lists and the documents.

3. The corrected data mentioned in para 2 “b” of the present Article shall be checked and the decision on election registration shall be made within 5 days upon their submission but no later than on the 20th day prior to the voting day. If the corrected data complies with the requirements of the present Law, the CEC shall grant election registration the party list or its party which complies with the requirements of the present Law (of the number of candidates in this part is not less than the defined minimum), and shall issue the order concerning the remaining candidates within the same deadline on refusal of election registration (the order shall clearly state the causes of registration refusal and those norms of the present Law, failure to satisfy of which led to refusal). If the number of candidates in the part of the party list, which complies with the requirements of the present Law, is less than the defined minimum, the candidates nominated by neither the party list nor the party/election block shall be registered and the CEC shall issue the order within the above-mentioned deadline on refusal of election registration (the order shall clearly state the causes of registration refusal and those norms of the present Law, failure to satisfy of which led to refusal). The order mentioned in this para shall be immediately made known to the party representative and provided upon request. *(15.07.2008 N 231)*

3¹. Registration/refusal of registration of the majoritarian candidates nominated in election district is conducted by the relevant district election committee within the terms and conditions given in para 2 and 3 of the present Article. Party/election block has the right to submit registration documentation of the majoritarian candidate, within the terms defined by the present Law, to the CEC, which shall immediately send these documents to relevant district election committees for registration. *(15.07.2008 N 231)*

4. A parliamentary membership candidate shall not be registered, and the election registration of the registered candidate shall be revoked by the order of the CEC (para “a” – “e”) or the court decision (para “f”), if the statements and documents submitted to the election committees do not satisfy all the requirements of the present Law or if other terms of the same law have been violated, in particular: *(15.07.2008 N 231)*

a) incomplete or incorrect date mentioned in the statements and documents;

b) a candidate included in the party list is a member of another party;

c) a candidate is included in more than one party list and there is or was his consent of simultaneous inclusion in more than one list;

d) a candidate included in the party list is nominated in majoritarian election district by another party/election block;

e) there are other elections held during the parliamentary election period there is or was consent of parliamentary membership candidate on simultaneous participation in these

elections with the candidate status;

f) terms of Article 73 para 9 and/or Article 76 of the present Law have been violated.

5. The order of the CEC on refusal of election registration to the parliamentary membership candidates nominated by the party list and party/election block can be appealed against within the rule defined by Articles 77 and 77¹ of the present Law . (21.03.2008 N 6013)

Article 98¹. Annuling of election registration of the registered majoritarian candidate (21.03.2008 N 6013)

Election registration of the registered majoritarian candidate can be annulled by the district committee order:

a) on the basis of own request;

b) if the nominating party was banned by the Constitutional Court of Georgia;

c) if the registration of the nominating party/election block was annulled on the basis of Article 95² para 1 and 2 of the present Law;

d) in case of death of the person;

e) in other conditions defined by the present Law.

Article 99. Registration number of the election subjects (22.11.2007 N 5500)

1. Registration numbers of the election subjects are defined by the rule of the present Article in 30 days prior to the elections. With the purpose of defining the registration number, the relevant procedures are conducted in the CEC building with presence of the persons having rights for meeting attendance.

2. The political union which during the last parliamentary elections had received the highest number of votes by proportional system has the right to be first to chose the number. Political unit representative shall submit a statement to the CEC, according to which the candidate nominated by the political unit takes up the registration number his political party had used during the last parliamentary elections or takes up number 1. The candidates nominated by the political parties which during the previous parliamentary elections had received the second and third highest number of votes by the elections results, have the right to chose the registration number used by them during the last elections or to chose number 2 and 3 respectfully, except for those cases when the number which they had during the previous parliamentary elections has already been allocating to the candidate of the political unit having better results.

3. If during the previous parliamentary elections the number was given to an election block, the right to use this number is given to the candidate of the political party which is number one in the list of the block members; if he submits a written refuse to have the number, the right to use this number is given to the following party in the block list and so on.

4. If an election block was created for the elections by the parties participating in the parliamentary elections, they shall indicate in the statute of the block that they would use their party numbers.

5. Except for the political unions noted in para 2 of the present Article, the numbers are assigned to all the remaining election subjects by casting of lots.

6. With the purpose of casting of lots, the committee chair on the same sized and type paper sheets, with the same pen shall write down the numbers corresponding to the number of parties and election blocks. All the sheets shall be certified by the committee seal. After that the numbers that had been selected according to the rule of para 2 of the present Article are put separately; all the remaining sheets are folded so that nobody could see the numbers indicated on them. The CEC Chair shall place the sheets in a non-transparent box, from where the representatives of parties and election blocks shall pick them up. The picked up number

becomes the number for the election subject.

7. Candidates of the party/election block defined by majoritarian rule, have the same number as his nominating party/election block.

8. If election registration of party/election block was annulled, the remaining parties/election blocks retain their numbers in the ballot papers.

9. Registered party lists, together with the data on the candidates registered in the majoritarian election districts, which is included in the ballot papers, shall be published by the CEC through press and other mass media no later than in 25 days prior to the election. *(21.03.2008 N 6013)*

Article 100. Annuling of the decision on nomination of the parliamentary membership candidate

1. Parliamentary membership candidate and the nominating party and election block have the right, at any time, no later than in 2 days prior to the elections, to refuse participation in the elections or the nominated candidate, for which they shall submit a request to the relevant election committees.

2. Parties and election block independently participating in the elections have the right, after acknowledgment of the authorities of the elected members of the Parliament/Sakrebulo, to cancel its decision on nomination of the membership candidates to the Parliament/Sakrebulo remaining in the party lists. Party and election block do not have a right to cancel its decision on nomination of the membership candidates to the Parliament/Sakrebulo remaining in the party lists upon termination of the authorities of the members in the Parliament/Sakrebulo elected by this list before acknowledgement of the authorities of their successor. The candidates nominated by parties and election blocks are annulled by the order of the Central Election Committee of Georgia on the basis of the statement signed by the party leader (a person defined by the statute of the election block) within 3 days after receiving this statement. If the statement was not satisfied within this deadline, membership candidate to the Parliament/Sakrebulo is considered as removed from the party lists from the next day from expiration of the deadline. *(22.11.2007 N 5500)*

3. Parliamentary membership candidate may, no later than 2 days prior to the elections, to withdraw from elections, for which he would submit a request to the relevant election committees.

3¹. Parliamentary membership candidate may, after acknowledgement of the authorities of elected members of Parliament, to withdraw from the party list, for which he would submit a request to the Central Election Committee of Georgia. His candidacy will be recalled by the order of the Central Election Committee of Georgia within 3 days from receiving of the request. If the statement was not satisfied within this deadline, parliamentary membership candidate is considered as removed from the party lists from the next day from expiration of the deadline. *(22.11.2007 N 5500)*

4. Information on withdrawal of the election subject or specific candidate from the elections shall be immediately published by the election committee in press and other mass media.

Article 101. Absence from office of the parliamentary membership candidate

A presidential candidate, on the basis of own request and the relevant ID card, shall receive unpaid vacation for the period of the election campaign.

Article 102. Immunity of the parliamentary membership candidate (23.12.2005 N 2441)

1. A presidential candidate, before official announcement of the election results by the CEC, and those persons who are declared as elected – before the final decision on acknowledgement of their authorities, may not be detained, imprisoned or searched, if the relevant notice of the Minister of Justice of Georgia has not been supported by the CEC. The exception is when the candidates are caught in the act of crime, which shall be immediately made known to the CEC. If the CEC issues the required order, the detained or imprisoned candidate shall be immediately released. (1.11.2008 N479)

2. Order of the CEC on giving its consent mentioned in the present Article shall be made by voting within 3 calendar days from receiving the notice from the Minister of Justice of Georgia. (1.11.2008 N479)

CHAPTER XIV SUMMARIZING THE RESULTS OF ELECTIONS TO THE PARLIAMENT OF GEORGIA

Article 103. Counting of votes in the regional election committees

1. Regional election committee shall summarize election results and include them in the concluding protocol of election results conducted by majoritarian and proportionate election systems.

2. Concluding protocol of elections conducted by proportionate election system is drafted according to the party lists, whereas protocols of elections conducted by majoritarian system – according to the candidates nominated in majoritarian election districts. (21.03.2008 N 6013)

3. deleted(14.08. 2003 N 2965-RC)

Article 104. Summarizing election results in district election committees

1. District election committee, on the basis of the regional election committees' protocols, at its meeting shall summarize the election results and include them in the concluding protocols of election results conducted by majoritarian and proportionate election systems.

2. In case of claims/appeals or separate opinion of the members of regional election committees, which would request checking or annulling the election results, district election committee shall issue an order on opening of the packages received from regional election committees and new counting of ballots; if the election region results can influence the final results of the elections, the committee take the above-mentioned actions. (14.08. 2003 N 2965-RC)

3. deleted (14.08. 2003 N 2965-RC)

Article 105. Summarizing election results in the Central Election Committee of Georgia

1. Central Election Committee of Georgia, on the basis of the district and regional election committees' protocols, no later than on the 18th day from the elections, at its meeting shall summarize the results of elections to the Parliament of Georgia and includes them in the protocol. (14.08. 2003 N 2965-RC)

2. One copy of the protocol is kept at the Central Election Committee of Georgia, the other is sent to the Parliament of Georgia, and copies certified by the Committee seal are given to election subjects' representatives.

