



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Strasbourg, 7 July 2003

CDL (2003) 45
Engl. only

Opinion N° 251 / 2003

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

THE ORGANIC LAW OF GEORGIA
UNIFIED ELECTION CODE OF GEORGIA
AS AMENDED ON 25 APRIL 2002

ORGANIC LAW OF GEORGIA
Election Code of Georgia

English Translation

CONTENTS

CONTENTS.....	2
<i>PART I</i>	6
CHAPTER I. GENERAL PROVISIONS	6
Article 1. Purpose of the Law	6
Article 2. Legal Basis of Elections.....	6
Article 3. Definition of Terms.....	6
Article 4. Basic Principles of Elections.....	8
Article 5. Universal Suffrage	8
Article 6. Equal Suffrage.....	8
Article 7. Direct Suffrage.....	8
Article 8. Secrecy of the Vote and Free Expression of the Will of the Voters.....	8
CHAPTER II. REGISTRATION OF VOTERS	8
Article 9. General List of Voters and the Rule of its Compilation	8
Article 10. Special List of Voters.....	9
Article 11. Mobile Ballot Box List	10
Article 12. Voting License (Article Deleted)	10
Article 13. Publishing of Voters' Lists.....	10
Article 14. Voting Card.....	10
CHAPTER III. ELECTION DISTRICTS AND ELECTION PRECINCTS	11
Article 15. Election Districts.....	11
Article 16. Election Precincts.....	11
CHAPTER IV. ELECTION ADMINISTRATION	12
Article 17. System of Election Administration	12
Article 18. Composition of Election Commissions.....	12
Article 19. Rights and Obligations of Election Commission Members	13
Article 20. Term of Authority of Election Commission Members.....	13
Article 21. The Basis and Rules for Replacement of Election Commission Member.....	13
Article 22. Rules for Management of an Election Commission.....	14
Article 23. Compensation for Members of the Central Election Commission of Georgia.....	15
Article 24. Compensation for Members of District and Precinct Commission	15
Article 25. Legal Acts of Election Commissions and Their Chairpersons.....	16
Article 26. Central Election Commission of Georgia	16
Article 27. Composition of Central Election Commission of Georgia.....	16
Article 28. Election of the Management of the Central Election Commission of Georgia	17
Article 29. Competence of the Central Election Commission of Georgia	17
Article 30. Competence of the Chairperson, Deputy Chairperson and Secretary of Central Election Commission of Georgia	19
Article 31. Apparatus of the Central Election Commission of Georgia	19
Article 32. Composition of District Election Commission	20
Article 33. Election of the Management of District Election Commissions	20
Article 34. Competence of District Election Commission	21
Article 35. Competence of the Chairperson, Deputy Chairperson and Secretary of District Election Commission	22
Article 36. Composition of Precinct Election Commissions.....	23
Article 37. Election of Management of the Precinct Election Commissions and Appointment (Election) of Other Members	23
Article 38. Competence of Precinct Election Commissions	24
Article 39. Competence of the Chairperson, Deputy Chairperson and Secretary of Precinct Election Commission	24
CHAPTER V. REGISTRATION OF ELECTION SUBJECTS AND LISTS OF SUPPORTERS	25
Article 40. Registration of Election Subjects	25
Article 41. Lists of Supporters	25
Article 42. Inspection of Lists of Supporters	26
CHAPTER VI. ELECTION FUNDING.....	26

Article 43. Financial Provision of Preparation and Running of Elections 26

Article 44. Money Funds Necessary for Elections 27

Article 45. Disposal of Money Funds Necessary for Elections 27

Article 46. Election Campaign Fund 27

Article 47. Contributions to the Election Campaign Fund 28

Article 48. Rules for Disposal of Election Campaign Funds 28

CHAPTER VII. POLLING 29

Article 49. Time and Place of Polling 29

Article 50. Arrangements at the Polling Station 30

Article 51. Ballot Papers and Special Envelope 30

Article 52. Opening of Election Precincts 31

Article 52¹. Inking of the Voters 32

Article 53. Issue of Ballot Papers and Special Envelopes 33

Article 54. Conduct of the Poll 33

Article 55. Observing Order in Polling Station on Polling Day 34

Article 56. Voting by Means of Mobile Ballot Box 34

Article 57. Procedures to be Carried Out Before Opening of Ballot Box 35

Article 58. Opening of Ballot Box 36

Article 59. Counting of Votes 36

Article 60. Summary Protocol of Election Results 38

Article 61. Statements and Appeals Regarding Violation of Procedures of Polling and Counting of
Votes 39

Article 62. Examination of Applications and Appeals Regarding Counting of Votes and
Consolidation of Polling Results 40

Article 63. Consolidation of Poll Results at District Election Commission 40

Article 64. Consolidation of Election Results at the Central Election Commission of Georgia 40

CHAPTER VIII. TRANSPARENCY DURING PREPARATION AND CONDUCT OF ELECTIONS 41

Article 65. Transparency of Elections 41

Article 66. Transparency During Preparation and Conduct of Elections 41

Article 67. Transparency of Election Commission Sessions. Persons Who Have the Right to Be
Present in Polling Station 42

Article 68. Domestic and Foreign Observers 42

Article 69. Registration of Observer Organizations 43

Article 70. Rights of Observers 44

Article 71. Representatives of Election Subjects and Their Responsibilities 45

Article 72. Representatives of Press and Other Mass Media 45

Article 73. Election Campaign 46

Article 74. Pre-Election Gatherings and Manifestations 47

Article 75. Agitation Materials 48

Article 76. Prohibition on Use of Official Position During Election Agitation and Campaign 49

CHAPTER IX. ADJUDICATION OF DISPUTES 49

Article 77. Timeframes and Rules for Adjudicating Disputes 49

SPECIAL SECTION 53

PART II 53

CHAPTER X. ELECTIONS OF PRESIDENT OF GEORGIA 53

Article 78. Elections of Georgian President 53

Article 79. Holding of Regular Elections of Georgian President 53

Article 80. Right to Passive Vote 53

Article 81. Right to Nominate Candidate of Presidency of Georgia 53

Article 82. Rule for Nominating Candidate of Presidency of Georgia 53

Article 83. Lists of Supporters of Candidates of Presidency of Georgia 54

Article 84. Registration of Candidate of Presidency of Georgia 54

Article 85. Guarantees of Activity of Candidates or Presidency of Georgia and Their
Representatives 54

Article 86. Consolidation of the Results of Elections 55

CHAPTER XI. SECOND ROUND OF ELECTIONS OF GEORGIAN PRESIDENT. NEW ELECTIONS
OF GEORGIAN PRESIDENT. EXTRAORDINARY ELECTIONS OF GEORGIAN PRESIDENT 55

