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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

DRAFT

ELECTORAL CODE

OF THE REPUBLIC OF BELARUS

Nov

Draft
Put forward by the President
of the Republic of Belarus

ELECTORAL CODE OF THE REPUBLIC OF BELARUS

I. GENERAL PART

Adopted by the Chamber of Representatives
Approved by the Council of the Republic

SECTION I. General provisions. Basic principles of the election system and the referendum (people's vote)

Chapter 1. General provisions

Article 1. Relations regulated by this Code

This Code regulates relations arising during preparation and holding of elections of the President of the Republic of Belarus, elections and recall of deputies of the Chamber of Representatives of the National Assembly of the Republic of Belarus (hereinafter the Chamber of Representatives), members of the Council of the Republic of the National Assembly of the Republic of Belarus (hereinafter the Council of the Republic) and deputies of local Councils of Deputies of the Republic of Belarus (hereinafter the local Councils of Deputies) and preparation and holding of the referendum (people's vote) (hereinafter the referendum) and establishes guarantees securing free expression of will by citizens of the Republic of Belarus.

Article 2. Legal basis of the election system and referendum

The legal basis of the election system and referendum shall be constituted by: the Constitution of the Republic of Belarus, the present Code, other laws and legislative acts of the Republic of Belarus and resolutions of the Central Commission of the Republic of Belarus on Elections and Holding of Republican Referendums (hereinafter the Central Commission).

Chapter 2. Basic principles of the election system and holding of the referendum

Article 3. Basic principles of holding elections and the referendum

Elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies shall be free and shall be held on the basis of universal, equal and direct suffrage by secret ballot.

Elections of deputies of the Chamber of Representatives and deputies of local Councils of Deputies shall be held in single-mandate electoral precincts.

Elections of members of the Council of the Republic shall be held on the basis of equal and indirect suffrage by secret ballot.

The referendum shall be held by way of universal, free, equal and secret ballot.

Article 4. Universal suffrage and the right to take part in the referendum

Elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies and the referendum shall be universal: the right to elect and to take part in the referendum shall be given to citizens of the Republic of Belarus who have reached the age of 18.

Citizens adjudicated by a court of law as incompetent and citizens kept in places of deprivation of freedom by sentence of a court of law shall not take part in elections or referendum. Voting shall not be attended by persons who are kept in custody as a measure of suppression according to the procedure established by the criminal procedural legislation.

Article 5. Free elections and voting at the referendum

Elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies as well as voting at the referendum shall be free: the elector and the participant in the referendum shall decide by himself whether to take part in elections or referendum and for whom to vote in elections and for what to vote at the referendum.

Article 6. Equal suffrage and the right to take part in the referendum

Electors and participants in the referendum shall take part in elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies as well as in the referendum, respectively, on equal footing, with each elector and participant in the referendum having one vote.

Elections of members of the Council of the Republic shall be equal: each deputy of the local Council of Deputies of the base level shall have one vote.

Candidates elected for state positions shall take part in elections on equal footing.

Article 7. Direct suffrage and the right for direct expression of will at the referendum

Elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies shall be direct. The President of the Republic of Belarus shall be elected directly by the people of the Republic of Belarus. Deputies shall be elected by citizens directly.

Citizens shall take part in the referendum on the basis of direct expression of will.

Article 8. Indirect suffrage

Elections of members of the Council of the Republic shall be indirect: members of the Council of the Republic shall be elected at the sittings of deputies of local Councils of

Deputies of the base level of each Oblast and deputies of the Minsk City Council of Deputies.

Article 9. Secret ballot

Voting at elections and the referendum shall be by secret ballot: control over expression of will of electors and participants in the referendum in the course of the voting shall be prohibited.

Article 10. Basic principles of holding of recall of the deputy or the member of the Council of the Republic

A recall of a deputy of the Chamber of Representatives, a member of the Council of the Republic or a deputy of a local Council of Deputies shall be performed with observance of the basic principles of the election system.

Article 11. Provision of the holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies, of the referendum and of the recall of deputies by commissions

Holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, referendum and recall of deputies shall be provided by the commissions formed from representatives of political parties, other public associations, labour collectives as well as representatives of electors and participants in the referendum nominated as members of the commission by way of submission of the application. The commissions shall exercise control over execution of legislation on elections, referendum and recall of deputies.

During preparation and holding of elections, referendum and recall of deputies the commissions shall be independent from state bodies and bodies of territorial public self-government within their powers established by the legislation of the Republic of Belarus.

Decisions of the commissions taken within their powers shall be mandatory for execution by all organisations, state bodies, political parties, other public associations, as well as by citizens.

Article 12. Provision of the holding of elections and recall of members of the Council of the Republic

Holding of elections of the members of the Council of the Republic and of recall of elected members of the Council of the Republic shall be provided by the presidiums of Oblast, Minsk City, regional, town (towns subordinated to Oblast) Councils of Deputies and by the respective Oblast, Minsk City, regional and town executive committees as well as by the Central Commission.

Article 13. Public openness during preparation and holding of elections and referendum and recall of a deputy of the Chamber of Representatives, a member of the Council of the Republic and a deputy of the local Council of Deputies

Preparation and holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, members of the Council of the Republic and deputies of local Councils of Deputies and of the referendum and recall of a deputy of the Chamber of Representatives, a member of the Council of the Republic and a deputy of the local Council of Deputies shall be executed openly and publicly.

The respective commissions, local representatives and executive and administrative bodies shall inform citizens about their work on preparation and holding of elections, the referendum or recall of a deputy of the Chamber of Representatives, a member of the Council of the Republic and a deputy of the local Council of Deputies, on the formation of electoral districts, on the composition, the place of location and the working time of the commissions and the lists of citizens who have the right to take part in the elections, referendum or voting for recall of a deputy, candidates, results of the vote, elections, referendum and recall.

Deputies of the Chamber of Representatives and members of the Council of the Republic, deputies of local Councils of Deputies, proxies of candidates for position of the President of the Republic of Belarus and of deputies, representatives of public (political parties, other public associations, labour collectives, citizens), mass media, observers from foreign states and international organisations shall have the right to be present during the holding of elections, referendum or recall of a deputy of the Council of the Republic according to the procedure established by the Central Commission. Interference of the said persons with the work of the commissions shall not be allowed. Persons hindering the work of the commissions shall be removed from the sittings of the commissions and from the rooms for voting on the order of their chairmen.

Mass media shall inform about preparation and holding of elections, referendum and recall of a deputy or a member of the Council of the Republic.

SECTION II. Electoral districts and polling stations.

Lists of citizens who have the right to take part in elections, referendum and voting for recall of the deputy

Chapter 3. Electoral districts

Article 14. Electoral district for elections of the President of the Republic of Belarus

Elections of the President of the Republic of Belarus shall be held for the single electoral district constituting the entire territory of the Republic of Belarus.

Article 15. Electoral districts for elections of deputies of the Chamber of Representatives and deputies of local Councils of Deputies

For holding elections of deputies of the Chamber of Representatives, 110 electoral districts shall be formed in the territory of the Republic of Belarus.

For holding elections of deputies of local Councils of Deputies, electoral districts shall be formed:

for elections to the Oblast Council of Deputies – from 40 to 60 electoral districts;

for elections to the Minsk City Council of Deputies – from 40 to 60 electoral districts;

for elections to the regional Council of Deputies – from 25 to 40 electoral districts;

for elections to the town Council of Deputies (in towns subordinated to Oblast) – from 25 to 40 electoral districts;

for elections to the town Council of Deputies (in towns subordinated to region) – from 15 to 25 electoral districts;

for elections to the settlement or rural Council of Deputies – from 11 to 15 electoral districts.

The average number of electors per electoral district for elections of deputies of the Chamber of Representatives for the Republic of Belarus shall be established by the Central Commission not later than five months before expiration of the term of office of the Chamber of Representatives of the current convocation.

Within the standards specified in part two of this article, the number of electoral districts to be formed for elections to the local Council of Deputies and the average number of electors per electoral district shall be established by the respective local Council of Deputies not later than five months before the expiration of the term of office of the local Council of Deputies of the current convocation.

The number of electors in the electoral district shall be determined proceeding from the number of citizens having the right to take part in elections or referendum living in the territory included into the electoral district during the holding of the last elections or referendum.

Electoral districts shall be formed with an approximately equal number of electors: deviation of the number of electors in an electoral district for elections of deputies of the Chamber of Representatives from the average number of electors per electoral district for the Republic of Belarus and in the electoral district for elections of deputies of the respective local Council of Deputies – from the average number of electors per electoral district for elections of the given local Council of Deputies, as a rule, may not exceed 10 percent. The electoral district shall constitute a single territory: it shall not be allowed to form an electoral district from territories that do not border on each other.

Lists of electoral districts specifying their numbers, names, borders, number of electors and places of location of electoral commissions shall be published: for

elections of deputies of the Chamber of Representatives by the Central Commission not later than on the fifth day after the appointment of elections for the Chamber of Representatives and for elections of deputies of local Councils of Deputies – by the territorial electoral commissions not later than 80 days before the elections of the local Councils of Deputies.

In case of dissolution of the Chamber of Representatives elections of deputies of the Chamber of representatives shall be held in electoral districts formed during the elections of deputies of the Chamber of Representatives of the former convocation.

One deputy shall be elected from each electoral district.

Chapter 16. Procedure of formation of electoral districts for elections of deputies of the Chamber of representatives and deputies of local Councils of Deputies

Electoral districts for elections of deputies of the Chamber of Representatives shall be formed by the Central Commission on representation of the Oblast and the Minsk City Executive Committees.

Electoral districts for elections to the Oblast, Minsk City, regional, town (subordinated to Oblast or region), settlement and rural Councils of Deputies shall be formed by the territorial electoral commissions for elections of the respective local Councils of Deputies on representation of the Oblast, Minsk City, regional, town, settlement and rural executive committees.

Chapter 4. Polling stations

Article 17. Polling stations

For holding voting and counting votes in elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, in the referendum and recall of a deputy, the territory of regions, towns and town districts shall be divided into polling stations.

Polling stations shall be formed with the number of electors or participants in the referendum not less than 20 and not more than 3000.

Polling stations may be formed in sanatoria, preventoria, rest homes, hospitals and other stationary medical treatment and prevention institutions. Polling stations shall be also formed in military units.

Article 18. Procedure of formation of polling stations

Polling stations for holding elections, referendum or recall of a deputy shall be formed in regions and towns by the regional or town (subordinated to Oblast) executive committees and in towns divided into districts by the district administrations.

In military units, polling stations shall be formed in the same manner according to recommendations of the military units commanders.

Beyond the Republic of Belarus, polling stations for elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and the republican referendum for citizens of the Republic of Belarus staying in the territory of foreign states shall be formed by the heads of diplomatic representations (consular institutions) of the Republic of Belarus operating in the territory of the respective foreign states according to the procedure established by the Central Commission.

Electoral precincts and polling stations shall be formed not later than two months before the elections and not later than twenty-five days before the referendum.

When a recall of a deputy is organised, polling stations shall be formed not later than seven days after the appointment of the day of voting for the deputy recall.

Formation of polling stations shall be organised to hold elections of the President of the Republic of Belarus, deputies of local Councils of Deputies and the referendum on agreement with the respective regional, town or town district territorial commissions on elections of the President of the Republic of Belarus, regional or town electoral commissions on elections of deputies of local Councils of Deputies and the regional, town or town district commissions on the referendum whereas in case of elections of deputies of the Chamber of Representatives – on agreement with the district electoral commissions.

The bodies that have formed polling stations shall be obliged to inform, not later than within a ten-day period, the electors or participants in the referendum about the borders of each polling station specifying the place of location of the district commission and the room for voting.

Chapter 5. Lists of citizens who have the right to take part in elections, referendum or voting for the recall of a deputy

Article 19. Lists of citizens who have the right to take part in elections, referendum or voting for the recall of a deputy and the procedure for their compilation

Lists of citizens who have the right to take part in elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, referendum or voting for the recall of a deputy of the Chamber of Representatives or a deputy of local Council of Deputies shall be compiled for each polling station and signed by the chairman and the secretary of the precinct commission.

Town, settlement and rural executive committees, and in towns divided into districts – district administrations, district executive committees in towns and urbanised settlements where no town or settlement executive committees have been formed shall provide for the account of electors and participants in the referendum and shall hand over to the precinct commissions the lists of citizens of the Republic of Belarus living in the territory of the respective polling stations and having the right to take part in elections, referendum or voting for the recall of a deputy signed by the chairmen of the respective executive committees and in towns divided into districts - by the heads of the district administration.

Lists of citizens who are servicemen staying in military units as well as of members of families of servicemen and other electors and participants in the referendum living in the region of location of the military units shall be compiled on the basis of the data provided by the military unit commanders. Servicemen living outside military units shall be included into the lists of citizens who have the right to take part in elections, referendum or recall of a deputy at the place of residence on common grounds.

Lists of citizens who have the right to take part in elections, referendum or voting for the recall of a deputy for polling stations formed in sanatoria, preventoria, rest homes, hospitals and other stationary medical treatment and prevention institutions shall be compiled on the basis of the data provided by the heads of the above institutions.

Lists of citizens who have the right to take part in elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives or a republican referendum for polling stations formed beyond the Republic of Belarus shall be compiled on the basis of the data provided by the heads of diplomatic representations (consular institutions) of the Republic of Belarus operating in the territory of the respective foreign states.

Surnames of citizens in the list shall be shown in the order convenient for holding the voting.

Article 20. Procedure of inclusion into the list of citizens who have the right to take part in elections, referendum or voting for recall of a deputy

Into the list of citizens who have the right to take part in elections, referendum or voting for recall of a deputy shall be included all citizens of the Republic of Belarus who have reached, by the day or on the day of elections, referendum or voting for recall of a deputy, the age of 18, live permanently or temporarily in the territory of the given polling station by the time the list is compiled and have the right to take part in elections, referendum or voting for recall of a deputy.

A citizen who has the right to take part in elections, referendum or voting for recall of a deputy may be included into the list only at one polling station.

Into the list of citizens who have the right to take part in elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives or a republican referendum at the polling station formed beyond the Republic of Belarus shall be included citizens of the Republic of Belarus who live in the foreign state or stay on a long-time foreign business trip. Citizens of the Republic of Belarus who have arrived to the foreign state in connection with a private, official, business or tourist trip shall also be included into this list when they address the precinct commission.

Article 21. Familiarisation with the lists of citizens who have the right to take part in elections, referendum or voting for recall of a deputy. Right of appeal against irregularities in the list

Lists of citizens who have the right to take part in elections, referendum or voting for recall of a deputy shall be provided for familiarisation by everyone fifteen days before the elections, referendum or voting for recall of a deputy whereas at polling stations formed in sanatoria, preventoria, rest homes, hospitals and other stationary medical treatment and prevention institutions – two days before the elections, referendum or voting for recall of a deputy.

Citizens who have the right to take part in elections, referendum or voting for recall of a deputy but who settled in the territory of the polling station after the submission of the list for familiarisation by everyone as well as citizens who were not included into the list for any reason shall be included additionally by the precinct commission into the list on the ground of the documents certifying the identity and the residence in the territory of the given polling station.

Citizens shall be given opportunity to familiarise themselves with the list and check the correctness of its compilation in the room of the precinct commission.

Each citizen shall be given the right to appeal against non-inclusion, incorrect inclusion into the list or exclusion from the list as well as against irregularities in the list in specifying data on the citizen. The application on irregularities in the list shall be considered by the precinct commission which shall be obliged, not later than within a two-day period or, on the day of elections, referendum or voting for recall of a deputy, immediately, consider the application, make the required corrections in the list or submit to the applicant a motivated copy of decision on rejection of his application. The decision of the precinct commission may be appealed against in a superior commission which shall be obliged to consider the appeal not later than

within a three-day period and on the day of vote – immediately. The decision of the precinct commission may also be appealed against not later than five days before the elections, referendum or voting for recall of a deputy in the regional (district) or town court of law that shall be obliged to consider the appeal within a three-day period. The decision of the regional (district) or town court of law shall be final. Correction in the list in conformity with the decision of the superior commission or the court shall be made immediately by the precinct commission.

Lists of citizens who have the right to take part in elections shall be particularised by the precinct commission on the eve of each round of voting.

SECTION III. Powers of the President of the Republic of Belarus and state bodies in organising the preparation of elections, referendum and recall of a deputy or a member of the Council of the Republic. The system of commissions on holding elections, referendum and recall of the deputy

Chapter 9. Powers of the President of the Republic of Belarus and state bodies in organising the preparation of elections, referendum or recall of a deputy or a member of the Council of the Republic

Article 22. Powers of the President of the Republic of Belarus in organising the preparation of elections and a republican referendum

The President of the Republic of Belarus shall:

- 1) appoint ordinary and extraordinary elections to the Chamber of Representatives and determine organisational measures for securing their holding;
- 2) appoint ordinary and extraordinary elections to the Council of the Republic and determine organisational measures for securing their holding;
- 3) appoint ordinary and extraordinary elections to the local Councils of Deputies and organisational measures for securing their holding;
- 4) appoint elections to the local Councils of Deputies in newly formed territorial administrative units;
- 5) in case of dissolution of the local Council of Deputies by the Council of the Republic, appoint elections to this local Council of Deputies; and
- 6) appoint the republican referendum and determine organisational measures for securing its holding.

Article 23. Powers of the Chamber of Representatives in organising the preparation of voting and the republican referendum

The Chamber of Representatives shall:

- 1) appoint elections of the President of the Republic of Belarus and determine organisational measures for securing their holding; and

2) provide in the republican budget resources for the holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of the local Councils of Deputies and the republican referendum.

Article 24. Powers of local executive and administrative as well as representative bodies in organising the preparation of elections, referendum or recall of a deputy or a member of the Council of the Republic

The Oblast and the Minsk City executive committees shall:

1) prepare proposals on the formation of electoral districts for elections to the Chamber of Representatives and the Oblast and the Minsk City Councils of Deputies;

2) form district electoral commissions on elections to the Chamber of Representatives as well as correspondent district electoral commissions on elections to the Oblast Council of Deputies and, in the City of Minsk, territorial electoral commissions exercising in the districts of the City of Minsk powers of the district electoral commissions on elections to the Minsk City Council of Deputies; and

3) form the Oblast and the Minsk City territorial commissions on elections of the President of the Republic of Belarus and on elections to the local Councils of Deputies as well as the Oblast and the Minsk City commissions of referendum.

Regional and town (in towns subordinated to Oblast) executive committees shall:

1) prepare proposals on the formation of electoral districts for elections to the regional and town Councils of Deputies; and

2) form regional and town territorial commissions on elections of the President of the Republic of Belarus and on elections to the local Councils of Deputies as well as regional and town commissions on referendum.

District administrations in towns divided into districts shall form town district commissions on elections of the President of the Republic of Belarus, and the referendum.

District and town (in towns subordinated to Oblast) executive committees and district administrations in towns shall form electoral precincts and precinct commissions when holding elections, referendum or recall of a deputy.

Town, settlement and rural executive committees, district administrations in towns and district executive committees in towns and urbanised settlements where town or settlement executive committees are not formed shall provide the account of citizens and hand over to the precinct commissions the lists of citizens living in the territory of the respective electoral precincts and having the right to take part in elections, referendum or recall of a deputy.

Regional, town, settlement and rural executive committees and executive committees of district administrations in towns shall:

1) organise the provision to the commissions on elections of the President of the Republic of Belarus, electoral commissions, commissions on the referendum and commissions on the holding of voting for recall of a deputy of rooms for location of the commissions and holding of voting as well as the required equipment, communication and transport facilities according to the procedure established by the Council of Ministers of the Republic of Belarus;

2) assist in organising meetings of candidates for the position of the President of the Republic of Belarus and for deputies with the electors and secure free-of-charge provision to them of rooms for these purposes as well as of the required information materials; solve issues on provision of rooms for public discussion of the proposals offered for the referendum; and

3) allocate in the territory of polling stations places for location of agitation printed materials.

Regional and town executive committees, district administrations in towns as well as the Oblast and the Minsk City executive committees, when citizens of the Republic of Belarus initiate holding of a referendum, shall verify authenticity of the signatures of citizens in the signature lists for the referendum and take decisions on the results of collection of citizens' signatures.

Local executive and administrative bodies shall also exercise other powers stipulated in this Code and other legislative acts of the Republic of Belarus on elections, referendum and recall of the deputy.

Presidiums of the Minsk City, regional and town (in towns subordinated to Oblast) Councils of Deputies and the respective executive committees shall nominate candidates for membership in the Council of the Republic as well as initiate (with the exception of the Minsk City Council of Deputies Presidium and the Minsk City Executive Committee) the issue on recall of the member of the Council of the Republic.

Presidiums of the Oblast and the Minsk City Councils of Deputies and the respective executive committees shall convene sittings of deputies of local Councils of Deputies of the base level of the Oblast and of deputies of the Minsk City Council of Deputies on elections and recall of members of the Council of the Republic.

Local Councils of Deputies shall appoint respectively Oblast, regional, town, settlement and rural referendums and voting for recall of the deputy as well as elections of deputies instead of those who left their positions.

The chairman or the presidium of the local Council of Deputies shall:

1) convene meetings of electors for initiation and raising of the issue of recall of the deputy; and

2) organise verification of the authenticity of signatures of electors in the signature lists in support of the proposal on initiation of the issue on recall of the deputy and make up a record on the results of the signature collection.

Chapter 7. The system of commissions on holding elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, the referendum and voting for recall of a deputy

Article 25. The system of commissions on holding elections, the referendum and recall of a deputy

Preparation and holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies or the referendum shall be provided by the Central Commission as well as by the following respective commissions:

commissions on elections of the President of the Republic of Belarus;
electoral commissions on elections of deputies of the Chamber of Representatives;
electoral commissions on elections of deputies of local Councils of Deputies;
commissions on the referendum.

Preparation and holding of the recall of a deputy of the Chamber of Representatives or a deputy of the local Council of Deputies shall be provided by the Central Commission and commissions on holding voting for recall of the deputy.

Article 26. The Central Commission

The Central Commission shall organise, within its powers, the holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, members of the Council of the Republic, deputies of the local Councils of Deputies and of other persons elected for state positions by the people, and the holding of republican referendums and shall solve issues connected with the organisation of recall of deputies of the Chamber of Representatives and members of the Council of the Republic as well as exercise in the entire territory of the Republic of Belarus control over execution of legislation on elections, referendum and recall of deputies and members of the Council of the Republic.

The Central Commission shall manage the system of commissions on elections of the President of the Republic of Belarus, electoral commissions and commissions on the referendum that operate during the period of preparation and holding of elections and republican referendums.

The Central Commission shall be a permanent working body, shall have the status of the legal entity and a seal depicting the State Emblem of the Republic of Belarus as well as its own name and a bank account.

Article 27. Commissions on elections of the President of the Republic of Belarus

Preparation and holding of elections of the President of the Republic of Belarus shall be provided for by the following commissions:

the territorial commissions on elections of the President of the Republic of Belarus – by the Oblast, Minsk City, regional, town (in towns subordinated to Oblast), town district commissions on elections of the President of the Republic of Belarus; and

precinct commissions on elections of the President of the Republic of Belarus.

In appointing elections of the President of the Republic of Belarus the Chamber of Representatives may take a decision not to form Oblast, Minsk City, regional or town (in towns subordinated to Oblast) commissions on elections of the President of the Republic of Belarus but to impose the execution of their powers on the operating Oblast, Minsk City, regional, town (in towns subordinated to Oblast) territorial electoral commissions.

Article 28. Commissions on elections of deputies of the Chamber of Representatives

Preparation and holding of elections of the deputies of the Chamber of Representatives shall be provided for by the following electoral commissions:

district electoral commissions; and

precinct electoral commissions.

Article 29. Commissions on elections of deputies of local Councils of Deputies

Preparation and holding of elections of deputies of local Councils of Deputies shall be provided for by the following electoral commissions:

territorial electoral commissions – the Oblast, Minsk City, regional, town (in towns subordinated to Oblast and region), settlement and rural;

district electoral commissions on elections to the Oblast Councils of Deputies and territorial electoral commissions that exercise in the districts of the City of Minsk powers of district electoral commissions on elections to the Minsk City Council of Deputies (one commission shall be formed in each district of the City of Minsk); and

♦ precinct electoral commissions.

Article 30. Commissions on the holding of voting for recall of the deputy

Preparation and holding of voting for recall of a deputy shall be executed by the following commissions:

district commissions on the holding of voting for recall of a deputy of the Chamber of Representatives or a deputy of the Oblast Council of Deputies;

territorial commissions on the holding of voting for recall of a deputy of the Oblast, Minsk City, regional, town (in towns subordinated to Oblast and region), settlement or rural Council of Deputies; and

precinct commissions on the holding of voting for recall of a deputy.

When voting for recall of a deputy of a local Council of Deputies is held, the territorial commissions on the holding of voting for recall of the deputy shall not be formed and their powers shall be exercised by the operating Oblast, Minsk City, regional, town, settlement or rural territorial electoral commissions, respectively.

Article 31. Commissions on the referendum

Preparation and holding of a republican referendum shall be provided for by the following commissions:

the Oblast and Minsk City commissions on the referendum;

the regional, town (in towns subordinated to Oblast) and town district commissions on the referendum; and

the precinct commissions on the referendum.

In appointing the republican referendum the President of the republic of Belarus may take a decision not to form the Oblast, Minsk City, regional or town (in towns subordinated to Oblast) commissions on the referendum but to impose the execution of their powers on the operating Oblast, Minsk City, regional or town (in towns subordinated to Oblast) territorial electoral commissions.

Preparation and holding of a local referendum shall be provided for by:

of an Oblast or Minsk City referendum – by the Oblast, Minsk City, regional, town (in towns subordinated to Oblast), town district and precinct commissions on the referendum;

of a regional, town (in towns subordinated to Oblast) or town district referendum – by the regional, town, town district and precinct commissions on the referendum; and

of a town (in towns subordinated to regions), settlement or rural referendum – by the town, settlement, rural and precinct commissions on the referendum.

In case when a republican and a local referendum are appointed and held simultaneously, commissions formed according to the procedure stipulated by this Code shall be joint commissions for all referendums held simultaneously.

Chapter 8. Formation, powers and organisation of work of the Central Commission

Article 32. Formation and organisation of work of the Central Commission

Formation and organisation of work of the Central Commission are defined by the Law of the Republic of Belarus "On the Central Commission of the Republic of Belarus on Elections and Holding of Republican Referendums".

Article 33. Powers of the Central Commission

The Central Commission shall:

- 1) organise the holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and members of the Council of the Republic, deputies of local Councils of Deputies and other persons elected for state positions by the people, and the holding of republican referendums; exercise in the entire territory of the Republic of Belarus control over execution of legislation on elections, referendum and recall of deputies and members of the Council of the Republic; give explanations of this legislation for the purpose of its uniform use and address, when required, subjects that have the right of legislative initiative with proposals on interpretation of this Code and other legislative acts of the Republic of Belarus on elections, referendum and recall of deputies and members of the Council of the Republic;
- 2) direct activities of the commissions on elections of the President of the Republic of Belarus, electoral commissions, commissions on the referendum, commissions on the holding of voting for recall of deputies, hear their information, provide to these commissions methodological, organisational and technical aid, and, when required, decide in essence the issue referred to the competence of a lower commission;
- 3) form electoral districts for elections of deputies of the Chamber of Representatives and establish the average number of electors per electoral district in the Republic of Belarus;
- 4) decide questions on the procedure of participation of citizens of the Republic of Belarus who stay outside the Republic of Belarus in elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and the republican referendum and on the formation of electoral precincts; on recommendations of the Ministry of Foreign Affairs of the Republic of Belarus, take decisions on assignment of the polling stations formed abroad to the territorial administrative units or electoral districts in the territory of the Republic of Belarus;
- 5) make conclusions on the competence of nomination of candidates for membership in the Council of the Republic, register candidates nominated for membership in the Council of the Republic, summarise the results of elections of members of the Council of the Republic, register the elected members of the Council of the Republic and publish in press the lists of elected members of the Council of the Republic as well as convene the first post-election session of the Council of the Republic;
- 6) register:

the initiative groups of citizens for nomination of candidates for the position of the President of the Republic of Belarus;

the candidates for the position of the President of the Republic of Belarus and their proxies and issue to them the respective certificates;

the initiative group of citizens on the holding of the republican referendum and the issues proposed by it for the republican referendum;

the initiative group of citizens for the collection of signatures in support of proposals on initiation of the issue of recall of a deputy of the Chamber of Representatives;

the initiative group of citizens on implementation of the right of legislative initiative and the bill suggested by it for bringing it in before the Chamber of Representatives;

7) provide for the observance of equal legal conditions for election activities of political parties, other public associations, candidates for the position of the President and candidates for deputies;

8) define the procedure of use of state mass media in the election campaign;

9) make up and approve estimates of expenditures for the holding of elections, a republican referendum or recall of a deputy of the Chamber of Representatives within the funds allocated from the republican budget, form an extra-budgetary fund for the holding of elections or a republican referendum for voluntary remittance of funds of organisations, public associations and citizens and approve the regulations on the fund; distribute monetary resources allocated from the republican budget and the extra-budgetary fund among the commissions on elections of the President of the Republic of Belarus, electoral commissions, commissions on the referendum and commissions on the holding of voting for recall of a deputy of the Chamber of Representatives, control the target use of these resources as well as the provision to the commissions of rooms, transport facilities, communication facilities, and consider other issues of their support with material and technical facilities; inform the Chamber of Representatives about the use of resources allocated from the budget for the holding of elections, the republican referendum or recall of the deputy of the Chamber of Representatives; and publish the report on the use of resources from the extra-budgetary fund;

10) establish the forms of ballot papers and the list of citizens who have the right to take part in elections, referendum and voting for recall of deputies, minutes of electoral meetings and sittings of commissions and other documents on elections, referendum and recall of deputies, specimens of ballot boxes and seals of commissions and the procedure of keeping of documents on elections and referendum;

11) hear information of state bodies and bodies of public associations on issues connected with the preparation and holding of elections and referendum;

12) in case when elections are held simultaneously with a referendum, establish that the lists of citizens who have the right to take part in the elections and the

referendum, the polling stations and the territorial and precinct commissions should be the same for the elections and the referendum;

13) summarise the results of the elections and the referendum and publish information about them in mass media; register the elected deputies of the Chamber of Representatives and publish their list in press; and convene the first post-election session of the Chamber of Representatives;

14) issue to the elected President of the Republic of Belarus and members of the Council of the Republic certificates on their election;

15) solve issues connected with the holding of a second round of voting, new elections and elections of the President of the Republic of Belarus in case when the position of the President is vacant as well as new voting in the referendum;

16) solve issues connected with the organisation of recall of deputies of the Chamber of Representatives and members of the Council of the Republic, appoint elections of deputies of the Chamber of Representatives instead of the deputies who have left their position and provide its holding;

17) consider applications and complaints about decisions and actions of the commissions on elections of the President of the Republic of Belarus, the electoral commissions, the commissions on the referendum and the commissions on the holding of voting for recall of deputies and make decisions on them;

18) study and generalise practices of the application of the legislation on elections and referendum and put forward before the subjects having the right of legislative initiative proposals on improvement of the legislation on elections and referendum;

19) set up working groups and other structures for organisational, legal and technical support of elections and referendum;

20) establish and develop ties with bodies of other states and international organisations dealing with issues of organisation of the holding of elections and referendum; and

21) exercise other powers in conformity with this Code and other legislative acts of the Republic of Belarus.