3. deleted (23.06.2006 N3400)

4. deleted (23.06.2006 N3400)

Elections are considered as conducted in the multi-member constituency if not less than 1/3 of the total number of voters participated in the elections at the relevant election district. (23.12.2005 N 2414)

5. A candidate is considered as elected in the majoritarian election districts who received more votes but not less than 30% of the voters participating in the elections at the relevant majoritarian election district. The number of votes indicated in the annulled ballots shall not be counted towards the number of election votes. *(21.03.2008 N 6013)*

6. Mandates of members of the Parliament of Georgia will be given to only those party lists, which received not less than 5% of the election votes. The number of votes indicated in the annulled ballots shall not be counted towards the number of election votes. *(21.03.2008 N 6013)*

7. With the purpose of definition of the number of mandates given to the party list, the number of votes received by this list shall be multiplied by 75 and divided by the sum of the votes received by these parties. An integer part of the resulting number is the number of mandates received by the party list. *(21.03.2008 N 6013)*

8. If the sum of the mandates received by the party/election block is less than 75, each mandate out of non-distributed ones shall be given to the party lists, which received higher votes in the elections. *(21.03.2008 N 6013)*

9. If two or more party lists have received equal number of votes, the mandates are given to the list, which was registered earlier by the Central Election Committee of Georgia.

10. If a candidate is elected both on the basis of majoritarian election system and by the party system, he is considered as elected on the basis of majoritarian election system. His place in party list is given to another candidate according to the rule of Article 106 para 7¹ of the present Law. *(21.03.2008 N 6013)*

11. Those candidates are considered as elected members of Parliament by the party lists, whose numbers in the list are less or equal the number of mandates received by this list. The number of members of Parliament elected by this list remains constant.

12. If the elections results in more than one half of the polling stations or in several polling stations where total number voters is more than one half of the total number of voters in election district, have been cancelled in the election district due to violation of the requirements of the present Law, elections results in the election district are cancelled and the CEC announced new elections in this district. *(14.08. 2003 N 2965-RC)*

12¹. If election results in more than one-half of the polling stations have been annulled during the elections by proportionate system due to violation of the requirements of the present Law or in several districts where total numbers of voters is more than a half of the total number of voters in Georgia, elections results are annulled and the CEC announces new elections. *(12.10.2004. N488)*

13. In case of claims/appeals requesting checking or annulling the election results, the CEC shall issue an order on opening of the packages received from relevant regional election committees and new counting of ballots, or give a task to the relevant district election committees/special group to conduct the mentioned above actions. If required, the CEC has the right to summarize the elections results on the basis of the regional election committees' protocols. *(23.06.2006 N3400)*

14. In case of annulling the election results in an election region, the Central Election Committee of Georgia shall announce a repeated elections in this region if the difference between the numbers of votes received in the relevant election districts by the candidates with best results is less than the total number of voters in this district. In this case election results have been also annulled elections results shall be summarized without district indicators. *(15.07.2008 N 231)*

15. Repeated elections may be appointed both after the first and the second round of elections. If required, the Central Election Committee of Georgia is authorized to order regional election committees with the same of another composition to conduct repeated elections. Repeated elections are conducted within 2 weeks from the first (second) round.

16. Repeated elections in elections by proportionate system are announced if the total number of voters in the election district with annulled election results is more than 10% of the

total number of Georgian voters. In such case the repeated elections are conducted no later than in 2 weeks from the day of the general elections. *(12.10.2004. N488)*

17. If the elections by proportionate system are announced as conducted but no party and election block received 5% of the votes, the Central Election Committee of Georgia issues an order to conduct repeated elections in 2 weeks after the general elections. *(21.03.2008 N 6013)*

18. Only those parties and election blocks have the right to participate in the repeated elections, which received 2% of the votes in general elections. Party lists of the parties and election blocks participating in the repeated elections shall remain unchanged. Changes in the lists are allowed only by the general rule of the present Law.

19. Concluding protocol of the final results of the elections shall indicate the names and numbers of those election districts and regions where the elections were annulled, and also the corresponding numbers of voters, the causes of annulling the elections, total number of voters in each election district, the number of those who voted, number of elected members of Parliament and their list in alphabetical order.

20. Within 5 days from the summarizing the elections final results, the Central Election Committee of Georgia shall publish the concluding protocol of the final results of the elections in press and other mass media.

Article 106. Second round of elections. Repeated and off-season elections. Rule of succession of the substituted members of the Parliament of Georgia *(21.03.2008 N 6013)*

1. If members of the Parliament of Georgia were not elected in the first round of elections, the CEC, together with the approving the results of the first round appoints the second round of elections, which shall be conducted no later than on 14th day from the first round. 2 candidates shall participate in the second round who in the first round received the highest number of votes. If more than 2 candidates received equally best results or if several candidates after the candidate with the best result, have received equal number of votes, all the mentioned above candidates shall participate in the second round. *(21.03.2008 N 6013)*

2. A candidate shall be considered as elected in the second round of elections who receives more votes than others. If the candidates received equal number of votes, the candidate who received more votes in the first round is considered as elected. If in this case they received equal number of votes, other repeated elections are conducted. *(21.03.2008 N 6013)*

3. Repeated elections are appointed if the elections are declared as not conducted, and also in case of annulling the results in majoritarian election districts. *(21.03.2008 N 6013)*

4. Repeated elections are conducted in 2 months from the date of announcing the elections as not conducted and their annulling. The date and terms of elections are announced by the decree of the CEC within 7 days elections from the date of announcing the elections as not conducted and their annulling. *(14.08. 2003 N 2965-RC)*

5. The date and terms of repeated elections to be conducted in majoritarian election districts are announced by the decree of the CEC no later than in 2 months prior to the voting day. *(21.03.2008 N 6013)*

6. The date and terms of off-season elections to be conducted in majoritarian election districts are announced by the decree of the CEC no later than in 2 months prior to the voting day. Off-season elections are conducted in September-October. *(21.03.2008 N 6013)*

7. *(14.08. 2003 N 2965-RC)* If a member remaining outside of the Parliament was elected by the party list of the independently participating party, his place is take up in one month by the parliamentary membership candidate next in the list, if he gives his consent in 15 days after the parliamentary membership vacancy is open. Otherwise, the vacancy is taken up by the next candidate in the list and so on. If there are no candidates remaining in the party list,

the mandate of the member of the Parliament is annulled.

7¹. (14.08. 2003 N 2965-RC) If a member remaining outside of the Parliament was elected by the party list of the election block and the party list mentioned that he is a member of one of the subject – party-member of the election block, his place is taken up in one month by the parliamentary membership candidate next in the party list if he gives his consent in 15 days for parliamentary membership. Otherwise, the vacancy is taken up by the next candidate in the list and so on. If there are no candidates remaining in the party list, the mandate of the member of the Parliament is annulled. If the party list did not mention that he is a member of one of the subject – party-member of the election block, his successor is defined by the rule of para 2 of the present Article.

8. (14.08. 2003 N 2965-RC) In the cases defined by para 7 and 7¹ of the present Article, the CEC shall submit the necessary documents to the Parliament of Georgia.

9. Off-season elections are conducted in case if a member elected in majoritarian election district remains outside of the Parliament. Off-season elections are conducted in September-October by the rule of the present Law. If there are less than 60 days remaining before the off-season elections, they are conducted in September-October of the following year. (21.03.2008 N 6013)

10. After acknowledgement of the authorities of the members by the Parliament of Georgia, the status of parliamentary membership candidate of the persons remaining in the party lists is cancelled. (14.08. 2003 N 2965-RC)

11. Upon early termination of the authorities of a parliamentary member elected by the party lists, the status of parliamentary membership candidate shall be restored to the person who is his successor according to para 7 or 7¹ of the present Article. (21.03.2008 N 6013)

Article 107. Registration of the elected members of Parliament of Georgia

In 5 days after summarizing the final elections results, the Central Election Committee of Georgia shall register the elected members of Parliament of Georgia and issue them temporary ID cards on election as members of the Parliament of Georgia.

Article 107¹. Drug control of the persons elected as members of the Parliament of Georgia (15.07.2008 N 231)

1. No later than on the 7th day after the voting day, parliamentary membership candidates elected in majoritarian election districts by preliminary results and all the parliamentary membership candidates elected from the lists of the party/election blocks that manages to overcome the election threshold shall undergo drug test and the relevant notice shall be made on every person which would indicate whether the parliamentary membership candidates are health or drug users.

2. If the person elected as a member of Parliament, within the deadline mentioned in para 1 of the present Article, fails to undergo the drug test and/or refuses to do so, the Parliament shall make an order to annul his authorities as the member of the parliament.

3. The institution with the right to conduct drug test shall submit to the CEC the certificate on conducting drug test and the list of the elected members of the Parliament of Georgia, who underwent the drug test no later than within 14 days from the elections.

4. In cases envisaged by para 2 of the present Article, if the person was elected as a member of Parliament from a majoritarian election district, the CEC shall issue an order on annulling the results of the election in this district and appoints repeated elections within the terms defined by Article 106 para 5 of the present Law; if the person was elected as a member of Parliament from the party/election block list, the CEC, according to Article 106 para 7 and 7¹ of the present Law, shall define its authorities

5. The drug test mentioned in the present Article may be conducted only after the voting

day, by an institution with the relevant rights for conducting tests, together with the committees. The CEC and the Ministry of Labor, Health and Social Protection of Georgia shall jointly select such institutions no later than 30 days prior to the general elections. The right for conducting drug tests is given by the order of the CEC.