Article 87. Second Round of Elections 55

Article 88. New Elections 55

Article 89. Extraordinary Elections of President of Georgia 56

PART III 57

CHAPTER XII. ELECTIONS FOR PARLIAMENT OF GEORGIA	57
Article 90. Appointment of Elections for the Parliament of Georgia.....	57
Article 91. Term of Authority of the Parliament of Georgia. Composition of Parliament.....	57
Article 92. Right to Passive Vote	57
Article 93. Right to Take Part in Elections for the Parliament of Georgia.....	57
Article 94. Incompatibility of Position with the Status of Candidate for the Parliament of Georgia.....	57
CHAPTER XIII. REGISTRATION OF ELECTION SUBJECTS TAKING PART IN ELECTIONS FOR THE PARLIAMENT OF GEORGIA	58
Article 95. Registration of Parties and Election Blocs	58
Article 96. Submission of Party Lists.....	60
Article 97. Nomination of Candidate to Election District.....	61
Article 98. Registration of Party Lists, Candidates for Membership of Parliament of Georgia.....	62
Article 99. Determining Sequence of Election Subjects	63
Article 100. Cancellation of Decision on Nomination of Candidate for Membership of Parliament of Georgia.....	63
Article 101. Dismissal of Candidate for Membership of the Parliament of Georgia from Carrying Out Official Duties.....	64
Article 102. Immunity of Candidate for Membership of the Parliament of Georgia	64
CHAPTER XIV. CONSOLIDATION OF THE RESULTS OF ELECTIONS FOR THE PARLIAMENT OF GEORGIA	64
Article 103. Counting of Votes at Precinct Election Commission	64
Article 104. Consolidation of the Results of the Poll at District Election Commission.....	64
Article 105. Consolidation of the Results of the Elections at the Central Election Commission of Georgia.....	65
Article 106. Second Round of Elections. New Elections in Single-mandate Election District and Rules for Replacement of Member of Parliament of Georgia.....	66
Article 107. Registration of Elected Members of Parliament of Georgia	68
PART IV.....	69
CHAPTER XV. ELECTIONS OF REPRESENTATIVE BODY OF LOCAL SELF-GOVERNANCE – SAKREBULO, ELECTIONS OF GAMGEBELI, ELECTIONS OF MAYOR	69
Article 108. Appointment of Elections of Representative Body of Local Self-governance – <i>sakrebulo</i> , elections of <i>gamgebeli</i> , elections of mayor	69
Article 109. Election System.....	69
Article 110. Right to Active and Passive Vote.....	69
Article 111. Equal Right to Vote.....	70
Article 112. Composition of Representative Body of Local Self-governance - <i>Sakrebulo</i>	70
Article 113. Terms of Authority of Representative Body of Local Self-governance – <i>Sakrebulo</i> , of <i>Gamgebeli</i> , of Mayor	70
Article 114. Incompatibility of Office with Status of Candidate of Membership of Representative Body of Local Self-governance – <i>Sakrebulo</i> , Candidate Running for <i>Gamgebeli</i> , Mayor	70
CHAPTER XVI. ELECTION DISTRICTS AND ELECTION PRECINCTS	71
Article 115. Election Districts.....	71
CHAPTER XVII. RIGHT TO TAKE PART IN ELECTIONS OF REPRESENTATIVE BODY OF LOCAL SELF-GOVERNANCE – SAKREBULO, IN ELECTIONS OF GAMGEBELI, MAYOR, REGISTRATION OF ELECTION SUBJECTS, NOMINATION OF CANDIDATES AND ELECTION BALLOT	71
Article 116. Right to Take Part in Elections of <i>Sakrebulo</i> , Elections of <i>Gamgebeli</i> , Elections of Mayor.....	71
Article 117. Registration of Parties	71
Article 118. Submitting of Party Lists in Elections of Representative Body of Local Self-governance – <i>Sakrebulo</i> for the City of Tbilisi	71
Article 119. Nomination of Candidates for Membership of Representative Body of Local Self-governance – <i>Sakrebulo</i> , Candidates for <i>Gamgebeli</i> , Mayor	72
Article 120. Registration of Party List, of Candidates for Membership of Representative Body of Local Self-governance – <i>Sakrebulo</i> , Candidates for <i>Gamgebeli</i> , Mayor	73
Article 121. Canceling Decision on Nomination of Candidate	75
Article 122. Election Ballots	76
Article 123. Determining Results of Elections in Election District	76
Article 124. Repeated polling, New Elections, Extraordinary Elections.	78
Article 125. Registration of Persons Elected as Members of Representative Body of Local Self-governance – <i>Sakrebulo</i> , as <i>Gamgebeli</i> , Mayor.....	78

Article 126.	Replacement of Excluded Member of <i>Sakrebulo</i>	78
CHAPTER XVIII.	TRANSITIONAL PROVISIONS	79
Article 127	.....	79
Article 128	.....	79
Article 128 ¹	.....	79
Article 128 ²	The Rule of Compilation of General List of Voters.....	80
Article 128 ³	Terms of Formation of Election Districts and precincts	81
Article 129	.....	81
CHAPTER XIX.	CONCLUSIVE PROVISIONS.....	81
Article 130	.....	81
Article 131.	Enactment of the Law	82

ORGANIC LAW OF GEORGIA
Election Code of Georgia

General Section

PART I

CHAPTER I. GENERAL PROVISIONS

Article 1. Purpose of the Law

This Law determines the legal basis of preparing and holding elections for the President of Georgia, the Parliament of Georgia, the representative body of local self-governance – *sakrebulo*, of *gamgebeli* and mayor. The Law also determines the rights and guarantees of the election participants, the rule for forming the election administration and its authority, as well as the rule for adjudication of disputes in cases determined by this Law.

Article 2. Legal Basis of Elections

The legal basis for preparing for and conducting elections for the President of Georgia, the Parliament of Georgia, the representative body of local self-governance – *sakrebulo*, of *gamgebeli* and mayor, is the Constitution of Georgia, universally recognised human rights' principles and standards of international law, this Law, other legislative Acts and legal Acts of the election administration.

Article 3. Definition of Terms

Terms used for purposes of this Law have the following meaning:

- a). **Elections** – elections of the President of Georgia, the Parliament of Georgia, representative body of local self-governance – *sakrebulo*, of *gamgebeli* and mayor;
- b). **Elections conducted through proportional election system** – election of members of Parliament and the representative body of local self-governance of Georgia – *sakrebulo*, based on Party Lists;
- c). **Elections conducted through majoritarian election system** – election of *sakrebulo* members, *gamgebelis* and mayors, according to single-mandate or multi-mandate election districts;
- d). **Right to vote** – active and passive voting right;
- e). **Right to active vote** – the right of a Georgian citizen to elect the President of Georgia, a member of the Parliament of Georgia and the representative body of local self-governance – *sakrebulo*, a *gamgebeli* and a mayor;
- f). **Right to passive vote** - the right of a Georgian citizen to be elected as the President of Georgia, a member of the Parliament of Georgia and the representative body of local self-governance – *sakrebulo*, a *gamgebeli* and a mayor;
- g). **Election registration** – registration of an election subject by the relevant election commission, for the purpose of taking part in elections;
- h). **Election subject** – candidate for the Presidency of Georgia, membership of the Parliament of Georgia or the representative body of local self-governance – *sakrebulo*, candidate to the position of *gamgebeli* or mayor; Political Party or an election bloc, which is registered by the relevant election commission;

- i). **Election administration** – the Central Election Commission of Georgia (CEC), District Election Commissions (DEC) and Precinct Election Commissions (PEC);
- j). **Party** – a political union of citizens, acting in accordance with the Organic Law of Georgia on Political Unions of Citizens, which is registered by the Central Election Commission of Georgia for the purpose of taking part in elections;
- k). **Election bloc** – a union of 2 or more Parties registered by the Central Election Commission of Georgia;
- l). **Election campaign** – unity of the measures undertaken by candidates for becoming election subjects and by election subjects, for the purpose of participating and winning in elections;
- m). **Election agitation** – calling by Georgian citizens and election subjects upon voters, to support an election subject or not;
- n). **Candidate for Presidency of Georgia** – a citizen of Georgia, presented by a Party registered by the Central Election Commission of Georgia, or by an initiative group of voters, for the purpose of taking part in elections for the President of Georgia;
- o). **Candidate presented through Party list** – a citizen of Georgia included in a Party list registered by the Central Election Commission of Georgia for the purpose of taking part in elections into the Parliament of Georgia and the representative body of local self-governance – *sakrebulo*;
- p). **Majoritarian candidate** – a citizen of Georgia presented to an electoral district by a party (election bloc) or by an initiative group of voters for the purpose of taking part in elections into the Parliament of Georgia, the representative body of local self-governance – *sakrebulo*, elections of a *gamgebeli* or mayor;
- q). **Candidate to the position of *gamgebeli*** – a citizen of Georgia presented by a Party (election bloc) or by an initiative group of voters for elections of a *gamgebeli*;
- r). **Candidate to the position of mayor** – a citizen of Georgia presented by a Party (election bloc) or by an initiative group of voters for elections of a mayor;
- s). **General elections** – a poll which is held in accordance with the Constitution of Georgia or on a day determined by a Decree of the Georgian President;
- t). **Regular elections** – elections that are held within the time term established by the Constitution of Georgia, in case of expiry of the term of authority of the President of Georgia, the Parliament of Georgia, representative body of local self-governance – *sakrebulo*, of *gamgebeli* and mayor;
- u). **By-elections** – elections that are held in case if elections are declared invalid, in case of failure of the elections for the Georgian President, a Member of Parliament of Georgia, a *gamgebeli* and a mayor, as well as in case of termination, before expiry, of the term of authority of an MP elected in an elections district;
- v). **Extraordinary elections** – elections that are held in case of termination, before expiry, of the term of authority of the President of Georgia, the representative body of local self-governance – *sakrebulo*, a *gamgebeli* or a mayor;
- w). **Repeated poll** – a poll which takes place in the elections district(s), where results of the poll have been declared invalid;
- x). **New poll** – a poll that takes place in proportional elections, if none of the Parties, election blocs have received the established number of votes;
- y). **Second round of elections** – elections called upon ordinance by the Central Election Commission of Georgia, in cases when a candidate does not receive during the first round the established number of votes;

- z). **Election documents** – applications, appeals, letters, business documents, protocols, ballots papers, special envelopes, legal Acts of the election administration, voting licenses, Control Sheets, registration journals, voters' lists, voters' cards and other documents submitted to and issued by the election commissions;
- aa). **Representative body of local self-governance – *sakrebulo*** – the *sakrebulo* of a village, community, city and a city not included in composition of a rayon.