Chapter 9. Formation of the commissions on elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, on the referendum and the holding of voting for recall of a deputy. Procedure of alteration of the composition of the commissions and of organisation of their work

Article 34. Formation of the commissions on elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, on the referendum and the holding of voting for recall of a deputy

The commissions on elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, on the referendum and the holding of voting for recall of a deputy formed from representatives specified in part one of Article 11 of this Code shall be formed:

the Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus, the Oblast and the Minsk City territorial electoral commissions on elections of deputies of local Councils of Deputies, the Oblast and the Minsk City commissions on the referendum – by the Oblast and the Minsk City executive committees with the membership of the commission 9 to 13 persons; the said commissions shall be formed respectively not later than 80 and 85 days before the elections and one month before the referendum;

the district electoral commissions on elections of deputies of the Chamber of Representatives and deputies of the Oblast Councils of Deputies, the territorial electoral commissions exercising in the districts of the City of Minsk powers of the district electoral commissions on elections to the Minsk City Council of Deputies – by the Oblast and the Minsk City executive committees with the membership of the commission 9 to 13 persons not later than 75 days before the elections;

the regional, town and town district commissions on elections of the President of the Republic of Belarus, the regional and town (in towns subordinated to Oblast) territorial electoral commissions on elections of deputies of local Councils of Deputies, the regional, town and town district commissions on the referendum – by the regional and town executive committees whereas the town district commissions on elections of the President of the Republic of Belarus – by the district administrations with the number of members on the commission 9 to 13 persons; the said commissions shall be formed respectively not later than 80 and 85 days before the elections and one month before the referendum;

the town (in towns subordinated to regions), settlement and rural territorial electoral commissions on elections of deputies of the town, settlement and rural Councils of Deputies and the town (in towns subordinated to regions), settlement and rural territorial electoral commissions on the referendum – by the town, settlement and rural executive committees with the number of members on the commission 7 to 11 members, not later than 85 days before the elections and one month before the referendum;

the district commissions on the holding of voting for recall of a deputy of the Chamber of Representatives or a deputy of the Oblast Council of Deputies – by the Oblast

executive committees with the number of members on the commission 9 to 13 persons, not later than five days as from the day of the decision taken on the appointment of voting for recall of the deputy; and

the precinct commissions on elections of the President of the Republic of Belarus, the precinct electoral commissions on elections of deputies of the Chamber of Representatives and deputies of local Councils of Deputies, the precinct commissions on the referendum and the precinct commissions on the holding of voting for recall of the deputy – by the regional and town executive committees and in towns divided into districts – by the district administrations with the number of members on the commission 5 to 19 persons, not later than 45 days before the elections, 20 days before the referendum and 10 days as from the day of taking the decision on the appointment of voting for recall of the deputy, respectively. In required cases, the composition of the precinct commission may be increased or decreased.

Decision on the formation of commissions specifying their composition, place of location and telephone numbers shall be published within a seven-day period in press or shall be otherwise made known to citizens (electors).

Beyond the Republic of Belarus, when elections of the President of the Republic of Belarus or deputies of the Chamber of Representatives or a republican referendum are held, the precinct commissions shall be formed by the heads of diplomatic representations (consular institutions) of the Republic of Belarus operating in the territory of the respective foreign states.

Article 35. Procedure for nomination of representatives for territorial, district and precinct commissions

Political parties, other public associations, labour collectives of organisations or collectives of their structural divisions as well as citizens by way of submissions of the application may nominate only one representative in each case for the respective territorial, district and precinct commission.

The following bodies shall have the right to nominate their representatives as members of the commissions:

the republican managerial bodies of political parties and other public associations – for the district electoral commissions on elections of deputies of the Chamber of Representatives;

the territorial managerial bodies of political parties and other public associations that have lower organisational structures – for the respective territorial, district and precinct commissions; meetings of their primary organisations operating in the territory of the region, town, settlement or rural Council – for the town (in towns subordinated to regions), settlement and rural territorial and precinct commissions;

managerial bodies of political parties and other public associations shall nominate their representatives for the commission at their sittings;

meetings (conferences) of labour collectives of organisations located in the territory of the region, town, town district, settlement and rural Council with the number of the

employees not less than 30 persons – for the territorial, district and precinct commissions. Representatives for membership on the town (in towns subordinated to regions), settlement, rural territorial and precinct commissions may be nominated also at meetings of workers of the structural subdivisions of organisations including not less than 10 employees. When representatives for the commissions are nominated from the structural subdivisions, nomination of representatives for the same commissions from the whole labour collective shall not be made. The meeting is competent if it is attended by more than half the composition of the collective. Conferences in labour collectives shall be held if convocation of meetings presents a problem because of the number of employees, multi-shift operation conditions or territorial scatter of the structural divisions and shall be competent when they are attended by at least two-thirds of the delegates elected according to the procedure established in the labour collective. Decision of the meeting (conference) of a labour collective shall be taken by the majority of votes of its participants.

Also citizens enjoying suffrage shall have the right to nominate their representatives as members of the commissions by way of submissions of the application:

when nominating a representative for the district electoral commission for elections of deputies of the Chamber of Representatives, if the application is signed by not less than 100 citizens living in the territory of the electoral district;

when nominating a representative for the territorial (except for settlement and rural) and district electoral commissions for elections of the Oblast Councils of Deputies and the territorial electoral commissions that execute in the districts of the City of Minsk the powers of the district electoral commissions for elections of deputies of the Minsk City Council of Deputies, if the application is signed by not less than 30 citizens living in the respective territory;

when nominating a representative for the settlement and rural territorial and precinct commissions, if the application is signed by not less than 10 citizens living in the territory of the settlement, rural Council or the polling station, respectively.

Nomination of representatives for the commissions on the holding of voting for recall of a deputy shall be made according to the procedure stipulated by parts two and three of this article.

When nominating a representative for the respective commission, minutes of the meeting (conference) or sitting or an application signed by citizens shall be submitted to the body that forms the commissions not later than three days before the term set by this Code for the formation of the respective commission.

The minutes shall specify the name of managerial body of the political party or another public association that nominated its representative for the commission, its address and telephone number, the number of the members of the body (collective), the number of the participants in the meeting or sitting of this body (collective), the results of the voting, the date of decision making, the surname, name and patronymic name, the date of birth, the position occupied (occupation), the place of work and residence of the persons nominated as member of the commission. The respective data shall be specified also in the minutes of the meeting of the labour collective, a primary organisation of the political part or of another public association. The minutes shall be signed by the chairman and secretary of the meeting or sitting. The

application of citizens who nominated a representative for the commissions by submitting an application shall specify the respective data, enumerated in this part of this article, on the person nominated as member of the commission as well as the surname, name and patronymic name, the date of birth and the address of each citizen who signed the application.

The executive and administrative bodies that form the commission shall have the right to include their representatives as members of these commissions.

Article 36. Procedure of alteration of the commissions' composition

The person who is member of the commission shall be freed from execution of his duties on the commission through his own application as well as in case of recall or termination of his powers.

The right of recall shall belong to citizens or the body that nominated the person as member of the commission. The recall of the person who is member of the commission shall be executed according to the procedure established for nomination.

Powers of the person who is member of the commission shall be terminated by the body that formed the commission in case of violation of requirements of this Code or systematic default of his duties by the said person.

If a person leaves the commission (due to the causes specified or other causes) the political party, other public association, the labour collective or citizens by way of submission of the application may nominate a new representative as member of the commission according to the procedure established by this Code.

Article 37. Organisation of work of territorial, district and precinct commissions

The first sitting of the territorial, district and precinct commission shall be convened by the bodies that formed the commissions not later than three days after the day of their formation.

The chairman, the deputy chairman and the secretary of the commission shall be elected at the first sitting of the respective commission from its members.

Sittings of the commission shall be convened and held by the chairman or, if he is absent or on his instruction, by the deputy chairman of the commission. Sittings of the commission shall be held also on demand of not less than one third of the commission members.

Sittings of the commission shall be competent if they are attended by not less than two thirds of the commission members. Decisions of the commission shall be taken by an open voting by the majority of votes of the total membership of the commission. If the number of votes is equal, the decisive shall be the vote of the chairman. Members of the commission who disagree with its decision shall have the right to speak out their special opinion that shall be appended to the minutes in writing.

The member of the commission shall have the right to:

put forward proposals to the agenda of the commission sitting as well as on the issues that are within the competence of the commission;

speak at the sittings of the commission and demand the holding of the voting on the proposals put forward;

ask question to the participants in the commission sitting in conformity with the agenda and receive answers to them in essence;

familiarise himself with the documents and materials of the commission of which he is a member and of lower commissions; and

exercise other powers in conformity with the competence of the commission.

The member of the commission shall be obliged to:

observe the Constitution of the Republic of Belarus, fulfil the requirements of this Code and other legislative acts of the Republic of Belarus on elections, referendum and recall of the deputy; not to commit actions discrediting the commission;

take part in the commission sittings and if he is unable to take part in the sitting – report about this to the commission management;

take part in the preparation of the commission sittings and verifications performed by the commission; and

fulfil the commission decisions and charges of the commission and of its management. Decisions of superior commissions taken within its competence shall be obligatory for lower commissions.

Decisions and actions of the commission may be appealed against in a superior commission and in cases stipulated in this Code and other legislative acts of the Republic of Belarus in a court of law as well.

On decision of the commission its certain members may be freed, during the period of preparation and holding of elections, referendum or recall of a deputy, from the performance of production or office duties with retention of the average salary at the expense of the resources allocated for the holding of elections, referendum or recall of the deputy.

Payment for work of the members of the commission and its staff may also be made proceeding from the actual working hours on the commission.

Persons who are members of the commission shall have no right to take part in agitation for or against a candidate for the position of the President of the Republic of Belarus or for deputy, for or against a bill or another issue proposed for the referendum or for or against recall of a deputy.

Article 38. Assistance to commissions in exercising their powers

Organisations, state bodies, public associations and official persons shall be obliged to render assistance to commissions in exercise by them of their powers and submit data and materials required for their work.

The commissions shall have the right to address, on issues connected with the preparation and holding of elections, referendum or recall of a deputy, to state bodies, public associations, heads of enterprises, institutions, organisations and other official persons who shall be obliged to consider the issue addressed and give an answer to the commission not later than within a three-day period.

Article 39. Powers of the Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus, deputies of local Councils of Deputies, on the referendum and the holding of voting for recall of a deputy

The Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus, deputies of local Councils of Deputies, on the referendum and the holding of voting for recall of a deputy shall:

- 1) organise the holding of elections of the President of the Republic of Belarus, deputies of the Oblast and the Minsk City Councils of Deputies, the republican, the Oblast or the Minsk City referendum and the voting on recall of a deputy of the Oblast or the Minsk City Council of Deputies and exercise control over the observance of the requirements of this Code and other legislative acts of the Republic of Belarus on elections, referendum and recall of a deputy in the territory of the Oblast and the City of Minsk;
- 2) lead activities of the regional, town, town district and precinct commissions;
- 3) hear information of the officials (workers) of the local executive and administrative bodies and organisations on issues connected with the preparation and holding of elections, referendum and recall of a deputy of the local Council of Deputies;
- 4) control over the compilation of the lists of citizens who have the right to take part in elections, referendum or recall of a deputy and the presentation of them for familiarisation by everyone;
- 5) dispose of monetary resources allocated for the preparation and holding of elections, referendum or recall of a deputy; distribute part of these resources among lower commissions on the holding of elections of the President of the Republic of Belarus, deputies of local Councils of Deputies, the republican, Oblast or Minsk City referendum, recall of a deputy and exercise control over target use of the allocated resources; control the provision to the commissions of rooms, transport and communication facilities, and consider other issues of provision of material, technical and organisational facilities for securing the holding of elections, referendum or recall of a deputy; and
- 6) consider applications and complaints against decisions and actions of lower commissions and take decisions on them.

When holding elections of deputies of local Councils of deputies the Oblast and the Minsk City territorial electoral commissions, in addition to the powers stipulated in part one of this article, shall:

- 1) form the electoral districts for elections to the Oblast and the Minsk City Council of Deputies on recommendation of the Oblast and the Minsk City executive committee;
- 2) lead activities of the district electoral commissions on elections to the Oblast Council of Deputies and the territorial electoral commissions exercising in the districts of the City of Minsk the powers of the district electoral commissions on elections to the Minsk City Council of Deputies;

3) summarise the results of elections for the Oblast and the Minsk City Councils of Deputies and submit information about this to the Central Commission; register the elected deputies; publish information on the results of elections and the list of the elected deputies of the Oblast and the Minsk City Councils of Deputies;

4) organise the holding of a second round of voting, new elections of deputies of the Oblast and the Minsk City Councils of Deputies and elections of deputies instead of deputies who have left their position;

5) hand over to the commission of the Oblast and the Minsk City Councils of Deputies which supervises issues of mandate the documentation required for verification of the powers of deputies elected for each electoral districts; and

6) convene the first session of the newly elected Oblast and the Minsk City Councils of Deputies.

The Minsk City territorial electoral commission, when performing a recall of a deputy of the Minsk City Council of Deputies, shall directly exercise its powers on the organisation of recall of the deputy, register the initiative group on collection of signatures in support of the proposal on initiating the issue on recall of the deputy, appoint the voting on the recall of the deputy, approve the text of the ballot paper, secure the making of ballot papers and provision of them to the precinct commissions, establish the results of voting for recall of the deputy and take decision on acknowledging the deputy as being recalled by his electors.

The Oblast territorial electoral commission, when performing a recall of a deputy of the Oblast Council of Deputies, shall register the initiative group on collection of signatures in support of the proposal on initiating the issue on recall of the deputy, appoint the voting on the recall of the deputy, and, on the basis of the record of the district commission on the holding of voting for recall of the deputy of the Oblast Council of Deputies, shall take decision on acknowledging the deputy as being recalled by the electors.

When holding elections of the President of the Republic of Belarus, the Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus, in addition to the powers stipulated by part one of this article, shall:

1) exercise control over the observance by the initiative group of citizens for nomination of the candidate for the position of the President of the Republic of Belarus of the requirements of this Code during the collection of signatures and secure the adequacy of data on the number of such signatures; and

2) on the basis of record of the regional, town and town district commissions on elections of the President of the Republic of Belarus on the establishment of the number of citizens who signed in support of the proposal on the nomination of the candidate for the position of the President, draw records on this and forward them to the Central Commission.

When holding elections of the President of the Republic of Belarus or a referendum, the Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus, on the holding of a republican, Oblast or Minsk City referendum, in addition to the powers stipulated by part one of this article, shall:

1) provide for the making of ballot papers for elections of the President of the Republic of Belarus and for voting in the republican, Oblast or Minsk City referendum and for the provision of them to the regional, town and town district commissions; and

2) establish the results of the voting in elections of the President of the Republic of Belarus and for the republican referendum in the Oblast and the City of Minsk and inform about them the Central Commission.

The Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus and deputies of the local Councils of Deputies, in addition to the powers stipulated in part one of this article, when holding elections of the President of the Republic of Belarus and deputies of local Councils of Deputies, shall secure the observance of equal legal conditions for election activities of candidates for the position of the President of the Republic of Belarus and for deputies of local Councils of Deputies.

The Oblast and the Minsk City commissions on the referendum, in addition to the powers stipulated in part one of this article, when holding a republican, Oblast or Minsk City referendum, shall:

1) assist mass media in explaining the content of the question proposed for the referendum; and

2) provide for the publication of the results of the referendum in the Oblast and the Minsk City in local mass media.

The commissions mentioned in this article shall exercise other powers as well in conformity with this Code and other legislative acts of the Republic of Belarus.

Powers of the Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus shall be terminated after the official publications of the results of elections of the President of the Republic of Belarus.

Powers of the Oblast and Minsk City territorial electoral commissions on elections of deputies of local Councils of Deputies shall be preserved until elections to the local Councils of Deputies of the new convocation are appointed.

Powers of the Oblast and the Minsk City commissions on the referendum shall terminate one month after the decision of the referendum comes into force.

Article 40. Powers of the regional and town commissions on elections of the President of the Republic of Belarus, deputies of local Councils of Deputies, on the referendum and the holding of voting for recall of a deputy

The regional and the town (in towns subordinated to Oblast) commissions on elections of the President of the Republic of Belarus, deputies of local Councils of Deputies, on the referendum and the holding of voting for recall of a deputy shall:

1) organise the holding of elections of the President of the Republic of Belarus, deputies of the regional and the town Councils of Deputies, the republican, Oblast,

regional and town referendum, voting for recall of a deputy of the regional and the town Councils of deputies and shall exercise control over the observance of the requirements of this Code and other legislative acts of the Republic of Belarus on elections, referendum and recall of a deputy in the territory of the region or the town;

2) direct activities of the precinct commissions;

3) establish the unified numbering of the polling stations for the region and the town;

4) hear information of the officials (workers) of the local executive and administrative bodies, enterprises, institutions and organisations on all issues connected with the preparation and the holding of elections, referendum and recall of a deputy of the local Council of Deputies;

5) control over the compilation of the lists of citizens who have the right to take part in elections, referendum or recall of a deputy and the submission of them for familiarisation by everyone;

6) dispose of the monetary resources allocated for the preparation and the holding of elections, referendum or recall of a deputy; distribute part of these resources among the precinct commissions on the holding of elections of the President of the Republic of Belarus and deputies of the local Councils of Deputies, or the referendum and exercise control over the target use of the allocated resources; control the provision to the commissions of rooms, transport and communication facilities and consider other issues of the provision of material, technical and organisational facilities for the elections, referendum and recall of the deputy; and

7) consider applications and complaints against decisions and actions of lower-level commissions and take decisions on them.

The regional and the town (in towns subordinated to Oblast) territorial electoral commissions, in addition to the powers stipulated in part one of this article, when holding elections of deputies of local Councils of Deputies, shall:

1) form the electoral districts for elections to the regional or the town Councils of Deputies on recommendations of the regional or the town executive committee:

2) direct activities of town (in towns subordinated to region), settlement and rural territorial electoral commissions;

3) register initiative groups of citizens for the collection of signatures of citizens in support of the persons proposed for nomination as candidates for deputies and the holding of agitation for their elections; and issue respective certificates to the members of the initiative groups;

4) assist in the organisation of nomination of candidates for deputies;

5) register the candidates for deputies and their proxies and issue respective certificates to them;

6) approve texts of the ballot papers for elections of deputies of the regional or the town Council of Deputies for each electoral district; and provide for the making of ballot papers and supply of them to the precinct commissions;

7) organise together with labour collectives and public associations meetings of candidates for deputies with the electors both in the labour collectives and at the place of living; and assist in the printing of posters with biography data and election programs of the candidates for deputies;

8) summarise the results of elections for the regional and the town Councils of Deputies and submit information on them to the Oblast territorial electoral commission and register the elected deputies; publish information on the results of elections and the list of the elected deputies of the regional and the town Councils of Deputies and issue certificates to the deputies elected;

9) organise the holding of a second round of voting and new elections of deputies of the regional and the town Councils of Deputies and elections of deputies instead of those who have left their position;

10) hand over to the commission of the regional and the town Councils of Deputies which supervises the issues of mandate the documentation required for verification of the powers of the deputies elected in each electoral district; and

11) convene the first session of the newly elected regional and town Councils of Deputies.

The commissions mentioned in part two of this article, when holding a recall of a deputy of the regional or town Council of Deputies, shall:

1) register the initiative groups for the collection of signatures in support of the proposal on initiation of the issue on recall of the deputy;

2) appoint the voting on recall of the deputy;

3) approve the text of the ballot paper for recall of the deputy and secure the making of ballot papers and the provision of them to the precinct commissions; and

4) establish the results of the voting on recall of the deputy and take decision on acknowledging the deputy as being recalled by the electors.

The regional and the town commissions on elections of the President of the Republic of Belarus, in addition to the powers stipulated in part one of this article, when holding elections of the President of the Republic of Belarus, shall:

1) exercise control over the observance by the initiative group of citizens for the nomination of a candidate for the position of the President of the Republic of Belarus of the requirements of this Code during the collection of signatures and secure the adequacy of the data on the number of such signatures; and

2) summarise the results for the region and the town on the number of citizens who signed in support of the proposal on the nomination of the candidate for the position of the President of the Republic of Belarus, make up records about this and forward

them immediately to the Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus.

The regional and the town commissions on elections of the President of the Republic of Belarus and on the holding of the republican, Oblast, Minsk City, regional or town referendum, in addition to the powers stipulated in part one of this article, when holding elections of the President of the Republic of Belarus or the republican, Oblast, Minsk City, regional or town referendum, shall:

1) provide to the precinct commissions of ballot papers for elections of the President of the Republic of Belarus and for voting in the republican, Oblast, Minsk City, regional or town referendum; and

2) establish the results of the voting in the elections of the President of the Republic of Belarus and for the republican, Oblast and Minsk City referendum in the region and the town and inform about them the Oblast and the Minsk City commissions; and establish the results of voting in the regional and the town referendum;

The regional and the town commissions on elections of the President of the Republic of Belarus and deputies of local Councils of Deputies, in addition to the powers stipulated in part one of this article, when holding elections of the President of the Republic of Belarus and of deputies of local Councils of Deputies, shall secure the observance of equal legal conditions for electoral activities of the candidates for deputies for the position of the President of the Republic of Belarus and the deputies of local Councils of Deputies.

The regional and the town commissions on the referendum, in addition to the powers stipulated in part one of this article, when holding a referendum, shall assist mass media in explaining the content of the question proposed for the referendum; and provide for the publication of the results of the referendum for the region or the town in local mass media.

The town district commissions on elections of the President of the Republic of Belarus and the republican, Oblast or Minsk City referendum shall exercise powers of the regional and the town commissions on elections of the President of the Republic of Belarus and on the referendum as stipulated in this article.

The commissions mentioned in this article shall also exercise other powers in conformity with this Code and other legislative acts of the Republic of Belarus.

Powers of the regional, town and town district commissions on elections of the President of the Republic of Belarus shall terminate after the official publication of the results of the elections of the President of the Republic of Belarus.

Powers of the regional and the town territorial electoral commissions on elections of deputies of local Councils of Deputies shall be preserved until the elections to the local Councils of Deputies of the new convocation are appointed.

Powers of the regional, town and town district commissions on the referendum shall terminate one month after the decision of the referendum came into force.

Article 41. Powers of the town (in towns subordinated to region), settlement and rural territorial electoral commissions on elections of deputies of the town, settlement and rural Councils of Deputies, on the referendum and on the holding of voting for recall of the deputy

The town (in towns subordinated to region), settlement and rural territorial electoral commissions on elections of deputies of the town, settlement and rural Councils of Deputies, on the town, settlement and rural referendum and on the holding of voting for recall of the deputy shall:

1) organise the holding of elections of deputies of the town, settlement and rural Councils of Deputies, of the town, settlement and rural referendum and of the voting for recall of a deputy of the town, settlement or rural Council of Deputies and exercise control over the observance of the requirements of this Code and other legislative acts of the Republic of Belarus on elections, referendum and recall of the deputy in the territory of the town, settlement or rural Council;

2) direct activities of the precinct commissions;

3) hear information of the officials (workers) of the local executive and administrative bodies and organisations on the issues connected with the preparation and the holding of elections, referendum and recall of the deputy of the local Council of Deputies;

4) control over the compilation of the lists of citizens who have the right to take part in the elections, referendum or recall of the deputy and the submission of them for familiarisation by everyone;

5) dispose of monetary resources allocated for the preparation and the holding of elections, the town, settlement or rural referendum or recall of the deputy of the respective local Council of Deputies; distribute part of the resources allocated for the preparation and the holding of the town, settlement or rural referendum among the precinct commissions and exercise control over the target use of the allocated resources; control over the provision to the precinct commissions of rooms, transport facilities, communication facilities and consider other issues of material, technical and organisational support for securing the elections, referendum or recall of the deputy; and

6) consider applications and complaints against decisions and actions of the precinct commissions and take decisions on them.

The regional, settlement and rural territorial electoral commissions, in addition to the powers stipulated in part one of this article, when holding elections of deputies of the town, settlement or rural Councils of Deputies, shall:

1) form the electoral districts for elections to the town, settlement or rural Councils of Deputies on recommendations of the town, settlement or rural executive committee;

2) register initiative groups of citizens for the collection of signatures of electors in support of the persons proposed for the nomination as candidates for deputies and the holding of agitation for their elections; and issue respective certificates to members of the initiative groups;

- 3) assist in organisation of the nomination of candidates for deputies;
- 4) register candidates for deputies and their proxies and issue respective certificates to them;
- 5) approve texts of the ballot papers for elections of deputies of the town, settlement and rural Council of Deputies for each electoral district; provide for the making of the ballot papers and supply of them to precinct commissions;
- 6) organise together with labour collectives and public associations meetings of candidates for deputies with the electors both in the labour collectives and at the place of living; and assist in the printing of posters with biography data and election programs of the candidates for deputies;
- 7) secure the observance of equal legal conditions for election activities of the candidates for deputies of the town, settlement and rural Councils of Deputies;
- 8) summarise the results of elections for the town, settlement and rural Councils of Deputies and submit information on them to the regional territorial electoral commission and register the elected deputies; publish information on the results of elections and the list of elected deputies of the town, settlement and rural Councils of Deputies and issue certificates to the deputies elected;
- 9) organise the holding of a second round of voting and of new elections of deputies of the town, settlement and rural Councils of Deputies and elections of deputies instead of those who have left their position;
- 10) hand over to the commission of the town, settlement and rural Councils of Deputies which supervises the issues of mandate the documentation required for the verification of the powers of the deputies elected in each electoral district; and
- 11) convene the first session of the newly elected town, settlement and rural Councils of Deputies.

The commissions mentioned in part one of this article, when holding a recall of a deputy of the town, settlement and rural Council of Deputies, shall:

- 1) register the initiative groups for the collection of signatures in support of the proposal on initiation of the issue on recall of the deputy;
- 2) appoint the voting on the recall of the deputy;
- 3) approve the text of the ballot paper for the recall of the deputy and provide for the making of ballot papers and supply of them to the precinct commissions; and
- 4) establish the results of the voting on recall of the deputy and take decision on acknowledging the deputy as being recalled by the electors.

The town, settlement and rural commissions on referendum, in addition to the powers stipulated in part one of this article, when holding a town, settlement or rural referendum, shall:

1) provide to the precinct commissions the ballot papers for voting in the town, settlement or rural referendum; and

2) establish the results of the voting in the town, settlement and rural referendum and inform about them in local mass media or make them otherwise known by the citizens.

The commissions mentioned in this article shall also exercise other powers in conformity with this Code and other legislative acts of the Republic of Belarus.

Powers of the town, settlement and rural territorial electoral commissions on elections of the deputies of local Councils of Deputies shall be preserved until the elections to the local Councils of Deputies of the new convocation are appointed.

Powers of the town, settlement and rural commissions on the referendum shall terminate one month after the decision of the referendum came into force.

Article 42. Powers of district electoral commissions on elections of deputies of the Chamber of Representatives and on elections to the Oblast Councils of Deputies and territorial electoral commissions exercising in the districts of the City of Minsk the powers of district electoral commissions on elections to the Minsk City Council of Deputies

The district electoral commissions on elections of deputies of the Chamber of Representatives and on elections of the Oblast Councils of Deputies and the territorial electoral commissions exercising in the districts of the City of Minsk powers of the district electoral commissions on elections to the Minsk City Council of Deputies shall:

1) organise the holding of elections and exercise control over fulfilment of the requirements of this Code and other legislative acts of the Republic of Belarus on elections in the territory of the electoral districts and in the district of the City of Minsk – in the territory of electoral districts formed in that district;

2) direct activities of the precinct electoral commissions;

3) hear information of the officials (workers) of the local executive and administrative bodies and organisations on the issues connected with the preparation and the holding of elections;

4) register initiative groups of citizens for the collection of signatures in support of the persons proposed for the nomination as candidates for deputies and the holding of agitation of their elections; and issue the respective certificates to the members of the initiative groups;

5) assist in the organisation of nomination of candidates for deputies;

6) register candidates for deputies and their proxies and issue respective certificates to them; and assist in the publication of posters with biography data and election programs of the candidates for deputies;

- 7) exercise control over the observance of equal legal conditions for election activities of the candidates for deputies;
- 8) assist the candidates for deputies in the organisation of meetings with the electors;
- 9) control over the compilation of the lists of citizens who have the right to take part in the elections and the submission of them for familiarisation by everyone;
- 10) dispose of monetary resources allocated for the preparation and holding of elections for the electoral districts, distribute part of these resources among the precinct electoral commissions and candidates for deputies and exercise control over the target use of the allocated resources; control over the provision to the precinct commissions of rooms, transport facilities, and communication facilities and consider other issues of material, technical and organisational support for securing the elections;
- 11) approve the texts of the ballot papers for the electoral districts and provide for the making of the ballot papers and supply of them to the precinct electoral commissions;
- 12) determine and publish in the press the results of elections for the electoral districts;
- 13) issue to the deputies certificates on their election after the elected deputies have been registered by the Central Commission, Oblast or Minsk City territorial electoral commission, respectively;
- 14) organise the holding of a second round of voting and of new elections;
- 15) consider applications and complaints against decisions and actions of the precinct electoral commissions and take decisions on them; and
- 16) exercise other powers in conformity with this Code and other legislative acts of the Republic of Belarus.

The district electoral commissions on elections of deputies of the Chamber of Representatives shall establish in the territory of the respective electoral district the unified numbering of the polling stations and the territory electoral commissions exercising in the districts of the City of Minsk powers of the district electoral commissions for elections to the Minsk City Council of Deputies shall establish the unified numbering of the polling stations in the territory of the district of the City of Minsk.

Powers of the electoral commissions mentioned in this article shall terminate correspondingly after the powers of the elected deputies have been acknowledged by the Chamber of Representatives, the Oblast or the Minsk City Council of Deputies.

Article 43. Powers of the district commission on the holding of voting for recall of a Deputy of the Chamber of Representatives or a deputy of the Oblast Council of Deputies

The district commission on the holding of voting for recall of a Deputy of the Chamber of Representatives or a deputy of the Oblast Council of Deputies shall:

- 1) organise the holding of voting for recall of the deputy and exercise control over the fulfilment of the requirements of this Code and other legislative acts of the Republic of Belarus on recall of the deputy in the territory of the electoral district;
- 2) direct activities of the precinct commissions;
- 3) control over the compilation of the lists of citizens who have the right to take part in the voting for recall of the deputy and the submission of them for familiarisation by everyone;
- 4) approve the text of the ballot paper for voting for recall of the deputy and provide for the making of ballot papers and supply of them to the precinct commissions;
- 5) dispose of the monetary resources allocated for the preparation and the holding of voting for recall of the deputy and distribute part of these resources among the precinct commissions and exercise control over the target use of the allocated resources; control over the provision to the precinct commissions of rooms, transport facilities, communication facilities and consider other issues of material, technical and organisational support for securing of the voting for recall of the deputy; and
- 6) consider applications and complaints against decisions and actions of precinct commissions and take decisions on them.

The precinct commission on the holding of voting for recall of the deputy of the Chamber of Representatives shall determine the results of the voting for recall of the deputy and take decision on acknowledging the deputy as being recalled by the electors whereas the precinct commission on the holding of voting for recall of the deputy of the Oblast Council of Deputies shall determine the results of the voting for recall of the deputy of the Oblast Council of Deputies, make up record about this and forward it to the Oblast territorial electoral commission.

Powers of the commissions mentioned in this article shall terminate after the official publication of the results of voting for recall of the deputy.

Article 44. Powers of the precinct commission on elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Council of Deputies, on the referendum and the holding of voting for recall the deputy

The precinct commission on elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Council of Deputies, on the referendum and the holding of voting for recall the deputy shall:

- 1) secure the observance of the requirements of this Code and of other legislative acts of the Republic of Belarus on elections, referendum and recall of the deputy in the territory of the polling station;
- 2) particularise and sign the lists of citizens who have the right to take part in the elections, referendum and recall of the deputy for the electoral precinct;
- 3) familiarise the electors and participants in the referendum with the list of citizens who have the right to take part in the elections, referendum and recall of the deputy, consider applications on irregularities in the list and solve the issue on the making of the relevant modifications in it;
- 4) inform the electors and participants in the referendum about the place of location, the working hours and the telephone number of the precinct commission as well as on the day of elections, referendum or voting for recall of the deputy, and the time and the place of voting;
- 5) provide for the implementation of the right of electors and participants in the referendum, as stipulated in this Code, for advance vote in the elections or referendum (with the exception of the precinct commission on the holding of voting for recall of the deputy) as well as the preservation of the ballot papers;
- 6) provide for the preparation of the room for voting, ballot boxes and other equipment;
- 7) control in the territory of the voting over the observance of the agitation material location rules;
- 8) secure the target use of monetary resources allocated for the holding of elections, referendum or recall of the deputy;
- 9) organise the voting on the day of elections, referendum or recall of the deputy;
- 10) count the votes and determine the results of the voting for the polling station;
- 11) consider applications and complaints on issues of preparation of elections, referendum and voting for recall of the deputy and organisation of the voting, count of votes and take decisions of them;
- 12) hear information of official persons of the local executive and administrative bodies, enterprises, institutions and organisations on the issues connected with the preparation and holding of elections, referendum or recall of the deputy; and
- 13) exercise other powers in conformity with this Code and other legislative acts of the Republic of Belarus.