PART IV
CHAPTER XV (23.12.2005 N 2441)
ELECTIONS TO THE LOCAL SELF-GOVERNANCE REPRESENTATIVE
BODIES - SAKREBULOS

Article 108. Appointing elections to the local self-governance representative bodies - Sakrebulos

1. Elections to the local self-governance representative bodies – Sakrebulos - are conducted once every 4 years.

2. Elections to the local self-governance body – Sakrebulo – are scheduled by the President of Georgia no later than in 60 days before expiration of the authorities of the Sakrebulo. (28.12.2009. N2525)

3. During emergencies or wars elections to the local self-governance body – Sakrebulo – are not conducted. If the term of the elections coincided with the emergencies or wars, the elections are conducted no later than in 60 days after the end of such circumstances. (28.12.2009. N2525)

4. The notice on scheduling elections to the local self-governance body – Sakrebulo – is published in press and other mass media, no later than in one day following the announcements of the elections. (28.12.2009. N2525)

5. In case of early termination of the authorities of the Sakrebulo, extraordinary elections to the Sakrebulo are conducted in 45 days.

Article 109. Active and passive voting rights

1. A member of the local self-governance body – Sakrebulo – may be a citizen of Georgia who has reached the age of 21 years by the time of elections and is registered within the rule of the Law on the territory of a corresponding Sakrebulo. A citizen who had not lived in Georgia for 10 years cannot be elected a member of Sakrebulo. (28.12.2009. N2525)

2. A citizen of Georgia may not be simultaneously a member of another representative body.

3. The persons who by the election day permanently or temporarily reside outside of Georgia and the voters in sea voyages may not participate in the election to local self-governance representative bodies - Sakrebulos.

4. Fixed term and contract soldiers participate in the elections to the local self-governance representative bodies - Sakrebulos – according to the place of their disposition.

Article 110. Terms of authorities of local self-governance representative bodies – Sakrebulos

Article 111. Incompatibility of the status of the membership candidates to local self-governance representative bodies - Sakrebulos – with their official positions

1. In case of nomination as a Sakrebulo membership candidate, terms of authorities are terminated of: (23.06.2006 N3400)

a) President of Georgia;

- b) deleted (28.12.2009. N2525)
 - c) ministers of central authorities and also those of Autonomous Republics, heads of executive agencies and their deputies;
 - d) members of the Security Council of Georgia;
 - e) members of Board of the National Bank of Georgia;
 - f) Chair of the Chamber of Control of Georgia and his deputies;
 - g) Chief of staff of the Parliament
 - h) state representatives – governors and their deputies (11.07.2007 N5246);
 - i) officers of the ministries of interior and security of Georgia, intelligence and state special protection service;
 - j) judges;
 - k) ombudsman of Georgia and his deputy;
 - l) members of the Presidential Council of Georgia (who are not members of the Parliament);
 - m) aides to the President of Georgia;
 - n) members of auditor council;
 - o) members of the Commission of Accounting Standards, energy and water supply regulatory national committees and other regulatory national commissions;
 - p) head of the public service bureau and his deputies; (12.06.2009 N 1182 enacted from August 1, 2009);
 - r) attorneys, their deputies, aides and detectives.
2. Authorities of the officials mentioned in para 1 of the present Article are terminated before nomination as candidates in the relevant election committees.
3. deleted (23.06.2006 N3400)
4. Same person shall not be nominated for elections in two different entities of the local self-governance body – Sakrebulo. (28.12.2009. N2525)

CHAPTER XVI (23.12.2005 N 2441) **ELECTION DISTRICTS AND POLLING STATIONS**

Article 112. Election districts (23.06.2006 N3400)

1. During elections to the local self-governance representative bodies - Sakrebulo – each independent self-governing unit represents one election district.
2. Central Election Committee, within 2 days from appointment of the elections shall public in press and other mass media the notice on the election districts, with indication of their borders.
3. For the purpose of elections to local self-governance representative bodies – Sakrebulo – local majoritarian election districts are created and their borders are clarified within 2 days after appointment of elections by the relevant district election committees with consideration of territorial and administrative peculiarities of the relevant self-governing unit.
4. District election committees shall publish in press and other mass media the notice on local majoritarian election districts, with indication of their borders, within 3 days after appointment of the elections.

CHAPTER XVII (23.12.2005 N 2441) **ELECTIONS TO SAKREBULOS OF MUNICIPALITIES AND SELF-GOVERNING CITIES**

Article 113. Election system

Elections to local self-governance representative bodies - Sakrebulo – are conducted

by proportionate and majoritarian election systems.

Article 114. Voting right

During elections to Sakrebulo of municipalities and self-governing cities, a voter has one-vote right by the proportionate election system and one-vote right by majoritarian election system.

Article 115. Composition of local self-governance representative bodies – Sakrebulo

1. Municipal Sakrebulo is composed of 10 members elected by proportionate system and each member elected by majoritarian election system from the towns and settlements located on the corresponding territory, which is included in the region majoritarian.

2. Sakrebulo of a self-governing city consists of: (28.12.2009. N2525)

a) 10 members elected by the majoritarian system and 15 members elected by a proportionate system, if the number of voters exceeds 75 000;

b) 5 members elected by the majoritarian system and 10 members elected by a proportionate system, if the number of voters does exceed 75 000.

Article 116. Right for participation in elections in Sakrebulo (28.12.2009. N2525)

A party, election block, candidates appointed by the party and election block, which are registered in the relevant election committee, have the right for participation in elections in Sakrebulo.

Article 117. Registration of parties/election blocks (23.06.2006 N3400)

1. With the purpose of participation in the elections the local self-governance body – Sakrebulo, a party/election block, which was registered for the recent parliamentary elections, with the purpose of gaining the right to participate in the elections, shall submit a relevant request signed by its leader(s) to the CEC after elections are announced but no later than in 57 days before the elections. (28.12.2009 N2525)

2. Those parties which were not registered for the recent parliamentary elections in the central election committee, with the purpose of participation in elections the local self-governance body – Sakrebulo, shall submit a relevant request to the central election committee after elections are announced but no later than in 57 days before the elections. (28.12.2009 N2525)

3. A party which does not have a representative in the Parliament of Georgia or which does not satisfy the requirements mentioned in para 1 of the present article, the relevant department of the CEC, upon receiving the request, shall provide the sample of a supporters' list no later than in 57 days before the election day. The party is obliged to provide signatures of 30 000 supporters to the CEC no later than in 50 days before the election day. The relevant department of the CEC, within 2 days from the submission, shall check the supporters' lists and submits its conclusion to the CEC. (28.12.2009 N2525)

4. The party registration certificate and the statute or their notarized copies shall be attached to the statement.

5. The statement shall mention:

a) name of the party and its shortened version and/or abbreviation (if used) with which it participates in the elections;

b) names, surnames of party leader(s), their addresses (according to the place of registration), and telephone number and samples of his(their) signature(s);

c) names, surnames of the representative, his addresses (according to the place of registration), telephone number and scope of authorities;

d) in case of several representatives – their relevant scope of authorities in relation to the election process.

6. Name mentioned in para 4 “a” of the present Article, its shortened version and abbreviation shall not coincide with:

a) official names of other parties, acronyms and abbreviations, registered by the Ministry of Justice of Georgia (if they do, parties do not have the right to use them);

b) names of election block, acronyms and abbreviations, with which it participates in elections, if this block has submitted its registration request earlier to the CEC (if they do, parties do not have the right to use them);

c) the names used by other parties/election blocks at the previous parliamentary elections, acronyms and abbreviations, if there is no consent of the latter for this.

7. Relevant services of the CEC shall check statements and attached documents and, no later than the next day after receiving the statements by the committee, shall submit its conclusion to the CEC Chair. *(22.11.2007 N 5500)*

8. The CEC, no later than the next day after receiving the conclusion mentioned in para 7 of the same Article, shall: *(22.11.2007 N 5500)*

a) grant election registration to the party and its representative, if the submitted statement and attached documents comply with the requirements of present Law;

b) shall inform, in written, the party representative on incompliance of the statements and the attached documents with the requirements of the present Law (with indication of incompliance), if any, and give him 2 days for improving of the statements and the documents;

c) in cases envisaged in para 3 of the present Article, the final decision on party registration is made after checking the supporters’ lists.

9. Checking the corrected statement mentioned in para 8,“b” of the present Article and the documents as solution of the issue of election registration takes place no later than the following day from their submission. If the corrected statement and the documents comply with the requirements of the present Law, CEC shall register the party and its representatives (except for the cases envisaged by para 3 of the present Article). Otherwise, it issues, with the same deadline, the order to reject the election registration (the order shall clearly state the causes for rejection and those norms of the Law, incompliance with which caused the rejection). This order shall be immediately inform to the party representative and provided upon request. The mentioned above procedures expire no later than in 57 days before the election day. *(28.12.2009 N2525)*

10. If statement and the documents mentioned in the present Article (or corrected statement and the documents) and the supporters’ lists are presented within the terms defined by the present Law and satisfy requirements of the present Law, the CEC, on the basis of conclusion of the relevant service, no later than the next day from submission of the conclusion, shall grant election registration to the party and its representative. Otherwise, it, within the same terms, shall issue the order on refusal of election registration (the order shall clearly indicate the causes of refusal to register and the norms of the present Law, failure to satisfy of which led to this refusal). This order shall be immediately transmitted to the party representative and provided upon request of the latter. *(22.11.2007 N 5500)*

11. The parties registered by the CEC have the right to create election blocks and to participate as a block. For registration of the election block no later than 43 days before the election day the CEC shall receive requests from all the authorized leaders of the parties and the statute of the election block. *(28.12.2009. N2525)*

12. The statement shall include:

a) name of the election block and acronym and/or abbreviated name (if any) with which is participates in the elections and the list of the parties included in the block;

- b) name/surname of the party leader(s), their addresses (including registration place);
- c) name/surname of the representative(s), their addresses (including registration place), phone numbers and scope of authorities;
- d) if there are several leaders – scopes of authorities of each of them in relation to the election process.