Article 4. Basic Principles of Elections

Elections in Georgia shall be held on the basis of universal, equal and direct suffrage, and by secret vote.

Article 5. Universal Suffrage

1. Elections in Georgia are universal.
2. Citizens of Georgia have the right to an active vote after they reach the age of 18, regardless of their race, skin colour, language, gender, religion, political or other opinions, education, ethnic or social affiliation, descent, property or occupation.
3. Citizens of Georgia who have been deemed incapable by a court or are in a penitentiary establishment by sentence of a court shall not be entitled to suffrage.

Article 6. Equal Suffrage

1. Voters take part in elections based on equal grounds.
2. Every voter of one and the same election district has an equal number of votes.

Article 7. Direct Suffrage

1. Elections in Georgia shall be direct.
2. The President of Georgia, members of the Parliament of Georgia and the representative body of local self-governance – *sakrebulo*, as well as *gamgebelis* and mayors, are elected directly by voters.

Article 8. Secrecy of the Vote and Free Expression of the Will of the Voters

1. Elections in Georgia are held by secret ballot.
2. Any influence which limits the free expression of the voters' will, as well as control over expression of the voters' will is forbidden.

CHAPTER II. REGISTRATION OF VOTERS

Article 9. General List of Voters and the Rule of its Compilation

1. General list of voters is divided according to election precincts and includes citizens of Georgia who are entitled to vote and registered under the rule established by law.
2. The following data are entered into the general list of voters:
 - a) Name, last name and patronymic name;
 - b) Date of birth (dd/mm/yy);
 - c) Place of registration;
 - d) Number of voter's ID of Georgian citizenship and personal number if such exists;
 - e) Factual situation of citizen's place of residence;
3. The data of voters' are entered into the general list of voters according to their place of registration, forcefully displaced persons (internally displaced persons) are entered into the general list according to their actual place of residence, military servants of the armed forces

- and compounds of Georgia, who are serving fixed term or upon contracts – according to the place of stationing of their military compounds;
4. Central Election Commission is responsible for the electronic procession of the general list of voters and the allocation of its part of public information (name, surname, patronymic name, date of birth, address of place of registration, for Internally displaced persons also the address of actual residence) on internet;
 5. The general list of voters is compiled based on data:
 - a) Existing at the local agencies of the Ministry of Internal Affairs of Georgia on persons registered in the relevant territory, including data of those persons who will be 18 years old by the day of the poll;
 - b) Existing at the relevant agencies of the Ministry of Justice of Georgia on the deceased persons and persons being in preliminary detention or imprisoned persons;
 - c) From the bodies of the local governance and /or self-governance;
 - d) Transferred by the Ministry of Refugees and Settlement of Georgia or/and its territorial agencies, on the internally displaced persons;
 - e) Transferred by the Ministry of Defense and the Ministry of Internal Affairs, the State Department of Frontier Guard and State Department of Intelligence Service, the Special Service of State Security, on the fixed term and contract military servants whose working conditions require their residence at the address different from the permanent place of residence which belongs to another settled district and at the same time to the different election district.
 - f) Transferred by the heads of state agencies of Georgia located outside Georgia, regarding those voters who are on the consular registry of Georgia;
 6. Every year, on February the 1st and August the 1st, the agencies indicated in paragraph 5 of this article transfer the relevant data on the persons eligible to vote to the Central Election Commission which ensures the update of electronic data of the general list of voters based on that data;
 7. Central Election Commission and relevant election commissions ensure the publicity and accessibility of the general list of voters under the rules established by the Georgian Legislation.

Article 10. Special List of Voters

1. In the special list of votes are included:
 - a) The officials of election administration who, on the polling day, are the members of the Precinct Election Commission which is not the election precinct determined according to their place of registration;
 - b) Voters who, on the polling day, are in the hospitals and other inpatient medical institutions;
 - c) Voters who, on the polling day, are in detention;
 - d) Voters who, on the polling day, are sailing (they are entered into the list according to the port of ship's registration);
 - e) Voters who, on the polling day, are outside the territory of Georgia and are on the consular registry of Georgia;
2. The relevant District Election Commission compiles the list of persons indicated in sub-paragraph "a" of this article, no later than 15 days before the poll;
3. Head of relevant medical institutions compiles the list of persons indicated in sub-paragraph "c" of this article no later than 10 days before the poll and transfers it to the relevant District Election Commission;

4. Head of relevant penitentiary organ compiles the list of persons indicated in sub-paragraph “d” of this article no later than 10 days before the poll and transfers it to the relevant District Election Commission;
5. Captain of the relevant ship compiles the list of persons indicated in sub-paragraph “e” of this article no later than 15 days before the poll and transfers it to the relevant District Election Commission;
6. Head of relevant consular agency compiles the list of persons indicated in sub-paragraph “f” of this article no later than 10 days before the poll and transfers it to the Central Election Commission;
7. Head of relevant agency is responsible for the accuracy of data embodied in special list of voters which is confirmed by the signature;
8. The relevant District Election Commission transfers, no later than 2 days after its receipt, the data on the persons entered into special list according to paragraphs 2, 3, 4, 5, and 6 of this article to the District Election Commission where voter entered into special list is registered.
9. In the case of entering the voter in the special list, the relevant note shall be made in the general list and be confirmed by the signature of the chairperson and secretary of the election commission.
10. Voters in the special list shall participate:
 - a) In election conducted through majoritarian as well as proportional election system, if it changes the location within the territory of the same election district;
 - b) In parliamentary election conducted through proportional election system if he/she votes in the territory of another election district.

Article 11. Mobile Ballot Box List

1. Mobile ballot box list is compiled based on the general and special lists of voters in the cases where a voter due to the health condition or physical disability (that shall be indicated in mobile ballot box list) is unable to go to the polling station or/and according to paragraph “c” and “d” of article 10 of this Code is entered into special list and there is no election precinct in that relevant agency.
2. If a voter is transferred to the mobile ballot box list, the relevant note is made in the general or special list, which is confirmed by the signatures of the chairperson and secretary of the Precinct Election Commission.

Article 12. Voting License (Article Deleted)

Article 13. Publishing of Voters' Lists

The Precinct Election Commission is obliged to post lists of voters and the procedures determined by the law for submitting appeals regarding these lists at a conspicuous place at the relevant election commission and polling station in conformity with timeframes determined by paragraph 8 of article 128 of this Code. The chairperson of the Precinct Election Commission is responsible for failure to fulfill this requirement.

Article 14. Voting Card

1. No later than 2 days before the poll, the Precinct Election Commission is obliged to provide to all the voters registered on the territory of the elections precinct and included in the voters' lists a voting card, in which shall be indicated the following:
 - a) Date and time of the poll;
 - b) Address of the polling station, including the number of the floor and the room;
 - c) Number of the voter in the voters' list;

- d) The rule for submitting a statement or an application by voter, due to health situation or other reasons, on taking part in the poll by means of a mobile ballot box, telephone (fax) number of the District Election Commission and other information;
2. Non-receipt of a voting card does not constitute grounds for limiting the right to take part in the poll.

CHAPTER III. ELECTION DISTRICTS AND ELECTION PRECINCTS

Article 15. Election Districts

1. The number of election districts established for elections of the Parliament of Georgia is 85 single-mandate election districts; 10 of these are in the city of Tbilisi, and 75 shall be established in accordance with the administrative-territorial division.
2. The number of the multi-mandate election districts established for elections of the representative body of local self-governance – *sakrebulo*, is determined by ordinance of the Central Election Commission of Georgia.
3. The single mandate election district shall be established by the ordinance of Central Election Commission to conduct the election in Tbilisi through proportional election system of representative body of local self-governance – *sakrebulo*.
4. In the cities of Batumi, Rustavi, Sokhumi, Kutaisi and Tskhinvali, for the election of city Mayor, each single-mandate election districts shall be established by the ordinance of Central Election Commission;
5. The number of election districts established for elections of *gamgebeli* is determined upon ordinance of the relevant District Election Commission.
6. Election districts shall be established within the timeframe determined by article 128¹ of this Code. The boundaries of established election district shall be corrected no later than 10 days after the election date through the ordinance of Central Election Commission and shall be published within 3 days after the completion of correction of the boundaries of election district.