Powers of the precinct commissions on elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Council of Deputies and on the holding of voting for recall the deputy shall terminate upon the completion in the territory of the electoral precinct of elections or recall of the deputy whereas powers of the precinct commission on the referendum shall terminate one month after the decision of the referendum comes into force.

SECTION IV. Election agitation and agitation for referendum. Financing of elections, referendum and recall of a deputy or a member of the Council of the Republic. Liability for violation of legislation on elections, referendum and recall of a deputy or a member of the Council of the Republic

Chapter 10. Election agitation and agitation for referendum and recall of a deputy or a member of the Council of the Republic

Article 45. Election agitation and agitation for referendum and recall of a deputy or a member of the Council of the Republic

Citizens of the Republic of Belarus, political parties, other public associations, labour collectives and proxies of candidates for the position of the President of the Republic of Belarus and for deputies and the initiative groups making agitation for elections of candidates for the position of the President of the Republic of Belarus or for deputy shall have the right for free and all-round discussion of election programs of candidates for the position of the President of the Republic of Belarus and for deputies, of their political, business and personal qualities and the holding of agitation for or against a candidate at meetings, rallies, in mass media as well as during meetings with electors.

After the appointment of voting for recall of a deputy electors, the initiative groups and the proxies of the deputy shall have the right for free and all-round discussion of the issues connected with the recall of the deputy, his business and personal qualities and make agitation for or against the recall of the deputy at meetings, rallies, in mass media as well as during meetings with electors.

At a sitting of deputies of the local Councils of Deputies of the base level of the Oblast and deputies of the Minsk City Council of Deputies on elections of members of the Council of the Republic or on recall of a member of the Council of the Republic each deputy taking part in the work of the sitting shall have the right for free and all-round discussion of business and personal qualities of the candidates for membership in the Council of the Republic or a member of the Council of the Republic in relation of whom the issue on recall has been initiated and make agitation for or against the nominated candidates for the membership on the Council of the Republic and for or against the recall of a member of the Council of the Republic.

Citizens of the Republic of Belarus, political parties and other public associations and labour collectives shall have the right for free agitation in favour of the proposal for the holding of a referendum, in favour of adoption of the decision proposed for the referendum as well as against the proposal on the holding a referendum or against the decision proposed for the referendum. The holding of meetings with citizens and public discussion of proposals offered for the referendum shall be in conformity with the legislation on the procedure of the holding of meetings, rallies, street marches, demonstrations and picketing and other legislation of the Republic of Belarus. Foreign citizens shall not have the right to take part in agitation.

Candidates for the position of the President of the Republic of Belarus and for deputies shall hold meetings with their electors at meetings or in another form convenient for the electors.

Local executive and administrative bodies together with the respective commissions shall be obliged to assist in the holding of meetings of candidates for the position of the President of the Republic of Belarus or for deputies with the electors. Commanders of military units (institutions) shall be obliged to create conditions for meetings of the personnel with candidates out of services hours. State bodies, enterprises, institutions and organisations shall provide free-of-charge rooms for the above purposes.

From the time of registration of candidates for the position of the President of the Republic of Belarus or for deputies in the respective commission the political parties, labour collectives and citizens who have nominated candidates and candidates for the position of the President of the Republic of Belarus and for deputies shall have the right for making election posters, appeals, declarations, notices, lists and photographic materials (hereinafter called "posters") at the expense of the resources allocated to the candidates for these purposes by the respective commission. Posters are printed productions the making of which does not require a special permit. Agitation printed materials must contain information on the organisations or the persons responsible for their issue. It is prohibited to spread anonymous agitation printed materials.

When holding elections, referendum or voting for recall of a deputy, the local executive and administrative bodies, on agreement with the respective commissions, shall allocate in the territory of the polling stations places that are most frequented by citizens for placement of agitation printed materials. The executive and administrative bodies may prohibit the placement of agitation printed materials in places that are not assigned for this purpose.

It shall be not allowed to remove, place over, smear or damage posters if these posters are made and placed with observation of the legislation requirements.

At all polling stations stands with information materials about the candidates shall be arranged not later than 14 days before the elections. Stands with such information materials shall be preserved in the voting rooms on the day of elections. When a referendum is held, the questions (drafts of decisions) proposed for the referendum must be displayed in the visible place.

No agitation shall be allowed on the day of voting. Agitation printed materials that have been displayed outside the rooms for voting shall be preserved in the same place.

Article 46. Use of state mass media in election campaign and during the holding of the referendum

Candidates for the position of the President of the Republic of Belarus, for deputies of the Chamber of Representatives and for deputies of local Councils of Deputies, political parties, other public associations, labour collectives and citizens who have nominated their candidates shall have equal right for the use of state mass media from the time of registration of candidates.

State mass media, mass media partially financed from the state budget as well as mass media one of the founders of which is represented by state bodies or institutions as well as mass media that are partially financed at the expense of state

funds shall be obliged to secure equal opportunities for election appearance of candidates, publication and making public the questions and the texts of bills offered for the referendum and making of agitation for elections or referendum.

The candidate for the position of the President of the Republic of Belarus shall have the right to publish in the Republican press his election program amounting to up to five typewritten pages by submitting the text of the above program not later than 20 days before the elections.

The candidate for the deputy of the Chamber of Representatives shall have the right to publish in the republican or local press his election program amounting to up to two typewritten pages by submitting the text of the above program not later than 20 days before the elections.

Election programs of candidates for the position of the President of the Republic of Belarus and for deputies of the Chamber of Representatives shall be published in the order they are received.

The candidate for the position of the President of the Republic of Belarus shall have the right to make up to 200,000 posters with the election programme and biography data amounting up to five typewritten pages whereas the candidate for the deputy of the Chamber of Representatives – up to 10,000 such posters amounting up to two typewritten pages.

The candidate for the deputy of the Oblast or the Minsk City Council of Deputies shall have the right to make up to 2,000 posters with the election programme and biography data amounting up to one and a half typewritten pages whereas the candidate for the deputy of the region or the town (subordinated to Oblast) Council of Deputies – up to 1,000 such posters and the candidate for the deputy of the town (subordinated to the region), settlement or the rural Council of Deputies – up to 200 such posters amounting up to one typewritten page.

Candidates for the position of the President of the Republic of Belarus and for deputies of the Chamber of Representatives shall have the right for free appearance on the state television as well as on the radio system. The National State Television and Radio Company of the Republic of Belarus, within ten days after the appointment of elections, shall provide to the Central Commission the limit of time for appearance of candidates on the state television as well as on the radio. The above time on TV or radio must be allocated for the period when television and radio programs attract the largest audience.

The procedure and the number of appearances of candidates for the position of the President of the Republic of Belarus and for deputies of the Chamber of Representatives on the state television and radio shall be established by the Central Commission. In so doing, it is necessary to provide appearance of candidates on equal footing.

The candidate for deputy of the Oblast, the Minsk City, the regional and the town (in towns subordinated to Oblast) Council of Deputies shall have the right for one free-of-charge appearance on the local state radio. The Oblast and the Minsk City bodies of radio broadcasting, not later than 30 days before the elections, shall submit to the Oblast and the Minsk City territorial electoral commissions the limit of time for

appearance of candidates for deputies on the local radio which shall determine the time of appearance of candidates for deputies. In such case, it is necessary to provide appearance of candidates on equal footing.

Journalists and official persons of mass media shall be prohibited to conduct information television and radio programs or take part in informing about elections through such mass media if the above persons are candidates for the position of the President of the Republic of Belarus, for deputies of the Chamber of Representatives or deputies of local Councils of Deputies or their proxies.

The Republican radio every morning, and the Republican television every evening shall be obliged to give information on the progress of the election campaign and the preparation for the republican referendum.

Reports from sittings of the Central Commission and decisions taken by it shall be systematically published in the Republican press whereas reports and decisions of the electoral commissions and the commissions on the referendum - in local press.

It shall not be allowed to publish, within the last ten days before the elections or referendum, opinion poll results connected with the elections, referendum or prognosis of their results.

Article 47. Inadmissibility of abuse of the right for making election agitation and agitation for referendum

Agitation election materials, agitation materials for the referendum, appearance at meetings, rallies, in the press, on television and radio must not contain propaganda of war, appeals for forcible change of the constitutional system, violation of the territorial integrity of the Republic of Belarus, insults or slander in relation to official persons of the Republic of Belarus and other candidates for the position of the President of the Republic of Belarus and candidates for deputies. Agitation or propaganda of social, racial, national, religious or linguistic supremacy as well as issuance and spreading of information and materials arousing social, racial, national or religious enmity shall be prohibited.

Candidates for the position of the President of the Republic of Belarus and candidates for deputies, their proxies, organisations and persons agitating for election of candidates, for or against questions offered for the referendum shall have no right to distribute among citizens monetary funds, gifts or other material values, make discount sales of commodities or render free-of-charge any services and commodities except for printed materials specially made for the election campaign or for the holding of the referendum with the observance of the requirements of this Code. In carrying election agitation or agitation for a referendum it shall be prohibited to influence citizens by promises of transfer to them of monetary funds or material values.

In case of violation of the requirements of this article the respective commissions shall take measures for stopping such activities and the commission on elections of the President of the Republic of Belarus and electoral commissions shall also have the right to cancel the decision on registration of the candidate.

Chapter 11. Financing of elections, referendum or recall of a deputy or a member of the Council of the Republic

Article 48. Expenditures for preparation and holding of elections, referendum or recall of a deputy or a member of the Council of the Republic

Expenditures for preparation and holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, members of the Council of the Republic, deputies of local Councils of Deputies, the republican referendum or recall of a deputy of the Chamber of Representatives or a member of the Council of the Republic shall be made at the expense of the republican budget. Expenditures for these purposes may be also made at the expense of funds of public associations, enterprises, institutions, organisations and citizens of the Republic of Belarus who may contribute their monetary resources into the extra-budgetary fund formed by the Central Commission for additional financing of expenditures for the preparation and the holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies or the republican referendum.

Expenditures for the preparation and the holding of a local referendum, new elections of deputies of local Councils of Deputies and elections of the deputies instead of those who have left their positions and for recall of a deputy of the local Council of Deputies shall be made at the expense of funds of the respective local budget.

Expenditures for the preparation and the holding of a local referendum may also be made at the expense of funds of organisations and located in the territory of the respective local Council of Deputies and of the citizens living in this territory who may contribute their monetary resources into the extra-budgetary fund formed by the local Council of Deputies which appointed the referendum.

The procedure of allocation and use of monetary funds allocated for the preparation and holding of elections, a Republican referendum or recall of a deputy of the Chamber of Representatives or member of the Council of the Republic from the republican budget and of resources voluntarily contributed into the extra-budgetary fund shall be established by the Central Commission.

Resources allocated from the budget and the extra-budgetary fund for the holding of election agitation shall be divided equally among all candidates for the position of the President of the Republic of Belarus, for deputies of the Chamber of Representatives and for deputies of the local Councils of deputies and shall be spend according to their demand according to the procedure established by the Central Commission. The Central Commission shall inform through mass media about the size of resources allocated from the budget for the candidates for the election campaign not later than three days after the expiration of the term of registration of the candidates.

The Central Commission shall inform the Chamber of Representatives on the use of the resources allocated from the republican budget for the preparation and the holding of election or the republican referendum not later than six months after the day of election of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of the local Councils of Deputies or of the holding of voting for the referendum or for recall of the deputy of the Chamber of

Representatives or a member of the Council of the Republic as well as publish a report on the use of the resources from the extra-budgetary fund.

State enterprise bodies, organisations and public associations shall submit for the disposal of the commissions rooms, equipment, communication and transport facilities required for the preparation and the holding of elections, referendum or voting for recall of the deputy or the member of the Council of the Republic according to the procedure established by the Council of Ministers of the Republic of Belarus.

State mass media, mass media partially financed from the state budget as well as mass media one of the founders of which is represented by the state bodies or organisations shall make public free-of-charge the materials submitted by the commissions and the election programs of candidates for the position of the President of the Republic of Belarus and deputies of the Chamber of Representatives.

Organisations, political parties, other public associations and citizens of the Republic of Belarus shall have no right to render other material aid during the preparation and the holding of elections or referendum except for contributing monetary resources into the extra-budgetary fund stipulated by part one of this article.

Any direct or indirect participation of foreign states, enterprises, organisations, foreign citizens, international organisations and enterprises of the Republic of Belarus with foreign investments shall be prohibited in financing and rendering other material aid during the preparation and the holding of elections, referendum or recall of a deputy or a member of the Council of the Republic.

Chapter 12. Liability for violation of the requirements of this Code

Article 49. Liability for violation of the requirements of this Code

Persons who hinder by violence, threat, deceit, or otherwise a free exercise by a citizen of the Republic of Belarus of the right to take part or not to take part in elections, referendum or voting for recall of a deputy, to elect and be elected as President of the Republic of Belarus, a deputy of the Chamber of Representatives, a deputy of the local Council of Deputies, carry election agitation, agitation for the referendum or who hinder the work of the commissions on elections of the President of the Republic of Belarus, election commissions, commissions on the referendum, commissions on holding the voting for recall of a deputy, or those who carry agitation on the day of elections, referendum or voting for recall of a deputy as well as members of the commissions, official persons of state bodies and public associations and other persons who have committed substitution of documents on elections, referendum, recall of a deputy, a knowingly incorrect count of votes, violated the secrecy of ballot, failed to submit to the commissions the required documents or failed to fulfil their decisions or committed an illegal use of monetary resources and material resources during the preparation and the holding of elections, referendum or recall of a deputy or committed other violations of the requirements of this Code and other legislative acts of the Republic of Belarus on elections, referendum or recall of the deputy shall bear liability as established by the legislation of the Republic of Belarus.

Persons who hinder by violence, threat, deceit or otherwise a free exercise by deputies of the local Councils of Deputies of the base level of the Oblast, deputies of the Minsk City Council of Deputies of the right to elect members of the Council of the Republic or be elected members of the Council of the Republic, carry election agitation or a free expression of will during initiation of the issue on recall of a member of the Council of the Republic and voting for recall or official persons of state bodies and other persons who have committed substitution of documents on elections or recall of a member of the Council of the Republic, a knowingly incorrect count of votes, violated the secrecy of ballot or committed other violations of the requirements of this Code shall bear liability as established by the legislation of the Republic of Belarus.

Persons who have published or otherwise spread false data defaming a candidate for the position of the President of the Republic of Belarus, for deputy of the Chamber of Representative, for membership in the Council of the Republic or for deputy of the local Council of Deputies or publicly appeal for boycott of elections, referendum or voting for recall of a deputy or a member of the Council of the Republic shall also be brought to liability.

In case of spread of false data on a candidate the Central Commission or the respective territorial (district) commission shall have the right, through a written appellation of the candidate, to take decision on providing him an opportunity to disprove false data publicly.

In case of violation by a candidate, his proxy or an initiative group of citizens for the collection of signatures of electors in support of the person proposed for nomination as candidate and the holding of agitation for his election of the requirements of this Code and of other acts of the legislation of the Republic of Belarus on elections the candidate and the initiative group shall be cautioned by the respective territorial (district) commission and in case of a new violation of the requirements of this Code and other legislative acts of the Republic of Belarus the respective territorial (district) commission or the Central Commission may cancel the decision on registration of the candidate.

In case of violation of the requirements stipulated by Article 47, part six of Article 61, part six of Article 68 and article 75 of this Code the respective territorial (district) commission or the Central Commission may deny registration of the candidate for the position of the President of the Republic of Belarus or for a deputy and cancel the decision on his registration without a prior caution.

In case of detection of a violation of the requirements of this Code and of other acts of the legislation of the Republic of Belarus persons mentioned in part three of Article 13 of this Code as well as citizens shall have the right to submit an application for correction of the violation to the respective or superior commission or a prosecutor or make up a statement about this that shall be signed by the person who detected the violation. An application or a statement submitted to the commission shall be liable to mandatory registration and consideration.

Applications about violations of the requirements of this Law and of other acts of the legislation of the Republic of Belarus received by the commissions, state bodies and public associations during the period of preparation for elections, referendum or voting for recall of a deputy, a member of the Council of the Republic or after the election, referendum or voting for recall of a deputy or a member of the Council of the

Republic must be considered within a three-day period whereas those received on the day of elections, referendum or voting for recall of a deputy or a member of the Council of the Republic – immediately. In case when facts contained in applications require verification decisions on them shall be taken not later than within a ten-day period. In such case, a superior commission shall have the right to independently take decision on the essence of the application and on the issue referred by this Code to the competence of the inferior commission.

Chapter 13. Procedure of voting during elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, referendum or recall of deputies

Article 50. Time and place of voting

During elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of the local Councils of Deputies, referendum or voting for recall of a deputy the voting shall be held from 7 till 22 hours. The precinct commissions shall inform the electors or participants in the referendum about the time and the place of the voting not later than ten days before the elections, referendum or voting for recall of the deputy.

At polling stations formed in military units, sanatoria, preventoria, rest homes, hospitals and other stationary medical treatment and prevention institutions, the precinct commissions may declare voting finished before 22 hours if all electors or participants included into the list have cast their vote.

Article 51. Organisation of voting at the polling station

Voting shall be performed in specially assigned premises that must be equipped with the sufficient number of booths or rooms for secret ballot and places for issue of ballot papers shall be determined and ballot boxes installed. Ballot boxes shall be installed in such a way that the voters should, when they approach them, pass compulsorily through the booths or rooms for secret ballot. Ballot boxes must be within a field of vision of the members of the precinct commission and persons mentioned in part three of Article 13 of this Code.

The precinct commission shall be responsible for the organisation of voting, the assuring of secret expression of will by electors and participants in the referendum, equipment of the rooms and the maintenance in them of the necessary order.

On the day of elections, referendum or holding of vote for recall of a deputy the ballot boxes shall be checked before the beginning of the vote and sealed by the chairman of the precinct commission in the presence of not less than two third of the members of the commission.

Article 52. Holding of vote at the polling station

Each elector and participant in the referendum shall vote in person; voting for other persons shall not be allowed.

A ballot paper shall be issued to the elector or the participant in the referendum against his signature by a member of the precinct commission on the basis of the list

of citizens who have the right to take part in elections, referendum or voting for recall of a deputy after the demonstration of the passport or an identity card that substituted the passport.

The ballot paper shall be filled by the voter in the cabin or room for secret ballot. No other person except the voter shall be allowed to be present during the filling of the ballot paper.

The elector or the participant in the referendum who has no opportunity to fill the ballot paper by himself shall have the right to invite to the cabin or room for secret ballot another person to his discretion, except for members of the precinct and higher commissions, candidates for the position of the President of the Republic of Belarus or for deputies or their proxies as well as persons mentioned in part three of Article 13 of this Code.

During the voting the elector or the participant in the referendum, in conditions precluding control over his expression of will, shall cross out in the ballot paper the surnames of the candidates against whom he votes and during voting at a referendum - one of the answers contained in the ballot paper for voting in the referendum, i.e., "for" or "against". The elector who votes for recall of a deputy shall cross out in the ballot paper the words "against recall" whereas the one voting for the preservation of the powers of the deputy shall cross out the words "for recall".

If the ballot paper includes the surname of only one candidate for the position of the President of the Republic of Belarus or for the deputy, then the text of the ballot paper must contain the words "for" and "against" one which shall be crossed out by the elector during the voting.

The elector or participant in the referendum shall cast the filled ballot paper into the ballot box.

When two or more referendums are held at the same time the voter shall receive and fill a paper ballot for each of them and cast them to the ballot box.

In case the elector or the participant in the referendum thinks that he made a mistake when he filled the ballot paper he shall have the right to address the member of the precinct commission who issued the ballot paper with a request to issue to him a new ballot paper instead of the spoiled one. The member of the precinct commission having received the spoiled ballot paper shall issue to the elector or the participant in the referendum a new ballot paper and make a note about this in the list of citizens who have the right to take part in elections, referendum or voting for recall of the deputy against the surname of the elector or the participant in the referendum who has made a mistake. The spoiled ballot paper shall be cancelled about which fact a statement shall be made to be signed by the chairman or the deputy chairman or the secretary or two members of the precinct commission.

Article 53. Advance voting at elections or referendum

The elector or the participant in the referendum who has no opportunity to be present on the day of elections or referendum at the place of his living shall have the right, not earlier than 5 days before the elections or the referendum and in conditions excluding control over the expression of his will, fill the ballot paper in the room of the

precinct commission and cast it to the sealed separate ballot box for voting of electors and participants in the referendum who will be absent on the day of the holding of elections or referendum at the place of their living. Official confirmation of causes disabling the elector or the participant in the referendum to come to the voting premises on the day of elections or referendum shall not be required.

Advance voting shall be performed from 10 till 14 hours on working days and from 16 till 19 on days-off in the presence of not less than two members of the precinct commission.

In receiving a ballot paper the participant in the referendum shall sign in person in the list of citizens who have the right to take part in the elections or the referendum and shall specify the date of advance voting.

Advance voting shall be performed with the observance of the requirements of this Code.

Article 54. Voting at the place of stay of the elector or the participant in the referendum during elections or referendum

The precinct commission shall be obliged to provide opportunity for participation in the voting for electors or participants in the referendum who are not able to come on the day of elections or referendum to the voting premises because of their state of health or because of other valid causes. To this end, the precinct commission must have the required number of portable ballot boxes the number of which shall be established by a superior commission.

The precinct commission, on request of electors or participants in the referendum expressed in writing or orally, shall charge not less than two members of the commissions to organise voting at the place of location of these persons on the day of elections or referendum as follows:

oral and written requests of electors and participants in the referendum on the organisation of voting at the place of their location on the day of elections or referendum shall be registered in a specially compiled list signed by the chairman or the secretary of the precinct commission where it is necessary to specify data on such persons as stipulated in the list of citizens who have the right to take part in elections or referendum. Official confirmation of causes making it impossible to come to the room for voting shall not be required;

members of the precinct commission shall sign for the receipt of ballot papers in the number correspondent to the number of received requests of electors or participants in the referendum;

voting shall be organised by not less than two members of the precinct commission;

for organising voting at the place of location of electors or participants in the referendum, the chairman or the secretary of the precinct commission shall copy all data on such persons into a separate inserted list from the main list of citizens who have the right to take part in elections or referendum. The electors and participants in the referendum who vote at the place of their stay shall sign in the above inserted list when they receive ballot papers. Then, a note shall be made in the main list of

citizens who have the right to take part in elections or referendum that these persons have voted at the place of their stay. The inserted lists of citizens who have the right to take part in elections or referendum containing the electors and the participants in the referendum who have voted at the place of their stay must be kept together with the main list of citizens who have the right to take part in elections or referendum.

Voting at the place of stay of electors or participants in the referendum shall be organised with the observance of the requirements of this Code.

Chapter 14. Count of votes at the polling station during elections or referendum

Article 55. Count of votes at the polling station during elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies and the referendum

Ballot boxes shall be opened by the precinct commission after the chairman of the commission declares the end of voting. It shall be prohibited to open ballot boxes before the end of voting. Before opening of the ballot boxes, all unused ballot papers for elections and referendum shall be counted and cancelled, put into a package and sealed by the precinct commission. The precinct commissions shall define the method of cancellation of ballot papers. The packages shall have written on them the name and the number of the station and the number of unused ballot papers on elections and referendum. The chairman and the secretary of the precinct commission shall sign the packages in presence of the members of the commission.

Opening of ballot boxes and count of votes during holding of elections or referendum shall be performed turn by turn: first shall be counted the ballot papers kept in the ballot box used during early voting, then those kept in portable boxes used for voting at the place of stay of electors or participants in the referendum and, after that, in ballot boxes kept on the day of elections or referendum in the room of the polling station.

Count of votes of electors or participants in the referendum must be performed directly by the members of the precinct commission without a break until the results of voting have been obtained.

In case of elections of the President of the Republic of Belarus or a deputy of the Chamber of Representatives the count of votes at the polling station shall be performed separately for each candidate for the position of the President and for deputy of the Chamber of Representatives whereas in case of elections of deputies of local Councils of Deputies – separately for each electoral district and each candidate for deputy for elections to the respective local Council of Deputies.

The precinct commission shall establish, according to the list of citizens who have the right to take part in elections or referendum, the total number of electors or participants in the referendum at the precinct whereas in case of elections for local Councils of Deputies – for each electoral district as well as the number of electors or participants in the referendum who have received ballot papers.

On the basis of the ballot papers kept in the ballot boxes specified in part two of this article the precinct commission shall determine, first separately and then by summing up the data:

in case of elections of the President of the Republic of Belarus and deputies of the Chamber of Representatives – the total number of electors who have taken part in the voting; the number of votes cast for and the number of votes casts against each candidate for the position of the President and deputies; and the number of ballot papers recognised as invalid;

in case of elections of deputies of local Councils of Deputies – for each electoral district, the total number of electors who have taken part in the voting, the number of votes cast for and the number of votes casts against each candidate for deputy and deputies and the number of ballot papers recognised as invalid;

in case of a referendum - the total number of participants in the referendum who have taken part in the voting, the number of participants in the referendum who voted for the approval of the question (draft of the decision) proposed for the referendum and the number of those who votes against its approval, and the number of ballot papers recognised as invalid.

In case of elections of the President of the Republic of Belarus and deputies of the Chamber of Representatives and deputies of local Councils of Deputies votes shall not be counted for the surnames of citizens additionally written by electors into the ballot papers.

After the beginning of the count of votes it shall be prohibited to make changes in the lists of citizens who have the right to take part in elections or referendum.

In case of elections or referendum, ballot papers different from the established sample, ballot papers having no signatures of the persons who are members of the precinct commission on their reverse side shall be recognised as invalid, and in case of elections of the President of the Republic of Belarus and deputies of the Chamber of Representatives and deputies of local Councils of Deputies also ballot papers in which, as a result of voting, more than one candidate has been left and in case of the referendum – also ballot papers in which during the vote more than one candidate have been left or if in the ballot papers none of the two words “for” or “against” have been crossed out whereas in case of the holding of a referendum – also ballot papers in which none of the variants of answers or both of the variants have been crossed out. In case of doubts as to the validity of the ballot paper the precinct commission shall solve the issue by voting.

When decision is taken to recognise a ballot paper invalid, the precinct commission shall show on its reverse side causes of invalidity. This writing shall be certified by signatures of not less than two persons who are members of the precinct commission. Invalid ballot papers shall be packed separately.

The results of the vote count shall be considered at a sitting of the precinct commission and shall be written in a record. In addition to the data stipulated in parts five and six of this article, the record shall also specify the number of ballot papers received by the precinct commission, the number of spoiled ballot papers and the number of unused ballot papers. In case of elections of local Councils of Deputies,

records shall be made separately for each electoral district. When two or more referendums are held at the same time, a record shall be filled for each of them separately. It shall not be allowed to fill the minutes with a pencil or make in it any corrections whatsoever. The minutes shall be signed by the chairman, the deputy chairman, the secretary and the members of the commission.

In case of elections of the President of the Republic of Belarus or the Republican or the Oblast or Minsk City referendum, the records shall be immediately submitted in person by the chairman or the deputy chairman or the secretary of the precinct commission to the respective regional, town or town district commission on elections of the President of the Republic of Belarus and on the referendum whereas in case of elections of deputies of the Chamber of Representatives or deputies of local Councils of deputies to the respective district or territorial electoral commission as well as to the body that formed the commission for information. The record forwarded to the superior commission shall include, if any, special opinions of the members of the commission, declarations of the proxies of candidates and other persons on violations committed in the course of voting or during the count of votes and decisions take on them by the commission.

A copy of the minutes of the precinct commission after its signing shall be displayed in the place established by the commission for familiarisation by everyone.

When the body that formed the commission detects violations of the requirements of this Code and of other legislative acts of the Republic of Belarus made in the course of the voting or during the count of votes this shall be immediately notified to the superior electoral commission or the commission on the referendum or the Central Commission.

II. SPECIAL PART

SECTION V. Elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies

Chapter 15. Organisation and holding of elections of the President of the Republic of Belarus and deputies

Article 56. Appointment of elections of the President of the Republic of Belarus and deputies

Elections of the President of the Republic of Belarus shall be appointed by the Chamber of Representatives not later than five months before and shall be held on Sunday not later than two months before expiration of term of office of the previous President.

If the position of the President turned to be vacant, elections shall be held not earlier than 30 days and not later than 70 days after the day the vacancy appeared. In such case, a shorter time period for holding of pre-election campaign shall be established by the Central Commission.

Elections to the Chamber of Representatives of a new convocation shall be appointed by the President of the Republic of Belarus not later than four months and shall be held on Sunday not later than 30 days before expiration of the term of office of the Chamber of Representatives of the current convocation.

In case of dissolution of the Chamber of Representatives as provided by the Constitution of the Republic of Belarus, the President shall simultaneously appoint elections for the Chamber of Representatives of the new convocation. Extraordinary elections of the Chamber of Representatives shall be held within three months from the day of early termination of powers of the Chamber of Representatives of the current convocation.

Elections to local Councils of Deputies of a new convocation shall be appointed by the President of the Republic of Belarus not later than four months and shall be held not later than 30 days before expiration of the powers of the local Councils of Deputies of the current convocation. Elections to all local Councils of Deputies shall be held at the same time.

In case of dissolution of a local Council of Deputies, elections to this local Council of Deputies shall be appointed by the President of the Republic of Belarus not later than one month after the day of its dissolution and shall be held observing the requirements of this Code.

Information about the day of elections shall be made public in mass media on the following day after the day of appointment of elections.

Article 57. Requirements to candidates for the position of the President of the Republic of Belarus and for deputies

Elected as President of the Republic of Belarus may be a born citizen of the Republic of Belarus who is not younger than 35, enjoys suffrage and permanently lives in the Republic of Belarus not less than ten years counted directly before the elections.

Elected as deputy of the Chamber of Representatives may be a citizen of the Republic of Belarus who has reached the age of 21.

Elected as deputy of a local Council of Deputies may be a citizen of the Republic of Belarus who has reached the age of 18.

Article 58. The right of citizens of the Russian Federation living in the Republic of Belarus to take part in elections of deputies of local Councils of Deputies

Citizens of the Russian federation who permanently live in the Republic of Belarus shall have the right to take part in elections of deputies of local Councils of Deputies in conformity with the international agreement of the Republic of Belarus and the Russian federation.

Article 59. Incompatibility of the status of a deputy with the official position as well as with correspondent powers

It shall not be admitted to exercise at the same time duties of a deputy of the Chamber of Representatives with the holding of the position of the President of the Republic of Belarus or of a judge.

A deputy of the Chamber of Representatives may not be at the same time a member of the Council of the Republic or a deputy of a local Council of Deputies.

Chairmen of Oblast, Minsk City, regional or town (except for towns subordinated to regions) executive committees as well as judges may not be deputies of local Councils of Deputies.

A deputy of a local Council of Deputies may not be at the same time a deputy of the Chamber of Representatives.

Persons mentioned in this article may be registered as candidates for deputies if, in an application to the respective electoral commission stating their agreement to stand as candidate in this electoral district, they respectively specify that:

they give up the position occupied by them or terminate powers of the deputy of the Council of the Republic or deputy of the local Council of Deputies if elected deputy of the Chamber of Representatives;

they give up the position occupied by them or terminate powers of the deputy of the Chamber of Representatives if elected deputy of the local Council of Deputies.

Article 60. The right and the time of nomination of candidates for the position of the President of the Republic of Belarus and for deputies

Candidates for the position of the President of the Republic of Belarus shall be nominated by citizens of the Republic of Belarus provided not less than 100 thousand signatures of electors are available.