13. The title, its acronyms and abbreviations of the election block indicated in para 12 “a” of the present Article shall not coincide with:

- a) official names of other parties (except for the member-parties of the same block), acronyms and abbreviations, registered by the Ministry of Justice of Georgia (if they do, parties do not have the right to use them);
- b) names of other election block, acronyms and abbreviations, with which it participates in elections, if this block has submitted its registration request earlier to the CEC (if they do, the block do not have the right to use them);
- c) the names used by other election blocks at the previous parliamentary elections, acronyms and abbreviations, if there is no consent of the latter for this.

14. The statute of the election block signed by the leaders of all the member-parties shall mention the following

- a) name of the election block and acronym and/or abbreviated name with which its participated in the elections;
- b) list of all the parties members of the election block;
- c) administrative body of the election block (if any), leaders and their authorities;
- d) the rule for making decisions in the election block, including acceptance of new members in the block, leaving and expelling the parties from the block, rules for submission and termination of nominations of members to their representative body;
- e) person with right of signature on the block documentation;
- f) rule of usage of the seal of one party included in the block with the election purpose;
- g) rule of appointment of election campaign fund administrator and accountant;
- h) rule of making changes to the statute of the election block.

15. A party included in the election block for participation in elections may not at the same time be included in other election blocks or participate independently in the elections.

16. Upon receiving statements and statutes mentioned in para 11 of the present Article, the CEC shall give a notice to the block representative on their acceptance.

17. The relevant service of the CEC checks statements and statutes mentioned in para 11 of the present Article, and, no later than the next day after submission of the statements to the committees, shall provide its conclusion to the CEC. The CEC shall immediately register the election blocks and their representatives if the submitted documents comply with the requirements of para 12-15 of the present Article; if the submitted documents do not comply with the mentioned above requirements, he shall inform, in written, the block representative on incompliance of the documents with the requirements of the present Law (with indication of incompliance). Corrected statements and documents shall be returned to the CEC in 2 days. The CEC shall make final decision on registration upon submission of the corrected documents: if the corrected documents comply with the requirements of the present Law, the CEC shall register election blocks and their representatives; otherwise, it shall issue an order of refusal of election registration (the order shall clearly indicate the causes of refusal to register and the norms of the present Law, failure to satisfy of which led to this refusal). This decision is immediately made known to the representative of the election block and provided upon request. The registration procedure mentioned in the present para is stopped on the 37th day prior to the elections. (28.12.2009. N2525)

18. Registered parties have the right before expiration of the term of registration of the election blocks, to join them, for which it is necessary to submit the relevant statement to the CEC and have consent of the election block. (22.11.2007 N 5500)

19. Upon registering of the election block, by the order of the CEC, authorities of the election committee representatives of all parties in blocks are terminated; election blocks may appoint two representatives in every election committees. (22.11.2007 N 5500)

20. Before expiration of the deadline for submission of the party lists/candidates, in case of leaving or expelling a party(ies) from the election block, each of them has the right to continue participation in the elections. If as a result of this, there is only one party left in the block, election registration of the block is annulled by the order of CEC and the parties that were its members have the right to continue participation in the elections. (22.11.2007 N 5500)

21. After expiration of the deadline for submission of the party lists/candidates, in case of leaving or expelling a party(ies) from the election block, election registration of this party is annulled by the order of the CEC. If as a result of this there is only one party left in the block, election registration of the block is annulled by the order of CEC and the remaining party becomes successor of the block. (22.11.2007 N 5500)

22. No later than 30 days prior to the voting day, the Central Election Committee shall publish in press and other mass media the list of registered parties and election blocks where they are listed by the order of submission of registration requests, and also the list of those parties and blocks, which were denied registration or whose registration has been annulled, with indication of causes of annulling. (28.12.2009. N2525)

Article 118. Submission of party lists

1. On the basis of proportionate election system, with the purpose of participation in the elections the local self-governance body – Sakrebulo, the party list is submitted to the relevant district election committee by independently participating parties and election blocks after their registration, no later than 30 days before voting. (28.12.2009. N2525)

2. All the parties and election blocks independently participating in the elections have the right to submit each list.

3. The number of Sakrebulo membership candidates in the submitted lists shall not be less than 10 and more than 30.

4. Party list may include only those members of the party and only those persons who are not the members of other parties participating in the elections; and the party lists presented by election blocks may include only members of the parties united in the block or those persons who are not the members of other parties participating in the elections.

5. The rule of composition party lists is defined by the parties and election blocks. During creation of party lists, the fact that the mandates received by party and election block by the elections results are distributed in succession, down from the top of the list, shall be considered.

6. A party list shall include the following data on each candidate:

a) name/surname;

b) date of birth (day, month, year);

c) profession;

d) position (activity);

e) work place (if unemployed, mention “unemployed”);

f) party affiliation (in case of party members; if non-partisan, mention “no party”);

g) ID card number of a citizen of Georgia (a passport of a citizen of Georgia) and personal number;

h) place of registration.

i) the name and number of local majoritarian election district (if any) (23.06.2006 N3400)

7. Party lists shall be certified by the signatures of leaders of the independently participating party; in case of the election block’ party lists – signatures of the party leaders united in the block.

8. Party lists shall include two photo pictures of each candidate and the registration

cards with their signatures (two copies) with indication of the filling date, where, together with the personal data of the candidates (name/surname, personal ID of a citizen of Georgia (passport of a citizen of Georgia) and personal numbers, place of registration, date of birth), the fact of their permanent residence in Georgia the last 10 years and an agreement to be included in the party lists for elections shall be included. *(28.12.2009. N2525)*

9. For the purpose of elections in the local self-governance representative bodies – Sakrebulo – party/election block representatives shall receive registration cards from the relevant district election committees. Upon receipt of the documents, party and election block representatives receive dated notices on receipt of the documents.

Article 119. Nomination of Sakrebulo candidates in majoritarian election district

1. The following have the right for nomination of candidates for membership in local self-governance representative bodies - Sakrebulo – in the relevant election districts:

- a) deleted *(28.12.2009. N2525)*
- b) independently participating parties;
- c) election blocks.

2. deleted *(28.12.2009. N2525)*

3. With the purpose of nomination of the majoritarian candidate in the election district, the party independently participating in the elections and the election block shall apply with the relevant request to its district election committee no later than in 30 days prior to the elections. *(28.12.2009. N2525)*

4. The statement shall include the following data on the majoritarian candidate:

- a) name/surname;
- b) date of birth
- c) profession;
- d) position (activity);
- e) work place (if unemployed, mention “unemployed”);
- f) ID card number of a citizen of Georgia (a passport of a citizen of Georgia) and personal number;
- g) place of registration.
- h) the name and number of election district where he is nominated as a majoritarian candidate;
- i) party affiliation (in case of party members; if non-partisan, mention “no party”)

5. Request for nomination of the candidacies of the members of the local self-governance body – Sakrebulo – is submitted to the relevant election committee. It shall be certified by signatures of all authorized members of the party or parties in the election block. *(28.12.2009. N2525)*

6. The statement shall include two photo pictures of a candidate and a registration card with his signature (two copies), where together with the personal data of the candidates (name/surname, personal ID of a citizen of Georgia (passport of a citizen of Georgia) and personal numbers, place of registration, date of birth), the fact of their permanent residence in Georgia the last 10 years and an agreement to be included in the party lists for elections shall be included. *(28.12.2009. N2525)*

7. Supporters’ signatures are collected within the rule of this Code.

8. Majoritarian candidate nominated by the party/election block in the election district may be simultaneously included in the party list of the relevant party/election block.

Article 120. Registration of party lists and Sakrebulo membership candidates nominated in local majoritarian election districts *(23.06.2006 N3400)*

1. In 2 days after their submission, party lists are registered by the relevant district election committee chair.

2. In 2 days after their nomination, Sakrebulo membership candidates nominated in local majoritarian election districts are registered by the relevant district election committee chair.

3. Registration of membership candidates to local self-governance representative bodies - Sakrebulos – is finished no later than in 21 days prior to the voting day.

4. In 3 days after Registration of membership candidates to local self-governance representative bodies – Sakrebulos, the relevant district election committees shall distribute to them their candidate's ID cards.

5. Candidates nominated in the election districts are registered if the following are provided:

a) candidate's registration card with indication of permanent residence in Georgia for the last 10 years; (28.12.2009. N2525)

b) deleted (28.12.2009. N2525)

c) statement of the party/election block;

d) list of supporters';

e) 2 photo pictures;

f) consent of the candidate to run for elections.

6. Party list or the candidate nominated by the party/election block, will not be registered if the registration card does not include or includes incomplete data on the following:

a) name/surname;

b) ID card number of a citizen of Georgia (a passport of a citizen of Georgia) and personal number;

c) date of birth (day, month, year);

d) place of registration.

e) statement on candidate's nomination, which is certified by signatures of the leaders of parties/election blocks;

f) party affiliation (in case of party members; if non-partisan, mention "no party");

g) position and work place (if unemployed, mention "unemployed");

h) the fact of permanent residence in Georgia for the last 10 years; (28.12.2009. N2525)

i) consent of the candidate to run for elections.

j) the name and number of local majoritarian election district where he is nominated as a majoritarian candidate;

k) date of filling out the registration card.

7. In case of violation of the requirements of para 5 and 6 of the present Article, candidate is refused registration in the district election committee registration.