Article 16. Election Precincts

1. For the purpose of holding the poll and counting the votes, an election district is divided into election precincts.
2. Election precincts are established for no less than 20 and no more than 2000 voters in timeframe determined by paragraph 2 of article 128¹ of this Code.
3. In exceptional cases (locations difficult to access, military compounds with no less than 50 voters (servicemen), hospitals and other inpatient medical institutions with no less than 50 voters, ships sailing on the polling day etc.) election precincts shall be established no later than 5 days before the poll. Based on grounded written request of the head of military compound the election precinct may, through the decision of the District Election Commission, be established in such armed compound (in the unit) where the number of voters (servicemen) is less than 50; also in the case where the number of servicemen being in armed compound is less than 50 and the nearest election precinct is far from armed compound (unit).
4. Boundaries of established election precincts are corrected no later than 40 days before the poll by the District Election Commission based on the data of local governing and self-governing bodies acting on the territory of rayon, city, city rayon and is published within 3 days after the correction of the boundaries of election precinct is completed.

- 4¹. The armed forces and compounds with less than 50 voters through the decision of District Election Commission are attached to the nearest election precinct to the armed compound (unit).
5. Election precincts on the ships sailing on polling day, as well as in military compounds, are established through the rule determined by this Law, according to ports of registration of relevant vessels and location of stationing of military compounds.
6. Election precincts outside Georgia are established by the ordinance of Central Election Commission based on the data of Ministry of Foreign Affairs of Georgia. Through this ordinance, the Central Election Commission of Georgia makes decision on the attachment of these precincts to the election district.
7. The District Election Commission shall, within 5 days of the establishment of election precinct, and in cases envisaged by Paragraph 3 of this Article – within 2 days, publish through the press and other mass media the numbers of election precincts, addresses, telephone (fax) numbers of the Precinct Election Commissions and other information.

CHAPTER IV. ELECTION ADMINISTRATION

Article 17. System of Election Administration

1. For the purpose of ensuring the conduct of elections, the following election commissions are formed:
 - a) Central Election Commission of Georgia;
 - b) District Election Commissions;
 - c) Precinct Election Commissions.
2. Election commissions represent a centralized system of election administration.

Article 18. Composition of Election Commissions

1. An election commission consists of the commission Chairperson, Deputy Chairperson, commission secretary and other members.
2. The election commission members and staff are officials of the election administration.
3. Members of the Central Election Commission of Georgia and Chairpersons of District Election Commissions are civil servants.
4. Members of Precinct Election Commissions and members of District Election Commissions, except for District Election Commission Chairpersons, are non-permanent staff employees of the relevant District Election Commission.
5. Employees of the Central Election Commission of Georgia, except for auxiliary employees and employees who are not on the permanent staff, are civil servants.
6. Only the citizens of Georgia, who have the right to vote, may be appointed (elected) to an election commission, except for:
 - a) Persons, to whom the Central Election Commission of Georgia has not awarded a certificate of an official of election administration;
 - b) Persons, who have been dismissed from commission membership by the Central Election Commission of Georgia or the relevant District Election Commission, for violation of election legislation;
 - c) Persons, whose violation of election legislation has been proved and upheld by a court;
 - d) Members of the bodies of legislative authority;
 - e) Heads and Deputy Heads of the agencies of executive authority;

- f) Heads and Deputy Heads of the bodies of local self-governance and government;
 - g) Employees of Ministry of Internal Affairs, the Ministries of Defense and State Security, the Departments of Intelligence and State Frontier Guard and the Special Service of State Security;
 - h) Judges and their assistants;
 - i) Employees of the Prosecutor's Office (except for technical and auxiliary staff);
 - j) Election subjects and their representatives;
 - k) Domestic and international observers.
7. According to the rules established by this Law, the following entities have the right to appoint (elect) a member to an election commission:
- a) Parliament of Georgia;
 - b) Higher level election commission;
 - c) The Party (election bloc), which overcame the 7% threshold during the last Parliamentary elections;
 - d) The 5 Parties (election blocs) who had the best results during the last Parliamentary elections;
 - e) Representative body of local self-governance – *sakrebulo*, and in rayons – the Representative body of local self-governance – rayon *sakrebulo*.

Article 19. Rights and Obligations of Election Commission Members

- 1. A member of an election commission is obliged to take part in its activities as of the day of appointment (election) as commission member.
- 2. A member of a District or Precinct Commission is obliged to sign the summary protocol of results of the poll or elections and, in a case where he/she does not agree with the data included in the protocol, is authorized to make a relevant note on the same line with his/her signature and attach a different opinion to the protocol, in written form.

Article 20. Term of Authority of Election Commission Members

- 1. The term of authority of a member of the Central or District Election Commission of Georgia begins as of the day of his/her appointment (election) and expires immediately upon the first meeting of the newly composed commission.
- 2. A member of the Central or District Election Commission is appointed (elected) for a term of 5 years.
- 3. The term of authority for a member of the Precinct Election Commission begins as of the day of his/her appointment (election) and ends immediately upon the expiration of authority of the commission.
- 4. In a case of termination (before expiry) of the term of authority of a member of the Central Election Commission of Georgia, a new member is elected by the Parliament of Georgia at the earliest session.

Article 21. The Basis and Rules for Replacement of Election Commission Member

- 1. The grounds for replacement of an election commission member are constituted by the following:
 - a) Expiry of the term of authority;
 - b) Termination of authority before expiry.
- 2. Authority of an election commission member is terminated before expiry in the following cases:

- a) Based on personal statement;
 - b) Upon legal enactment of a court conviction;
 - c) Upon court decision declaring the member incapable, missing or deceased;
 - d) Upon losing Georgian citizenship;
 - e) Upon failure to attend 3 commission sessions in a row, without a valid excuse;
 - f) In case of death;
 - g) Upon commission member occupying a position incompatible with the status of commission member;
 - h) Upon dismissal from commission membership, for violation of elections legislation, based on relevant decision made by a higher level commission or a court;
 - i) Upon the appointing Party or Political Bloc withdrawing their member.
3. In cases envisaged by Subparagraphs b), c), d), f) g) and i) of Paragraph 2 of this Article, the authority of an election commission member is terminated automatically.
 4. In the case envisaged by Subparagraph a) of Paragraph 2 of this Article, statement by a member of the Central Election Commission of Georgia on relieving him/her of his/her authority is submitted to the Central Election Commission, while statement by a member of the District or Precinct Election Commission is submitted to the higher level election commission and must be satisfied no later than within 2 days of its submission. The Statement by Chairperson, Deputy Chairperson or secretary of the Central Election Commission regarding resignation is submitted to the Central Election Commission, while statement by Chairperson, Deputy Chairperson or secretary of the District Election Commission or Precinct Election Commission is submitted to the relevant election commission and must be satisfied no later than within 2 days of its submission.
 5. Replacement of a member of an election commission is inadmissible less than 7 days before the poll, except for cases of violation of election legislation.
 6. In the case envisaged by Subparagraph e) of Paragraph 2 of this Article, a decision on the termination of authority of an election commission member before their expiry is taken upon an ordinance by the relevant commission, by the majority of its listed composition.

Article 22. Rules for Management of an Election Commission

1. The rules for the work of election commissions is determined by this Law and by regulations of the relevant commission, which is passed through a Decree by the Central Election Commission of Georgia.
2. Chairperson, Deputy Chairperson and secretary of an election commission are elected by the relevant commission, by a majority of its listed composition.
3. In case of absence of election commission Chairperson, or upon delegation of the Chairperson, his/her duties are carried out by the Deputy Chairperson.
4. Frequency of election commission sessions is determined by relevant commission. In case of necessity, upon request by Chairperson or Deputy Chairperson, an extraordinary session is called.
5. Sessions are chaired by the Chairperson or Deputy Chairperson.
6. Session has authority, if it is attended by the majority of the commission's listed composition.
7. Commission takes decisions by the majority of votes of the members attending the session.
8. In case of equal division of votes, the vote of the session's Chairperson is decisive.

9. Staff issues are decided at the session by the majority of the commission's listed composition.
10. Minutes of the Central Election Commission are signed by the chairperson and one of the deputy chairpersons of the commission, in the case of absence of the chairperson – by acting chairperson. Minutes of the District and Precinct Election Commissions are signed by the chairperson of the session and the secretary of the commission, in the case of absence of chairperson – by acting chairperson.
11. The session Minutes are processed within 2 days of the date of the session.
12. A member of an election commission, who does not agree with a decision of the commission, has the right to express a different opinion in written form, which is attached to the Minutes of the session. The member who is of a different opinion, is obliged to respect and obey the decision made by the commission. He/she does not have the right to prevent, by his actions, the execution of this decision.
13. The Central Election Commission of Georgia passes Decrees by 2/3 of listed composition. Passing of a Decree is inadmissible less than 4 days before the poll.
14. An election commission passes ordinances by the majority of votes of the commission members attending the session.
15. An election commission accepts, issues and registers documents until 6 p.m. on workdays, except for the cases envisaged by this Law.
16. During acceptance of a statement (appeal), in the registration journal of the commission and the reference sheet issued to the applicant (appellant) is noted the date and time of its acceptance. Commission adjudicates the statement (appeal) and makes an appropriate decision.
17. An election commission is authorized not to adjudicate statements (appeals), if the deadline and rules for their submission has been violated.