Nomination of candidates for the position of the President of the Republic of Belarus shall begin 75 days and end 35 days before the elections.

The right to nominate candidates for deputies shall belong to political parties registered by the Ministry of Justice of the Republic of Belarus not later than six months before the appointment of election, labour collectives as well as citizens by way of collection of signatures.

Nomination of candidates for deputies shall begin 70 days and end 40 days before the elections.

Nominated as candidates for deputies of local Councils of Deputies may be citizens living or working in the territory of the respective local Council of Deputies as well as those who work in organisations located in the territory of another local Council of Deputies but connected with the satisfaction of needs of the population and social development of the given local Council of Deputies.

Nominated as candidates for the position of the President of the Republic of Belarus or for deputies may not be citizens who have no right, in conformity with the legislation of the Republic of Belarus, to occupy positions in the state apparatus in connection with their conviction that has not been cancelled or quashed according to the procedure established by the legislation as well as citizens subjected to administrative penalty imposed by the court.

Article 61. Procedure of nomination of candidates for the position of the President of the Republic of Belarus

Nomination of a candidate for the position of the President of the Republic of Belarus by citizens shall be performed by the initiative group of electors (hereinafter the initiative group) including not less than 100 persons.

The list of the members of the initiative group specifying its leader together with the application for registration of the group shall be submitted to the Central Commission not later than 80 days before the elections by the person who has intention to be nominated as candidate for the position of the President of the Republic of Belarus. The list shall specify the surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of work and residence and the party membership of the person proposed for the nomination as candidate for the position of the President of the Republic of Belarus as well as the surname, name and patronymic name, the date of birth, the place of residence of each member of the group and its leader. The person who is nominated as candidate for the position of the President of the Republic of Belarus may not be member of the initiative group.

The Central Commission shall, within a five-day period, consider the application, register the initiative group and issue to the members of the initiative group respective certificates and the sample of the list for collection of signatures of electors in support of the person offered for nomination as candidate for the position of the President of the Republic of Belarus (hereinafter the signature list).

The signature lists shall specify the surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of work and residence and the party membership of the person nominated as candidate for the position of the President of the Republic of Belarus, as well as the surname, name and patronymic name of the member of the initiative group who collects signatures and the registration number of the initiative group. The signature list must include signatures of electors living only in the same place of residence whereas in towns divided into districts in the same district. The member of the initiative group who collects signatures of electors shall not have the right to include himself into the signature list.

The elector shall have the right to sign in support of only one person proposed for nomination as candidate for the position of the President of the Republic of Belarus and only once.

The maximum number of signatures of electors that must be collected in support of the person proposed for the nomination as candidate for the position of the President of the Republic of Belarus may not exceed by more than ten per cent as compared to the required number of signatures of electors established by part one of Article 60 of this Code.

Electors supporting the person proposed for the nomination as candidate for the position of the President of the Republic of Belarus shall in their hand specify in the signature list their surname, name and patronymic name, the date of birth, the place of birth, the series and number of the passport or the requisites of the substitution identity card, the date of signature and shall sign. The signatures shall be numbered.

Participation of administration of the organisation in the collection of signatures as well as forcing in the process of signature collection and remuneration of electors for making their signatures shall not be allowed. Violation of these requirements may be a basis for denial of registration of a candidate for the position of the President of the Republic of Belarus.

The personal signature made in hand by the member of the initiative group who collected the signatures of electors shall be put on each signature list in the presence of the chairman or the deputy chairman of the town (towns subordinated to Oblast and region), settlement or rural executive committee, the head or the deputy head of the administration of the town district in the territory of which the signatures were collected whereas in towns and urbanised settlements where town or settlement executive committees are not formed, in the presence of the chairman or the deputy chairman of the district executive committee and shall be immediately certified by the seal of this body.

Electors who have nominated a candidate for the position of the President of the Republic of Belarus shall have the right, before submission of the signature lists to the regional, town or town district commission on elections of the President of the Republic of Belarus, to withdraw their signatures from the signature lists by submitting an application on this to the above commissions.

Signature lists shall be submitted not later than 50 days before the elections to the regional, town or town district commission on elections of the President of the Republic of Belarus which shall, within a ten-day period, verify the authenticity of at least ten percent of the electors' signatures in the signature lists submitted by the members of the initiative group and shall secure the authenticity of the data on the number of such signatures. In so doing, at least ten per cent of the signature lists must be verified. A record shall be made about the number of electors who put their signatures in the signature lists for the nomination of a candidate for the position of the President of the Republic of Belarus; the above record shall be immediately forwarded to the respective Oblast and Minsk City commission on elections of the President of the Republic of Belarus.

Authenticity of electors' signatures in the signature lists may be verified, if required, within a five-day period by the Oblast and the Minsk City commission on elections of the President of the Republic of Belarus.

If during verification of authenticity of electors' signatures in the signature lists submitted by the members of the initiative group who collected the signatures in the region, town or town district not less than one percent of the verified signature lists are recognised as invalid, then all submitted signature lists and signatures in them on decision of the respective commission shall not be taken into account when determining the result of the collection of signatures of electors in the region, town or town district.

On the basis of the records of the regional, town and town district commissions on elections of the President of the Republic of Belarus on the establishment of the number of electors who put their signatures in the signature lists for the nomination of the candidate for the position of the President and the results of verification of the authenticity of the signatures of electors in the signature lists made by the Oblast and the Minsk City commission the Oblast and the Minsk City commission on elections of

the President of the Republic of Belarus shall summarise the results for the Oblast and the City of Minsk, make a record about this and forward it immediately to the Central Commission.

The member of the initiative group who collected the signatures shall bear responsibility for the authenticity of the data contained in the signature lists.

Signature lists in which false signatures have been found or signatures of one and the same elector for two or more electors or several signatures of the elector for the same person proposed for the nomination as candidate for the position of the President of the Republic of Belarus or signatures of citizens who do not enjoy suffrage or if the collection of signatures was made before the established time of nomination of candidates or by a persons who is not a member of the initiative group as well as signature lists unsigned by the member of the initiative group or signed by another member of the given initiative group who did not collect these signatures as well as signature lists containing signatures of electors who do not live in the same place of residence whereas in towns divided into districts – in the same district, or having no seal of the local executive or administrative body in the territory of which the signatures were collected shall be recognised as invalid.

In case of absence in the signature list of any or several data on the elector as stipulated by part seven of this article as well as if the data on the elector were not put into the signature list in his own hand the signature of such elector shall not be counted when the results of the collection of electors' signatures on the nomination of the candidate for the position of the President of the Republic of Belarus are established.

Article 62. Procedure of nomination of candidates for deputies by political parties

Nomination of candidates for deputies of the Chamber of Representatives from political parties shall be made by the supreme body of the republican political parties on condition that in the territory of the respective electoral district there is a primary organisation of the political party that nominates a candidate for deputy formed according to established procedure not later than six months before the appointment of elections.

Nomination of candidates for deputies of the Oblast, Minsk City, regional and town (in towns subordinated to Oblast) Councils of Deputies from political parties shall be made respectively by their Oblast, Minsk City, regional and town managerial bodies that are registered according to the established procedure and have lower organisational structures provided that in the territory of the respective electoral district for elections of the Oblast, Minsk City Council of Deputies and in case of election of the regional or town (towns subordinated to Oblast) Councils of Deputies – in the territory of the respective region or town, there is a primary organisation of the political party that nominates a candidate for deputy formed according to established procedure not later than six months before the appointment of elections.

Nomination of candidates for deputies of the town (in towns subordinated to region), settlement or rural Councils of Deputies shall be made by the regional and town bodies of political parties as well as meetings of their primary organisations provided that primary organisations have been formed according to the established procedure

and are located in the territory of these local Councils of Deputies not later than six months before the appointment of elections.

A political party shall have the right to nominate for each electoral district for elections of the Chamber of Representatives and the respective local Council of Deputies only one deputy from the members of this political party.

The list of registered political parties shall be submitted by the Ministry of Justice of the Republic of Belarus to the Central Commission not later than five days after the appointment of the elections.

Article 63. Procedure of nomination of candidates for deputies of the Chamber of Representatives by labour collectives

Nomination of candidates for deputies of the Chamber of Representatives from labour collectives of organisations shall be made at meetings (conferences) of electors in labour collectives.

Meetings (conferences) of electors in labour collectives of organisations located in the territory of the electoral district including not less than 300 persons working and having the right of the legal person shall be convened by the administration of the enterprise, institution or organisation both at their own initiative and at the initiative of the group of electors including not less than 150 persons working in the organisation.

In case of rejection of the proposal on the holding of a meeting (conference) on the initiative of the group of electors its initiators shall be given a copy of the motivated decision. This decision may be appealed, within a three-day period, to the regional or town court (the appeal must be signed by the majority of the initiators of the meeting convocation). The decision of the court shall be final.

The meeting must be attended by more than half the membership of the collective. Conferences of labour collectives shall be held if convocation of meetings is made difficult because of a great number of workers, the use of multi-shift working regime or territorial scatter of the structural divisions and shall be competent if attended by not less than two thirds of the delegates elected according to the procedure established in the labour collective. Decisions of a meeting (conference) of the labour collectives shall be taken by the majority of votes of its participants.

A candidate for deputy of the Chamber of Representatives may be nominated from several smaller collectives with the total number of workers not less than 300 persons at their general meeting. In such case, more than half of the members must be present from each collective of the organisation having the rights of the legal persons.

A labour collective may nominate only one candidate for deputy of the Chamber of Representatives.

Article 64. Procedure of nomination of candidates for deputies of local Councils of Deputies by labour collectives

Nomination of candidates for deputies of local Councils of Deputies from labour collectives of organisations shall be made at meetings (conferences) of electors in labour collectives.

Nomination of candidates for deputies of the Oblast and the Minsk City Councils of Deputies shall be made by labour collectives located in the territory of the respective electoral district whereas nomination of candidates to the regional, town, settlement and rural Councils of Deputies - by labour collectives located in the territory of the respective local Councils of Deputies.

Meetings (conferences) of electors in labour collectives of organisations shall be convened by the administration of the enterprise, institution or organisation both at their own initiative and at the initiative of a group of electors in the number of not less than 10 persons who work in the organisation. Meetings of electors in labour collectives for the nomination of candidates for deputies may be held:

when nominating candidates for deputies of the Oblast or the Minsk City Councils of Deputies – in collectives having not less than 150 workers;

when nominating candidates for deputies of the regional or town (in towns subordinated to Oblast) Councils of Deputies – in collectives having not less than 75 workers;

when nominating candidates for deputies of the town (in towns subordinated to region), settlement and rural Councils of Deputies – in collectives having not less than 20 workers.

Appeal against denial by the administration of the holding of a meeting (conference) and determination of the competence of the meeting (conference) of the labour collective and of the decision taken shall be made according to the procedure stipulated by parts three and four of Article 63 of this Code.

A candidate for deputy of a local Council of Deputies may be nominated from several smaller labour collectives with the total number of workers established in part three of this article at their general meeting. The meeting shall be competent if more than half of the members is present from each such collective of the enterprise, institution or organisation.

Meetings of electors for the nomination of candidates for deputies of the local Councils of Deputies may be held in structural divisions of organisations provided that, when they nominate a candidate for deputy of the respective local Council of Deputies, their number meets the requirements of part three of this article. According to the procedure stipulated by part five of this article a candidate for deputy of the local Council of Deputies may be nominated from several structural divisions or from several labour collectives and structural divisions at their joint meeting. When a candidate for deputy is nominated in a structural subdivision (structural subdivisions), no candidate for deputy shall be nominated from the entire labour collective.

The labour collective of an organisation or collectives of their structural subdivisions shall have the right to nominate only one candidate for deputy of each level of local Councils of Deputies observing the requirements of part three of this article.

Article 65. Procedure of nomination of candidates for deputies by way of collection of electors' signatures

Nomination of a candidate for deputy of the Chamber of Representatives by way of collection of electors' signatures shall be made by a group of electors (the initiative group) including not less than 10 persons whereas nomination of candidates for deputies of local Councils of Deputies by an initiative group including from 3 to 10 persons who live in the territory of the respective electoral district.

A person suggested for nomination as candidate for deputy of the Chamber of Representatives in the electoral district by a group of electors must have support of not less than 1000 electors who live in the territory of this electoral district whereas a person suggested for nomination as candidate for deputy of a local Council of Deputies by electors who in the territory of the electoral district in the amount of:

for the Oblast and the Minsk City Councils of Deputies – not less than 150;

for the regional or town (in towns subordinated to Oblast) Councils of Deputies – not less than 75;

for the town (in towns subordinated to region), settlement or rural Councils of Deputies – not less than 20.

The maximum number of signatures of electors that must be collected in support of the person proposed for the nomination as candidate for deputy of the Chamber of Representatives or for deputy of the respective local Council of Deputies may not be exceeded by more than ten per cent as compared to the required number of signatures of electors as established by part two of this article.

The application of a group of electors on their intention to arrange collection of signatures for nomination of a candidate for deputy shall be submitted to the district or territorial electoral commission not later than 65 days before the elections. The application shall specify surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of work and residence and the party membership of the person nominated as candidate for deputy as well as surname, name and patronymic name, the date of birth, and the place of residence of each member of the group and of its leader who shall be elected at a meeting of the group. The person proposed for the nomination as candidate for deputy may not be member of the initiative group. The district or territorial electoral commission shall, within a five-day period, consider the application of the group of electors, register the initiative group and issue to the members of the initiative group the respective certificates and the sample of the list for collection of electors' signature in support of the person suggested for nomination as candidate for deputy (hereinafter the signature list).

The collection of electors' signatures for the nomination of a candidate for deputy and certification of the signature of the member of the initiative group in signature lists shall be performed according to the procedure stipulated by parts four, five, seven, eight and nine of Article 61 of this Code. The signature lists for the collection of

signatures in support of the proposal on the nomination as candidate for deputy must include signatures of electors who live only in the same place of residence whereas in towns divided into districts – in the same district within the territory of the electoral district. Violation of the requirements of part eight of Article 61 of this Code may be the ground for denial of registration of the candidate for deputy.

Article 66. Documents on the nomination of a candidate for deputy submitted to the district or territorial electoral commission

Supreme territorial managerial bodies or primary organisations of political parties and meetings (conferences) of electors in labour collectives shall take decisions on nomination of a candidate for deputy that have to be recorded into a record and submitted to the respective district or territorial electoral commission within a five-day period but not later than 40 days before the elections. The record shall specify the name of the supreme, territorial managerial body or of the primary organisation of the political party, data on the labour collective, their addresses and telephone numbers, the number of members of the body of the political party and of the labour collective and the number of participants in the sitting of the body, the meeting of the primary organisation of the political party or the meeting (conference) of the collective, the date of the sitting or meeting, the results of the vote, the decision taken showing the surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of work and residence and the party membership of the person nominated as candidate for deputy and the electoral district in which he is nominated.

When a candidate for deputy of the Chamber of Representatives is nominated, the record shall enclose a written application of the candidate for deputy to the district electoral commission stating his consent to stand as candidate in the given electoral district and the respective documents (copies of the certificate on registration of the political party and its charter; a certificate on the availability in the electoral district of a primary organisation of the political party that nominated the candidate for deputy specifying the exact address of the primary organisation; a certificate stating that the candidate for deputy is a member of the political party that has nominated him; biographic data on the person nominated as candidate for deputy specifying data stipulated by the Central Commission, whereas in relation to persons mentioned in parts one and two of Article 59 of this Code – their applications stating their consent to leave the position or terminate powers of the member of the Council of the Republic or the deputy of the local Council of Deputies if elected as deputy of the Chamber of the Representatives; and a certificate stating that the organisation the labour collective of which nominated the candidate for deputy is the legal person).

When a candidate for deputy of a local Council of Deputies is nominated, the record shall enclose a written application of the candidate for deputy to the district electoral commission stating his consent to stand as candidate in the given electoral district and the respective documents (copies of the certificate on registration of the political party and its charter; a certificate on the registration of the organisational structure of the political party that nominated the candidate for deputy stating also that he is a member of this party stating the date of formation and the precise address of the primary organisation of the political party that nominated the candidate for deputy; biographic data on the person nominated as candidate for deputy specifying data stipulated by the Central Commission, whereas in relation to persons mentioned in parts three and four of Article 59 of this Code – their applications stating their consent

to leave the occupied position or terminate powers of the deputy of the Chamber of the Representatives).

Nomination of a candidate for deputy by way of collection of signatures of electors shall be informed to the district or territorial electoral commission not later than 40 days before the elections by submission of signature lists and an application of the candidate for deputy to the district electoral commission stating his consent to stand as candidate in the given electoral district, whereas in relation to persons mentioned in Article 59 of this Code – their application stating their consent to leave the occupied position or terminate powers of the member of the Council of the Republic or deputy of the local Council of Deputies if elected as deputy of the Chamber of Representatives or, if elected as deputy of the local Council of Deputies, their application stating their consent to leave the occupied position or terminate powers of the deputy of the Chamber of Representatives as well biographic data on the person nominated as candidate for deputy specifying the data stipulated by the Central Commission.

Electors who nominated a candidate for deputy by way of collection of signatures shall have the right, before submitting the signature lists to the district, territorial electoral commission, remove their signatures from the signature lists by submitting of this fact an application to the respective electoral commission.

Signature lists must be kept in district or territorial electoral commissions and, after termination of their powers, handed over for storage to the bodies that formed these commissions.

Article 67. Verification of authenticity of electors' signatures in signature lists for elections of deputies

District and territorial electoral commissions shall verify the authenticity of electors' signatures in signature lists. In such case, for elections of deputies to the Chamber of Representatives it is necessary to verify not less than ten percent of the signature lists and for elections of deputies of local Councils of Deputies – not less than ten per cent of the signatures of electors in the signature lists submitted by the initiative group. Responsibility for the authenticity of the data contained in the signature lists shall be borne by the member of the initiative group who collected the signatures.

Signature lists in which false signatures have been found or signatures of one and the same elector for two or more electors, or several signatures of the elector for the same persons proposed for the nomination as a candidate, or signatures of citizens who do not enjoy suffrage, or if the collection of signatures was made before the established time of nomination of candidates or by a person who is not a member of the initiative group as well as signature lists unsigned by the member of the initiative group or signed by another member of the given initiative group who did not collect these signatures as well as signature lists containing signatures of electors who do not live in the same place of residence whereas in towns divided into districts – in the same district within the territory of the electoral district, or having no seal of the local executive or of the administrative body in the territory of which the signatures were collected shall be recognised as invalid.

In case of absence in the signature list of any or several data on the elector as stipulated by part seven of article 61 of this Code as well as if the data on the elector

were not put into the signature list in his own hand or the elector does not live in the territory of the electoral district the signature of such elector shall not be counted when the results of the collection of electors' signatures on the nomination of the candidate for deputy are established.

The district and territorial electoral commissions shall make records on the results of verification of authenticity of signatures of electors in the signature lists.

Article 68. Registration of candidates for the position of the President of the Republic of Belarus and for deputies

Registration of candidates for the position of the President of the Republic of Belarus shall be performed by the Central Commission whereas registration of candidates for deputies shall be performed by the respective district or territorial electoral commission.

Registration of candidates for the position of the President of the Republic of Belarus shall begin 35 days and end 25 days before the elections, whereas registration of candidates for deputies shall begin 40 days and end 30 days before the elections.

In certain cases the term of registration of candidates for the position of the President of the Republic of Belarus and of deputies of the Chamber of Representatives may be extended by a motivated decision of the Central Commission, but by not more than five days whereas the term of registration of deputies of the local Councils of Deputies may be extended for the same period of time by the respective district or territorial electoral commission.

Decision on registration of a candidate for the position of the President of the Republic of Belarus shall be taken if the following documents are available as submitted to the Central Commission before the beginning of the registration: records of the Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus confirming availability of not less than 100 thousand signatures of citizens of the Republic of Belarus for the nomination of the candidate for the position of the President of the Republic of Belarus, an application of the candidate stating his consent to stand in election as well as biographic data on the person nominated as candidate for the position of the President of the Republic of Belarus specifying the data stipulated by the Central Commission.

Decision on registration of candidates for deputies shall be taken if the following documents submitted to the district or territorial electoral commission before registration are available: minutes of sittings of supreme or territorial managerial bodies of political parties, meetings of primary organisations of political parties, meetings (conferences) of labour collectives or of signature lists on nomination of candidates for deputies for the given electoral district, applications of candidates for deputies stating their consent to stand as candidates in the given electoral district and the respective documents mentioned in parts two and three of Article 66 of this Code.

If documents on nomination of a candidate for the position of the President of the Republic of Belarus, or deputy contain data that do not correspond to the reality including biographic data, the Central Commission, the district or territorial electoral

commission, respectively, shall have the right to deny registration of the candidate for the position of the President or a deputy or cancel the decision on his registration.

If on the whole for the Republic of Belarus not less than one percent of the verified signature lists on the nomination of a candidate for the position of the President submitted by an initiative group are recognised as invalid, the Central Commission shall deny registration of the candidate for the position of the President of the Republic of Belarus.

If verification of the authenticity of electors' signatures in the signature lists for the nomination of a candidate for deputy of the Chamber of Representatives submitted by the initiative group to the district electoral commission shows that not less than one percent of the verified signature lists are recognised as invalid whereas for the nomination of a candidate for deputy of a local Council of Deputies submitted by the initiative group to the district, territorial electoral commission shows that not less than one per cent of the verified signatures of electors in the signature lists are recognised as invalid, the respective electoral commission shall deny registration of the deputy of the Chamber of Representatives or for deputy of the local Council of Deputies.

Any number of candidates for the position of the President of the Republic of Belarus or for deputies may be submitted for registration.

A candidate for deputy may run for election only in one electoral district. When nominated as candidate for deputy in several electoral districts, the candidate for deputy shall inform about his consent to run as candidate in the definite electoral district and on refusal to run as candidate in the other electors districts the respective district or territorial electoral commission not later than three days after the expiration of the term for nomination of candidates for deputies. Failure to fulfil this requirement shall be the ground for denial of registration of the candidate for deputy in all electoral districts.

The Central Commission, the district or territorial electoral commission shall verify the compliance with the procedure of nomination of candidates for the position of the President of the Republic of Belarus or for deputies with the requirements of this Code and shall take decision on registration of candidates for position of the President or deputies or a motivated decision on denial of registration.

The record on registration of the candidate for deputy of the Oblast and the Minsk City Council of Deputies shall be submitted respectively to the Oblast and the Minsk City territorial electoral commission.

The Central Commission, the district or territorial electoral commission, within a two-day period after registration, shall issue to the candidates for position of the President of the Republic of Belarus or for deputies the respective certificates.

Denial by the Central Commission to register the person nominated as a candidate for the position of the President of the Republic of Belarus may be appealed against, within a three-day period, in the Supreme Court of the Republic of Belarus. The Supreme Court of the Republic of Belarus shall consider the complaint within a three-day period and its decision shall be final.

Denial of registration of a candidate for deputy of the Chamber of Representatives may be appealed against, within a three-day period, in the Central Commission. The decision of the Central Commission may be appealed against in the Supreme Court of the Republic of Belarus. The Supreme Court of the Republic of Belarus shall consider the complaint within a three-day period and its decision shall be final.

Denial of registration of a candidate for deputy of a local Council of Deputies may be appealed against, within a three-day period, in a superior territorial electoral commission. The decision of the superior territorial electoral commission may be appealed against, within the same period of time, in a regional (district) or Oblast court that shall consider the appeal within a three-day period. The decision of the court shall be final.

Powers of the person nominated as candidate for the position of the President of the Republic of Belarus who is a member of the Central Commission, or territorial or district commission on elections of the President of the Republic of Belarus shall be considered terminated as from the time of his registration as candidate for the position of the President of the Republic of Belarus.

Powers of the person nominated as candidate for deputy of the Chamber of Representatives who is a member of the Central Commission or territorial or district commission on elections shall be considered terminated as from the time of his registration as candidate for deputy.

Powers of the person nominated as candidate for deputy of a local Council of Deputies who is a member of the Central Commission, or the district, territorial or precinct electoral commission where shall be considered terminated as from the time of his registration as candidate for deputy.

The Central Commission, the district or territorial electoral commission, not later than on the forth day after registration of candidates for the position of the President of the Republic of Belarus or deputy, shall hand over to mass media for publication information on registration specifying the surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of work and residence and the party membership of each candidate for the position of the President of the Republic of Belarus or deputy or shall otherwise inform the electors about this.

Article 69. Withdrawal of one's own candidature by the candidate for the position of the President of the Republic of Belarus or for deputy

A candidate for the position of the President of the Republic of Belarus or for deputy may withdraw his candidature at any time before the day of elections by submitting an application on this to the Central Commission, district or territorial electoral commission, respectively. In case of a withdrawal of one's own candidature by a candidate for position of the President of the Republic of Belarus or for deputy without valid causes, the candidate for position of the President or for deputy shall compensate for the Central Commission, the district or the territorial electoral commission for the expenses incurred by it for the candidate for the position of the President or for deputy including also expenses allocated for pre-election agitation.

In case of refusal to voluntarily compensate for the expenses determined by the Central Commission, the district or the territorial electoral commission in cases stipulated by this article they shall be collected through a court of law.

In case of withdrawal of all candidates for the position of the President of the Republic of Belarus, for deputies of the Chamber of Representative or for deputies of the local Council of Deputies, new elections shall be held according to the procedure as stipulated by Articles 81, 87 and 94 of this Code, respectively.

Article 70. Cancellation of decision on the nomination of a candidate for deputy

A political party or labour collective that nominated a candidate for the deputy shall have the right to cancel its decision on nomination of the candidate for deputy not later than three days before the elections. The candidate for deputy shall be informed about the time of the sitting of the supreme or territorial managerial body of the political party, the meeting of the primary organisation of the political party or the meeting (conference) of the labour collective on cancellation of the decision on nomination of the candidate for deputy. The decision on this issue shall be taken according to the procedure stipulated for the nomination of candidates for deputies and shall be submitted immediately to the respective district or territorial electoral commission.

In case of cancellation of the decision on the nomination of a candidate for deputy without valid causes the superior or territorial managerial body, or the primary organisation of the political party, or the labour collective that nominated the candidate for deputy shall compensate to the district or territorial electoral commission for its expenses incurred for the candidate for deputy including expenses for pre-election agitation.

In case of refusal to voluntarily compensate for the expenses determined by the district or the territorial electoral commission in the case stipulated by this article they shall be collected through a court of law.

Article 71. Procedure of nomination of candidates for deputies instead of those who quitted

In case when candidates for deputies quit after expiration of the term of registration of candidates for deputies, if in the electoral district no other candidates remain, as well as when the persons nominated as candidates for deputies before the registration recalled their applications on the consent to run as deputies in the electoral district or these persons have been denied registration in view of violation of the requirements of this Code which left no other candidates for deputies in the electoral district the district or territorial electoral commission shall address respectively to superior or territorial managerial bodies, primary organisations of political parties and labour collectives with a proposal to nominate new candidates for deputies. Nomination of candidates instead of those who quitted shall be made according to the procedure established by this Code. If candidates for deputies quit less than 20 days before the elections, elections of the deputy from the respective electoral district shall be carried within a two-month period after the general elections. In this case, the Central Commission shall establish the reduced time period for election campaign.

Article 72. Ballot paper for elections of the President of the Republic of Belarus and ballot paper for elections of deputies

The text of the ballot paper for elections of the President of the Republic of Belarus shall be approved by the Central Commission whereas the text of the ballot paper for elections of deputy shall be approved by the respective district or territorial electoral commission.

The ballot paper shall include, in the alphabetic order, all registered candidates for the position of the President of the Republic of Belarus or for deputies specifying the surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of work and residence and the party membership of each candidate for the position of the President or deputy.

Each ballot paper must contain explanations how to fill it in.

Ballot papers shall be printed in the Belarusian and Russian languages. The reverse side of the ballot paper must contain signatures of not less than two persons who are members of the precinct commission.

Ballot papers for elections of local Councils of Deputies of different territorial levels must have different colour or another distinguishing sign.

In case of quitting of a candidate for the position of the President of the Republic of Belarus or for deputy on the eve of the elections and if it is not possible to make new ballot papers, the Central Commission, district or territorial electoral commissions, respectively, shall instruct the precinct commissions to make in each ballot paper with ink or a ball-pen a note "quitted" against the surname of the candidate who quitted. A notice on the above shall also be displayed in the room for voting and this fact shall be reported to the electors when they receive ballot papers.

Precinct commissions shall be provided with ballot papers not later than seven days before the elections.

Chapter 16. Guarantees of activities and the rights of the candidate for the position of the President of the Republic of Belarus and for deputy

Article 73. Equality of the rights and the duties of candidates for the position of the President of the Republic of Belarus and for deputy

All candidates for the position of the President of the Republic of Belarus and for deputies shall have equal rights and bear equal duties.

A candidate for the position of the President of the Republic of Belarus and for deputy shall have no right to use advantages of his position in the interests of election. Use of advantages of the position in this Code means:

involvement of persons who are in subordination or otherwise dependent through their work position for performing, during the working hours, activities that facilitate nomination and/or elections;

use of the rooms occupied by state bodies or organisations for performing activities that facilitate nomination and/or elections in case when other candidates for the position of the President of the Republic of Belarus or for deputies who have addressed in relation to the same issue are not able to use these rooms on analogous conditions;

use of telephone and other types of communication and office equipment designed for support of the functions of state bodies and organisations, for performing activities that facilitate nomination and/or elections;

free-of-charge or privileged use of transport facilities owned by the state for performing activities that facilitate nomination and/or elections; and

collection of electors' signatures and election agitation in the course of business trips.

The provisions stipulated in paragraphs four and five of part two of this article do not cover persons who use communication and transport facilities in conformity with the legislation on the State Guard

In case of violation of the requirements of this article the Central Commission, the district or territorial electoral commission shall have the right to cancel the decision on registration of the candidate.

Article 74. Right of candidates for the position of the President of the Republic of Belarus and for deputies to speak at meetings, use mass media and obtain information

Candidates for the position of the President of the Republic of Belarus and for deputies, from the time of their registration, shall have the equal right to speak at election and other meetings, conferences, sittings, in the press and on the state radio whereas a candidate for the position of the President of the Republic of Belarus and for deputies of the Chamber of Representatives also on the state television. Violation of this right may be appealed against in the district or territorial electoral commission and the Central Commission.

State bodies, public associations, heads of organisations and bodies of territorial public self-government shall be obliged to assist in the organisation of meetings of candidates for the position of the President of the Republic of Belarus and for deputies with the electors as well as to assure the submission of the information materials that are required for them for holding the election campaign except for materials the use of which is restricted by the legislation.

Article 75. Election program of the candidate the position of the President of the Republic of Belarus and for deputy

A candidate the position of the President of the Republic of Belarus and for deputy shall have the right to present the program of his future activities. The program of a candidate must not contain propaganda of war or appeal to forcible alterations of the constitutional system, violation of the territorial integrity of the Republic of Belarus, to social, national, religious or racial enmity, insults and slander in relation to official persons of the Republic of Belarus or other candidates for the position of the President of deputies.

When the requirements of this article are violated, the Central Commission, district or territorial electoral commissions shall have the right to cancel the decision on registration of the candidate.

Article 76. Proxies of the candidate for the position of the President of the Republic of Belarus and for deputy

A candidate for the position of the President of the Republic of Belarus may have up to 20 proxies, a candidate for deputy of the Chamber of Representatives up to 10 proxies and a candidate for deputy of a local Council of Deputies up to 5 proxies.

Proxies shall help the candidate in carrying election campaign, agitate for his election and represent interests of the candidate in relationship with state bodies, public associations and electors as well as on commissions.

A candidate the position of the President of the Republic of Belarus or for a deputy shall define proxies at his discretion and inform about them in a written application respectively to the Central Commission, the district and the territorial electoral commissions for registration. After registration candidates shall be issued certificates. The application shall specify the surname, name and patronymic name and the address of the proxy. The respective commission shall, within a three-day period as from the time of receipt of the application, register the proxies and issue to them certificates.