8. Party/election block has the right to request participation in the elections with the number in the list which it has during the previous parliamentary elections, for which a statement shall be submitted to the CEC no later than in 40 days prior to the elections. If during the previous parliamentary elections the number was assigned to the election block, the right for usage of this number is given to the first party in list of the block members; if it refuses in a written form to have it, the right to use the mentioned above number moves to the subsequent party in list of the block members and so on. If the right envisaged by the present para was not used during the elections by proportionate system, sequence of the parties and election blocks independently participating in the elections of the representative body of the local self-governance body – Sakrebulo, is defined by their positions in the previous parliamentary elections. If a election block that had participate in the previous parliamentary elections does not participate in the Sakrebulo elections, the right to use its number is given to the first party in list of the block members, if it refuses, moves to a subsequent member and so on. If for the Sakrebulo elections the election block was created by the parties that had participated in the previous parliamentary elections, the statute of the block shall include the number of the party

they will be using. If any party/election block has not used the right to use the number, parties/election blocks after it would move forward in the list. (28.12.2009. N2525)

9. Sequence of the parties/election blocks is defined by casting of lots conducted by the rule defined by Article 99 para 2–6 of the present Law, no later than in 35 days before the elections. Numbers of these parties/election blocks start with the figure, which is by 1 more than the last number of the election subject envisaged by para 8 of the present Article. (28.12.2009. N2525)

10. Candidates nominated by the parties and election blocks for the elections with the majoritarian system have the same number as their election subject. (28.12.2009. N2525)

11. If the registration of a party/election block was annulled after the registration number was given to it, the remaining parties/election blocks retain previously received numbers.

12. Information on succession of the election subjects' numbers is published in press and other mass media, no later than in 3 days after the end of registration term. The same term applied to publication of the lists of subjects who have been denied registration.

Article 121. Annuling the decision on candidate nomination

1. Party/election block has the right after the registration, no later than in 10 days prior to the elections, to annul its decision on candidate nomination. (23.06.2006 N3400)

2. The candidate may, no later than in in 10 days prior to the elections, to withdraw from the elections, for which he shall submit the statement to the relevant district election committee. (23.06.2006 N3400)

3. The relevant district election committee shall immediately publish the notice on annulling candidate's registration and the decision of candidate nomination.

Article 122. Ballot paper

1. Two different types of ballot papers are prepared for the elections to the local self-governance representative bodies – Sakrebulo.

2. The ballot for the elections by proportionate system to the local self-governance representative bodies - Sakrebulo – includes the names of parties/election blocks (the names of parties united in the block shall be mentioned next to the block's name) in accordance with the define rules of succession.

3. The ballot for the elections by majoritarian system to the local self-governance representative bodies - Sakrebulo – includes all numbers and names for the candidates for the corresponding local majoritarian districts. Next to the name of the candidate(s) proposed by the parties and election blocks shall be the name of the relevant party of the block. The data on the candidates are included in the election ballot by the corresponding district election committee on the basis of its sequence defined by casting of lots, not earlier than 24 days and no later than 20 days prior to the elections. (28.12.2009. N2525)

4. The voter shall circle on not more than 1 number of the party/election block in the ballot for the elections by proportionate system to the local self-governance representative bodies - Sakrebulo.

5. The voter shall circle on not more than 1 number of the candidate on the ballot for the elections by majoritarian system to the Sakrebulo.

Article 123. Definition of the results on the basis of proportionate election system

1. deleted (23.06.2006 N3400)

2. With the purpose of defining the number of mandates received by the party list, the number of votes received by party list shall be multiplied by the number of mandates in the

election district and then divided on the sum of the votes of the parties/election blocks, which received not less than 5% of the total number of votes. The integer party of the resulting figure is the number of mandates received by the list. The number of votes indicated by the void ballots is not included in the number of votes participating in the elections. *(22.11.2007 N 5500)*

3. If the sum of the number of mandates received in election district by party lists is less than the total number of mandates, each mandate out of the remaining ones shall be given to, first, the party list, which within the rule of para 2 of the present Article, failed to received a mandate but gained more than 5% of the total number of voters participating in the elections; the next mandate shall be given to the party list which had at least one mandate; in such case each mandate will be given to the party lists, received the highest number of votes in the elections. The number of votes indicated by the void ballots is not included in the number of votes participating in the elections. *(22.11.2007 N 5500)*

3¹. If more than 10 election subjects received 5% or more of the votes, the distribution rule of para 2 of the present Article is not applied. In such a case each mandate is given to these 10 election subject, which received the highest number of votes. The number of votes indicated by the void ballots is not included in the number of votes participating in the elections. *(22.11.2007 N 5500)*

4. If 2 or more party lists received equal number of votes, the mandates are given to the list that had been earlier registered in the relevant district election committee for participation in the Sakrebulo elections.

5. Those candidate are considered as elected in Sakrebulo by proportionate election system, whose numbers in the party list are less or equal to the number of mandates received by this party list.

6. If Samrebulo membership candidate is elected both from local majoritarian district and by party list, he is considered as elected from the election district, will be excluded from the party list and the next candidates in the line takes up his place in the list.

Article 124. Definition of the results on the basis of majoritarian election system

1. A candidate is elected to the Sakrebulo by majoritarian election system if he received the highest number of votes.

2. If two candidates participating in the elections received equal number of votes, the candidate who had been registered earlier by the registered relevant district election committee is considered as elected.

Article 125. Summarizing Sakrebulo elections results in the district election committees

1. District election committees may invalidate the election results in those polling stations where this Law was violated. Before making the decisions about those claims on the basis which election results can be invalidated in the station, summarizing elections results by district election committees is not permitted.

2. Elections in election districts may be invalidated if the number of void ballots in the district is more than one half of the total number of voters participating in the elections in the given district.

3. District election committee, at its meeting, shall summarize the results of the elections and conclude a protocol. *(28.12.2009. N2525)*

4. During elections to local self-governance representative bodies – Sakrebulo, district election committee, on the basis of the protocols received from regional election committees, defines:

- a) total number of voters;
- b) number of voters participating in the elections;

- c) number of unused and spoiled ballots; (23.06.2006 N3400)
- d) number of authentic ballots;
- e) number of void ballots;
- f) number of ballots of an unidentified form;
- g) number of votes given to election subjects.

5. Concluding protocol of elections in the district election committee is drafted in 3 copies, one of which is handed over to the CEC, the second remains in the corresponding district election committee, and the third one is provided to the mandate committee of the relevant Sakrebulo. (28.12.2009. N2525)

6. One copy of the protocol no later than in 5 days after the end of the voting is sent to the CEC; the second is kept within the relevant district election committee, the third one is provided to the mandate committee of the Sakrebulo, and the certified copies of the protocol are sent to the representatives of the parties and election blocks. (28.12.2009. N2525)

7. District election committee shall, after summarizing the results, immediately made public the copy of the concluding protocol of the election results in a visible spot. (28.12.2009. N2525)

8. Within 10 days from summarizing the elections results, district election committee shall publish in press and other mass media the notice on the Sakrebulo election results in the relevant districts. The notice shall also include party affiliations of the elected Sakrebulo members (in case of party members; if non-partisan, mention "no party"), birth date, profession, main activities, work place.

Article 125¹. Convocation of the first meeting of local self-governance representative body – Sakrebulo (23.06.2006 N3400)

On the whole territory of Georgia, the first meetings of local self-governance representative bodies - Sakrebulos - are assembled by the President of Georgia within 30 days from announcement of the final results of elections.

Article 126. Repeated and new voting (23.06.2006 N3400)

1. If voting in a polling station was invalidated, the relevant district election committee appoints repeated elections, which shall be conducted in 2 weeks after general elections. Repeated elections are conducted only if the difference between the candidate with the last best result and the following candidate from the candidates to be elected in local self-governance representative bodies - Sakrebulos – is less than total number of voters in this district or the invalidated district.

2. In case of invalidating of election results of the repeated elections in polling stations, the relevant district election committee shall summarize the election results in the districts without considering these stations.

3. If the elections were annulled in the election district, new elections are conducted within 2 weeks.

Article 126¹. Registration of the elected members to local self-governance representative body – Sakrebulo

In 5 days after summarizing final elections results, the relevant district election committee shall register the elected members to local self-governance representative body – Sakrebulo and issue them relevant ID cards. (23.12.2005. N2441)

Article 126². The rule for substitution of the absent members of the Sakrebulo (28.12.2009. N2525)

1. If the authorities of a member of Sakrebulo election by a proportionate rule have been stopped before their deadline, within 2 week on his place in the Sakrebulo, a candidate standing next to him in the election lists of the same party takes up his place, if, during 10 days after informing the CEC, he accepts the membership in Sakrebulo. If there is no candidate in the party list, the mandate is annulled.

2. If the person absent in Sakrebulo was elected by the party list of the election block and it was indicated in the party list that he is a member of one of the subject-party in the party list, within 1 month his place is given to the candidate standing next in the same party list, during 10 days after the vacancy he accepts the membership in Sakrebulo. Otherwise, the vacancy will be filled by the next person in the same party list and so on. If it was not mentioned in the party list that that he is a member of one of the subject-party in the party list, his successor is nominated within the rules defined by para 1 of the present Article.

3. If the authorities of not less than 5 members of the Sakrebulo elected by a majority rule are stopped before their term, off-season elections are conducted next September-October within the rule defined by the present Law. If it is less than 60 days before the off-season elections, they are conducted next year in September-October. Off-season elections are not conducted if it is less than 2 years before the expiration of the term of the authority of the Sakrebulo.

4. Date of off-season elections is set up by the decision of CEC. No later than in 2 months before the election day it shall define the dates of elections.

5. Candidates who have won the off-season elections take up the place of the missing person in Sakrebulo who was elected by the majoritarian rule with the remaining term of authorities of Sakrebulo.