Article 23. Compensation for Members of the Central Election Commission of Georgia

1. Chairperson of the Central Election Commission, deputy chairpersons and other members of the commission are paid salary from the state budget of Georgia for the whole term of their office.
2. Staffing of the Central Election Commission is approved by the decree of Central Election Commission upon submission by the chairperson of the commission, but the budget expenses are approved by the parliament of Georgia upon submission by the Central Election Commission.
3. Extra time and overtime work of members of the Central Election Commission of Georgia is compensated by an amount determined by the Central Election Commission, from the funds allocated for the conduct of elections.

Article 24. Compensation for Members of District and Precinct Commission

1. The Chairperson of the District Election Commission is paid a salary from the State budget for the whole term of their authority.
2. Salaries from the funds allocated for the conduct of elections are paid to the Deputy Chairperson, commission secretary, accountant and lawyer of the District Election Commission for the whole time for preparation and conduct of elections, while other members of commissions are paid salaries during the last 15 days of preparation and conduct of elections, upon order of the Chairperson of the relevant commission.
3. Salaries from the funds allocated for the conduct of elections are paid to the Chairperson, Deputy Chairperson and commission secretary of the Precinct Election Commission for

the whole time for preparation and conduct of elections, while other members of commission are paid salaries during the last 15 days of preparation and conduct of elections, upon order of the Chairperson of the relevant commission.

4. The amount of the salary paid to members of District or Precinct Election Commissions is determined by the Central Election Commission of Georgia.
5. Extra time and overtime work of members of District or Precinct Election Commissions is compensated by an amount determined by the Central Election Commission.

Article 25. Legal Acts of Election Commissions and Their Chairpersons

1. Legal Acts of election commissions and their Chairpersons are;
 - a) Decree and ordinance of the Central Election Commission of Georgia;
 - b) Order of the Chairperson of the Central Election Commission of Georgia;
 - c) Ordinance of the District Election Commission;
 - d) Order of the Chairperson of the District Election Commission;
 - e) Ordinance of the Precinct Election Commission;
 - f) Order of the Chairperson of the Precinct Election Commission;
2. A decree of the Central Election Commission of Georgia is an Sub legal Act, while ordinances of the Central Election Commission, District Election Commission or Precinct Election Commission and orders of commission Chairpersons are individual legal Acts.
3. Decrees and ordinances of the Central Election Commission are signed by the chairperson of the commission, while the ordinances of the District and Precinct Election Commissions are signed by the chairperson and secretary of the respective commission.
4. A decree of the Central Election Commission of Georgia comes into force as of the day of publication in “Sakartvelos Sakanonmdeblo Matsne”.

Article 26. Central Election Commission of Georgia

The Central Election Commission of Georgia is a permanently functioning body, which ensures preparation and conduct of elections, ensuring the exercising of the right of Georgian citizens' to vote, and controls, within its competence, uniform application of the election legislation on all of the territory of Georgia.

Article 27. Composition of Central Election Commission of Georgia

1. The Central Election Commission of Georgia is formed with a composition of 7 members.
2. A coalition (group), which includes no less than 10 unions (associations) and/or foundations, that are registered before November 25, 1997, in accordance with the rules established by Georgian legislation, and whose goals include facilitation of building of democracy, protection of human rights and fair elections, has the right to nominate to the Parliament of Georgia candidates for membership of the Central Election Commission.
3. At least one member of the coalition (group) must have experience in monitoring of no less than 2 general elections on all of the territory of Georgia.
4. One and the same union (association) and foundation can be part of the composition of only one coalition (group).
5. The number of candidates nominated by coalition (group) for membership of the Central Election Commission of Georgia must equal twice the number of members of the Central Election Commission.

6. From the candidates nominated by coalition (group), Central Election Commission members are elected by the Parliament of Georgia, through roll-call vote, by no less than 2/3 of the listed composition of Parliament Members.
7. It is inadmissible to nominate as a candidate for Central Election Commission membership a person who, for the last 2 years prior to elections, held one of the positions envisaged by Subparagraph d) to i), of Paragraph 6 of Article 18, or was an election subject, or its representative, or a member of any Party during the last 5 years prior to elections.
8. One month before expiry of the term of authority of the Central Election Commission of Georgia, coalition (group) submits a list of candidates for Central Election Commission membership to the Parliament of Georgia.

Article 28. Election of the Management of the Central Election Commission of Georgia

1. Managing members of the Central Election Commission of Georgia are the Chairperson, Deputy Chairperson and commission secretary.
2. The Chairperson, Deputy Chairperson and secretary of the commission are elected by the commission from its members, within 10 days of the election of complete membership of the commission, by the majority of the listed composition.
3. No less than 3 commission members together have the right to nominate a candidate for commission Chairperson; The commission Chairperson has the right to nominate a candidate for the Deputy Chairperson of the commission; the commission Chairperson or no less than 3 commission members together have the right to nominate a candidate for commission secretary. One and the same candidate can only be nominated twice.

Article 29. Competence of the Central Election Commission of Georgia

1. The Central Election Commission of Georgia shall:
 - a) Within its competence ensure the conduct of election and referendum, supervise the observance of election legislation on the whole territory of Georgia and ensure its uniform application.
 - b) Adopt, by its ordinance, the Regulations of election administration;
 - c) In exceptional cases if observing the requirement of this law becomes impossible, be entitled to determine a new timetable for election events in the election district through its decree and in case of necessity propose to the president of Georgia new date for the election.
 - d) Regulate through the decree the participation in and application of public and private means of mass media in the election process in conformity with this law and other legislation of Georgia and supervise their enforcement.
 - e) Establish election district and ascertain its boundaries by the ordinance.
 - f) Be authorized, in case of necessity, in order to solve the issues defined beforehand by the ordinance, create a special group and determine timeframe and scope of its authority.
 - g) Be entitled to suspend the authority of the lower election commission if it can not or does not fulfill its legal obligations and create temporary group through the ordinance adopted by at least 2/3 majority of listed composition;
 - h) Determine through decree the rule of distribution and use of the funds provided for the election and referendum by the state;
 - i) Determine through ordinance the form of ballot paper for the election and referendum; the texts of ballot paper for the elections of parliament and president of Georgia, as well as for the election of Tbilisi sakrebulo and Mayor and referendum. The types of ballot

- boxes, special envelopes, and the seals of the commission; the type of documents necessary for election which are not defined by this Code;
- j) Ensure their production and provision of District Election Commission;
 - k) Determine by ordinance the schedule of election events in conformity with the timeframes established by this Code;
 - l) Appoint, through decree, the extraordinary election, new election, repeated polling and second round of election;
 - m) On its initiative or based on Statement/appeal inspect the legitimacy of decisions made by election commissions, their officials and, in cases of discovery violations change or abolish them by the ordinance (except the questions concerning the polling results).
 - n) Consolidate the results of the parliamentary (through party list) and presidential elections of Georgia, election of Tbilisi sakrebulo and that of referendum based on the summarizing protocols on the polling results of the District and Precinct Election Commissions of Georgia and approve the summarizing protocol of the Central Election Commission of Georgia through its ordinance.
 - o) Approve by its ordinance the ordinance of District Election Commission on the election of MP (at the single-mandate election district), the members of sakrebulo – representative body of local self-governance (except that of Tbilisi sakrebulo) and gamgebeli/Mayor, if the ordinance of the District Election Commission is not changed by court decision;
 - p) Ensure electronic procession and immediate allocation on Internet the polling/election results received from the District Election Commissions.
 - q) Grant, by the ordinance, the status of observer of the election/referendum, to the unions, funds, international organizations, the group of representatives of another state authority indicated in this Code;
 - r) Manage the activity of District Election Commissions of Georgia and hears their periodical reports;
 - s) Control the provision of election commissions with buildings, means of communication, transport; solve other issues of material-technical supply of election administration;
 - t) Ensure the publication and dissemination of information materials;
 - u) Ensure organization of conduct of seminars and training courses to increase qualification of members of election administration;
 - v) Consider the Applications and Appeals concerning election in accordance with the rules established by this Code and make relevant decisions within its authority;
 - w) Be responsible for compilation of general list of voters, its electronic procession and allocation of its part of public information (name, surname, patronymic name, date of birth, address of place of registration, regarding forcefully displaced persons also the address of actual residence) on internet;
 - x) Exercise other responsibilities granted by this Code.
2. All decrees of the Central Election Commission of Georgia shall be published in official gazette within 2 days after their adoption, and may be published in other means of mass media. The ordinance of the Central Election Commission of Georgia concerning issues indicated in sub-paragraph “h”, “i”, “n” – “q”, “s” of this article, also the order of the chairperson concerning the issues indicated in sub-paragraphs “e” and “f” of paragraph 2 of article 30 of this Code are published within 2 days after their adoption;
 3. Central Election Commission of Georgia is authorized to adopt decree on issues concerning election procedures which is not provided by this Code.