A candidate the position of the President or a deputy shall have the right to recall proxies at any time before the elections informing about this the respective commissions that shall cancel the certificates issued to them. A proxy may renounce his powers at any time.

A proxy of a candidate for the position of the President of the Republic of Belarus may not be member of the Central Commission, territorial and precinct commissions on elections of the President whereas a proxy of a candidate for deputy of the Chamber of Representatives or for deputy of a local Council of Deputies a member of the Central Commission, the district, territorial and precinct electoral commissions in which he represents the candidate for deputy and, from the time of his registration by the respective commission, shall be considered relieved of the duties on the commission.

Proxies of a candidate for the position of the President of the Republic of Belarus or for deputy shall be relieved of production or office duties without preservation of the salary on request of the candidate or a person application.

Article 77. Relieving of the candidate for the position of the President of the Republic of Belarus and for deputy of production or office duties for participation in election campaign and guarantees of their activities

After registration, candidates for the position of the President of the Republic of Belarus (except for the President who runs for the second term of office) and for deputies of the Chamber of Representatives (except for the Chairman of the Chamber of representatives) shall be relieved, on their personal request, from production or office duties from the day of registration till the day of elections without preservation of the salary.

Candidates for deputies of local Councils of Deputies, after their registration, when required and on their personal application, may be relieved from exercise of production or official duties without preservation of the salary.

Candidates for the position of the President of the Republic of Belarus and for deputies may be given, on their personal application and for the same period of time, the regular leave.

A candidate for the position of the President of the Republic of Belarus and for deputy may not be sent for a long-term business trip or called for military service or muster from the day of registration till the day of elections.

Chapter 17. Procedure of establishment of the results of voting and summarisation of the results of elections of the President of the Republic of Belarus

Article 78. Establishment of the results of voting in territorial commissions on elections of the President of the Republic of Belarus

The regional, the town and the town district commission on elections of the President of the Republic of Belarus, on the basis of the records received from the precinct commissions and compiled in accordance with the requirements of Article 55 of this Code, shall establish:

the total number of electors for the region, town or town district; .

the number of electors who have received ballot papers;

the number of electors who have taken part in the voting;

the number of votes given for and the number of votes given against each candidate for the position of the President;

the number of ballot papers recognised as invalid;

the number of ballot papers issued to the precinct commissions;

the number of spoiled ballot papers; and

the number of unused ballot papers.

The regional, the town and the town district commission shall establish at its sitting the results of voting for the region, town and town district and make the records. The record shall be signed by the chairman, the deputy chairman, the secretary and the members of the commission and shall be immediately, but not later than three days after the end of voting, handed over in person by the chairman or the deputy chairman or the secretary of the commission to the respective Oblast or Minsk City commission on elections of the President of the Republic of Belarus and to the body that formed the commission for information.

The Oblast and the Minsk City commission on elections of the President of the Republic of Belarus, on the basis of the records received from the respective regional, town and town district commissions, shall establish:

the total number of electors for the Oblast and the City of Minsk;

the number of electors who have received ballot papers;

the number of electors who have taken part in the voting;

the number of votes given for and the number of votes given against each candidate for the position of the President;

the number of ballot papers recognised as invalid;

the number of ballot papers issued to the respective regional, town and town district commissions;

the number of spoiled ballot papers; and

the number of unused ballot papers.

The Oblast and the Minsk City commission shall establish at its sitting the results of voting for the Oblast and the Minsk City and make record on this. The record shall be signed by the chairman, the deputy chairman, the secretary and the members of commission and shall be immediately, but not later than four days after the end of voting, handed over in person by the chairman or the deputy chairman or the secretary of the commission to the Central Commission and to the body that formed the Oblast and the Minsk City commission on elections of the President of the Republic of Belarus for information.

The records of the commissions forwarded to the superior commissions shall enclose, if any, special opinions of the members of the commission and statements of proxies of candidates for the positions of the President of the Republic of Belarus and of other persons on violations of the requirements of this Code and decisions of the commissions taken on them.

In case of detection by the body that formed the regional, town, town district, Oblast or Minsk City commission of violations of the requirements of this Code and of other legislative acts of the Republic of Belarus made in the course of the voting or during the count of votes, this shall be immediately notified to the respective superior commission or the Central Commission.

Article 79. Determination and publication of the results of elections of the President of the Republic of Belarus

The Central Commission, on the basis of records of the Oblast and Minsk City commissions on elections of the President of the Republic of Belarus, not later than ten days after the end of voting, shall determine at its sitting and write in the record the following data:

the total number of electors for the Republic of Belarus;

the number of electors who have received ballot papers;

the number of electors who have taken part in the voting;

the number of votes given for and the number of votes given against each candidate for the position of the President of the Republic of Belarus;

the number of ballot papers recognised as invalid;

the number of spoiled ballot papers; and

the number of unused ballot papers.

The record shall be signed by the chairman, the deputy chairman, the secretary and the members of the Central Commission.

Elections of the President of the Republic of Belarus shall be recognised as having taken place if the voting has been attended by more than half of the citizens of the Republic of Belarus included into the list of electors.

The President of the Republic of Belarus shall be acknowledged elected if more than half of the citizens of the Republic of Belarus who took part in the voting have voted for him.

In case of detection of mistakes and irregularities in the records of the precinct and territorial commissions as well as of violations committed in the course of the voting or during the count of votes, the Central Commission shall have the right to take a decision on a new count of votes by the respective territorial commission. A new count of votes of the electors shall be made by the territorial commission in presence of a member (members) of the Central Commission and, if required, of the precinct commissions as well.

Elections of the President of the Republic of Belarus on the whole of the Republic or for separate polling stations, regions, towns, town districts, Oblasts or the City of Minsk may be recognised as invalid because of violations of the requirements of this Code made in the course of elections or during the count of votes if they affected the results of the elections for the whole of the Republic. Decision on recognising the elections invalid shall be taken by the Central Commission and may be appealed against in the Supreme Court of the Republic of Belarus within ten days. The right of appeal against the decision on recognition of elections as invalid shall belong to candidates for the position of the President of the Republic of Belarus.

The Central Commission shall hand over an information on the results of elections of the President of the Republic of Belarus to mass media for making them public (publication) not later than three days from the time of signing of the records on the election results.

Article 80. Second round of voting

If none of the candidates for the position of the President of the Republic of Belarus received the required number of votes, then, within a two-week period, on decision of the Central Commission, a second round of voting shall be held on the two candidates who received the greater number of votes of the electors. Information on the holding of a second round of voting shall be published in the press within a three-day period. The second round of voting shall be held observing the requirements of this Code.

Elections in the second round of voting shall be acknowledged as having taken place if voting has been attended by more than half of the electors included into the list of citizens who have the right to take part in the elections. Elected shall be the candidate for the position of the President of the Republic of Belarus who received in the second round of voting more than half of the votes of the electors who took part in the voting.

If one of the candidates for the position of the President included into the ballot paper in the second round of voting has withdrawn his candidature, the second round of voting shall be held on one candidature. In such case, the candidate for the position of the President shall also be acknowledged as elected if he received more than half of the votes of electors who took part in the voting.

Article 81. New elections

If during elections of the President of the Republic of Belarus not more than two candidates for the position of the President ran and none of them was elected as well as in case when elections of the President are recognised as having not taken place or invalid or when a second round of voting did not allow the determination of the elected President, the Central Commission shall solve the issue of appointment of new (repeated) elections with a new nomination of candidates for the position of the President. In such case, it may take a decision on holding elections by territorial and precinct commissions having new membership.

New elections shall be held within three months after the main elections. Voting shall be held at the same polling stations according to the lists of citizens compiled for the holding of main elections and specified on the eve of new elections.

The formation of commissions on elections of the President of the Republic of Belarus, if a decision was taken on holding new elections by commissions having new membership as stipulated in part one of this article, the nomination and the registration of candidates for the position of the President of the Republic of Belarus and other actions connected with the holding of new elections of the President shall be carried according to the procedure established by this Code.

When new elections are held, citizens of the Republic of Belarus in relation of whom decisions were taken on cancellation of their registration as candidates for the position of the President in accordance with Article 47, part five of Article 49, part six of Article 68 and Article 75 of this Code as well as those who withdrew their candidatures in the first round of election without valid causes.

Information on holding new (repeated) elections shall be published in press and made public in other mass media within a three-day period.

Chapter 18. Procedure of establishment of the results and summarisation of the results of elections of deputies of the Chamber of Representatives

Article 82. Establishment of the results of elections in the electoral district for elections of the deputy of the Chamber of Representatives

On the basis of the records received from the precinct electoral commissions and compiled in accordance with the requirements of Article 55 of this Code, the district electoral commission shall establish:

the total number of electors for the district;

the number of electors who have received ballot papers;

the number of electors who have taken part in the voting;

the number of votes given for and the number of votes given against each candidate for the position of the President;

the number of ballot papers recognised as invalid;

the number of ballot papers issued to the precinct commissions;

the number of spoiled ballot papers; and

the number of unused ballot papers.

The candidate elected in the first round of elections in the electoral district shall be the candidate for the Chamber of Representatives who received at the elections more than half of the votes of the electors who took part in the voting provided the elections have been recognised as having taken place.

Elections shall be acknowledged as having taken place if the voting has been attended by more than half of the electors of the district included into the list of citizens who have the right to take part in elections.

The district electoral commission may recognise elections as invalid if violations of the requirements of this Code were made in the course of elections or during the count of votes or determining of the results of elections that influenced the results of the elections. A complaint about such violation shall be submitted to the district electoral commission not later than on the day following the day of elections.

The district electoral commission shall establish at its sitting the results of elections for the electoral district and write down the results in the record. The record shall be signed by the chairman, the deputy chairman, the secretary and the members of the commission and shall be immediately, but not later three four days after the end of voting, handed over in person by the chairman or the deputy chairman or the secretary of the commission to the Central Commission and to the body that formed the district electoral commission for information. The record forwarded to the Central Commission shall enclose, if any, special opinions of the members of the commission, statements of proxies of candidates for deputies and of other persons on violations of the requirements of this Code and decisions of the commissions taken on them.

In case when the body that formed the commission detects violations of the requirements of this Code and of other legislative acts of the Republic of Belarus made in the course of the voting or during the count of votes, this fact shall be immediately notified to the Central Commission.

In case of detection of mistakes and irregularities in the records of the precinct and the district electoral commissions as well as of violations committed in the course of voting or during the count of votes the Central Commission shall have the right to take a decision on a new count of votes by the respective district electoral commission. A new count of votes of the electors shall be made by the district electoral commission in the presence of a member (members) of the Central Commission and, if required, of the precinct electoral commissions as well.

The respective district electoral commission shall publish an information on the results of elections for the electoral district not later than on the fifth day after the elections. The information shall specify the total number of electors included into the lists of citizens who have the right to take part in elections; the number of electors who took part in the voting; the number of votes given for and the number of votes given against each candidate; the number of invalid ballot papers; the surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of work and residence and the party membership of the elected deputy. If the elections are recognised as having not taken place or invalid or a second round of voting is appointed, the district electoral commission shall inform about this and publish the list of candidates for deputies of the Chamber of Representatives who have passed to the second round of voting.

Article 83. Second round of voting

If none of the candidates for deputies of the Chamber of Representatives was elected in the first round of election for the electoral district, the district electoral commission shall take a decision on holding in the electoral district a second round of voting on the two candidates for deputies who received the greater number of votes of the electors in the first round of elections. Information on this decision shall be handed over by the district electoral commission to the Central Commission and the electors of the district. The second round of voting shall be held with the observance of the requirements of this Code.

Elections in the second round shall be acknowledged as having taken place if the voting has been attended by more than half of the electors included into the lists of citizens who have the right to take part in the elections. The candidate for deputy who

received the greater number of votes of the electors who took part in the voting shall be acknowledged as elected.

In case when one of the candidates for deputies of the Chamber of Representatives included into the ballot paper for the second round of voting has withdrawn his candidature the second round of voting may be held on one candidature. In such case, the candidate for deputy who received more than half of the votes of the electors who took part in the voting shall be acknowledged elected.

Article 84. Determination of the results of elections by the Central Commission

The Central Commission, on the basis of received records of the district electoral commissions shall determine the results of elections of deputies for the electoral districts and register the elected deputies of the Chamber of Representatives.

The Central Commission may recognise the elections as invalid if violations of the requirements of this Code took place in the course of elections or during the count of votes or the determination of the results of the elections that affected the results of the elections or do not allow the true determination of the results of the expression of will by the electors, and deny registration of the deputy of the Chamber of Representatives.

Article 85. Publication of the results of elections of deputies of the Chamber of Representatives

The Central Commission shall forward to the press for publication, not later than within a three-day period from the day of signing of the records on the results of the elections, information on the results of elections for the Republic of Belarus and the list of elected deputies of the Chamber of Representatives in the alphabetic order specifying the surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of work and residence, the party membership and the electoral district from which he has been elected as deputy.

Article 86. Certificate and the badge of the deputy of the Chamber of Representatives

After the Chamber of Representatives acknowledges the powers of the elected deputies of the Chamber of Representatives, certificates on their election as deputies issued to them by the district electoral commissions shall be substituted by certificates of the deputy of the Chamber of Representatives. The deputy shall also be given a badge.

Article 87. New elections

If elections that took place in the electoral district in the first round of elections or in the second round of voting have been recognised as having not taken place or invalid, or if the first round of elections when not more than two candidates ran none of them received the required number of the votes of the electors, or if in the second round of voting only one candidate for deputy was left who did not receive the required number of the votes of the electors, the Central Commission shall instruct the district electoral commission to hold in the electoral district new (repeated) elections. In such case, it may take a decision on the necessity to hold elections by the district and precinct electoral commissions having new membership. Voting shall be held at the same polling stations according to the lists compiled for the holding of main elections and specified on the eve of new elections.

New elections shall be held within the time period established by the Central Commission. The formation of electoral commissions, if a decision was taken on holding new elections by commissions having new membership as stipulated in part one of this article, the nomination and the registration of candidates for deputies and other procedures shall be carried out according to the order established by this Code. New elections shall be acknowledged as having taken place if in the first round of the new elections and in the second round of voting more than half of the electors included into the lists of citizens who have the right to take part in the elections have taken part. The candidate elected in the first round of new elections shall be the candidate for the Chamber of Representatives who received more than half of the votes of the electors who took part in the voting. Elected in the second round of voting of new elections shall be the candidate for deputy who received the greater part of the votes of the electors who took part in the voting. In case when one of the candidates for deputies of the Chamber of Representatives included into the ballot paper for the second round of voting withdrew his candidature, the second round of voting may be held with one candidate. In such case, the candidate shall be considered elected if he has received more than half of the votes of the electors who took part in the voting.

When new elections are held, citizens of the Republic of Belarus in relation of whom decisions were taken on cancellation of their registration as candidates for deputies in accordance with Article 47, part five of Article 49, part six of Article 68 and Article 75 of this Code as well as those who withdrew their candidatures in the first round of elections without valid causes.

Article 88. Holding of elections of deputies of the Chamber of Representatives instead of those who quitted

In case of a recall of a deputy of the Chamber of Representatives or early termination of deputy powers for other reasons, new elections shall be held in the respective electoral district within a four-month period from the time of the quitting of the deputy. The Central Commission shall appoint elections not later than three months before they are to be held and shall be organised with the observance of the requirements of this Code.

In case when a deputy of the Chamber of Representatives quits (leaves his position) less than one year before expiration of the term of office of the deputies of the

Chamber of Representatives, elections of a new deputy of the Chamber of Representatives instead of the one who quitted shall not be held.

Chapter 19. Procedure of establishment of the results and summarisation of the results of elections of deputies of local Councils of Deputies

Article 89. Establishment of the results of elections of deputies of local Councils of Deputies for the electoral district

On the basis of the records received from the precinct electoral commission(s) and compiled in accordance with the requirements of Article 55 of this Code, the territorial or district electoral commission shall determine:

the total number of electors for the district;

the number of electors who have received ballot papers;

the number of electors who have taken part in the voting;

the number of votes given for and the number of votes given against each candidate for deputy;

the number of ballot papers recognised as invalid;

the number of ballot papers issued to the precinct electoral commissions;

the number of spoiled ballot papers; and

the number of unused ballot papers.

The candidate elected in the first round of elections in the electoral district shall be the candidate for deputies who received at the elections more than half of the votes of the electors who took part in the voting provided the elections have been recognised as having taken place.

Elections shall be acknowledged as having taken place if the voting has been attended by more than half of the electors of the district included into the list of citizens who have the right to take part in elections.

The territorial or district electoral commission may recognise elections as invalid if violations of the requirements of this Code were made in the course of elections or during the count of votes or determination of the results of elections that influenced the results of the elections. A complaint about such violation shall be submitted to the territorial or district electoral commission not later than on the day following the day of elections.

The territorial or district electoral commission shall establish at its sitting the results of elections for the each electoral district and record the results in the minutes. The chairman, the deputy chairman, the secretary and the members of commission shall sign the minutes.

The district electoral commission on elections of the Oblast Council of Deputies and the territorial electoral commission that exercises in a district of the City of Minsk powers of district electoral commissions for elections to the Minsk City Council of Deputies shall, not later than three days after the end of the voting, hand over the record respectively to the Oblast or the Minsk City territorial electoral commission and the body that formed the commission for information. The chairman of the deputy chairman or the secretary of the commission shall hand over the record in person. The record forwarded to the Oblast or the Minsk City territorial commission shall enclose, if any, special opinions of the members of the commission, statements of the proxies of the candidates for deputies and of other persons on violations of the requirements of this Code and decisions taken on them by the respective district or territorial electoral commission.

The territorial electoral commissions on elections to the regional, town, settlement and rural Councils of Deputies shall hand over the records on the results of the elections to the bodies that formed the commission for information.

In case when the body that formed the commission detects violations of the requirements of this Code and of other legislative acts of the Republic of Belarus made in the course of the voting or during the count of votes, this fact shall be immediately notified to the Central Commission.

In case of detection of mistakes and irregularities in the records of the precinct and the territorial or district electoral commissions as well as of other violations committed in the course of voting or during the count of votes the superior territorial electoral commission shall have the right to take a decision on a new count of votes by the respective territorial or district electoral commission. A new count of votes of the electors shall be made by the territorial or district electoral commission in the presence of a member (members) of the superior territorial electoral commission and, if required, of the precinct electoral commissions as well.

Article 90. Second round of voting

If none of the candidates for deputies of the local Council of Deputies was elected in the first round of elections in the electoral district, the territorial or district electoral commission or the territorial electoral commission that exercises in the district of the City of Minsk powers of district electoral commissions on elections of the Minsk City Council of Deputies shall take a decision on holding in the electoral district a second round of voting on the two candidates for deputies who received the greater number of votes of the electors in the first round of elections. Information on this decision shall be given to the electors of the district by the respective territorial or district electoral commission. The second round of voting shall be held not later than within a two-week period with the observance of the requirements of this Code.

Elections in the second round shall be acknowledged as having taken place if the voting has been attended by more than 25 per cent of the electors of the district included into the lists of citizens who have the right to take part in the elections. The candidate for deputy who received the greater number of votes of the electors who took part in the voting shall be acknowledged as elected.

In case when one of the candidates for deputies of the local Council of Deputies included into the ballot paper for the second round of voting has withdrawn his

candidature, the second round of voting may be held with one candidate. In such case, the candidate for deputy who received more than half of the votes of the electors who took part in the voting shall be acknowledged as elected.

Article 91. Determination of the results of elections for local Councils of deputies by the territorial electoral commissions

The territorial electoral commission on elections of the Oblast and the Minsk City Council of Deputies, on the basis of respective records of the district electoral commissions on elections of the Oblast Council of Deputies and of territorial electoral commissions that exercise in the districts of the City of Minsk the powers of district electoral commissions on elections to the Minsk City Council of Deputies, whereas the territorial electoral commissions on elections of the regional, town, settlement or rural Council of Deputies on the basis of the records of the precinct electoral commissions and the records on the results of elections in the electoral districts shall summarise the results of elections of the respective local Council of Deputies and register the deputies elected for each electoral district.

The territorial electoral commission may recognise the elections as invalid if violations of the requirements of this Code took place in the course of elections or during the count of votes or determination of the results of the elections that influenced the results of the elections or do not allow the true determination of the results of the expression of will of the electors and may deny registration of the deputy.

Article 92. Publication of the results of elections of deputies of local Councils of Deputies

The respective territorial commissions shall forward to the press for publication an information on the results of the elections and the list of elected deputies of the Oblast, Minsk City, regional, town, settlement and rural Councils of Deputies or otherwise inform the electors about this not later than on the fifth day after the elections in the alphabetic order specifying the surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of work and residence, the party membership of each deputy and the electoral district from which he has been elected as deputy. The information shall include the total number of electors included into the lists of citizens who have the right to take part in the elections, the number of electors who took part in the voting, the number of votes given for and the number of votes given against each candidate, and the number of invalid ballot papers.

In case of recognition of election as having not taken place or invalid or in case of appointment of a second round of voting, the territorial electoral commission shall inform about this and publish the list of candidates for deputies of the local Council of Deputies who have passed for the second round of voting.

Article 93. Certificate and the badge of the deputy of the local Council of Deputies

The territorial electoral commission on elections of the regional, town (in towns subordinated to Oblast and region), settlement or rural Council of Deputies, the district electoral commission on elections of the Oblast Council of Deputies and the

territorial electoral commission that exercises in the district of the City of Minsk powers of district electoral commissions on elections to the Minsk City Council of Deputies, after the publication in the press of the list of registered deputies and - in case of holding of new (repeated) elections and elections instead of a deputy who quitted – after publication of the results of elections in the electoral district shall issue to each deputy elected in the district a certificate on his election.

After the local Council of Deputies acknowledges the powers of the elected deputy, the certificate on his election as deputy that was issued to him shall be substituted by a certificate of the deputy of the respective local Council of Deputies. The deputy shall also be given a badge.

Article 94. New elections

If elections that took place in the electoral district in the first round of elections or in the second round of voting have been recognised as having not taken place or invalid or if in the first round of elections when not more than two candidates ran for elections none of them received the required number of the votes of the electors or if in the second round of voting only one candidate for deputy of the local Council of Deputies was left who did not receive the required number of the votes of the electors, the Oblast or the Minsk City territorial electoral commission shall instruct the respective district electoral commission or the territorial electoral commissions that exercises in the district of the City of Minsk powers of district electoral commissions on elections to the Minsk City Council of Deputies to hold in the electoral district new (repeated) elections whereas the regional, town, settlement or rural territorial electoral commission shall take decision on the holding of new elections in the electoral district. In such case, it may take a decision on the necessity to hold elections by the district, the said territorial and precinct electoral and commissions having new membership. In such case the formation of electoral commissions shall be made according to the procedure established by this Code. Voting shall be held at the same polling stations according to the lists compiled for the holding of the main elections and detailed on the eve of the new elections.

New elections shall be held within the time period established by the territorial electoral commission. The nomination and registration of candidates for deputies and other procedures shall be carried according to the order and within the time period established by this Code. New elections shall be acknowledged as having taken place if in the first round of the new elections and in the second round of voting more than half of the electors included into the lists of citizens who have the right to take part in the elections have taken part. New elections in the second round of voting shall be considered as having taken place if the voting has been attended by more than 25 per cent of the district recorded in the lists of citizens who have the right to take part in the elections. Elected in the first round of new elections shall be the candidate for deputy of the local Council of Deputies who received more than half of the votes of the electors who took part in the voting. Elected in the second round of voting of new elections shall be the candidate for deputy who received the greater part of the votes of the electors who took part in the voting. In case when one of the candidates for deputies of the local Council of Deputies included into the ballot paper for the second round of voting withdrew his candidature, the second round of voting may be held with one candidate. In such case, the candidate shall be considered elected if he has received more than half of the votes of the electors who took part in the voting.

When new elections are held, citizens of in relation of whom decisions were taken on cancellation of their registration as candidates for deputies in accordance with Article 47, part five of Article 49, part six of Article 68 and Article 75 of this Code as well as those who withdrew their candidatures in the first round of elections without valid causes.

Article 95. Holding of elections of deputies of local Councils of Deputies instead of those who quitted their position

In case of a recall of a deputy of the local Council of Deputies or early termination of deputy powers for other reasons, new elections shall be held in the respective electoral district within a four-month period from the time of the quitting of the deputy. The respective local Council of Deputies shall appoint elections not later than three months before they are to be held and shall be organised with the observance of the requirements of this Code.

In case when a deputy of the local Council of Deputies quits (leaves his position) less than six months before expiration of the term of office of the deputies of the local Council of Deputies elections of a new deputy instead of the one who quitted shall not be held.

If during the holding of elections of a deputy of the town (town subordinated to region), settlement or rural Council of Deputies instead of the one who quitted the territory of the electoral district is smaller than the territory of the voting precinct or equal to it, the precinct electoral commission shall not be formed. In this case, the powers of the precinct electoral commission shall be exercised by the territorial electoral commission on elections of the given local Council of Deputies. Voting may be declared finished before 22 hours if all electors included into the list have voted.

Article 96. Holding of elections of deputies of local Councils of Deputies in newly formed territorial administrative units

Elections of deputies of local Councils of Deputies in newly formed territorial administrative units shall be held in cases when the formation of a local Council of Deputies is impossible in view of the absence or insufficient number of deputies elected for the Council in the territory included into the newly formed Oblast, region, town, settlement or rural Council. In this case the number of electoral districts to be formed for elections of the local Council of Deputies in the newly formed territorial administrative unit and the average number of electors in the electoral district on elections of this local Council of Deputies shall be established by the respective superior local Council of Deputies and the territorial electoral commission for elections of the local of the local Council of Deputies shall be formed by the superior executive committee.

Elections shall be appointed by the President of the Republic of Belarus and held according to the procedure established by this Code.

In case of elections of deputies of the Oblast Council of Deputies in a newly formed Oblast the number of electoral districts to be formed and the average number of electors per electoral district shall be established by the Central Commission. The

Oblast territorial and the district electoral commissions shall also be formed by the Central Commission.

SECTION VI. Election of Members to the Council of the Republic

Chapter 20. Procedure for Appointment of Elections of Members of the Council of the Republic. Nomination of Candidates for Election to the Council of the Republic

Article 97. Appointment of Elections of Members of the Council of the Republic

Elections of members of the Council of the Republic of a new convocation shall be appointed by the President of the Republic of Belarus not later than four months and held not later than 30 days before the expiry of the term of office of the Council of the Republic of the current convocation.

Eight members of the Council of the Republic shall be elected from each Oblast and the City of Minsk by secret ballot at the sittings of the deputies of local Councils of Deputies of the base level.

In the event of early termination of the term of office of the Council of the Republic, extra-ordinary elections, which shall be appointed by the President of the Republic of Belarus, are to be held within three months of the date of the early termination of the term of office of the Chamber.

The election date shall be made public through mass media not later than three days from the date when the elections were appointed.

Article 98. Qualifications for Candidates for Election to the Council of the Republic

Every citizen of the Republic of Belarus who has reached the age of 30 and has been a resident of a respective Oblast or the City of Minsk for the period of not less than five years shall be eligible for the nomination as a candidate for election to the Council of the Republic.

Candidates for membership of the Council of the Republic may not be nominated citizens who have no right in accordance with the legislation of the Republic of Belarus to occupy positions in the state apparatus in connection with their conviction that has not been cancelled or quashed in conformity with the procedure established by the legislation as well as citizens subjected to administrative penalty imposed by the court.

Article 99. Incompatibility of the Status of a Member of the Council of the Republic with the Official Position and the Powers of the Deputy of the Chamber of Representatives

A member of the Council of the Republic shall not be simultaneously the President of the Republic of Belarus, a Deputy of the Chamber of Representatives of the Republic of Belarus, or a judge.

Article 100. Nomination of Candidates for Election to the Council of the Republic

The procedure for nominating the candidates for election to the Council of the Republic shall begin 90 days before and end 60 days after the expiry of the term of office of the Council of the Republic of the current convocation.

The right to nominate the candidates for election to the Council of the Republic shall belong to the Presidiums of the local Councils of Deputies of the base level and respective executive committees - district and town executive committees (in the towns subordinated to Oblast), and in the City of Minsk - to the Presidium of the Minsk City Council of Deputies and to the Minsk Executive Committee. The joint session of these bodies shall be attended by not less than two thirds of the number of members of the respective Presidium of the Council of Deputies and the respective Executive Committee.

The decision by the joint session of the Presidium of the local Council of Deputies of the base level and the respective executive Committee to nominate a candidate for election to the Council of the Republic shall be adopted by the majority of the votes of their members.

The Presidium of the regional Council of Deputies, the town Council of Deputies (in the towns subordinated to Oblast) and the respective executive committee may nominate only one candidate for election to the Council of the Republic. The same candidate for election to the Council of the Republic may be nominated by several presidiums of the region or the town (in cities towns subordinated to Oblast) Councils of Deputies and respective executive committees.

The decision to nominate a person as a candidate for election to the Council of the Republics shall state the surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of birth, the place of residence, the party affiliation and the period of residence in the territory of the Oblast or the city of Minsk.

The decision, which shall be signed by the Chairman of the local Council of Deputies and the Chairman of the respective executive committee, together with the application of the person, nominated as a candidate for election to the Council of the Republic, stating his consent to be a candidate for election to the Council of the Republic from the Oblast or the City of Minsk, and this person's biographical data indicating the data stipulated by the Central Commission shall be submitted not later than within 3 days to the Central Commission, and with regard to the persons, specified in Article 99 of this Code, it shall also be necessary to submit their applications, stating that these persons agree to resign their positions or to terminate the powers of deputies of the Chamber of Representatives.

Article 101. Registration of Candidates for Election to the Council of the Republic

Candidates for election to the Council of the Republic shall be registered by the Central Commission. A candidate for election to the Council of the Republic shall be registered only if the following documents have been submitted to the Central Commission prior to the beginning of the registration procedure: the decision by the Council of Deputies of the base level and the respective executive committee to nominate a candidate for election to the Council of the Republic; the application of the person, nominated as a candidate for election to the Council of the Republic, stating his consent to be a candidate for election to the Council of the Republic from the Oblast or the City of Minsk; and this person's biographical data, and with regard to the persons, specified in Article 99 of this Code, their applications, stating that these persons agree to resign their positions or to terminate the powers of deputies of the Chamber of Representatives.

The registration of the candidates for election to the Council of the Republic shall begin 60 days and end 55 days before the expiry of the term of office of the Council of the Republic of the current convocation.

The Central Commission shall verify the compliance of the procedure for the nomination of candidates for election to the Council of the Republic, make a conclusion on this and take a decision to register the members of the Council of the Republic, or a motivated decision to deny registration. An appeal against the decision by the Central Commission may be lodged within three days with the Supreme Court of the Republic of Belarus. The Supreme Court of the Republic of Belarus shall consider the appeal within three days, and the decision on the appeal, delivered by the court, shall be final. The registered candidates for election to the Council of the Republic shall be issued respective certificates.

A candidate for election to the Council of the Republic, from the date of his registration to the date of publication of the election results, shall not be sent on a long-term business trips, or called for military service or a muster.

The Central Commission, not later than on the fourth day after registration of the candidates for election to the Council of the Republic, shall hand over the report on the registration of the candidates for election to the Council of the Republic to the mass media specifying the surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of birth, the place of residence, the party affiliation and the period of residence in the territory of the Oblast or the City of Minsk.

Chapter 21. Holding of the Sitting of Deputies of Local Councils of Deputies of the Base Level and of Deputies of the Minsk City Council of Deputies on Elections of Members to the Council of the Republic

Article 102. Procedure for Calling and Holding a Sitting of Deputies of Local Councils of Deputies of the Base Level and of Deputies of the Minsk City Council of Deputies on Elections of Members to the Council of the Republic

The deputies of the local Councils of Deputies of the base level of the Oblast and the deputies of the Minsk City Council of Deputies shall hold a sitting on the elections of the members to the Council of the Republic not later than 35 days prior to the expiry of the term of office of the Council of the Republic by a joint decision to be passed by the majority of votes of the members of the Presidiums of the Oblast Council of Deputies, the Minsk City Council of Deputies and the Oblast Executive Committee and the Minsk City Executive Committee. The joint session held by these bodies shall be attended by not less than two thirds of the number of members of the respective presidium of the Council of Deputies and of the executive committee. The decision shall set the date of the session.