CHAPTER XVII¹ **ELECTIONS TO THE CAPITAL OF GEORGIA - TBILISI CITY SAKREBULO** **(28.12.2009. N2525)**

Article 126³. Elections to the capital of Georgia - Tbilisi City self-governance body – Sakrebulo (28.12.2009. N2525)

1. During elections to the capital of Georgia - Tbilisi City self-governance body – Sakrebulo (hereinafter – Tbilisi Sakrebulo), the norms defined by the present Law shall be used if otherwise defined by the present Chapter.

2. During emergencies or wars elections to Tbilisi Sakrebulo are not conducted. If the term of the elections coincided with the emergencies or wars, the elections are conducted no later than in 60 days after the end of such circumstances.

3. Elections to Tbilisi Sakrebulo are conducted by majoritarian and proportionate systems.

4. There are 50 members in Tbilisi Sakrebulo, out of which 25 members are elected on the territories of single member majoritarian constituency, and 25 – by proportionate rule on the whole territory of Tbilisi.

5. Taking into account the borders of territorial units of the Tbilisi regions and the number of voters, in 5 days after announcing the elections, the CEC shall order creation of single member majoritarian constituencies of Tbilisi and define their borders

Article 126⁴. Election districts (28.12.2009. N2525)

1. For the proportionate system elections in Tbilisi Sakrebulo, 10 election districts are created:

- a) Mtatsminda;
- b) Vake;
- c) Saburtalo;
- g) Krtsanisi;
- e) Isani;
- f) Samgori;
- g) Chughureti;
- h) Didube;
- i) Nadzaladevi;
- j) Gldani.

2. CEC fulfills the role of an election committee for the proportionate system elections to Tbilisi Sakrebulo.

3. Results of the majoritarian system elections to Tbilisi Sakrebulo are summarized and concluded by the relevant district election committee.

**Article 126⁵. Right for participation in the elections in Tbilisi Sakrebulo
(28.12.2009. N2525)**

1. Right for participation in the elections in Tbilisi Sakrebulo is given to the party, election block, candidates presented by the party and the election block in accordance with the registration by the election committee defined by the Law.

2. Right for participation in the proportionate elections and running for the mandate of Tbilisi Sakrebulo is given only to the parties and election blocks.

3. Right for participation for single member majoritarian constituency elections in Tbilisi Sakrebulo is given to the representatives nominated by the parties/election blocks. They may be presented only in one single member majoritarian constituency.

4. A person nominated as a candidate in the elections to Tbilisi Sakrebulo may not be nominated at the same time as a candidate in the elections of another self-governing body – Sakrebulo.

5. Incompliance of the status of a candidate in the elections to Tbilisi Sakrebulo with other duties is defined by the rule of Article 111 of the present Law. Article 98 para 4 „e“ of the present Law does not apply to incompliance of the status of a candidate.

Article 126⁶. Submission of party lists (28.12.2009. N2525)

1. For receiving of the mandates in Tbilisi Sakrebulo by proportionate system the party lists are submitted to the CEC by the parties and party blocks no later than in 30 days before the voting.

2. Party lists of the candidates to Tbilisi Sakrebulo by proportionate system shall include no less than 50 and not more than 100 candidates.

3. Party lists may include the candidates presented in the majoritarian constituencies. In such cases party lists shall include the notes that the candidates are nominated in single member majoritarian constituency.

4. Party list may include the members of the party or those individuals who are not members of other parties participating in the elections, and the party list of the election block – from the members of parties included in the block or those individuals who are not members of other parties participating in the elections. The party and election block has a right to nominate an able citizen of Georgia who knows the state language and is 21 years old by the time of voting as a candidate for elections in Sakrebulo.

5. Rule for creation of party lists are defined by the parties and election blocks. During drafting of the party lists, the fact that the mandates received by the parties, election blocks as a

result of the elections are divided from the top of the list shall be taken into account.

6. Information of each candidate in the party list shall include:

- a) name/surname;
- b) date of birth;
- c) profession;
- d) position (job);
- e) work place (if unemployed - „unemployed“ shall be written);
- f) party affiliation (in case of party members; if non-partisan then “no party” shall be written);
- g) personal ID card of a Georgian citizen (passport of a Georgian citizen) and personal number;
- h) registration place;
- i) name of the local single member majoritarian constituency, if the person is a majoritarian candidate.

7. Party lists shall be certified by the signature of the leader of the party independently participating in the elections; party list of the election block – signatures of all the leaders of the parties united in the block.

8. Party list shall include two photo pictures of each candidate and the registration cards with their signatures (two copies) with indication of the filling date, where, together with the personal data of the candidates (name/surname, personal ID of a citizen of Georgia (passport of a citizen of Georgia) and personal numbers, place of registration, date of birth), the fact of their permanent residence in Georgia the last 10 years and an agreement to be included in the party lists for elections shall be included.

Article 126⁷. Submission of the candidates for membership in Tbilisi Sakrebulo by majoritarian system (28.12.2009. N2525)

1. The right for submission of the candidates for membership in Tbilisi Sakrebulo by majoritarian system Tbilisi Sakrebulo have:

- a) an independently participating party in the elections;
- b) election block.

2. The party and election block has a right to nominate an able citizen of Georgia who knows the state language and is 21 years old by the time of voting as a candidate for elections in Tbilisi Sakrebulo.

Article 126⁸. Ballot papers (28.12.2009. N2525)

1. During elections to Tbilisi Sakrebulo, the voters will receive one majoritarian ballot and one proportionate ballot.

2. Voters participating in the elections shall circle only one number in the ballot.

Article 126⁹. Definition of results of the majoritarian elections to Tbilisi Sakrebulo (28.12.2009. N2525)

Those majoritarian candidates who have received the highest votes in single member majoritarian constituency are considered as elected in Tbilisi Sakrebulo. If two candidates participating in the elections gathered equal votes, the candidate is considered as elected if he presented the earliest request for registration in the relevant district election committee.

Article 126¹⁰. Submission of the candidates for membership in Tbilisi Sakrebulo by proportionate system (28.12.2009. N2525)

1. Mandates in Tbilisi Sakrebulo by proportionate system are allocated for only those election subjects, who participated in the elections with not less than 4% of the votes. Mandates are allocated within the rule of the present Article.

2. For definition of the number of mandates accepted by the party lists, the number of votes received by the party lists shall be multiplied by the number of proportionate mandates of Tbilisi Sakrebulo and shall be divided by the sum of votes received by those parties/election blocks, who participated in the elections with not less than 4% of the votes. The integer part of the resulting number is the number of mandates received by party lists. The number of votes indicated by the void ballots is not included in the number of votes participating in the elections.

3. If during proportionate elections in Tbilisi Sakrebulo the sum of the mandates received by the party lists is less than the total number of the mandates, each mandate from non-distributed mandates accordingly to the votes received, will be given to the party lists, which had received at least one mandate as defined by the rule of para 2 of the present Article.

4. If the number of votes received by two or more party lists is equal, the mandate is given to the party list which had the earliest registration in the CEC for participation in the Tbilisi Sakrebulo elections.

5. Those candidates are considered as elected on the basis of proportionate election system in Tbilisi Sakrebulo whose number in the party lists is less or equals to the amount of mandates received by the party list.

6. If a candidate for Sakrebulo membership is elected from a single member majoritarian constituency and by the party lists, then he is considered as elected from a single member majoritarian constituency, will be removed from the party lists and is replaced by a successive candidate towards the beginning of the list.

Article 126¹¹. Registration of persons elected in Tbilisi Sakrebulo (28.12.2009. N2525)

Within 5 days after summarizing the results of the elections, the CEC shall register the members of the Tbilisi Sakrebulo and hand them the corresponding ID cards.

Article 126¹². Rule for substitution for missing members of Tbilisi Sakrebulo (28.12.2009. N2525)

1. If authorities of a member of Tbilisi Sakrebulo elected by proportional system are early terminated, within 2 weeks his place in the Sakrebulo 2 is taken up by his substitute, a candidate next to him in the same party list if, during 10 days after informing the CEC, he accepts the membership in Sakrebulo. If there is no candidate in the party list, the mandate is annulled.

2. If the person absent in Tbilisi Sakrebulo was elected by the party list of the election block and it was indicated in the party list that he is a member of one of the subject-party in the party list, within 1 month his place is given to the candidate to Tbilisi Sakrebulo standing next in the same party list, if during 10 days after the vacancy he accepts the membership in Sakrebulo. Otherwise, the vacancy will be filled by the next person in the same party list and so on. If it was not mentioned in the party list that that he is a member of one of the subject-party in the party list, his successor is nominated within the rules defined by para 1 of the present Article.

3. A successor of the missing member of Tbilisi Sakrebulo elected by proportionate system shall within 10 days after informing the CEC, give consent to Sakrebulo membership. Otherwise, the vacancy will be filled by the candidate as defined by the rule of para 2 of the present Article. If there is no candidate in the party list, the mandate is annulled.

4. If the authorities of not less than 5 members of Tbilisi Sakrebulo elected by a majority

rule are stopped before their term, and before expiration of the authorities of the Sakrebulo member is more than 2 year left, off-season elections are conducted next September-October within the rule defined by the present Law. If it is less than 60 days before the off-season elections, they are conducted next year in September-October.

5. Date of off-season elections is set up by the decision of CEC. No later than in 2 months before the election day it shall define the dates of elections.

6. Candidates who have won the off-season elections take up the place of the missing person in Tbilisi Sakrebulo who was elected by the majoritarian rule with the remaining term of authorities of Sakrebulo.