Article 30. Competence of the Chairperson, Deputy Chairperson and Secretary of Central Election Commission of Georgia

1. Chairperson of the Central Election Commission of Georgia is the highest official of election administration;
2. The chairperson of the Central Election Commission of Georgia shall:
 - a) Carry out full administrative functions of the Central Election Commission;
 - b) Chair the sessions of the Central Election Commission;
 - c) Dispose the funds of the Central Election Commission;
 - d) Issue instructions to deputy chairperson, secretary, other members of the commission and staff members of the apparatus in accordance with the Regulations of the Central Election Commission;
 - e) Register at the Central Election Commission the parties and election blocs participating in the election and the initiative groups of voters (at the presidential election of Georgia) and issue relevant ID cards to them;
 - f) Register the candidate for presidency of Georgia, party lists (at the election of the parliament of Georgia and that of Tbilisi sakrebulo), candidates nominated by the party/election bloc at the single-mandate election district (at the parliamentary election of Georgia) and issue relevant ID cards to the candidates indicated in this sub-paragraph;
 - g) Issue relevant ID cards to the elected president of Georgia, MP of Georgia, the member of Tbilisi sakrebulo; in the case of termination before expiry of the MP elected through party list and the member of Tbilisi sakrebulo – to his/her replacement;
 - h) Transfer to the interim mandate committee of the newly elected parliament of Georgia and after creation of the relevant parliamentary committee to that one, the documents necessary for inspection authorities of elected MPs;
 - i) Notify the parliament of Georgia about the termination before expiry of commission member elected by the parliament that causes the reduction of number of the committee members to 7, the day after such termination.
 - j) Exercise other responsibilities granted by election legislation.
3. Deputy chairperson of the Central Election Commission of Georgia shall:
 - a) Carry out the responsibilities of the chairperson of the Central Election Commission, if the commission does not have the chairperson or he/she is unable to perform his/her duties;
 - b) By the order of the chairperson of Central Election Commission of Georgia, and with the consent of the commission, carry out certain responsibilities of the chairperson (the order should precisely determine the scope and timeframes of the authority).
4. Secretary of the Central Election Commission of Georgia shall:
 - a) Distribute the election documents and communications submitted to the commission;
 - b) Register the candidate for the presidency of Georgia, party/election bloc which is independent participant at the election, also the representatives of initiative groups of voters (at the election of the president of Georgia) and issues to them relevant ID cards;
 - c) Register the observers appointed by unions/funds/international organizations in the election commissions, also the observers representing another state authority;
 - d) Accredite the representatives of mass media;
 - e) Compile the election summary protocols;
 - f) Exercise other responsibility granted by this Code.

Article 31. Apparatus of the Central Election Commission of Georgia

1. The apparatus of the Central Election Commission of Georgia shall be established for the purpose of ensuring organizational, legal and technical support of elections.

2. The apparatus structure, rules for activities and its authorities are determined by regulations of the Central Election Commission.
3. It is inadmissible to accept into the apparatus a person, who has not been awarded a certificate of an election administration official by the Central Election Commission, except for auxiliary and technical staff.

Article 32. Composition of District Election Commission

1. A District Election Commission is formed with a composition of no less than 7 members.
2. 3 members of the District Election Commission are elected by the Central Election Commission within 2 weeks of the election of the Central Election Commission; one member is elected by the relevant representative body of local self-governance, and in rayons - by the representative body of local governance – rayon *sakrebulo*, one member is appointed by each Party (election bloc) which overcame the 7% threshold at the last Parliamentary elections.
3. The decision of the representative body of local self-governance, and in rayons – of the representative body of local governance – rayon *sakrebulo*, and statement signed by the authorized person of a Party (election bloc) on the election (appointment) of a District Election Commission member is submitted to the Central Election Commission of Georgia.
4. A Coalition (group) defined by Paragraph 2 of Article 27 of this Law or a majoritarian MP elected to the Parliament from the relevant election district, nominate to the Central Election Commission of Georgia the candidates for District Election Commission membership.
5. If a Coalition (group) defined by Paragraph 2 of Article 27 of this Law or a majoritarian MP elected to the Parliament from the relevant election district do not nominate candidates for District Election Commission membership within 1 week of the formation of the Central Election Commission of Georgia, members of the District Election Commission are elected by the Central Election Commission. In such cases, no less than 3 members of the commission have the right to nominate candidates for commission membership.
6. If the number of those Parties (election blocs), which overcame the 7% threshold at the last Parliamentary elections turns out to be less than 3, the District Election Commission members required for fulfilling the minimum number of commission members are elected by the Central Election Commission of Georgia in accordance with the rules established by Paragraph 5 of this Article.
7. In the case of termination of authority of a commission member before expiry, the subject which has the right to appoint (elect) this member appoints (elects) a new member within 10 days.

Article 33. Election of the Management of District Election Commissions

1. Managing persons of the District Election Commission are the commission Chairperson, Deputy Chairperson and commission secretary.
2. Commission Chairperson, Deputy Chairperson and commission secretary are elected by the commission from its members, by the majority of listed composition, within 5 days as of beginning of authority of new composition of the commission.
3. No less than 3 members together have the right to nominate a candidate for commission Chairperson, commission Chairperson has the right to nominate a candidate for Deputy Chairperson, while a candidate for commission secretary may be nominated by

commission Chairperson or by no less than 3 commission members together. One and the same candidate may be nominated only twice.

4. In case of the termination, before expiry of authority, of the commission Chairperson, Deputy Chairperson or commission secretary, the commission elects a replacement within 5 days, and if the election process is underway – within 3 days.

Article 34. Competence of District Election Commission

1. District Election Commission of Georgia shall:
 - a) Ensure, within its competence, the conduct of election/referendum in election district, control the adherence of election legislation and ensure its uniform application;
 - b) Establish and correct the boundaries of the election districts through the decree;
 - c) Be entitled, through the decision of the majority of listed composition, to raise the question on withdrawal of the lower commission which can not or does not perform its legal duties;
 - d) Determine by the decree the texts of ballot papers at the election of local self-governing body in the election district;
 - e) On its own initiative or based on Application/Appeal inspect the legitimacy of decision made Precinct Election Commissions and their officials and in cases of discovery of violations change or abolish them by its ordinance;
 - f) Be obliged, on its own initiative or based on Application/Appeal (if the Statement/Appeal is lodged in accordance with the rules and in timeframes envisaged by this Code), to inspect the legitimacy of actions and decisions of Precinct Election Commissions or their officials on the polling day (including the preciseness of calculation of voters and ballot papers etc.) and in case of discovery of violations make relevant decision (inter alia, to change the data of the summary protocol of Precinct Election Commission to the inspection results or declare the polling results invalid); If the violation causes the replacement of the person elected in single-mandate election district or that of the candidate went to the second round, the person elected in multi-mandate election district (at the election of the local self-governing body), the change of the declaration on validity or invalidity of election (in single-mandate election district and in the election of local self-governing bodies) and if the above mentioned inspection does not give opportunity to establish legitimate result, shall make decision on declaration the polling results invalid in relevant election precinct;
 - g) Based on ordinances of Precinct Election Commission and the protocols summarizing polling results, in the light of the results of considering the breaches of the election legislation, summarize the polling results in election district at the parliamentary election of Georgia (through party list), at the election of the president of Georgia, at the election of Tbilisi sakrebulo, also in referendum and approves the summarizing protocol on polling results of the District Election Commission through its ordinance;
 - h) Based on ordinances of Precinct Election Commission and the protocols summarizing polling results, in the light of the results of considering the breaches of the election legislation, summarize the polling results in election district at the parliamentary election of Georgia (at the single mandate election district), at the election of local self-governing bodies (except that of Tbilisi city) in election district and approves the summarizing protocol on polling results of the District Election Commission through its ordinance;
 - i) Grant, by its ordinance, the status of local observer at the election/referendum to local union/fund indicated in this Code;
 - j) Manage the activities of the Precinct Election Commissions and hears their periodical reports;

- k) Ensure the conduct of extraordinary and by elections, new polling and second round of election;
 - l) Control the provision of Precinct Election Commissions with buildings, means of communication, transport. Solve the issues of material technical supply of election administration in the election district;
 - m) Ensure the provision of Precinct Election Commissions with ballot boxes, special envelopes, seals of the Precinct Election Commissions and other necessary election documents;
 - n) Hear information from the local governing and self-governing bodies, state organs and agencies, means of mass media belonging to the local self-governing body, acting in the territory of the election district, on the performance of duties incurred by election legislation and control such performance; control the determination of places to post election posters by local governing and self-governing bodies;
 - o) Control the utilization of mass media with respect to election and the fulfillment of the rule of their utilization;
 - p) Ensure the publication and dissemination of information materials;
 - q) Encourage the meeting between voters and party/election bloc/candidates participating in the election;
 - r) Consider Statements and Appeals concerning election and make decision within its authority;
 - s) Exercise other functions provided by this Code;
 - t) Be responsible to notify the Central Election Commission immediately about the refusal to take part in the election by the candidate for MP nominated by initiative group;
 - u) Encourage the formation, publicity and accessibility of the lists of voters in accordance with this Code;
2. The ordinance of District Election Commission concerning the issues indicated in sub-paragraph “e”, “f”, “t”, “k”, of this article also the order of its chairperson concerning the issues indicated in sub-paragraphs “e” and “f” of article 35 of this Code shall be published within 5 days.