The sitting of the deputies of the local Councils of Deputies of the base level of the Oblast and of the deputies of the Minsk City Council of Deputies shall be competent, if attended by not less than a half of the total number of deputies elected to the local Councils of Deputies of the base level of the Oblast or to the Minsk City Council of Deputies. In so doing, the sitting of the deputies of the local Councils of Deputies of the base level shall be attended by not less than one fourth of the number of deputies elected to each local Council of Deputies of the base level.

The sitting of the deputies of the local Councils of Deputies of the base level of the Oblast and of the deputies of the Minsk City Council of Deputies shall be opened by the oldest deputy.

A sitting shall elect the presidium, the secretariat, the counting committee and the mandate committee to support its proceedings.

Upon the presentation made by the mandate committee, the sitting of the deputies of the local Councils of Deputies of the base level of the Oblast and of the deputies of the Minsk City Council of Deputies shall be declared competent.

The sitting shall hear the conclusion by the Central Committee on the legality of nomination of candidates for election to the Council of the Republic from the Oblast and the city of Minsk and its notification of registration of the candidates.

A decision by a sitting of deputies of the local Councils of the base level and of the deputies of the Minsk City Council of Deputies shall be passed by a majority vote of the deputies present at the sitting of the Councils.

Article 103. Discussion of Candidatures Nominated for Election to the Council of the Republic

The sitting of deputies of the local Councils of the base level and of the deputies of the Minsk City Council of Deputies on the election of members to the Council of the

Republic shall consider the candidates for election to the Council of the Republic, nominated at the joint sessions of the Presidiums of the local Councils of the base level of the Oblast and the Minsk City Council of Deputies and the respective executive committees. Nomination of other candidates for election to the Council of the Republic at the sitting of the deputies of the local Councils of Deputies of the base level of the Oblast and of the deputies of the Minsk City Council of Deputies shall not be held.

The candidates for election to the Council of the Republic shall present their programs at the sitting.

Each deputy, taking part in the sitting, shall have the right to put questions to a candidate for election to the Council of the Republic, express his opinion, and call for support for or against the nominated candidature.

The discussion of candidatures shall be stopped by decision of the sitting.

The candidate for the Council of the republic may withdraw in the sitting his candidature.

The sitting shall take decision on inclusion of the candidates for the Council of the Republic into the ballot papers for secret vote.

Article 104. Organisation of Voting on Election to the Council of the Republic

To hold a secret ballot on election of the Council of the Republic and determine the results, the deputies, taking part in the sitting, shall elect the Counting Commission including from 9 to 15 of deputies. The candidates for election to the Council of the Republic shall not be allowed to be included in the Counting Commission.

The Counting Commission shall elect from its members the Chairman, the Deputy Chairman and the Commission Secretary. The Counting Commission shall render its decisions by a majority vote.

The secret ballot papers shall be prepared by the Counting Commission in accordance with the form established by the Central Commission and the number of secret ballot papers shall correspond to the number of the participants to the session. The text of the secret ballot paper shall be approved by the Counting Commission.

The secret ballot paper shall include, in the alphabetical order, the candidates for election to the Council of the Republic, and state each candidate's surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of work, the place of residence, the party affiliation and the period of residence in the territory of the Oblast or in the City of Minsk.

The reverse side of the ballot paper shall have signatures of at least two persons who are members of the Counting Commission.

The vote on the election of the members to the Council of the Republic shall be conducted in a specially assigned room where a sufficient number of booths or rooms for conducting secret ballot and the desks for issuing ballot papers shall be

provided. The ballot boxes shall be placed so that the voters shall approach them only through the booths or rooms assigned for secret ballot.

The time, the place and the procedure for voting shall be established by the Counting Commission and declared by its Chairman.

Prior to the commencement of the vote, the ballot boxes shall be inspected and sealed by the Chairman of the Counting Commission in the presence of all members of the Counting Commission.

A secret ballot paper shall be issued to each deputy, participating in the session. The ballot papers shall be issued by the members of the Counting Commission according to the list of deputies, taking part in the sitting upon presentation by a deputy of his Deputy Certificate. A deputy shall confirm the receipt of a ballot paper by putting his signature in the list of deputies.

Article 105. Vote on Election of Members to the Council of the Republic

Each participant in the sitting shall vote in person. It shall not be allowed to vote for other deputies.

The ballot papers shall be filled in inside a booth or a room for secret ballot by crossing out the names of the deputies whom the voter rejects.

A deputy shall drop the filled ballot paper into the ballot box. The ballot boxes shall be in sight of all members of the Counting Commission and of the persons mentioned in part three of Article 13 of this Code.

Article 106. Determination of Results of Voting on Election of Members to the Council of the Republic

The votes cast by the deputies shall be counted by the members of the Counting Commission in a continuous procedure till the voting results are obtained.

The Counting Commission, on the basis of the list of deputies registered for participation in the sitting, shall determine the total number of deputies, taking part in the sitting, and the number of deputies who received the ballot papers. By counting the ballot papers contained in the ballot box, the Counting Commission shall determine the total number of deputies who took part in the vote, the number of votes for and against each of the candidates for election to the Council of the Republic and the number of ballot papers declared invalid.

The ballot papers differing from the established form and the ballot papers with the number of undeleted candidates for election to the Council of the Republic exceeding the number of members that shall be elected from the Oblast or the City of Minsk, as well as ballot papers the reverse side of which does not have signatures of the persons who are members of the Counting Commission shall be declared invalid.

The ballot-count results shall be considered at the sitting of the Counting Commission and recorded in the record. It shall not be allowed to write the minutes in pencil or make any correction in the record.

The record shall be made in two copies, which shall be signed by all members of the Counting Commissions.

Following the presentation of the report by the Counting Commission, the sitting of deputies shall take an open ballot to pass a resolution on approval of the secret ballot results.

The elected member of the Council of the Republic shall be a candidate who have received, as a result of the vote, more than half of the votes of deputies of the local Council of Deputies of the base level of the Oblast and of the deputies of the Minsk City Council of Deputies, who have taken part in the ballot.

If the established number of members of the Council of the republic to be elected from the Oblast or the City of Minsk was not elected during the vote, then on decision of the sitting of the deputies a second round of vote on the candidatures that received the greatest number of votes shall be held.

If the established number of members of the Council of the republic to be elected from the Oblast or the City of Minsk was not elected in the second round of vote, then on new elections shall be held within the time period determined by the Central Commission as specified in Section VI of this Code.

The Counting Commission records shall be appended with the list of deputies of the local Council of Deputies of the base level of the Oblast or of the deputies of the Minsk City Council of Deputies who have taken part in the sitting, and with the statements of separate opinions, if any, of the members of the Counting Commission and of other persons, pertaining to the violations of the provisions of this Code, committed in the course of the voting and ballot-count procedures, and respective decisions rendered on these statements.

The original copies of the resolution, passed by the sitting of the deputies of the local Council of Deputies of the base level of the Oblast or of the deputies of the Minsk City Council of Deputies, approving the results of the secret ballot for the election of the members to the Council of the Republic, the records of the Counting Committee with the list of the deputies who have taken part in the session, shall be submitted to the Central Commission within two days.

The records of the sitting of the deputies of the local Council of Deputies of the base level of the Oblast or of the deputies of the Minsk City Council of Deputies and the second copies of the resolution, approving the results of the secret ballot, the records of the Counting Committee and the list of the deputies who have taken part in the session, shall be kept in the Oblast and the Minsk City Executive Committees.

Article 107. Determination of Results of Voting on Election of Members of the Council of the Republic

On the basis of the submitted documents specified in part eleven of Article 106 of this Code, the Central Commission shall determine the results of the ballot on the election of the members of the Council of the Republic from the Oblasts and the City of Minsk and register the members elected to the Council of the Republic.

The Central Commission may declare the election of a member of the Council of the Republic invalid in the event if any violations of the stipulations set forth in this Code, that have affected the voting results, have been registered in the course of the ballot and the ballot count procedures or the determination of the ballot results, and may refuse to register such person as member of the Council of the Republic.

If the election of a member (members) of the Council of the Republic from the Oblast or from the City of Minsk have been declared invalid, the new elections shall be held within a period to be set by the Central Commission. The new elections shall be appointed by the Central Commission and held in accordance with the procedure established by Section VI of this Code.

Article 108. Publication of Results of Election of Members of the Council of the Republic

The information on the results of the election of members of the Council of the Republic and the list of the members, elected to the Council of the Republic from the Oblasts and from the City of Minsk, stating, in the alphabetical order, each candidate's surname, name and patronymic name, the date of birth, the profession, the position (occupation), the place of birth, the place of residence and the party affiliation shall be forwarded by the Central Commission to the press within three days from the date of signature of the records on the results of election of members to the Council of the Republic.

Article 109. Certificate and Badge of a Member of the Council of the Republic

Following the registration procedure, the Central Commission shall issue a certificate to each member of the Council of the Republic.

Upon approval of the credentials of the Members of the Council of the Republic, the certificates, confirming the election of members to the Council of the Republic, shall be replaced by the Certificates of Members of the Council of the Republic. Each Member of the Council of the Republic shall also be issued a member's badge.

Article 110. Holding of elections of a Member of the Council of the Republic to Replace a Retired Member

In the event of recall or an early termination of the term of office by any other reasons of an elected Member of the Council of the Republic, a new election of a member of the Council of the Republic shall be held within the period to be set by the Central Commission. The elections to replace the retired member shall be appointed by the Central Commission and held in accordance with the procedure established by Section VI of this Code.

If a member of the Council of the Republic retires less than one year before the expiry of the term of office of the Council of the Republic, the election of a new member of the Council of the Republic shall not be held.

SECTION VII. Referendum

Chapter 22. Definition, Types and Purpose of the Referendum. Issues Offered to the Referendum

Article 111. Definition, Types and Purpose of the Referendum

The referendum (hereinafter referred to as "referendum") is a method of adoption by the citizens of the Republic of Belarus of decisions on the issues of utmost pertaining to the state and public life.

Republican and local referendums may be held in the Republic of Belarus.

Article 112. Issues offered to the Referendum

The issues, which may be submitted to a republican referendum shall include the issues of utmost importance pertaining to the state and public life of the Republic of Belarus.

The issues, which may be submitted to a local referendum, shall include the issues of utmost importance for the population of respective territorial administrative units, which fall within the competence of the respective local Councils of Deputies, and executive and administrative bodies.

The following issues shall not be submitted to the republican referendum:

any issues, which may lead to violation of the territorial integrity of the Republic of Belarus;

any issues pertaining to appointment (election) and dismissal of the President of the Republic of Belarus and any officials whose appointment (dismissal) is within the competence of the President of the Republic of Belarus and the Chambers of the National Assembly of the Republic of Belarus;

any issues on adopting and amending the budget and introducing, changing and cancelling taxes; and

any issues on amnesty or pardon.

The issues, which shall not be submitted to the local referendum, include those specified in the part three of this Article, the issues of importance for the Republic of Belarus as a whole, and the issues, relating to approval and dismissal of officials, which are within the competence of a respective local executive and administrative body and the head of such body.

Chapter 23. Initiation and Appointment of the Republican Referendum

Article 113. Right of Initiative for Holding the Republican Referendum

The right of initiative for holding the republican referendum shall be vested in the President of the Republic of Belarus, the Chamber of Representatives and the Council of the Republic, and the citizens of the Republic of Belarus.

The initiative of the Chamber of Representatives and the Council of the Republic for holding a republican referendum shall be expressed in the form of a proposal, which shall be adopted at the separate sittings of these bodies by the majority of the total number of members of each of the chambers and submitted to the President of the Republic of Belarus.

The initiative of citizens for holding a referendum shall be expressed in the form of a proposal, which shall be put forth by not less than 450 thousand citizens, enjoying suffrage, including not less than 30 thousand citizens from each Oblast and the City of Minsk.

Article 114. Initiative Group for Holding the Republican Referendum

In case an initiative to hold the republican referendum is put forth by the citizens, they shall form a group for holding the referendum (hereinafter referred to as the "initiative group"), which shall include not less than 100 citizens, enjoying suffrage, from each Oblast and the City of Minsk on the basis of approximately equal representation.

The initiative group shall apply to the Central Commission to register the initiative group and the issue, which it proposes to submit to the referendum. The request shall be appended with the minutes of the meeting held by the initiative group, which took a decision to form the initiative group, to put forth the initiative to hold the referendum, to approve the issue proposed for submission to the referendum, to elect the initiative group Chairman and co-ordinators for the Oblasts and the City of Minsk, the list of participants in the meeting signed by the chairman and the secretary of the meeting as well as the list of the members of the initiative group who agreed to take part in the initiative group, which shall be confirmed by their own signatures with the authenticity of the signatures subject to notary certification.

The meeting of the initiative group shall be competent if it has been attended by more than half of the members of the initiative group. Decisions of the meeting shall be taken by the majority of votes of its participants.

The list of the initiative group shall state each group member's surname, name and patronymic name, the date of birth, the place of residence, the serial number and number of his passport or the requisites of a certificate, which substitutes the passport. The initiative group shall hold a meeting, which shall elect the group chairman and group co-ordinators for the Oblasts and the City of Minsk out of the group members.

The question offered for the referendum shall be worded by the initiative group in a clear and definite manner so that it shall be possible to give an unambiguous answer to such question. The wording of the question, which is offered for the referendum,

may be amended only with the consent of the initiative group, and the minutes of the meeting of the group, confirming such consent, shall be submitted.

The documents pertaining to the holding of the republican referendum, submitted by the initiative group, shall be submitted by the Central Commission for consideration and conclusion to the Ministry of Justice and the Prosecution Department of the Republic of Belarus, which verify the compliance of the question with the legislation and observance of the procedure of formation of the initiative group.

The question offered for the referendum, taking into account the conclusion by the Ministry of Justice and the Prosecution Department of the Republic of Belarus, and the composition of the initiative group shall be registered by the Central Commission. Registration shall be refused in the event of a violation of legislation requirements. An appeal against a refusal to register the initiative group may be filed within a month with the Supreme Court of the Republic of Belarus (the appeal must be signed by the majority of the members of the initiative group).

Following the registration of the initiative group, the Central Commission shall issue to it a registration certificate and a sample sheet for collection of the signatures of the citizens, supporting the holding of the referendum, (hereinafter referred to as a "list of signatures") and the respective certificates to the initiative group members.

The campaign to initiate the republican referendum by the citizens and to collect the signatures of the citizens shall be subsidised at the expense of the funds of the initiative group, which shall establish a bank account for this purpose. The initiative group may use voluntary donations by organisations (except for the state ones), political parties, other public associations, labour collectives and citizens of the Republic of Belarus. The Central Commission shall supervise the receipt and expenditure of these funds.

It shall not be allowed to make use of any funds originating from foreign states, organisations, enterprises, foreign citizens and international organisations as well as from enterprises of the Republic of Belarus with foreign investments.

Article 115. Collection of Signatures of Citizens

Collection of signatures of the citizens to support the proposal for the holding of the referendum shall be performed only by the initiative group members within two months of the date of registration of the initiative group.

The signature lists shall contain the wording of the registered question, offered for the referendum, and/or the summary of the proposed decision (draft law), the family name, the name and the patronymic name of the person collecting the signatures and shall specify the number of the registration certificate issued to the initiative group, and the authority which issued the registration certificate. The initiative group member collecting the signatures shall provide the complete text of the decision (draft law) offered for the referendum, at the request of any citizen for his familiarisation with the decision (draft law).

The signature list may include only the signatures of the citizens residing in the same place of residence, whereas in the towns divided into districts the signatures of the citizens residing in the same town district. The member of the initiative group who

collects the signatures of citizens shall have no right to include himself into the signature list.

The maximum number of signatures of citizens that must be collected in support of the initiative on the holding of the republican referendum in the Republic of Belarus may not be exceeded by more than ten per cent as compared to the required number of signatures of electors established by part three of Article 113 of this Code.

Any citizen of the Republic of Belarus, having the right to vote, who supports the proposal on the holding of the referendum, shall fill in the signature list in person, stating his surname, name and patronymic name, the date of birth, the place of residence, the passport number and serial number, or the requisites of the identity card, which substitutes the passport, the signing date, and sign the list of signatures. The signatures shall be numbered.

The initiative group member, collecting the signatures, shall certify all signature lists by signing them in the presence of the head or the deputy head of the local executive or administrative body in charge of the territory where the signatures were collected, and these signature lists shall be immediately certified by stamping them with the seal of this body. Each signature list shall contain a record on the total number of certified signatures and the date of such certification.

It shall be forbidden to exert coercion toward the citizens of the Republic of Belarus with the purpose of obtaining their signatures for subscription sheets, and to use illegal practices for collecting signatures.

The initiative group member in charge of collecting the signatures shall be responsible for the validity of the data contained in the signature lists.

Article 116. Consideration of the Initiative of the Citizens for Holding the Republican Referendum

The initiative group shall submit the signature lists before the expiry of the period, set for the collection of signatures, to the regional executive committee or the town executive committee and the regional administration, which shall verify the authenticity of the signatures of the citizens in the signature lists. This procedure shall be used to check not less than ten per cent of the signature lists submitted by the initiative group.

The signature lists, which shall be found to contain fictitious signatures or signatures by the same person for two or more citizens, or the signatures of the citizens who are not qualified to vote in the referendum, as well as the signature lists which were used for collection of signatures by a person, who was not an initiative group member, or unsigned by an initiative group member, or signed by the initiative group member who did not collect these signatures, or containing the signatures of the citizens not residing in the same place of residence or in the same district in the towns divided into districts, or lacking the stamp of the respective local executive and administrative body, shall be declared invalid.

In case of absence in the signature list of any or several data on the elector as stipulated by part five of article 115 of this Code as well as if the data on the citizen were not put into the signature list in his own hand or if the citizen does not live in the

territory of the given place of residence and in the town divided into districts – in the territory of this district, the signature of such citizen shall not counted when the results of the collection of signatures are established.

If the verification of the authenticity of the signatures of the citizens in the signature list, submitted by an initiative group member (members) to the regional or town executive committee, the district administration in the town, shall result in not less than one per cent of the lists of signatures being found invalid, then all signature lists with the collected signatures submitted by such member (members) of the initiative group, and the signatures contained in them shall be ignored the respective executive committee or the regional administration when determining the results of collection of the signatures in the region, town or town district to support the initiative for holding the referendum.

The relevant regional or town executive committee or the town district administration shall take a decision on the results of collection of the signatures of the citizens in the signature lists in support of the initiative on the holding of the republican referendum, which decision shall be submitted to the respective Oblast Executive Committee or the Minsk City Executive Committee. The decision shall state: the total number of the signature lists received from the initiative group and the number of signatures contained in them; the number of the signature lists verified for the authenticity of the signatures of the citizens and the number of signatures contained in them; the number of the signature lists found invalid and the number of signatures in them that were not counted on the ground of the requirements of part three of this article; and the number of the signature lists with the authentic signatures contained in them.

The signature lists shall be kept in respective regional or town executive committees and the town district administrations.

If necessary, the Oblast Executive Committee and the Minsk City Executive Committee may verify the authenticity of the signatures of the citizens in the lists of signatures within a five-day period. On the basis of decisions by the regional and town executive committees, and of the town district administrations, stating the number of citizens, who signed the signature lists in support of the holding of the referendum, and the results of the verifications of the authenticity of the signatures of the citizens in the signature lists made by the Oblast and the Minsk City Executive Committee, the Oblast Executive Committee and the Minsk City Executive Committee shall determine the results of the collection of signatures for the Oblast and the City of Minsk, take a decision on the determination of such results, and submit this decision to the Central Commission. The decision shall include the data specified in part four of this article. A copy of the decision shall be handed over to the initiative group co-ordinator.

Following the adoption of decisions by the Oblast Executive Committee and the Minsk City Executive Committee, the initiative group shall make a final certificate on the collection of signatures and submit it to the Central Commission.

The Central Commission shall:

verify the compliance of the final certificate of the initiative group and the decisions submitted by the Oblast Executive Commission and the Minsk City Executive Commission with the requirements of this Code and other legislative acts of the Republic of Belarus;

make a conclusion on compliance by the initiative group with the requirements of this Code, and a record on the results of the collection of signatures, confirming the collection of not less than 450 thousand signatures of the citizens including not less than 30 thousand signatures from each of the Oblast and the City of Minsk.

The Central Commission shall submit the initiative group's final certificate with its conclusion and records, provided there shall be no grounds for rejecting the proposal for the holding of the referendum, to the President of the Republic of Belarus.

The Central Commission shall reject the proposal to hold a referendum in case of:

violation of the term for the collection of the signatures of citizens;

absence of the required number of signatures;

violation of the principle of voluntariness in the course of collection of signatures;;

the initiative group has submitted not less than one per cent of invalid signature lists;

other violations of this Code and other legislative acts of the Republic of Belarus have been found in the submitted documents.

The decision of the Central Commission on rejection of the proposal on holding the referendum may be appealed against within a month period with the Supreme Court of the Republic of Belarus (the appeal must be signed by the majority of the members of the initiative group).

The second initiation of a referendum by the citizens of the Republic of Belarus on the same question may take place not earlier than one year after the rejection of the proposal to hold the referendum, and not earlier than three years after a referendum was held on this question.

Article 117. Decision on Appointment of the Referendum

The President of the Republic of Belarus shall take a decision to appoint a republican referendum on his own initiative or after submission, in accordance with this Code, of proposals by the Chambers of the National Assembly of the Republic of Belarus or the citizens for his consideration.

The decree of the President of the Republic of Belarus on appointment of the referendum shall, as a rule, include:

the date of the referendum;

the legal force of the decision adopted by the referendum;

the wording of the question (questions) put to the referendum;

other organisational measures required to hold the referendum.

If a draft law shall be offered to the referendum, this draft law shall be appended to the decree.

The date of the referendum shall be set not later than three months from the date of the decree of the President of the Republic of Belarus on appointment of the referendum.

The decree of the President of the Republic of Belarus on appointment of the referendum, the text of the draft law or the draft of any other decision offered for the referendum, shall be published in the press and promulgated through other mass media in accordance with the procedure established by the President of the Republic of Belarus.

The President of the Republic of Belarus shall have the right to reject the proposal on holding a referendum if it shall fail to comply with the requirements of this Code and other legislative acts of the Republic of Belarus.

Article 118. Ballot Paper

The ballot paper shall contain the exact wording of the question offered for the referendum and shall specify the voting options by the words "for" and "against".

In the event of several questions being offered for the referendum, these questions shall be included into the same ballot paper and numbered in the successive order. Any alternative draft resolutions (draft laws) proposed for the same question, or the options proposed for any item of the draft resolution (draft law) shall be also numbered in the successive order.

In the event of a draft law being offered for the referendum, the Central Commission may take a decision to publish the text of the draft law offered for the referendum and the current law, which is proposed to be revoked, amended or appended, in the press. The above texts should also be kept in the room of each polling station for the public notice.

In the event of a republican referendum and a local referendum being held simultaneously, the ballot papers used in each of these referendums shall differ in colour or bear some other distinctive mark.

The ballot papers shall be printed in the Belarusian and Russian languages.

A ballot paper shall contain an explanation of the filing-in procedure.

The reverse side of a ballot paper shall bear the signatures of at least two members of the precinct commission on referendum.

The precinct commission shall be provided with ballot papers not later than seven days before the referendum.

Chapter 24. Establishment of Results and Summing up the Outcome of the Referendum

Article 119. Determination of Referendum Results for a Region, a Town or a Town District

On the basis of the records, received from the precinct commissions on the referendum, and prepared as stipulated in Article 55 of this Code, the regional, town, and town district commissions on the referendum shall establish:

the total number of citizens in the region, the town , and the town district, having the right to take part in the referendum;

the number of citizens, who received ballot papers;

the number of citizens, who have taken part in the vote;

the number of persons who voted in favour of the issue (draft decision) offered for the referendum, and the number of persons who voted against its approval;

the number of invalid ballot papers;

the number of ballot papers issued to the precinct commissions on the referendum;

the number of spoiled ballot papers; and

the number of unused ballot papers.

The referendum results for regions, towns and town districts shall be determined at the sittings of the region, town and town district committees on the referendum and recorded in the record. The record shall be signed by the chairman, the deputy chairman, the secretary and the members of the respective commission on the referendum and submitted immediately, but not later than two days after the completion of the vote, by the chairman, or the deputy chairman, or the committee secretary in person to the Minsk City Commission on the referendum, and to the body, which set up the Commission, for notification. The district commissions on the referendum in the towns under the Oblast jurisdiction, divided into districts, shall submit the record to the respective town commissions on the referendum, which shall determine the results of the referendum for the town and immediately submit the record to the respective Oblast commissions and to the body, which set up the Commission, for notification. The record forwarded to the Oblast and the Minsk City Commission on the referendum shall enclose, if any, special opinions of the members of the commissions and application of other persons on violations made in the course of the vote or during the count of votes and the decisions taken on them by the commission.

Should the body, which established the commission, find any violations of this Code or other legislative acts of the Republic of Belarus, committed in the course of the vote or ballot-count procedures, it shall immediately bring such cases to the notice of the higher commission on the referendum, or the Central Commission.

Article 120. Determination of Referendum Results for Oblasts and the City of Minsk

On the basis of the records, received from the region, town or town district commissions on the referendum, the region, town or town district committees on the referendum shall determine:

the total number of citizens in the Oblast and the City of Minsk, having the right to take part in the referendum;

the number of citizens, who received ballot papers;

the number of citizens, who have taken part in the vote;

the number of persons who voted in favour of the issue (draft decision) submitted to the referendum, and the number of persons who voted against its approval;

the number of invalid ballot papers;

the number of ballot papers issued to the region, town and town district commissions on the referendum;

the number of spoiled ballot papers; and

the number of unused ballot papers.

The referendum results for the Oblasts and the City of Minsk shall be determined at the sittings of the Oblast commission on the referendum and the Minsk City commission on the referendum and recorded in the record. The record shall be signed by the chairman, the deputy chairman, the secretary and the members of the Oblast commission on the referendum and the Minsk city commission on the referendum and submitted not later than three days after the completion of the vote by the chairman, or the deputy chairman, or the commission secretary in person to the Central Commission and to the body, which set up the Oblast commission on the referendum and the Minsk City commission on the referendum, for notification. The record forwarded to the Oblast and the Minsk City Commission on the referendum shall enclose, if any, special opinions of the members of the commissions and application of other persons on violations made in the course of the vote or during the count of votes and the decisions taken on them by the commission.

Should the body, which established the Oblast commission on the referendum and the Minsk City commission on the referendum, reveal any violations of this Code or other legislative acts of the Republic of Belarus, committed in the course of the vote or ballot-count procedures, it shall immediately bring such cases to the notice of the Central Commission.

Article 121. Finalisation of Referendum Results

On the basis of the records, received from the Oblast commission on the referendum and the Minsk City commission on the referendum the Central Commission shall determine:

the total number of citizens, having the right to take part in the referendum;

the number of citizens, who received ballot papers;

the number of citizens, who have taken part in the vote;

the number of persons who voted in favour of the issue (draft decision) submitted to the referendum, and the number of persons who voted against its approval; and

the number of invalid ballot papers.

The referendum shall be considered as held if more than a half of the citizens included in the lists of citizens, having the right to take part in the referendum, have taken part in the vote. The decision shall be considered as adopted by the referendum, if it was supported by more than half of the total number of voters, who have taken part in the vote in the Republic of Belarus.

The decision on the adoption, alteration and amendment of the Constitution of the Republic of Belarus shall be deemed adopted if it was supported by the majority of the citizens included in the ballot lists.

The results of the referendum shall be finalised at the session of the Central Commission and recorded in the record. The record shall be signed by the chairman, the deputy chairman, the secretary and the members of the Commission.

On the basis of a presentation made by the respective commissions on the referendum and the bodies, which established the commissions, as well as on the grounds established by it, the Central Commission may declare the referendum results in an Oblast, a region, a town or a town district and in a precinct invalid because of the violations of the provisions of this Code and other legislative acts of the Republic of Belarus.

The information on the referendum results shall be published by the Central Commission in the press within seven days. The information shall state the total number of citizens, having the right to take part in the referendum; the number of citizens, who received ballot papers, the number of citizens, who took part in the vote, the number of persons who voted in favour of the issue (draft decision) submitted to the referendum, and the number of persons who voted against its approval; and the number of invalid ballot papers.

Article 122. Conduct of Repeated Voting

On the basis of a presentation made by the General Prosecutor of the Republic of Belarus on the violations committed in the course of the referendum, the Central Commission shall have the right to take a decision on either holding a repeated voting within one month in the precincts and other territories, where such violations were committed, or holding a repeated voting within one year over the entire territory of the Republic of Belarus.

Article 123. Publication of the Decision Adopted by the Referendum and its Coming into Force

The decision adopted by the referendum shall be signed by the President of the Republic of Belarus and published in accordance with the procedure established for publication of decrees by the President of the Republic of Belarus.

The decision adopted by the referendum shall come into force 10 days after its official publication, provided no other period shall be specified in the decision.

The date of adoption of the decision by the referendum shall be the date of the referendum.

Article 124. Legal Force of the Decision Adopted by a Referendum

The decision adopted by a compulsory referendum shall be determined in the decree of the President of the Republic of Belarus on the appointment of the referendum.

The decisions adopted by the referendum may be cancelled or amended only by means of a referendum provided no other conditions shall be stipulated by the referendum.

If implementing the decision, passed by the referendum, requires the adoption of a legislative act, such act shall be adopted within three month from the effective date of the decision passed by the referendum.

Chapter 25. Procedure for Appointment and Holding of the Local Referendum

Article 125. The Procedure of Preparation and Holding of the Local Referendum

The exercise of the right of the citizens to hold a local referendum, its preparation and holding, the procedure and the period required to set up the polling stations and form the respective commissions on the referendum, their powers and organisation of their activities, the preparation of the lists of the citizens, having the right to take part in the referendum, the ballot procedure, the finalisation and publication of the referendum results shall be in conformity with the legislative norms on the republican referendum as stated in this Code.

Article 126. Right of Initiative for Holding the Local Referendum

The right of initiative for holding the local referendum shall be vested in the local representative bodies and the citizens of the Republic of Belarus, permanently residing in the territory of the respective Oblast, region, town, town district, urbanised settlement, or rural council. The citizen shall express their initiative in the form of a proposal put forth by at least ten per cent of the citizens, possessing electoral rights and residing in the respective territory.

The maximum number of signatures of citizens that must be collected in support of the initiative on holding the Oblast referendum, the Minsk City referendum, the regional, town, town district, settlement or rural referendum may not be exceeded by more than ten per cent as compared to the required number of signatures of citizens established by part one of this article.

The citizens, putting forth the initiative to hold a referendum, shall form an initiative group, which shall include the persons qualified to take part in the referendum, and have the following number of members:

for an Oblast and the City of Minsk: not less than 50 persons;

for a region, town or town district: not less than 20 persons; and

for an urbanised settlement or rural Council: not less than 10 persons.

The issue proposed for the local referendum, taking into account the conclusion by the respective Oblast justice body or Minsk City justice body, and the Initiative group composition shall be registered by the respective local executive and administrative body.

Within 30 days of the date of application for registration, the initiative group shall be issued a registration certificate, a sample signature list, and members of the initiative group shall be issued the respective certificate.

Registration shall be refused in the event of violation of the provisions of this Code and other legislative acts of the Republic of Belarus. An appeal against the refusal to register the initiative group may be lodged within a month with a respective regional (district) or town court.

If the executive and administrative bodies have established that the required number of authentic signatures have been collected, the initiative group on holding the local referendum shall make a final certificate and submit it to the respective executive and administrative body which shall hand it over to the local Council of Deputies.