CHAPTER XVII² **ELECTIONS OF THE MAYOR OF TBILISI, CAPITAL OF GEORGIA** **(28.12.2009. N2525)**

Article 126¹³. Elections of the Mayor of Tbilisi, capital of Georgia (28.12.2009. N2525)

1. During Elections of the Mayor of Tbilisi, capital of Georgia (hereinafter – Tbilisi Mayor) the norms defined by the present Law shall be used if otherwise defined by the present Chapter.

2. Tbilisi Mayor shall be elected universally, on the basis of equal and direct rights, by secret ballots, by the Tbilisi voters, for the terms of 4 years.

3. Election of Tbilisi Mayor is announced by President of Georgia no later than in 60 days before end of the term of the Tbilisi Mayor.

4. During emergencies or wars elections to Tbilisi Mayor are not conducted. If the term of the elections coincided with the emergencies or wars, the elections are conducted no later than in 60 days after the end of such circumstances.

Article 126¹⁴. Election districts (28.12.2009. N2525)

1. For the purposes of elections of the Tbilisi Mayor, Tbilisi represents one election district, the borders of which correspond to the borders of the election districts created on the basis of article 126⁴ of the present Law.

2. Results of Tbilisi Mayor are summarized and published by the CEC.

Article 126¹⁵. Registration of the candidates for the Tbilisi Mayor and definition of their numbers (28.12.2009. N2525)

1. A citizen of Georgia with election rights, from 25 years of age, who had spent not less than 10 years in Georgia and speaks the Georgian language, can be elected as Tbilisi Mayor.

2. No later than 30 days before the elections the right to nominate a candidate to the Tbilisi Mayor has the party/election block registered by Article 117 of the present Law.

3. Incompliance of the status of a candidate in the elections to Tbilisi Sakrebulo with other duties is defined by the rule of Article 111 of the present Law. Article 98 para 4 „e“ of the present Law does not apply to incompliance of the status of a candidate.

4. In 2 days after nomination, Tbilisi Mayor candidates, as provided by the present Article, are registered by the CEC.

5. Tbilisi Mayor candidate has the number of the election subject that nominated him.

6. Decision of the nominating election subject on nomination of a Tbilisi Mayor candidate shall include the registration card mentioning his:

- a) name/surname;
- b) date of birth (day, month, year);
- c) sex;

- d) address (according to the place of registration);
- e) ID card of a citizen of Georgia (passport of a citizen of Georgia) and personal number;
- f) education (high, associate degree, professional degree, secondary, basic, primary);
- g) specialty (according to diploma/certificate);
- h) work place (title of the organization, company, etc.);
- i) position (if unemployed, mention "unemployed");
- j) party affiliation (in case of party members; if non-partisan, mention "no party");
- k) military service;
- l) agreement to run for the Mayor of Tbilisi;
- m) signature and date.

7. Tbilisi Mayor candidate is not registered and the election registration of the registered candidate will be revoked by the decision of CEC (in case of para „a“-„c“) or the court (in case of para „d“), if the statements and documents submitted to the election committee do not satisfy all the requirements of the Law or other conditions defined by the same Law have been violated, in particular:

- a) the information mentioned in the statements and documents is incomplete or incorrect;
- b) there is/was a simultaneous existence of agreement to run for the Tbilisi Mayor and participation in elections of other local self-governance representative body – Sakrebulo;
- c) requirements of para 3 of the present Law;
- d) requirements of Article 73 para 9 and/or Article 76 of the present Law.

Article 126¹⁶. Summary of the elections of the Tbilisi Mayor (28.12.2009. N2525)

The candidate is considered as elected Tbilisi Mayor who received the highest number of votes but no less than 30% of the voters participating in voting. The number of the voters participating in voting shall not include the free number as a result of annulling of ballots.

Article 126¹⁷. Second round of elections of the Tbilisi Mayor, new elections and off-season elections (28.12.2009. N2525)

1. If none of the candidates received the necessary number of votes in the elections of the Tbilisi Mayor as required by Article 126¹⁶, the second round of elections is announced. 2 candidates with best results participate in the second round and the candidate will be considered as elected who received highest number of votes. If the candidates received equal number of votes, the candidate will be considered as elected who received higher number of votes in the first round. If these numbers are equal, new elections are scheduled in 2 months.

2. Second round of the Tbilisi Mayor elections is announced by the CEC decision. Second round of the elections is conducted in one month after the elections.

3. In case of termination of the authorities of Tbilisi Mayor before their term, if more than 2 years remain before the term is over, off-season elections of Tbilisi Mayor are conducted. Off-season elections are announced by President of Georgia in 6 months after termination of the authorities of the Tbilisi Mayor.

CHAPTER XVII3 RESPONSIBILITY FOR VIOLATION OF THE ELECTION LEGISLATION (28.12.2009. N2525)

Article 126¹⁸. Participation in election propaganda with violation of Law (28.12.2009. N2525)

Participation of the persons envisaged by Article 73 para 5 of the present Law in election propaganda –
Fined by 1500 GEL

Article 126¹⁹. Election calls and preventions of dissemination of materials (28.12.2009. N2525)

Within the rule defined by the present law, prevention of election calls, statements, graffiti, dissemination of papers, photo- and other materials and expropriation, and also expropriation of vehicles and other transport means equipped with election propaganda and special means or hindering their usage as election means –
Fined by 1000 GEL.

Article 126²⁰. Election campaign in prohibited organizations (28.12.2009. N2525)

Organizing election campaigns in the buildings of those organizations which are prohibited by the law and issuing such a permit by an authorized person –
Fined by 1000 GEL.

Article 126²¹. Violation of the rule of promulgation of the results of the public opinion polls in relation to the elections (28.12.2009. N2525)

Within the terms defined by the Law, promulgation of the results of the public opinion polls in relation to the elections without the required information or violation of other rules in relation to its promulgation –
Fined by 1500 GEL.

Article 126²². Placing political/election advertisement with violation of the legal requirements (28.12.2009. N2525)

Placing of election propaganda, political/election advertising and provision of information (or its publishing) in violation of the requirements of the present Law –
Fined by 1500 GEL for electronic media, and 500 GEL for printed media.

Article 126²³. Receiving financial and material contributions to the election campaigns and/or hiding information about the contributions (28.12.2009. N2525)

1. Making financial and material contributions by political unions of citizens in the election campaign fund prohibited by the legislation of Georgia –

Will lead to transfer of the prohibited financial contributions to the budget of Georgia and/or material compensation within the rule defined by the legislation of Georgia.

2. Hiding the information about making financial and material contributions by political unions of citizens in the election campaign fund prohibited by the legislation of Georgia –

Will lead to transfer of the prohibited financial contributions to the budget of Georgia and/or material compensation within the rule defined by the legislation of Georgia and a fine of 1500 GEL.

3. Actions envisaged in para 1 and 2 above, conducted by the political unions of citizens, which received state funding, –

Will lead to transfer of the prohibited financial contributions to the budget of Georgia and/or material compensation within the rule defined by the legislation of Georgia and a fine of 3000 GEL.

Article 126²⁴. Failure to fulfill the requirements of the Law to provide the report on the fund of elections campaign (28.12.2009. N2525)

1. Failure to fulfill the requirements of the Law to provide the report on the fund of elections campaign -

Political union of citizens will be fined by 1500 GEL.

2. The same action conducted by political union of citizens, which receives state funding,

–
Political union of citizens will be fined by 3000 GEL.

Article 126²⁵. Refusal to present election, referendum, or plebiscite materials or failure to fulfill the relevant decisions (28.12.2009. N2525)

Refusal to present election, referendum, or plebiscite committees with materials or failure to fulfill their decisions -

Top-level officials will be fined by 1000.

Article 126²⁶. Changing the data included in the concluding protocols of voting and elections (28.12.2009. N2525)

Changing the data included in the concluding protocols of voting and elections –

Will lead to fining the chair and/or secretary of the relevant election committee by 2000 GEL each.

Article 126²⁷. Election propaganda and campaign usage of administrative resources and positions or restriction of official usage (28.12.2009. N2525)

During election propaganda and campaign usage of administrative resources and own positions in violation of the requirements of the present Law –

Will be fined by 1000 GEL.

Article 126²⁸. Failure to provide copies of elections, referenda or concluding protocols (28.12.2009. N2525)

Failure to provide copies of elections, referenda or concluding protocols in violation of the requirements of the present Law –

Will lead to fining the chair and/or secretary of the relevant election committee by 1000 GEL each.

Article 126²⁹. Hindering persons with the rights to be present in the polling station to making notes in the log-book (28.12.2009. N2525)

Hindering persons with the rights to be present in the polling station from making notes in the log-book –

Relevant individuals will be fined by 1000 GEL.

Article 126³⁰. Limitation of the rights of the observers, election subjects and mass media representatives (28.12.2009. N2525)

Limitation of the rights of local/international observers, election subjects and mass media

representatives as defined by the present Law or hindering their activities –
 Relevant individuals will be fined by 500 GEL.

Article 126³¹. Violation of their responsibilities and requirements by the observers, election subjects and mass media representatives (28.12.2009. N2525)

Violation of requirements of Article 70 2 “a-d” of the present Law by the observers, election subjects and mass media representatives –
 Relevant individuals will be fined by 500 GEL.

Article 126³². Legal proceeding (28.12.2009. N2525)

1. Protocols on administrative violations as envisaged by Articles 12618–12631 of the present Law are prepared by the CEC, and the persons authorized by the CEC and the relevant district election committee (officers).

2. Cases of administrative violations envisaged by Articles 12618–12631 of the present Law are reviewed by the district/city courts.

3. During committing administrative violations as envisaged by the present Article, legal proceeding, according to the Code of Administrative Violations of Georgia, of otherwise envisaged by the present Law”.