Article 35. Competence of the Chairperson, Deputy Chairperson and Secretary of District Election Commission

1. Chairperson of the District Election Commission shall:
 - a) Carry out full administrative functions in District Election Commission;
 - b) Chair the session of the District Election Commission;
 - c) Lead the apparatus of the commission;
 - d) Distribute election documents and correspondence submitted to the District Election Commission;
 - e) Dispose the funds of the District Election Commission;
 - f) Issue instructions to deputy chairperson, secretary and other members of the commission and to the staff members of the apparatus in accordance with the Regulations of the election administration;
 - g) Register initiative group of voters (in elections except the election of the president of Georgia) and its representatives to the District Election Commission and issues to them relevant ID cards;
 - h) Register the candidate nominated by initiative group of voters at the single-mandate election district (at the parliamentary election of Georgia), candidate nominated by party/election bloc and initiative group of voters at the election of the local self-governing bodies and issues to them relevant ID cards;

- i) Register the representatives of the candidates registered at the single-mandate election district (at the parliamentary election of Georgia) and issues to them relevant ID cards;
 - j) Issue relevant ID card to the elected member of sakrebulo (except that of Tbilisi sakrebulo), in the case of his/her termination before expiry – to his/her replacement;
 - k) Transfer to the Central Election Commission the necessary documents to check authority of elected members of sakrebulo and other election documents envisaged by election legislation;
 - l) Notify the Central Election Commission about the termination before expiry of the member of District Election Commission on the following day after this termination;
 - m) Exercise other responsibilities granted by this Code;
2. Deputy chairperson of the District Election Commission shall:
 - a. Perform the duty of the chairperson if the commission does not have the chairperson or he/she is unable to perform his/her duties;
 - b. Exercise certain authority of chairperson based on the ordinance of the chairperson of the District Election Commission (the decree should precisely determine the scope and timeframe of the authority);
 3. Secretary of the District Election Commission shall:
 - a) Register the representative of independent party/election bloc also that of initiative group of voters at the Precinct Election Commissions and issue to them relevant ID cards;
 - b) Register the observers designated by local observer unions at the District and Precinct Election Commissions at the election/referendum;
 - c) Accredit through its ordinance the representatives of local mass media;
 - d) Exercise other responsibilities granted by election legislation.

Article 36. Composition of Precinct Election Commissions

1. A Precinct Election Commission is formed with a composition of 11 members.
2. 6 members of the Precinct Election Commission are elected by the relevant District Election Commission, while 5 members are appointed by the 5 parties (election blocs), which had the best results at the last Parliamentary elections.
3. The rule for nominations to the District Election Commission of candidates for membership of the Precinct Election Commission is determined by Decree of the Central Election Commission of Georgia.

Article 37. Election of Management of the Precinct Election Commissions and Appointment (Election) of Other Members

1. The managing members of the Precinct Election Commission are the commission Chairperson, Deputy Chairperson and commission secretary.
2. The Commission Chairperson, Deputy Chairperson and commission secretary are elected by the commission from its members, within 5 days of the beginning of authority of newly composed commission, by a majority of its listed composition
3. No less than 3 members together have the right to nominate a candidate for commission Chairperson, commission Chairperson has the right to nominate a candidate for Deputy Chairperson, while a candidate for commission secretary may be nominated by the commission Chairperson or by no less than 3 commission members together. One and the same candidate may be nominated only twice.
4. In case of termination, before expiry of authority, of a commission member, subject that has the right to appoint (elect) this member appoints (elects) a new member of the commission within 10 days.

5. In case of termination, before expiry, of authority of the commission Chairperson, Deputy Chairperson or commission secretary, the commission elects a replacement within 5 days, and if the election process is underway – within 3 days.

Article 38. Competence of Precinct Election Commissions

1. Precinct Election Commission shall:
 - a) Within its competence ensure the conduct of election/referendum in election precinct, the adherence of election legislation, the observance of the procedure established by election legislation on the polling day, the application and protection of the rights of voters, representatives and observers guaranteed by the constitution and this Code;
 - b) Inspect the accuracy of the lists of voters, consider the claims concerning the lists and in the case of discovery the mistakes and inaccuracy adopts the ordinance on making changes in the list.
 - c) Adopt ordinance on the enter those voters into the annex to the list of voters who, because of the good reason envisaged by this Code, can not come to Precinct Election Commission to vote;
 - d) Consolidate the polling results in the election precinct and approve through the ordinance the protocol summarizing polling results;
 - e) Be authorized, by the majority of listed composition, to raise the question on declaring the polling results invalid before the higher election commission;
 - f) Distribute voting cards to the voters;
 - g) Be responsible for posting in the election precinct information envisaged by election legislation, for the preparation of the place where poll and counting of ballot papers will take place; ensure the maintenance of order in the election precinct;
 - h) Control the determination of places for posting election posters by local governing and self-governing bodies;
 - i) Encourage the meeting between voters and party/election bloc/candidates participating in the election;
 - j) Consider the Applications and Appeals concerning the preparation of election process and polling and make the decision within the limits of its authority;
 - k) Ensure the unconditional enjoyment of the voters' rights on the polling day and is totally responsible for their protection;
 - l) Abolish decision of the chairperson of commission on the temporary closing, interruption of the polling, open the building after the closure, the continuation of the polling;
 - m) Exercise other responsibilities granted by this Code;
2. All ordinance of the Precinct Election Commission and all orders of its chairperson should be posted in the Precinct Election Commission on the following day;

Article 39. Competence of the Chairperson, Deputy Chairperson and Secretary of Precinct Election Commission

1. Chairperson of the Precinct Election Commission shall:
 - a) Exercise full administrative functions at the Precinct Election Commission,
 - b) Chair the sessions of the Precinct Election Commission;
 - c) Receive and distribute election documents and correspondence submitted to the Precinct Election Commission;
 - d) Be personally responsible for the preservation and purposefully distribution of ballot papers, special envelopes, the seals of the commission, summarizing protocols and other election documents;

- e) Issue instructions to the deputy chairmen, secretary and other members of the commission in accordance with the Regulations of election administration;
 - f) Organize division of power among the members of the commission by casting lots on the polling day;
 - g) Be responsible for maintaining order in the polling station and adjacent territory on the polling day;
 - h) Transfer all election documents to the higher election commission as soon as the polling results are summarized;
 - i) Exercise other responsibilities granted by this Code;
2. Deputy Chairperson of the Precinct Election Commission shall:
 - a) Carry out the responsibility of the chairperson, when the commission does not have the chairperson, or he/she is unable to perform his/her duties;
 - b) Carry out certain responsibilities of chairperson based on the order of chairperson of the Precinct Election Commission (the order shall precisely determine the scope and timeframe of the granted authority).
 3. Secretary of the Precinct Election Commission shall:
 - a) Prepare the draft ordinances of the commission;
 - b) Be responsible for the distribution of public information;

CHAPTER V. REGISTRATION OF ELECTION SUBJECTS AND LISTS OF SUPPORTERS

Article 40. Registration of Election Subjects

1. For the purpose of obtaining the right to take part in elections, election subjects are registered by the relevant election commission, in accordance with the rules established by this Law.
2. For the purpose of undergoing registration, election subjects apply to relevant election commission and submit appropriate documents, in accordance with the rules prescribed by this Law.