Article 127. Decision on Appointment of the Local Referendum

The decision to appoint an Oblast, Minsk City, regional, town, settlement or rural referendum shall be taken by the respective local Council of Deputies and the decision on the appointment of a district referendum in a town divided into districts – by the town Council of Deputies not later than thirty days after submitting such proposal in accordance with the provisions of this Code and other legislative acts of the Republic of Belarus.

The local Council of Deputies, taking a decision to order the referendum, shall ensure that the issue (draft resolution) submitted to the referendum is made known to the citizens.

The date of the referendum shall be set not later than three months from the date of taking a decision to appoint the referendum.

The decision by the local Council of Deputies on appointment of the referendum shall be published in the press and promulgated through other mass media.

The decisions, taken by the local referendum, shall be signed by the head of the respective local executive and administrative body.

Article 128. Holding the Local Referendum

The referendum shall be prepared and held in the territory of an Oblast, a town, a region, a town district, a settlement and a rural council by the respective commissions on the referendum set up under Articles 34 to 37 of this Code.

In appointing the Oblast, Minsk City, regional, town, settlement or rural referendum the respective local Council of Deputies may take a decision not to form commissions on the referendum mentioned in part three of Article 31 of this Code but to impose the exercise of their powers on the respective territorial electoral commissions whose powers shall be retained until elections of the local Councils of Deputies of the new convocation are appointed.

SECTION VIII. Procedure of Recalling a Deputy of the Chamber of Representatives or a Deputy of a Local Council of Deputies

Chapter 26. Grounds and Procedure of Initiating a Question of Recalling a Deputy

Article 129. Grounds for Recalling a Deputy

A deputy of the Chamber of Representatives or a deputy of a local Council of Deputies of the Republic of Belarus, who has not justified the trust of the voters, that has manifested itself in failure to execute the Deputy's duties as stipulated by law, in breaching the Constitution of the Republic of Belarus and of the laws of the Republic of Belarus and of acts of the President of the Republic of Belarus, in committing actions discrediting the deputy, may be recalled by the electors according to the procedure established by the present Code.

Article 130. Right to Initiate the Question of Recalling a Deputy

The right to initiate the question of recalling a deputy shall belong to the electors of the electoral district (hereinafter the district) from which the deputy was elected.

Article 131. Initiating the Question of Recalling a Deputy

The question of recalling a deputy may be initiated at the meeting of electors of the district from which the deputy was elected.

Meetings of electors may be held both in the place of their living, and in organisations located within the boundaries of the district.

A group of electors who live on the territory of the district from which the deputy was elected shall have the right to initiate calling up the meeting, in the number of at least:

- ◆ 150 electors - on the question of recalling a deputy of the Chamber of Representatives;
- ◆ 50 electors - on the question of recalling a deputy of the Oblast or the Minsk City Council of Deputies;

- ◆ 40 electors - on the question of recalling a deputy of a regional or town (in towns of regional subordination) Council of Deputies;
- ◆ 15 electors - on the question of recalling a deputy of a town (in towns of district subordination), settlement or rural Council of Deputies.

Initiators of calling up a meeting of voters shall address the Chairman of the local Council of Deputies, on the territory of which it is planned to hold the meeting of electors, with a written petition to call up such meeting in the place of their living, and on calling up a meeting of electors in the organisation - to the administration thereof, respectively.

An application to hold a meeting of electors shall be signed by all initiators of holding the meeting with indication of the motives, which served as bases to initiate the question of recalling a deputy, as well as surnames, names, patronymic names, dates of birth, and places of living of each initiator of holding the meeting of electors.

The question of calling up a meeting of electors shall be considered, respectively, by Chairman or Presidium of the local Council of Deputies, by administration of the organisation, and decision shall be taken within ten days, which is reported to the initiators of calling up a meeting. In the event the proposal of the initiators of calling up the meeting is accepted, the date, the time and the place to hold it shall be appointed, about which the electors shall be informed within three days.

In the event the proposal to hold a meeting of electors is denied, a copy of motivated decision shall be issued to the initiators. This decision may be appealed against, within three days, by the initiators of calling up the meeting at the regional (district) or town court (the appeal must be signed by the majority of the initiators of calling up the meeting). The court's verdict shall be considered final.

The authorities executed in accordance with the present Code on recalling a deputy by the Chairman of the local Council of Deputies, in case the question is initiated to recall him personally, shall be executed by his deputy.

Article 132. Competence of a Meeting of Electors in Initiating a Question of Recalling a Deputy, and the Procedure of its Holding

A meeting of electors in the place of living, in case of initiating the question of recalling a deputy, shall be considered competent if attended by the electors living on the territory in the number of at least:

- ◆ 300 electors - when initiating the question of recalling a deputy of the Chamber of Representatives;
- ◆ 150 electors - when initiating the question of recalling a deputy of the Oblast or the Minsk City Council of Deputies;
- ◆ 75 electors - when initiating the question of recalling a deputy of the regional or town (in towns of Oblast subordination) Council of Deputies; and
- ◆ 20 electors - when initiating the question of recalling a deputy of the town (in towns of district subordination), settlement or rural Council of Deputies.

A meeting of electors in the labour collective of an artificial person, listing at least 300 persons, when initiating the question of recalling a deputy of the Chamber of

Representatives shall be competent if attended by more than a half of the staff of the collective.

Initiation of the question of recalling a deputy of the Chamber of Representatives may be decided at the general meeting of several smaller collectives of legal entities, with a total number of employees of at least 300 persons. In this case, from every collective of an enterprise, institution, or organisation more than half of the staff shall be present.

Meetings of electors in the labour collectives for initiating the question of recalling a deputy of a local Council of Deputies may be held in collectives enlisting at least:

- ◆ 150 employees - when initiating the question of recalling a deputy of the Oblast or the Minsk City Council of Deputies;
- ◆ 75 employees - when initiating the question of recalling a deputy of the regional or town (in towns of Oblast subordination) Council of Deputies; and
- ◆ 20 employees - when initiating the question of recalling a deputy of the town (in towns of district subordination), settlement or rural Council of Deputies.

The meeting shall be considered competent if more than a half of the staff of the collective is taking part in it.

In conformity with the procedure stipulated by part four of Article 63 of this Code the initiation of the issue of recalling a deputy of the Chamber of Representatives or a deputy of the local Council of Deputies may be made also at a conference of the labour collective.

The initiators of calling up the meeting must, not later than ten days before holding a meeting of voters, notify in writing the deputy in relation to whom they are going to initiate the question of recall, as well as inform, respectively, the Chamber of Representatives or the local Council of Deputies, from where it is proposed to recall the deputy, about the date, the place of holding the meeting of electors and the motives that served the basis for initiating the question of recalling the deputy.

Before starting the meeting of electors, a registration shall be held of its participants with indication of surnames, names, patronymic names, dates of birth and places of living. Each participant in the meeting shall sign with his own hand in the list of electors taking part in the meeting.

At the meeting of electors the presidium shall be elected comprising the chairman, the secretary and the members, and, if necessary, the counting commission, proposals shall be considered to initiate the question of recalling a deputy, to start collecting signatures of the electors of the district in support of this proposal, and to form an initiative group for collecting signatures in support of the proposal to initiate the question of recalling a deputy and for launching agitation (hereinafter - initiative group). The initiative group shall be formed in the number of at least five persons. Decisions of the meeting shall be taken by the majority of votes.

The number of meetings of electors held in the district, at which the question may be initiated to recall a deputy and initiative groups formed, shall not be limited, but they must take place within 30 days since the registration date of the first initiative group.

The meeting of electors may be attended by deputies of the Chamber of Representatives, local Councils of Deputies, official persons, authorised by the Chairman of the local Council of Deputies in the territory of which the meeting of electors is held, or by the chairman of the local Council of Deputies from the composition of which it is proposed to recall a deputy as well as representatives of mass media may also be present at the meeting.

Minutes are made on the holding of the meeting of electors. The minutes shall indicate the date and the place of the meeting, the number of participants, the subject of the questions considered, the results of voting and the decisions taken, the staff of the initiative group formed, with indication of surnames, names, patronymic names and the residence of each of the members thereof.

The minutes shall be signed by the chairman and secretary of the meeting, and submitted, not later than in five days period, together with the lists of participants in the meeting and the list of the initiative group, to:

the Central Commission - when initiating the question of recalling a deputy of the Chamber of Representatives; and
the Oblast, Minsk City, regional, town, settlement and rural territorial electoral commission - when initiating the question of recalling a deputy of the respective local Council of Deputies.

Article 133. Guarantees of Deputy's Rights in Initiating a Question of his Recall

The deputy in relation to whom the question of recalling is initiated, shall have the right to be present at the meeting of electors or to send the persons authorised by him to take part in it. Authorities of these persons shall be approved in writing.

The chairman of the meeting of electors shall provide the deputy with the time for a presentation sufficient to give explanations on the issue discussed. Deputy's explanations must be reflected in the minutes of the meeting. Upon the Deputy's direction, a person authorised by him shall have the right to report to the meeting in his stead. Upon termination of discussing the proposal to initiate the question of recalling a deputy, the deputy or the person authorised by him shall have the right to take the floor prior to voting.

The deputy in relation to whom it is proposed to initiate the question of recalling, may, not later than seven days before the appointed date of the meeting of voters, direct to the initiators of holding the meeting and to the Chairman of the local Council of Deputies, in the territory of which it is planned to hold the meeting of voters, to the administration of the organisation which have taken decision to call up the meeting, a written application containing explanation of a valid cause which makes impossible for him to take part in the meeting of electors on the date appointed, and proposing another date to hold the meeting within the following 15 days after the appointed date. The initiators of calling up the meeting, the chairman of the local Council of Deputies, or the administration of the organisation must satisfy the deputy's request and agree another date of the meeting with him. The repeated delay of the date of the meeting on the deputy's request shall not be allowed.

In case of the deputy's illness, confirmed by the respective document, the meeting of electors, upon a written application of the deputy, shall be appointed to another date, but not later than 15 days since the date of his recovery. The deputy shall send a written notification about his recovery, within three days, to initiators of calling up the meeting, to the Chairman of the local Council of Deputies, and to the administration of the organisation. The meeting of electors may be held, irrespective of the state of health of the deputy, upon expiry of four months after the first appointed date of the meeting.

Refusal of the deputy to take part in the meeting of electors, as well as his failure to attend the meeting without valid causes, but under timely notification, shall not be an obstacle to consider the proposal about initiating the question of his recalling.

The meeting of electors may be postponed upon request of its initiators to any other date if there is deputy's written consent for that. Postponement of the meeting of electors on request of its initiators may take place only once. The date of the meeting of electors shall be postponed with observance of the requirements of Articles 131 and 132 of this Code.

In the event the circumstances which have served the basis for initiating the question of recalling a deputy are the subject of proceedings in the court, the Chairman of the local Council of Deputies, the administration of the organisation shall suspend the consideration of the question to hold the meeting of electors pending the decision (sentence) of the court.

The persons who have knowingly provided false information, that served the basis to initiate the question of recalling a deputy, shall bear responsibility in accordance with the legislation of the Republic of Belarus.

Article 134. Registration of an Initiative Group

An initiative group formed at the meeting of electors when initiating the question of recalling a deputy of the Chamber of Representatives, shall be registered by the Central Commission, and when initiating the question of recalling a deputy of a local Council of Deputies, - by the respective territorial electoral commission.

In order to register an initiative group, the following shall be submitted to the Central Commission and the respective territorial electoral commission: the minutes of the meeting of electors, the list of participants in the meeting, the list of the members of the initiative group, a copy of a written notification of the deputy about holding a meeting of electors, and a document to prove that the notification was directed to the deputy.

The Central Commission and the respective territorial electoral commission shall, within 15 days after receipt of necessary documents, register the initiative group, or may take decision to decline registration, in case in the process on initiating the question of recalling a deputy the procedure established by Section VIII of this Code was not observed. In the process of considering the question of registering the initiative group, its representatives, as well as the deputy in relation to whom it is proposed to initiate the question of recalling, or the person authorised by him may be present.

Refusal to register the initiative group for recalling a deputy of the Chamber of Representatives may be appealed against within three days by the initiative group (the appeal must be signed by the majority of its members) to the Supreme Court of the Republic of Belarus, and for recalling a deputy of the Oblast, Minsk City, regional, town, settlement or rural Council of Deputies within the same period, respectively, at the Oblast, Minsk City, district or town court.

After registration of the initiative group, its representative shall be given, within three days, a certificate on registration of the initiative group, identifications of members of the group and samples of lists for collecting electors' signatures in support of the proposal to initiate the question of recalling a deputy (hereinafter – signature lists), and shall be informed about the minimum number of electors' signatures needed in accordance with the requirements of part one of Article 135 of the present Code for supporting the proposal to initiate the question of recalling a deputy. The forms of certificate, identification of the member of the initiative group, and signature lists shall be established by the Central Commission.

The Central Commission shall, within two days, notify the Chamber of Representatives about registration of the initiative group, and the respective territorial electoral commission – to the local Council of Deputies whose deputy is suggested to be recalled.

Article 135. Collection of Electors' Signatures in Support of the Proposal to Initiate the Question on Recall of a Deputy

A proposal to initiate the question of recalling a deputy, passed at the meeting of electors, shall be supported by at least 20 percent of citizens who have the electoral right and live in the territory of the respective district. The number of electors needed to support the proposal to initiate the question of recalling a deputy shall be determined basing on the number of voters in the district as on the date of elections.

The initiative group shall have the right, starting from the date of receiving the certificate of its registration, to perform collection of electors' signatures to the signature lists on the whole territory of the district. Electors' signatures, collected prior to registration of the initiative group, shall not be considered. Expenses for collecting of electors' signatures shall be borne by the initiative group.

Signature lists must contain the wording of the proposal to recall a deputy with indication of the motives of recalling, the surname, name and patronymic name of the deputy, the date of birth, the profession, the position (occupation), the place of work and living, the year of election as the Deputy (of the Chamber of Representatives or of the respective local Council of Deputies), the party affiliation, as well as the surname, name, patronymic name of the member of the initiative group who is collecting signatures, and the certificate number of registration of the initiative group. The list of signatures shall bear the latest date of collecting signatures.

The period for collecting electors' signatures in support of the proposal to initiate the question of recalling a deputy shall be 45 days from the date of receipt of the certificate of registration of the initiative group. If several initiative groups have been formed and registered in an electoral district, the period for collecting signatures for each of them, irrespective of their registration date, shall be limited by 45 days from the registration date of the first initiative group.

In the event the needed number of signatures has not been collected within 45 days, further collection of signatures shall be stopped.

Article 136. Procedure of Collecting Electors' Signatures in Support of Proposal to Initiate the Question of Recalling a Deputy

Collection of electors' signatures shall be performed only by the members of the initiative group. A signature list must contain only the signatures of the electors who live in one residence area within the territory of the district in which the question has been initiated to recall a deputy.

The electors supporting the proposal to initiate the question of recalling a deputy shall indicate in the list of signatures his surname, name and patronymic name, the date of birth, the series and number of passport, or the requisites of the certificate of the person substituting it and the date of signing, and shall sign. Signatures shall be enumerated.

Responsibility for authenticity of the data, contained in the signature list shall be borne by the member of the initiative group who collected the signatures. Personal autograph signature of the member of the initiative group, who collected the signatures, shall be put to every signature list in the presence of the Chairman or Deputy Chairman of the town (town subordinated to Oblast or region), settlement or rural executive committee, the head or the deputy head of the town district administration in the territory of which the signatures were collected and in towns and urbanised settlements where no town or settlement executive committees are formed – in the presence of the chairman or the deputy chairman of the district executive committee and certified immediately after that with the seal of this body.

An elector shall be entitled to put his signature only in one signature list and only for himself personally.

Article 137. Procedure and Time of Presenting Signature Lists to the Local Councils of Deputies. Determination of Results of Collecting of Electors' Signatures

The filled-in signature lists, during the period envisaged for collecting signatures by part four of Article 135 of this Code, but not later than on the next day after expiration of this period, shall be presented to:

the chairman of the Minsk City Council of Deputies - when initiating the question of recalling a deputy of the Chamber of Representatives or a Deputy of the Minsk City Council of Deputies;

the chairman of the Oblast, town (for towns of Oblast subordination) Council of Deputies - when initiating the question of recalling a deputy of the Chamber of Representatives or a deputy of the Oblast Council of Deputies; and

the chairman of the regional, town (for towns of Oblast and region subordination), settlement or rural Council of Deputies - when initiating the question of recalling a deputy of regional, town, settlement or rural Council of Deputies.

The chairman of the respective local Council of Deputies may, in necessary, organise the check of reliability of electors' signatures in the signature lists. The check shall be conducted within seven days after submission of the lists. Deputies and other persons attracted by the chairman of the Council of Deputies may take part in the check.

Signature lists in which fictitious signatures have been detected, or signatures of one and the same elector for two and more other electors, or on several signature lists, or signatures of citizens who have no electoral right, or if collection of signatures was done by a person who was not a member of the initiative group, as well as signature lists not signed by a member of the initiative group, or signed by another member of the initiative group who did not collect these signatures, as well as signature lists containing signatures of the elector who are not living in one place of residence, or not living in the territory of the district, or those not certified by the seal of the executive and administrative body on whose territory the signatures were collected shall be recognised invalid.

In case of absence in the signature list of any or several data on the elector as stipulated by part two of Article 136 of this Code as well as if the data on the elector were not put into the signature list in his own hand or the elector does not live in the territory of the electoral district the signature of such elector shall not be counted when the results of the collection of electors' signatures are established.

Upon termination of the check of the signature lists, the chairman of the respective local Council of Deputies, indicated in part one of the present Article, who received the signature lists from the initiative group, shall make a record on the results of collection of signatures, indicating the total number of signature lists and the number of signatures in them, the number of signature lists in which authenticity of electors' signatures was checked and the number of signatures in them, the number of signature lists with authentic signatures and the number of signatures in them. The record shall be signed by the chairman of the local Council of Deputies.

In case collection of signatures was fulfilled by several initiative groups, the records on results of collection of signatures shall be made separately for each initiative group, and then a final record shall be made to be signed by the chairman of the local Council of Deputies.

If the electoral district on elections of deputy of the Chamber of Representatives or a deputy of the Oblast Council of Deputies is formed from territories of two or more regions, the records on the results of collection of signatures shall be made for each region and then the chairman of the regional Council of Deputies at the place of location of the centre of the electoral district shall make and sign the final record.

The record on the results of signatures collection shall be delivered, within three days, to:

the Central Commission - when initiating the question of recalling a deputy of the Chamber of Representatives;

the respective territorial electoral commission - when initiating the question of recalling a deputy of the local Council of Deputies.

Chapter 27. Procedure of Appointment of Voting on Recalling a Deputy. Voting and Summarising the Results

Article 138. Taking Decision to Appoint Voting on Recalling a Deputy

The Central Commission, the respective territorial electoral commission shall be entitled, within 15 days after the date of receipt of necessary documents (records and signature lists), to make a selective or complete check of observance of the requirements of Section VIII of this Code when initiating the question of recalling a deputy.

Upon establishing that the collection of the necessary number of signatures of electors and all other measures have been undertaken in accordance with the requirements of Section VIII of this Code, the Central Commission shall take a decision to appoint voting for recalling a deputy of the Chamber of Representatives, and the respective territorial electoral commission - to appoint voting to recall a deputy of the local Council of Deputies.

The voting shall be appointed not earlier than one month and not later than two months after the date when the decision to appoint the voting was taken.

In case substantial violations of the requirements of Section VIII of this Code took place during initiation of the question of recalling a deputy and during collection of electors' signatures, or the necessary number of electors' signatures was not collected in support of the proposal to initiate the question of recalling a deputy, the decision shall be taken to refuse appointment of the voting on recalling a deputy.

The decision by the Central Commission to refuse appointment of the voting on recalling a deputy may be appealed against, within three days, by the initiative group (the appeal must be signed by the majority of its members) at the Supreme Court of the Republic of Belarus, while the decision of the Oblast, Minsk City, regional, town, settlement or rural territorial electoral commission - at the Oblast, Minsk City, regional or town court, respectively.

The decision of the Central Commission to appoint voting on recalling a deputy of the Chamber of Representatives shall be directed to the Chamber of Representatives, and delivered to mass media for making public (publication), while the decision of the respective territorial electoral commission on appointment of the voting on recalling a deputy of the local Council of Deputies shall be published in local mass media or otherwise made known to the electors.

The decision of the Central Commission or of the respective territorial electoral commission on appointment of the voting on recalling a deputy shall be cancelled if the powers of the deputy have been terminated before expiry of his term on the grounds established by the legislation of the Republic of Belarus.

Article 139. The Ballot Paper on Recall of a Deputy

The ballot paper for voting on recalling a deputy shall include the name and the number of the electoral district from which the deputy has been elected, the wording of the proposal to recall the deputy with indication of the motives of recalling, the surname, name and patronymic name of the deputy, the profession, the position

(occupation), the places of work and living, the year of being elected a deputy (of the Chamber of Representatives, or of the respective local Council of Deputies), the party affiliation, and the versions of the answer - "for recalling" and "against recalling".

The text of the ballot paper shall be approved by the respective district or territorial commission.

The ballot papers for voting on recalling of a deputy shall be printed in the Belarusian and Russian languages.

The ballot paper shall contain the explanation of the way to fill it in.

Signatures of at least two persons of the precinct commission shall be put on the reverse side of the ballot paper.

Article 140. Proxies of the Deputy

The deputy while solving the questions related to his recalling, after the decision has been taken to appoint voting on recalling, may have proxies to represent his interests in relations with electors, initiative groups, state bodies and commissions on the holding of voting on recalling a deputy. Registration of proxies and their work shall be executed in accordance with the procedure stipulated by this Code for electing deputies.

Article 141. Procedure of Holding Voting on Recalling the Deputy and Summarisation of Its Results

Voting on recalling a deputy of the Chamber of Representatives or of a deputy of a local Council of Deputies shall be secret and organised in accordance with the procedure stipulated by Articles 50-52 of this Code.

Voting shall be considered valid, if more than a half of the electors included into the lists of citizens, having right to participate in the voting to recall a Deputy, took part in it. The deputy shall be considered recalled if more than a half of the electors of the district who took part in the voting have voted for his recalling.

The recalling shall be considered declined, if less than a half of the electors who took part in the voting have voted for recalling, as well as if less than a half of the electors included into the lists of citizens who have right to take part in voting for recalling a deputy have participated in the voting. In the event of equality of votes given for and against recalling a deputy, the latter shall preserve his powers.

Based on the records received from precinct commissions and compiled in compliance with the requirements of Article 55 of this Code, the results of voting shall be approved at the sitting of the district or territorial commission and entered into the record.

The record of the district commission for holding voting on recalling a deputy of the Chamber of Representatives shall be immediately forwarded to the Central Commission, and the records of the district commission for holding voting on recalling a deputy of the Oblast Council of Deputies - to the Oblast territorial commission.

The Central Commission or the respective territorial commission shall, upon expiration of five days after the date of voting, if more than a half of the electors who took part in the voting have voted for recalling the deputy, and there are no grounds to consider the question of recognising the voting results invalid, take a decision to recognise the deputy recalled by the electors.

In the event the electors of the district have not voted for recalling the deputy, the decision of the Central Commission or of the respective territorial commission shall run that the proposal to recall the Deputy has been declined by the voters. The materials on the fact shall be delivered, respectively, to the Chamber of Representatives or the local Council of Deputies.

The Central Commission as well as the district or territorial commission, in case of breaching the requirements of this Code which has affected the voting outcome shall be entitled to recognise the voting results invalid.

In the event mistakes or disparities are identified in the records of the precinct, district or territorial commissions, as well as other violations made during voting or vote count, the Central Commission or the superior territorial commission shall be entitled to take decision on repeated vote count by the respective district or territorial commission. The repeated vote count shall be performed by the district or territorial commission in the presence of a member (members) of the Central Commission or of the superior territorial commission, and if necessary - also of the precinct commission.

A deputy of the Chamber of Representatives or a deputy of the local Council of Deputies, or, by his special written instruction, a proxy as well as the initiative group (the appeal must be signed by the majority of its members) may, within five days after the date of voting on recalling the deputy, appeal, respectively, to the Central Commission or to the superior territorial commission with written applications on violations of the requirements of Section VIII of this Code. The Central Commission shall, within ten days, check the facts indicated in the application and take the respective decision.

The decision of the Central Commission on the results of voting on recalling a deputy of the Chamber of Representatives may be appealed against, within three days, by the deputy or the initiative group (the appeal must be signed by the majority of its members) at the Supreme Court of the Republic of Belarus.

The decision of the territorial commission on the results of the voting on recalling a deputy of the Oblast, Minsk City, regional, town, settlement or rural Council of Deputies may be, in accordance with the same procedure and during the same period, appealed against, respectively, at the Oblast, Minsk City, regional or town court.

Article 142. Inadmissibility of Repeated Initiation of the Issue of Recalling a Deputy Within a Year

Repeated initiation of the question of recalling a deputy on the same grounds within one year after the date of voting on recalling a deputy shall not be allowed.

SECTION IX. Procedure of Recalling the Member of the Council of the Republic

Chapter 28. Grounds for and Procedure of Initiating the Recall of the Member of the Council of the Republic

Article 143. Grounds for Recall of the Member of the Council of the Republic

Any member elected from the Oblast or the city of Minsk, who has failed in the trust extended to him by neglecting the duties of the member of the Council of the Republic, violating the Constitution of the Republic of Belarus laws of the Republic of Belarus or acts of the President of the Republic of Belarus, or committing actions discrediting the member of the Council of the Republic may be recalled by the procedure set forth in this Code.

The grounds for and procedure of recall of the member of the Council of the Republic appointed by the President of the Republic of Belarus shall be determined by the President of the Republic of Belarus.

Article 144. Initiation of the Raising of Issue of Recalling a Member of the Council of the Republic

The issue of recalling a member of the Council of the Republic from the Oblast or the city of Minsk may be initiated by:

presidium of the regional or town (town in Oblast jurisdiction) Council of Deputies and the regional or the town executive committee which nominated the respective candidate to the Council of the Republic - before the presidium of the Oblast Council of Deputies and the Oblast Executive Committee; and

not less than ten deputies of the Minsk City Council of Deputies - before the presidium of Minsk City Council of Deputies or the Minsk City Executive Committee.

The initiators of the issue of recalling a member of the Council of the Republic shall submit the reasons for grounds to discuss the issue.

The issue of recalling the member of the Council of the Republic elected from a region shall be initiated at a joint sitting of the presidium of the regional or town (in Oblast jurisdiction) Council of Deputies and the regional or town executive committee. The joint sitting of the presidium of the regional or town Council of Deputies and the respective executive committee shall be considered legally competent if attended by at least two thirds of the membership of the presidium and the executive committee.

The decision of the joint sitting of the presidium of the regional or town Council of Deputies and the respective executive committee shall be passed by a simple majority of votes.

The application of deputies of the Minsk City Council of Deputies on initiation of the issue of recalling the member of the Council of the Republic must be signed by all initiators.

The materials on the initiation of the issue of recalling the member of the Council of the Republic shall be submitted to the presidium of the Oblast Council of Deputies and the Oblast Executive Committee in case of recalling the member of the Council of the Republic elected from the Oblast, or to the presidium of the Minsk City Council of Deputies and Minsk City Executive Committee in case of recalling a member of the Council of the Republic elected from the City of Minsk.

Article 145. Procedure of Consideration of Initiative on Raising the Issue of Recalling the member of the Council of the Republic by the Presidium of the Oblast or the Minsk City Council of Deputies and the Oblast and the Minsk City Executive Committee

The presidium of the Oblast or the Minsk City Council of Deputies and the Oblast or the Minsk City Executive Committee shall notify the member of the Council of the Republic, within five days, on the fact of initiation of the issue of his recalling and specify the reasons and the date of consideration of the issue at their sitting. The member of the Council of the Republic shall be notified on the date, the time and the venue of the sitting not later than 15 days prior to the sitting.

In case the member of the Council of the Republic with regard to whom the issue of recalling is initiated is not able, through a good reason, to take part in the sitting at the appointed day he shall send the initiators a written application explaining the reason and propose another day for the sitting within the subsequent 15 days following the appointed date, not later than seven days prior to the appointed day of the sitting. The initiators of the sitting must satisfy the request of the member of the Council of the Republic and co-ordinate with him a different day of the sitting. No repeated change of the sitting date upon the request of the member of the Council of the Republic shall be permitted.

The refusal of the member of the Council of the Republic to take part in the sitting or his failure to appear at the sitting without a good reason subject to a timely notification shall not impede the consideration of the proposal to raise the issue of his recall.

The member of the Council of the Republic shall be entitled to appoint a proxy (proxies) for taking part in the sitting. The powers of such person (persons) must be confirmed in writing.

In the course of the sitting of the presidium of the Oblast or the Minsk City Council of Deputies and the Oblast or the Minsk City Executive Committee the member of the Council of the Republic shall be given enough time to provide explanations on the essence of the initiative on the issue of his recall in question. The explanations of the member of the Council of the Republic must be reflected in the sitting minutes. Upon the instructions of the member of the Council of the Republic, his proxy shall be entitled to take the floor at the sitting.

The joint sitting of the presidium of the Oblast and the Minsk City Council of Deputies and the Oblast and the Minsk City Executive Committee shall be considered legally competent if attended by at least two thirds of the membership of the presidium and the executive committee. The decision of the joint sitting on the opinion of these bodies on the initiative on raising the issue of recall of the member of the Council of the Republic shall be passed by a simple majority of their votes.

The minutes of the sitting together with all available materials shall be handed to the Central Commission for making a conclusion on the observance of the requirements of Section IX of this Code for initiation of the raising of the issue on recall of a member of the Council of the Republic.

Article 146. Checking by the Central Commission of Observance of Requirements of this Code for Initiation of the Raising of the Issue on Recall of the Member of the Council of the Republic

The Central Commission, within ten days from submission of the minutes of the sitting of the presidium of the Oblast or the Minsk City Council of Deputies and the Oblast or the Minsk City Executive Committee, shall check the observance of the requirements of Section IX of this Code for initiation of the raising of the issue on recall of a member of the Council of the Republic, consider the issue at its sitting, approve the conclusion and immediately send it to the presidium of the Oblast and the Minsk City Council of Deputies and the Oblast and the Minsk City Executive Committee.

Article 147. Raising the Issue of Recall of the Member of the Council of the Republic

The presidium of the Oblast or the Minsk City Council of Deputies and the Oblast or the Minsk City Executive Committee shall, within five days upon receiving the conclusion of the Central Commission, fix the date of their sitting for considering the proposal on raising the issue of recall of the member of the Council of the Republic. The member of the Council of the Republic, who shall be entitled to take part in the sitting personally or appoint a proxy (proxies) for the participation, shall be notified in writing on the date, the time and the venue of the sitting not later than 15 days prior to the sitting.

If the actions on the initiation of the of raising the issue of recall of the member of the Council of the Republic have been performed in conformance with the requirements of Section IX of this Code and there are grounds for raising the issue of his recall the presidium of the Oblast or the Minsk City Council of Deputies and the Oblast and the Minsk City Executive Committee shall take a decision on raising the issue of recall of the member of the Council of the Republic elected from the Oblast or the City of Minsk and appointing the date of voting on his recall.

In case the circumstances which serve as ground for initiation of the raising of the issue of recall of the member of the Council of the Republic are subject of consideration in the court, the bodies listed in paragraph two of this Article shall suspend the consideration of the issue until the judgement (sentence) of the court is passed.

Article 148. Procedure of Appointment of Voting on Recall of the Member of the Council of the Republic

The voting on the recall of the member of the Council of the Republic elected from the Oblast or the City of Minsk shall be appointed not earlier than one month and not later than two months from the day of passing the decision on appointing the vote.

In case of illness of the member of the Council of the Republic as confirmed by an appropriate document the voting shall be postponed to another date but not later than 15 days from the day of his recovery. The member of the Council of the Republic shall, within three days of his recovery, send a written notification to the presidium of the Oblast or the Minsk City Council of Deputies and the Oblast or the Minsk City Executive Committee. The voting may take place irrespective of the state of health of the member of the Council of the Republic upon the expiry of four months from the start of his illness.