**CHAPTER XVIII
 TRANSITORY PROVISIONS**

Article 127 deleted (16.09.2004 N 420)
 Article 127¹. deleted (22.04.2005 N 1427)
 Article 128. deleted (22.04.2005 N 1427)
 Article 128¹. deleted (22.04.2005 N 1427)
 Article 128². deleted (22.04.2005 N 1427)
 Article 128³. deleted (22.04.2005 N 1427)
 Article 128⁴. deleted (22.04.2005 N 1427)
 Article 128⁵. deleted (22.04.2005 N 1427)
 Article 128⁶. deleted (22.04.2005 N 1427)
 Article 128⁷. deleted (22.04.2005 N 1427)
 Article 128⁸. deleted (22.04.2005 N 1427)
 Article 128⁹. deleted (22.04.2005 N 1427)
 Article 128¹⁰. deleted (22.04.2005 N 1427)
 Article 128¹¹. deleted (22.04.2005 N 1427)
 Article 128¹². deleted (22.04.2005 N 1427)
 Article 128¹³. deleted (11.07.2007 N5250)
 Article 128¹⁴. deleted (11.07.2007 N5250)

Article 129

1. The obligatory level of the Georgian language defined by Article 92 para 1 of the present Law shall be enacted from January 1, 2005. (23.12.2005 N 2441)

2. deleted (11.07.2007 N5250)

3. deleted (22.04.2005 N 1427)

4. In case of a problem related to the state language knowledge in district and regional election committees, on the basis of the suggestions of the district election committees, the CEC shall provide for translators with relevant qualifications to be used in those committees.

(23.12.2005 N 2441)

5. Authorities of those members of the Central Election Committee who do not have election administration officers' certificates, are terminated if by January 1, 2009 they fail or refuse to be certified. (15.07.2008 N 231)

Article 129¹. deleted (11.07.2007 N5250)

Article 129². Events to be undertaken prior to the elections to the Parliament of Georgia (23.12.2005. N2441)

For the elections to the Parliament of Georgia, the CEC shall provide for creation of 1500 polling stations for voters.

Article 129³. deleted (11.07.2007 N5250)

Article 129⁴. deleted (21.03.2008 N 6013)

Article 129⁵. deleted (22.11.2007 N 5500)

Article 129⁶. deleted (15.07.2008 N 231)

Article 129⁷. deleted (21.03.2008 N 6013)

Article 129⁸. deleted (15.07.2008 N 231)

Article 129⁹ (10.08.2009 N 1610)

Off-season elections to the Parliament of Georgia to be conducted by majoritarian system in #7 Chugureti, #12 Gurjaani and #60 Ozurgeti election districts on September 27, 2009 shall be held in May-June 2010.

Article 129¹⁰ (28.12.2009. N2525)

1. Members, elected in CEC, whose authorities expire in 2010, terminate their authorities within the rule defined by the present Article on January 1, 2010 and are considered as members of CEC/substitutes for the relevant office of the CEC, after elections of the CEC member before enactment of the Parliament of Georgia on election of the CEC member.

2. President of Georgia, no later than in December 31, 2009 shall issue an order on conducting the completion for selection of members of CEC as envisaged in para 1 of the present Article and creation of the complaint commission.

3. The complaint commission shall be presented with the documents as defined by Article 28 para 6 of the present Law, which shall be completed by January 8, 2010.

4. No later than January 11, 2010, the complaint commission shall submit to the President of Georgia not less than 2 and not more than 3 nominations per each vacant position in CEC; President of Georgia, in two days, shall make a decision on selection of the candidates and on presentation 2 nominees per vacant position in the CEC the Parliament of Georgia.

5. In 7 days after submission of the nominees, the Parliament of Georgia elects the members of CEC by an open ballot.

Article 129¹¹ (28.12.2009. N2525)

1. Authorities of the chair of the CEC is terminated within the rule defined by the present Article on January 1, 2010 and he is considered as a temporary placement for the position of the CEC chair until elections of a new chair.

2. With the purpose of election of three candidates for the position of the chair of CEC, President of Georgia received consultations from non-governmental organizations, after which

no later than on January 8 shall select and submit the nomination of 3 candidates to the CEC.

3. No later than January 11, 2010 CEC gathers meeting for election of its chair before the elections, the elder member of the CEC appointed by the parties presides the meetings (except for the member of the party gained the best results during previous parliamentary elections). Decision on election of the chair of CEC is made by secret ballots by the CEC members appointed by the parties (except for the member of the party gained the best results during previous parliamentary elections) by the majority of votes, but not less than by 4 votes. Each member of CEC has one vote. Decision on election of the chair of CEC is signed by the chair of the meeting.

4. If, within the terms envisaged by para 3 of the present Article, no meeting was summoned, or no CEC chair was elected as a result of voting at its meeting, out of 3 nominations submitted by President of Georgia, Parliament of Georgia shall select chair of CEC within 7 days.

Article 129¹² (28.12.2009. N2525)

1. Elections in local self-governance representative body – Sakrebulo, Tbilisi Mayor and off-season elections in the Parliament of Georgia., district election committee concludes the results of the relevant elections and summarizes them no later than in 12 days after the elections, and the CEC - no later than 24 days after elections.

2. Provisions of Article 77 of the present Law do not cover the Parliamentary elections of Georgia (except for the off-season elections of the Parliament of Georgia).

Article 129¹³ (28.12.2009. N2525)

1. Local self-governance elections shall be conducted before June 1, 2010.

2. Authorities of the local self-governance bodies elected on 2006 shall be stopped upon the first meeting of the newly elected Sakrebulos.

3. During local self-governance elections, elections shall take place in the municipalities in the local majoritarian electoral districts defined during the local self-governance elections of 2006 with consideration of territorial changes undertaken in 2006–2010 among the local self-governance bodies.

4. The CEC shall define, before February 1, 2010 the borders of single majority member constituency in Tbilisi and self-governing cities.

5. The CEC shall define the local majoritarian districts no later than March 1, 2010.

6. In 2010 local self-governance elections are not conducted in Eredvi, Toghvi, Kurta, Azhara and Akhalgori municipalities. The local self-governance bodies in the mentioned above municipalities retain their authorities.

Article 129¹⁴ (28.12.2009. N2525)

1. For the local self-governance elections to be conducted in 2010, with the purpose of monitoring of the voters' lists by the parties, Ministry of Finances of Georgia, no later than February 1, 2010, shall allocate additional sum for funding political parties in 2010 and to provide for its transfer on the account of CEC.

2. The money defined by para 1 of the present Article shall be equally divided to those parties, which take their funding from the state budget of Georgia and, no later than February 1, 2010 apply in written for participation in the monitoring of the voter's list.

3. The terms of monitoring of the voters' lists defined by the present Article from February 5, 2010 to March 15, 20201. Results of the monitoring are provided to the CEC no later than march 31, 2010.

Article 129¹⁵ (28.12.2009. N2525)

1. From January 15, 2010 to June 1, 2010 due to change of the residence, during registration, instead of the private ID card of a citizen of Georgia, temporary ID of a citizen of Georgia will be distributed, which will have identical legal power with the private ID card of a citizen of Georgia, except for the election purposes. Distribution of temporary ID of a citizen of Georgia is provided by the Public Registry Agency.

2. Change of the temporary ID of a citizen of Georgia to the private ID card of a citizen of Georgia is implemented from June 2010 to September 1, 2010, out of the sources of the state budget of Georgia.

Article 129¹⁶ (28.12.2009. N2525)

1. Before February 1, 2010, with the purpose of setting up the Training Center, the CEC shall provide the following:

- a) approval of the statute of the Training Center;
- b) compliance of the legal acts with the present Law;
- c) implementation of the measures required for functioning of the Training Center.

2. Before February 1, 2010, with the purpose of setting up the Training Center, the Government of Georgia shall provide the following:

- a) issuance of budgetary means, within the rule defined by the legislation, required for functioning of the Training Center;
- b) provision of property within the rule defined by the legislation, required for functioning of the Training Center.

Article 129¹⁷ (28.12.2009. N2525)

1. Free broadcasting time for the elections local self-governance elections in 2010 is divided within the rules of the present Article.

2. The party which independently participated in the last proportionate parliamentary elections and received not less than 4% of the votes, or independently participated in the latest local self-governance elections and received not less than 3% of the votes within the country, shall receive free broadcasting time within the amount defined by Article 731 of the present Law.

3. Free time for those parties, which during the last local self-governance elections by proportionate rule were united in an election block and has covered the 3% threshold, or during the last parliamentary proportionate elections was united in an election block and has covered the 4% threshold, will be defined by division of the total time on the number of parties united in the block within the amount defined by Article 73¹ of the present Law.

4. Right for usage of free broadcasting time will be given to the parties from the moment of their registration as relevant election subjects.

5. If several parties are united in an election subject, which satisfy the requirements defined by para 3 of the present Article, free broadcasting time for them will be spent. Thus, free broadcasting time defined for one election subject shall not exceed the amount mentioned in Article 73¹ of the present Law".

**CHAPTER XIX
FINAL PROVISIONS**

Article 130

Enactment of the present Law will make the following lose their force:

a) Organic law of Georgia „On Elections to the Parliament of Georgia“ (Bulletins of the Parliament of Georgia, 1995, N31-33).

b) Organic law of Georgia „On Elections of the President of Georgia“ (Bulletins of the Parliament of Georgia, 1995, N31-33).

c) Law of Georgia „On Elections to Local Self-governance Representative Body – Sakrebulo“ (Parliamentary Bulletin, 1998, N27-28).

Article 131. Enactment of the Law

The present Law shall be enacted upon its publishing.

President of Georgia

Eduard Shevardnadze

Tbilisi
August 2, 2001.
N 1047 - RC