The decision of the presidium of the Oblast or the Minsk City Council of Deputies and the Oblast or the Minsk City Executive Committee on the appointment of vote on the recall of the member of the Council of the Republic shall be sent to the Council of the Republic and made public (published) in mass media.

When during the initiation of the raising of the issue of recall of the member of the Council of the Republic there have been significant violations of the requirements of Section IX of this Code, a decision on cancellation of the voting on recall of the member of the Council of the Republic shall be passed. The decision may be appealed against by the initiators of the raising of the issue on recall of the member of the Council of the Republic within three days at the Supreme Court of the Republic of Belarus.

Article 149. Agitation for or against Recall of the Member of the Council of the Republic

Upon the appointment of the voting on the recall of a member of the Council of the Republic elected from the Oblast or the City of Minsk, deputies of local Councils of Deputies of the base level in the Oblast and deputies of the Minsk City Council of Deputies shall be entitled to a free and comprehensive discussion of the issues connected with the recall of the member of the Council of the Republic, his business and personal qualities, and conduct agitation for or against the recall of the member of the Council of the Republic.

The state mass media, the mass media partially financed from the state budget and the mass media one of the founders of which include state bodies and organisations shall be obliged to ensure equal opportunities for expressing opinions for and against the recall of the member of the Council of the Republic to deputies of local Councils of Deputies of the base level in the Oblast and to deputies of the Minsk City Council of Deputies, as well as to the member of the Council of the Republic with regard to whom the issue of recall has been raised.

Chapter 29. Procedure of Conducting the Sitting of Deputies of local Council of Deputies of the Base Level in the Oblast and of Deputies of the Minsk City Council of Deputies on the Issue of Recall of the Member of the Council of the Republic

Article 150. Conducting the Sitting of Deputies of the Local Council of Deputies of the Base level in the Oblast and of Deputies of the Minsk City Council of Deputies on the Issue of Recall of the Member of Council of the Republic

The day of the sitting of deputies of local Councils of Deputies of the base level in the Oblast and of deputies of the Minsk City Council of Deputies (hereinafter, the sitting of deputies) shall be announced not later than within five days from passing the decision on appointing the vote on recall of the member of the Council of the Republic elected from the Oblast or the City of Minsk by the presidium of the Oblast or the Minsk City Council of Deputies and the Oblast and the Minsk City Executive Committee.

The sitting of deputies shall be considered legally competent if attended by more than half of the total number of deputies elected to the local Councils of Deputies of the base level in the Oblast and of deputies of the Minsk City Council of Deputies. The sitting must be attended by not less than one quarter of deputies from each local Council of Deputies of the base level in the Oblast.

The sitting of deputies shall be opened by the oldest deputy of the local Council of Deputies of the base level in the Oblast or of deputies of the Minsk City Council of Deputies.

In order to provide for the work of the sitting, its presidium, secretariat and the counting board must be elected.

The sitting of deputies shall be conducted with the participation of the member of the Council of the Republic with regard to whom the issue of recall has been raised or his proxy (proxies).

The refusal of the member of the Council of the Republic to take part in the sitting or his failure to appear at the sitting without a good reason subject to a timely notification shall not impede the consideration of the issue of his recall.

The ground and reasons for the voting on the recall of the member of the Council of the Republic shall be presented by a person authorised by the bodies which passed the decision on the appointment of the vote.

The chairman of the sitting shall be under obligation to give enough time to the member of the Council of the Republic for submitting his explanations.

Upon the instructions of the member of the Council of the Republic, his proxy shall be entitled to take the floor at the sitting. Upon the completion of discussion the member of the Council of the Republic or his proxy shall have the right to take the floor prior to voting.

Members of the Council of the Republic, the Central Commission, deputies of Councils of Deputies of all levels and representatives of mass media shall be entitled to attend the sitting.

Article 151. Organisation of Voting on Recall of the Member of the Council of the Republic

The recall of the member of the Council of the Republic shall be conducted by secret ballot. In order to organise secret voting and counting its results, a counting board shall be elected from the deputies.

The counting board shall elect its chairman, deputy chairman and secretary out of its members. The decision of the counting board shall be passed by the majority of votes of the board members.

The ballot papers for secret voting shall be made by the counting board in the form determined by the board and in the amount correspondent to the number of the sitting participants.

The time and the venue of the vote and the procedure of its holding shall be fixed by the board and announced by its chairman.

Each deputy taking part in the sitting of deputies shall be given one ballot paper for secret voting.

The ballot papers shall be handed over according to the list of deputies taking part in the sitting of deputies upon presenting a deputy's identity card.

The counting board shall compile a record of the secret voting results which shall be then signed by all members of the counting board.

Upon the report of the counting board the sitting of deputies by a show of hands shall pass a decision on adopting the results of the secret voting.

The recall of the member of the Council of the Republic shall be considered passed if more than half of the total number of deputies of the local Councils of Deputies of base level in the Oblast and of deputies of the Minsk City Council of Deputies took part in the voting and more than half of the deputies who took part in the voting voted in favour of the recall. When the number of votes cast for and against the recall of the member of the Council of the Republic is equal, he shall retain his powers.

The counting board record and other materials in the recall of the member of the Council of the Republic shall be sent to the Central Commission within two days.

Article 152. Consideration by the Central Commission of the Results of Voting on Recall of the Member of the Council of the Republic

Upon ten days from the date of voting on the recall of the member of the Council of the Republic, if more than half of the deputies of the local Councils of Deputies of base level in the Oblast and of the deputies of the Minsk City Council of Deputies who took part in the voting voted in favour of the recall, and there are no grounds for invalidating the voting results, the Central Commission shall adopt a decision on

considering the member of the Council of the Republic recalled and notify the Council of the Republic to this effect.

The decision of the Central Commission may be appealed against by the member of the Council of the Republic in the Supreme Court within three days.

SECTION X. Final Provisions

Article 153. Coming of this Code into Force

This Code shall come into force one month after the day of its publication.

Article 154. Bringing Legislative Acts in Correspondence with this Code

The Council of Ministers of the Republic of Belarus, within three months from this Code coming into force, shall:

duly submit to the President of the Republic of Belarus and the Chamber of Representatives the respective proposals on bringing the laws of the Republic of Belarus in correspondence with this Code; and

bring the decisions of the Government of the Republic of Belarus, and assure the bringing of the decisions of the state management bodies and other executive and administrative bodies subordinated to it in correspondence with this Code.

Article 155. Declaration of Certain Legislative Acts of the Republic of Belarus To Be Null and Void in Connection with this Code Coming into Force

The following legislative acts shall be recognised null and void:

The Law of the Republic of Belarus of November 20, 1959 «On the Procedure of Recall of Deputies of the Supreme Council of the Republic of Belarus» (Collection of Laws of the BSSR, 1959, No 16, p. 251);

The Law of the Republic of Belarus of July 28, 1960 «On the Procedure of Recall of Deputies of Oblast, Regional, Town, Settlement and Rural Councils of Deputies» (Collection of Laws of the BSSR, 1960, No 20, p. 150);

The Law of the Republic of Belarus of December 12, 1978 «On Elections of the Supreme Soviet of the Republic of Belarus» (Collection of Laws of the BSSR, 1978, No 35, p. 676);

The Law of the Republic of Belarus of June 21, 1979 «On Making Amendments and Additions into the Law of the Republic of Belarus «On the Procedure of Recall of Deputies of the Supreme Council of the Republic of Belarus» (Collection of Laws of the BSSR, 1979, No 18, p. 304);

The Law of the Republic of Belarus of December 14, 1979 «On Making Amendments and Additions into the Law of the Republic of Belarus «On the Procedure of Recall of Deputies of Oblast, Region, Town, Settlement and Rural Councils of Deputies» (Collection of Laws of the BSSR, 1979, No 35, p. 615);

The Law of the Republic of Belarus of October 27, 1989 "On Elections of the Supreme Soviet of the Republic of Belarus" (Collection of Laws of the BSSR, 1989, No 31, p. 3);

The Law of the Republic of Belarus of June 20, 1990 "On Making Amendments in Article 47 of the Law of the Republic of Belarus "On Elections of the People's Deputies of the Republic of Belarus" and Article 45 of the Law of the Republic of Belarus "On Elections of the Deputies of Local Councils of People's Deputies of the Republic of Belarus" (Collection of Laws of the BSSR, 1990, No 18, p. 266);

The Law of the Republic of Belarus of December 21, 1990 "On Making Amendments in Article 57 of the Law of the Republic of Belarus "On Elections of the People's Deputies of the Republic of Belarus" and Article 54 of the Law of the Republic of Belarus "On Elections of the Deputies of Local Councils of People's Deputies of the Republic of Belarus" (Records of the Supreme Soviet of the Byelorussian SSR, 1991, No 1, p. 9);

The Law of the Republic of Belarus of June 13, 1991 «On People's Voting (Referendum) in the Republic of Belarus» (Records of the Supreme Council of the Republic of Belarus, 1991, No 25, p. 364);

The Decree of the Supreme Council of the Republic of Belarus of June 13, 1991 «On Coming into Effect of the Law of the Republic of Belarus «On People's Voting (Referendum) in the Republic of Belarus» (Records of the Supreme Council of the Republic of Belarus, 1991, No 25, p. 365);

The Law of the Republic of Belarus of December 8, 1992 "On Making Amendments and Additions in the Law of the Republic of Belarus "On Elections of the People's Deputies of the Republic of Belarus" and the Law of the Republic of Belarus "On Elections of the Deputies of Local Councils of People's Deputies of the Republic of Belarus" (Records of the Supreme Council of the Republic of Belarus, 1992, No 34, p. 540);

The Law of the Republic of Belarus of March 29, 1994 «On Elections of the President of the Republic of Belarus» (Records of the Supreme Council of the Republic of Belarus, 1994, No 10, p. 146);

The Decree of the Supreme Council of the Republic of Belarus of March 29, 1994 «On Coming into Effect of the Law of the Republic of Belarus «On Elections of the President of the Republic of Belarus» (Records of the Supreme Council of the Republic of Belarus, 1994, No 10, p. 147);

The Law of the Republic of Belarus of November 29, 1994 «On Making Amendments and Additions into the Law of the Republic of Belarus «On Elections of Deputies of the Supreme Council of the Republic of Belarus» (Records of the Supreme Council of the Republic of Belarus, 1995, No 1-2, p. 1);

The Decree of the Supreme Council of the Republic of Belarus of November 29, 1994 «On Coming into Effect of the Law of the Republic of Belarus «On Making Amendments and Additions into the Law of the Republic of Belarus «On Elections of

Deputies of the Supreme Council of the Republic of Belarus» (Records of the Supreme Council of the Republic of Belarus, 1995, No 1-2, p. 2);

The Decree of the Supreme Council of the Republic of Belarus of January 31, 1995 «On Application of the Last Part of Article 34 of the Law of the Republic of Belarus «On Elections of Deputies of the Supreme Council of the Republic of Belarus» (Records of the Supreme Council of the Republic of Belarus, 1995, No 13, p. 133);

The Law of the Republic of Belarus of March 22, 1995 «On Making Amendments and Additions into the Law of the Republic of Belarus «On Elections of Deputies of the Supreme Council of the Republic of Belarus» (Records of the Supreme Council of the Republic of Belarus, 1995, No 18, p. 198);

The Law of the Republic of Belarus of September 7, 1995 «On Making Amendments and Additions into the Law of the Republic of Belarus «On Elections of Deputies of the Supreme Council of the Republic of Belarus» (Records of the Supreme Council of the Republic of Belarus, 1995, No 29, p. 367);

The Law of the Republic of Belarus of September 24, 1996 «On Making Amendments and Additions into the Law of the Republic of Belarus «On Elections of Deputies of the Supreme Council of the Republic of Belarus» (Records of the Supreme Council of the Republic of Belarus, 1996, No 32, p. 583);

The Decree of the Supreme Council of the Republic of Belarus of November 14, 1996 «On Interpretation of Certain Articles of the Law of the Republic of Belarus «On People's Voting (Referendum) in the Republic of Belarus»; (Records of the Supreme Council of the Republic of Belarus, 1996. No. 34, p. 622);

President of the Republic of Belarus

BASIC TERMS USED IN THIS TEXT

Agitation materials are printed and other materials containing signs of election agitation, agitation on the referendum or recall or the deputy designed for mass distribution during the holding of elections, referendum or recall of the deputy;

Election agitation is activities of citizens of the Republic of Belarus, political parties, other public associations, labour collectives, candidates, their proxies and initiative groups collecting signatures for nomination of candidates and making agitation for their election aimed at inducement or inducing electors to participation in elections and voting for or against certain candidates;

Agitation for the referendum is activities of citizens of the Republic of Belarus, initiative group for the holding of the referendum, political parties, other public associations and labour collectives aimed at inducement or inducing participants in the referendum to holding the referendum or rejecting its holding or vote "for" or "against" the question (draft decision) offered for the referendum;

Elections are elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, members of the Council of the Republic and deputies of local Councils of Deputies held on the basis of the Constitution of the Republic of Belarus and this Code;

Deputy is the person elected by the electors of the respective electoral district to the Chamber of Representatives or the local Council of Deputies on the basis of universal, equal and direct suffrage through secret ballot;

Elector is the citizen of the Republic of Belarus having the right to elect to the state bodies as provided for by the Constitution of the Republic of Belarus and this Code;

Election campaign is the period from the day of official publication of the decision of the President of the Republic of Belarus or of the state body authorised by the Constitution of the Republic of Belarus or by this Code on the appointment of elections as from the day of official publication of the election results;

Electoral district is the territory from which citizens of the Republic of Belarus directly elect the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of the local Councils of Deputies;

Candidate is the person registered by the respective commission as candidate for the position of the President of the Republic of Belarus, candidate for the deputy of the Chamber of Representative, candidate for the Council of the Republic or candidate of the local Council of Deputies;

Observer is the person representing a foreign state or an international organisation who acquired in conformity with the procedure established by this Code the right to be present during the holding of elections or referendum at the sitting of the respective commissions and in rooms for voting;

Representative of public is the person authorised by the political party, another public association, labour collective and citizens to be present during the holding of

elections, referendum or recall of the deputy at the sittings of the respective commission and in rooms for voting;

Participant in the referendum is the citizen of the Republic of Belarus enjoying suffrage and taking part in the holding of the referendum.

<u>CONTENTS</u>	
GENERAL PART	1
SECTION I. General principles of the election system and referendum (people's vote)	1
Chapter 1. General provisions	1
Article 1. Relations regulated by this Code	1
Article 2. Legal basis of the election system and referendum	1
Chapter 2. Basic principles of the election system and holding of the referendum	1
Article 3. Basic principles of holding elections and referendum	1
Article 4. Universal suffrage and right to take part in the referendum	1
Article 5. Free elections and voting at the referendum	2
Article 6. Equal suffrage and right to take part in the referendum	2
Article 7. Direct suffrage and the right for direct expression of will at the referendum	2
Article 8. Indirect suffrage	2
Article 9. Secret ballot	3
Article 10. Basic principles of holding of recall of the deputy	3
Article 11. Provision of holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies, of the referendum and of the recall of deputies by commissions	3
Article 12. Provision of holding of elections and recall of members of the Council of the Republic	3
Article 13. Public openness during preparation and holding of elections and referendum and recall of a deputy of the Chamber of Representatives, a member of the Council of the Republic and a deputy of the local Council of Deputies	3
SECTION II. Electoral districts and polling stations. Lists of citizens who have the right to take part in elections, referendum and voting for recall of the deputy	5
Chapter 3. Electoral districts	5
Article 14. Electoral district for elections of the President of the Republic of	5

Belarus		
Article 15.	Electoral districts for elections of deputies of the Chamber of Representatives and the procedure of their formation	5
Article 16.	Electoral districts for elections of deputies of local Councils of Deputies and the procedure of their formation	5
Chapter 4.	Electoral precincts and polling stations	6
Article 17.	Electoral precincts and polling stations	6
Article 18.	Procedure of formation of electoral precincts and polling stations	7
Chapter 5.	Lists of citizens who have the right to take part in elections, referendum or voting for the recall of a deputy	8
Article 19.	Lists of citizens who have the right to take part in elections, referendum or voting for the recall of a deputy and the procedure for their compilation	8
Article 20.	Procedure of inclusion into the list of citizens who have the right to take part in elections, referendum or voting for recall of a deputy	8
Article 21.	Familiarisation with the lists of citizens who have the right to take part in elections, referendum or voting for recall of a deputy. Right of appeal against irregularities in the list	9
SECTION III.	The system of commissions on holding elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, referendum and voting for recall of a deputy	10
Chapter 6.	The system of commissions on holding elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, referendum and voting for recall of a deputy	10
Article 22.	The system of commissions on holding elections, referendum and recall of a deputy	10
Article 23.	The Central Commission	10
Article 24.	Commission on elections of the President of the Republic of Belarus	11
Article 25.	Commissions on elections of deputies of the Chamber of Representatives	11

Article 26.	Commissions on elections of deputies of local Councils of Deputies	11
Article 27.	Commissions on holding of voting for recall of the deputy	11
Article 28.	Commission on referendum	12
Chapter 7.	Formation, powers and organisation of work of the Central Commission	13
Article 29.	Formation and organisation of work of the Central Commission	13
Article 30.	Powers of the Central Commission	13
Chapter 8.	Formation of commissions on elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, on referendum and holding of voting for recall of a deputy. Procedure for alteration of the composition of commissions and of organisation of their work	15
Article 31.	Formation of commissions on elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, on referendum and holding of voting for recall of a deputy	15
Article 32.	Procedure for nomination of representatives for territorial, district and precinct commissions	16
Article 33.	Procedure of alteration of the commissions' composition	18
Article 34.	Organisation of work of territorial, district and precinct commissions	18
Article 35.	Assistance to commission in exercising their powers	19
Article 36.	Powers of Oblast and Minsk City commissions on elections of the President of the Republic of Belarus, deputies of local Councils of Deputies, on referendum and holding of voting for recall of a deputy	19
Article 37.	Powers of regional and town commissions on elections of the President of the Republic of Belarus, deputies of local Councils of Deputies, on referendum and holding of voting for recall of a deputy	22
Article 38.	Powers of town (in towns subordinated to region), settlement and rural territorial electoral commissions on elections of deputies of the town, settlement and rural Councils of Deputies, on the referendum and on holding of voting for recall of the deputy	25
Article 39.	Powers of district electoral commissions on elections of deputies of the Chamber of Representatives and on elections to	27

	the Oblast Councils of Deputies and territorial electoral commissions exercising in the districts of the City of Minsk powers of district electoral commissions on elections to the Minsk City Council of Deputies	
Article 40.	Powers of the district commission on the holding of voting for recall of a Deputy of the Chamber of Representatives or a deputy of the Oblast Council of Deputies	29
Article 41.	Powers of the precinct commission on elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Council of Deputies, on the referendum and holding of voting for recall the deputy	30
Chapter 9.	Powers of state bodies in organisation preparation of elections, referendum or recall of a deputy or a member of the Council of the Republic	31
Article 42.	Powers of the President of the Republic of Belarus in organising preparation of elections and a republican referendum	31
Article 43.	Powers of the Chamber of Representatives in organising preparation of voting and the republican referendum	31
Article 44.	Powers of local executive and administrative as well as representative bodies in organising preparation of elections, referendum or recall of a deputy or a member of the Council of the Republic	32
SECTION IV.	Election agitation and agitation for referendum. Financing of elections, referendum and recall of a deputy, a member of the Council of the Republic. Liability for violation of legislation on elections, referendum and recall of a deputy or a member of the Council of the Republic	34
Chapter 10.	Election agitation and agitation for referendum and recall	34
Article 45.	Election agitation and agitation for referendum and recall	34
Article 46.	Use of state mass media in election campaign	35
Article 47.	Inadmissibility of abuse of the right for making election agitation and agitation for referendum	37
Chapter 11.	Financing of elections, referendum or recall of a deputy or a member of the Council of the Republic	37
Article 48.	Expenditures for preparation and holding of elections, referendum or recall of a deputy or a member of the Council of the Republic	37
Chapter 12.	Liability for violation of requirements of this Code	40
Article 49.	Liability for violation of requirements of this Code	40

Chapter 13. Procedure of voting during elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, referendum or recall of deputies	40
Article 50. Time and place of voting	40
Article 51. Organisation of voting at the polling station	41
Article 52. Holding of vote at the polling station	41
Article 53. Early voting at elections or referendum	42
Article 54. Voting at the place of stay of the elector or participant in the referendum during elections or referendum	42
Chapter 14. Count of votes at the polling station during elections or referendum	43
Article 55. Count of votes at the polling station during elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies and the referendum	43
II. SPECIAL PART	46
SECTION V. Elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies	46
Chapter 15. Organisation and holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies	46
Article 56. Appointment of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and deputies of local Councils of Deputies	46
Article 57. Requirements to candidates for the position of the President of the Republic of Belarus and for deputies of the Chamber of Representatives and deputies of local Councils of Deputies	46
Article 58. The right of citizens of the Russian Federation living in the Republic of Belarus to take part in elections of deputies of local Councils of Deputies	47
Article 59. Incompatibility of the status of a deputy of the Chamber of Representatives, a deputy of a local Council of Deputies with the official position as well as correspondingly with the powers of a member of the Council of the Republic, a deputy of a local Council of Deputies and a deputy of the Chamber of Representatives	47
Article 60. The right and time of nomination of candidates for the position	48

	of the President of the Republic of Belarus, for deputies of the Chamber of Representatives and deputies of local Councils of Deputies	
Article 61.	Procedure of nomination of candidates for the position of the President of the Republic of Belarus	48
Article 62.	Procedure of nomination of candidates for deputies of the Chamber of Representatives and deputies of local Councils of Deputies by political parties	50
Article 63.	Procedure of nomination of candidates for deputies of the Chamber of Representatives by labour collectives	51
Article 64.	Procedure of nomination of candidates for deputies of local Councils of Deputies by labour collectives	52
Article 65.	Procedure of nomination of candidates for deputies of the Chamber of Representatives and deputies of local Councils of Deputies by way of collection of electors' signatures	53
Article 66.	Documents on nomination of a candidate for deputy of the Chamber of Representatives or a deputy of the local Council of Deputies submitted to the district or territorial electoral commission	54
Article 67.	Verification of authenticity of electors' signatures in signature lists for elections of deputies of the Chamber of Representatives and deputies of local Councils of Deputies	55
Article 68.	Registration of candidates for the position of the President of the Republic of Belarus, deputies of the Chamber of Representatives or deputies of the local Councils of Deputies	55
Article 69.	Withdrawal of one's own candidature by the candidate for the position of the President of the Republic of Belarus, or deputy of the Chamber of Representatives or deputy of the local Council of Deputies	58
Article 70.	Cancellation of decision on nomination of a candidate for deputy of the Chamber of Representatives or deputy of the local Council of Deputies	58
Article 71.	Procedure of nomination of candidates for deputies of the Chamber of Representatives or deputies of local Councils of Deputies instead of those who quitted	59
Article 72.	Ballot paper for elections of the President of the Republic of Belarus and ballot paper for elections of deputies	59
Chapter 16.	Guarantees of activities and rights of the candidate for the position of the President of the Republic of Belarus, and for deputy of the Chamber of Representatives and deputy of local	60

Councils of Deputies		
Article 73.	Equality of rights and duties of candidates for the position of the President of the Republic of Belarus, for deputy of the Chamber of Representatives and for deputy of local Councils of Deputies	60
Article 74.	Right of candidates for the position of the President of the Republic of Belarus and for deputies of the Chamber of Representatives and deputies of local Councils of Deputies to speak at meetings, use mass media and obtain information	61
Article 75.	Election program of the candidate the position of the President of the Republic of Belarus and for deputy of the Chamber of Representatives and deputy of local Councils of Deputies	61
Article 76.	Proxies of the candidate for the position of the President of the Republic of Belarus and for deputy of the Chamber of Representatives and deputy of local Councils of Deputies	61
Article 77.	Relieving of the candidate for the position of the President of the Republic of Belarus and for deputy of the Chamber of Representatives and deputy of local Councils of Deputies of production or office duties for participation in election campaign and guarantees of their activities	62
Chapter 17.	Procedure of establishment of the results of voting and summarisation of the results of elections of the President of the Republic of Belarus	63
Article 78.	Establishment of the results of voting in territorial commissions on elections of the President of the Republic of Belarus	63
Article 79.	Determination and publication of the results of elections of the President of the Republic of Belarus	64
Article 80.	Second round of voting	66
Article 81.	New elections	66
Chapter 18.	Procedure of establishment of the results and summarisation of the results of elections of deputies of the Chamber of Representatives	67
Article 82.	Establishment of the results of elections in the electoral district for elections of the deputy of the Chamber of Representatives	67
Article 83.	Second round of voting	68
Article 84.	Determination of the results of elections by the Central Commission	69
Article 85.	Publication of the results of elections of deputies of the Chamber of Representatives	69
Article 86.	Certificate and the badge of the deputy of the Chamber of	69

	Representatives	
Article 87.	New elections	69
Article 88.	Holding of elections of deputies of the Chamber of Representatives instead of those who quitted	70
Chapter 19.	Procedure of establishment of the results and summarisation of the results of elections of deputies of local Councils of Deputies	70
Article 89.	Determination of the results of elections of deputies of local Councils of Deputies for the electoral district	70
Article 90.	Second round of voting	71
Article 91.	Determination of the results of elections for local Councils of deputies by the territorial electoral commissions	72
Article 92.	Publication of the results of elections of deputies of local Councils of Deputies	72
Article 93.	Certificate and the badge of the deputy of the local Council of Deputies	73
Article 94.	New elections	73
Article 95.	Holding of elections of deputies of local Councils of Deputies instead of those who quitted their position	74
Article 96.	Holding of elections of deputies of local Councils of Deputies in newly formed territorial administrative units	74
	SECTION VI. Election of Members to the Council of the Republic	76
Chapter 20.	Procedure for Appointment of Elections of Members of the Council of the Republic. Nomination of Candidates for Election to the Council of the Republic	76
Article 97.	Appointment of Elections of Members of the Council of the Republic	76
Article 98.	Qualifications for Candidates for Election to the Council of the Republic	76
Article 99.	Incompatibility of the Status of a Member of the Council of the Republic with the Official Position, the Powers of the Deputy of the Chamber of Representatives	76
Article 100.	Nomination of Candidates for Election to the Council of the Republic	76
Article 101.	Registration of Candidates for Election to the Council of the Republic	77

Chapter 21. Conduct of sessions of Deputies of Local Councils of Deputies of the Base Level, Deputies of the Minsk City Council of Deputies on Election of Members to the Council of the Republic	78
Article 102. Procedure for Calling and Holding a Session of Deputies of Local Councils of Deputies of the Base Level, Deputies of the Minsk City Council of Deputies on Election of Members to the Council of the Republic	78
Article 103. Discussion of Candidates Nominated for Election to the Council of the Republic	79
Article 104. Organisation of Voting on Election to the Council of the Republic.	79
Article 105. Vote on Election of Members to the Council of the Republic	80
Article 106. Determination of Results of Voting on Election of Members to the Council of the Republic	80
Article 107. Determination of Results of Voting on Election of Members of the Council of the Republic	81
Article 108. Promulgation of Results of Election of Members of the Council of the Republic	82
Article 109. Certificate and Badge of a Member of the Council of the Republic	82
Article 110. Election of a Member of the Council of the Republic to Replace a Retired Member	82
SECTION VII. Referendum	83
Chapter 22. Definition, Types and Purpose of Referendum. Issues Submitted to Referendum	83
Article 111. Definition, Types and Purpose of Referendum	83
Article 112. Issues Submitted to Referendum	83
Chapter 23. Initiation and Appointment of a Republican Referendum	84
Article 113. Right of Initiative for Holding a Republican Referendum	84
Article 114. Initiative Group for Holding a Republican Referendum	84
Article 115. Collection of Signatures of Citizens	85
Article 116. Consideration of the Initiative of the Citizens for Holding a Referendum	86

Article 117. Decision on Appointment of a Referendum	88
Article 118. Ballot Paper	88
Chapter 24. Determination of Results and Outcome of a Referendum	89
Article 119. Determination of Referendum Results for a District, a City, a City District	89
Article 120. Determination of Referendum Results for Oblasts and the City of Minsk	89
Article 121. Finalisation of Referendum Results	91
Article 122. Conduct of Repeated Voting	92
Article 123. Promulgation of the Decision Adopted by the Referendum and its Coming into Force	92
Article 124. Legal Force of the Decision Adopted by a Referendum	92
Chapter 25. Procedure for Appointment and Holding a Local Referendum	92
Article 125. The Procedure of Preparation and Holding of a Local Referendum	92
Article 126. Right of Initiative for Holding a Local Referendum	93
Article 127. Decision on Appointment of the Referendum	93
Article 128. Holding a Referendum	94
SECTION VIII. Procedure of Recalling a Deputy of the Chamber of Representatives, of a Deputy of a Local Council of Deputies	95
Chapter 26. Grounds and Order of Initiating a Question of Recalling a Deputy	95
Article 129. Grounds for Recalling a Deputy	95
Article 130. Right to Initiate the Question of Recalling a Deputy	95
Article 131. Initiating the Question of Recalling a Deputy	95
Article 132. Legitimacy of a Meeting of Voters in Initiating a Question of Recalling a Deputy, and the Procedure to Hold it	96
Article 133. Guarantees of Deputy's Rights in Initiating a Question to Recall Him/Her	98
Article 134. Registration of an Initiative Group	99
Article 135. Collection of Voters' Signatures in Support of Proposal to Initiate the Question of Recalling a Deputy	100

Article 136.	Procedure of Collecting Voters' Signatures in Support of Proposal to Initiate the Question of Recalling a Deputy	101
Article 137.	Order and Time of Presenting List of signatures to the Local Councils of Deputies. Determination of Results of Collecting Voters' Signatures	101
Chapter 27.	Procedure of Appointment of Voting on Recalling a Deputy. Voting and Summarising the Results	102
Article 138.	Taking Decision to Appoint Voting on Recalling a Deputy	102
Article 139.	The Ballot Paper to Recall a Deputy	103
Article 140.	Proxies of a Deputy	103
Article 141.	Procedure of Holding Voting on Recalling a Deputy and Summarisation of Its Results	103
Article 142.	Inadmissibility of Repeated Initiation of the Issue of Recalling a Deputy Within a Year	105
SECTION IX. Recalling Procedure of Member of the Council of the Republic		106
Chapter 28.	Grounds for and Procedure of Initiating the Recall	106
Article 143.	Grounds for Recall	106
Article 144.	Initiation of Raising the Issue of Recalling a Member of the Council of the Republic	106
Article 145.	Procedure of Consideration of Initiative on Raising the Issue of Recalling a member of the Council of the Republic by Presidium of Oblast, Minsk City Council of Deputies and Oblast, Minsk City Executive Committee	107
Article 146.	Checking by Central Commission of Observance of Requirements of this Code for Initiation of Raising the Issue on Recall of Member of the Council of the Republic	108
Article 147.	Raising the Issue of Recall of Member of the Council of the Republic	108
Article 148.	Procedure of Appointment of Voting on Recall of Member of the Council of the Republic	108
Article 149.	Agitation for or against Recall of Member of the Council of the Republic	109
Chapter 29.	Procedure of Conducting the Sitting of Deputies of local Council of Deputies of the Basic Level in Oblast, Deputies of Minsk City Council of Deputies on the Issue of Recall of a Member of Council of the Republic	109

Article 150.	Conducting the Sitting of Deputies of local Council of Deputies of the Basic Level in Oblast, Deputies of Minsk City Council of Deputies on the Issue of Recall of a Member of Council of the Republic	109
Article 151.	Organisation of Voting on Recall of Member of the Council of the Republic	110
Article 152.	Consideration by the Central Commission of Results of Voting on Recall of Member of the Council of the Republic	111
SECTION X. Final Provisions		112
Article 153.	Coming into Force	112
Article 154.	Bringing Legislative Acts into Correspondence with this Code	112
Article 155.	Declaration of Certain Legislative Acts of the Republic of Belarus To Be Null and Void in Connection with this Code Coming into Force	112
	Basic Terms used in this Code	124