Article 41. Lists of Supporters

1. Voters confirm the initiative of election subject to take part in an election by signing the form of supporters' list.
2. Sample form of supporters' list is determined by ordinance of the Central Election Commission of Georgia.
3. In the supporters' list form should be indicated the following information on voters:
 - a) First and last name;
 - b) Date of birth (year, month and day);
 - c) Number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number;
 - d) Place of registration (according to registration license of a Georgian citizen);
 - e) Date signed;
 - f) Signature.
4. On the form should be shown the first and last name, place of registration (according to registration license of a Georgian citizen) and contact telephone number of the person responsible for the collection of signatures, including the date of filling of the form and it should be confirmed by the signature of this person.

5. In the upper left corner of the form should be indicated the title (first and last name) of the election subject, whose initiative in taking part in the elections is supported by the voter.

Article 42. Inspection of Lists of Supporters

1. Lists of supporters are checked by:
 - a) Lists of party supporters – by Central Election Commission of Georgia;
 - b) Lists of supporters of the majoritarian candidate of MP – by relevant District Election Commission.
2. The election commission, based on random selection, non-sequentially inspects the authenticity of 20 percent of the supporters' list number as determined by legislation. If no less than 10 percent of it is invalid, the commission inspects an additional 20 percent by the same rule. In the case where no less than 10 percent of the additional sample is invalid, the supporters' list is completely invalid and upon the ordinance of the relevant election commission the election subject is denied election registration.
3. Signature of a voter on a supporters' list is deemed invalid, if;
 - a) First and last name are not indicated or are indicated incompletely;
 - b) Date of birth (year, month and day) is not indicated or is indicated incompletely;
 - c) Place of registration (location, street, house and apartment numbers) is not indicated or is indicated incompletely;
 - d) Date of signing is not indicated or does not comply with the time period for compilation of supporters' list, established by this Law;
 - e) There is no signature;
 - f) In the supporters' list of a candidate nominated to an election district is included a voter registered in another election district;
 - g) The signature is made by fraud, duress, coercion and this is confirmed by notarized application of the signatory;
 - h) Number of the ID of a Georgian citizen (number of a passport of a Georgian citizen) and personal number are indicated incompletely or incorrectly;
4. All signatures made on the sheet which is not confirmed by the person responsible for the collection of signatures or which have no or incomplete indication of the data envisaged by paragraph 4 of article 41 of this Code are invalid.
5. Inspection of supporters' list takes place within 10 days of its submission;
6. Representatives of election subjects have the right to attend the process of inspection of supporters' list.
7. Only members of election commissions have the right to become acquainted with a supporters' list. In case of submission of an appeal – the court also has the right to become acquainted with supporters' list. Supporters' lists are destroyed no earlier than 5 days and no later than 2 days before the poll.

CHAPTER VI. ELECTION FUNDING

Article 43. Financial Provision of Preparation and Running of Elections

1. Expenses of the election commissions concerning the preparation and conduct of election, also the activities of election commissions during their term of authority are funded from the state budget.

2. The funds allocated from State Budget for preparation and conduct of elections are deposited to the account of the Central Election Commission no later than 10 days after the polling day is appointed and is distributed by Central Election Commission based on approved expenditure.
3. If the funds for preparation and conduct of elections are not deposited to the account of Central Election Commission within the timeframe established by this Law, Central Election Commission is authorized to overdraw credit in Commercial Bank in accordance with established law. The Commercial bank is selected by the Central Election Commission through established rules and based on tender.
4. Credit mentioned in the paragraph 3 of this article and add-on-interests to the credit are covered by State Budget no later then 2 years after polling day.

Article 44. Money Funds Necessary for Elections

1. The Central Election Commission of Georgia, submits to the Ministry of Finance of Georgia the plan of funding of preparation and conduct of elections, no later than 55 days before the poll.
2. The Ministry of Finance of Georgia, in accordance with the submitted plan, deposits to the account of the Central Election Commission of Georgia the funds allocated from the State Budget of Georgia for elections, no later than 50 days before the poll.
3. The Central Election Commission of Georgia determines the rules for distribution and use of election funds necessary for elections by election commissions.
4. No later than 45 days before the poll, the Central Election Commission of Georgia deposits the funds allocated for District Election Commissions to their current account.

Article 45. Disposal of Money Funds Necessary for Elections

1. Funds allocated for election commissions are disposed by the Chairperson and accountant of the commission, who are also responsible for the proper use of the funds.
2. The District Election Commission, no later than 30 days after the poll, ceases any settlement of accounts with organizations and individuals and, within 10 days, transfers the remaining funds in its account to the account of the Central Election Commission of Georgia. Within 2 weeks of transfer of the remaining funds, the District Election Commission submits a financial report to the Central Election Commission of Georgia.
3. The form of the District Election Commission report on expenses related to elections is determined by an ordinance of the Central Election Commission of Georgia.
4. The Central Election Commission of Georgia submits to the Ministry of Finance of Georgia a summary financial report on expenses related to elections.
5. The proper use of the funds allocated for elections is controlled by the Chamber of Control of Georgia.

Article 46. Election Campaign Fund

1. An election campaign fund is all the funds intended for the election campaign of an election subject.
2. Opening of an election campaign fund is obligatory for all election subjects. Candidates for membership of the representative body of local self-governance – *sakrebulo* of a village and community open election campaign funds voluntarily.
3. Funds attracted by an election subject must be deposited to the account of the election campaign fund, which is opened at the National Bank of Georgia or a commercial bank, or its relevant branch office, within 5 days of registration of the election subject at the relevant election commission. The account is opened only in the national currency.

4. Within 2 days of opening of an election campaign fund, the election subject submits to the relevant election commission a document issued by the bank confirming the opening of an election campaign fund, the number of the account, the identity and address of the manager and accountant of the election campaign fund.
5. The personal account of a Party, candidate for Presidency of Georgia or a majoritarian candidate cannot be used as the account of an election campaign fund. It is inadmissible to open more than one account for an election campaign fund.
6. At the time of opening of an election campaign fund and for transactions with a bank, a Party has the right to use the Party seal, and upon agreement with the Parties included in an election bloc – to use the seal of one of the Parties included in the bloc, which is determined by the statute of the election bloc.
7. Funds attracted to the election campaign fund are considered to be the funds deposited to the account of the election campaign fund, as well as any goods or services received free-of-charge (at market prices).

Article 47. Contributions to the Election Campaign Fund

1. Contributions to the election campaign fund are considered to be the funds deposited to its account by persons and legal entities, as well as all kinds of material values and services received free-of-charge.
2. A legal entity making a contribution to an election campaign fund is obliged to indicate its title and legal address, while persons must indicate the first and last name, address, number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number.
3. It is inadmissible to deposit funds to an election campaign fund without declaring the information required by Paragraph 2 of this Article. Anonymous contributions are transferred to the State budget of Georgia.
4. It is inadmissible for an election subject to use during the elections any funds other than the funds of the election campaign fund.
5. It is inadmissible to accept the following contributions to the election campaign fund:
 - a) From other States;
 - b) From persons or legal entities from other States;
 - c) From persons with no citizenship;
 - d) From international organizations and movements;
 - e) From non-entrepreneurial legal entities and religious organizations;
 - f) From a Georgian entrepreneurial legal entity, in which there is a State share.

Article 48. Rules for Disposal of Election Campaign Funds

1. For the purpose of effective use and disposal of election campaign funds, an election subject appoints (elects) a manager and accountant of the election campaign fund.
2. An election campaign fund is disposed by the manager and accountant of the fund, upon the instruction of the election subject. The manager and accountant are also responsible for the proper use of the election campaign fund.
3. The rules for appointment (election), by an election bloc, of the manager and accountant of the election campaign fund, are determined by the bloc's charter.
4. The election campaign fund administrator shall within his/her authority check the legitimacy of the funds transferred to the fund; and provide to the respective election commission the fund report, also inform about the source of donation, its amount and date of receipt [Article amended 25 April 2002]

5. The manager of an election campaign fund processes documents on all transactions. If any expense cannot be documented, it must be processed through a bilateral Act.
6. No later than one month after the publication of election results, the election subject shall submit to the relevant election commission a report on the funds used for elections, with a statement of the source of the funds deposited to the election campaign fund. The election subjects which, according to preliminary data, receives the necessary number of votes established by this Law, must do the same, no later than 8 days after the poll.
7. Election subjects who do not submit a report on the election campaign fund, are banned from the right to take part in elections, including the relevant next elections.
8. Election subjects who receive the necessary number of votes determined by this Law and do not submit an election campaign fund report within the established deadline, or violation of the requirements of Paragraphs 2, 3, 4, 5 and 7 of Article 46 of this Law, Paragraphs 4 and 5 of Article 47, Paragraphs 4, 5 and 6 of this Article, is proven, the relevant election commission considers and decides the issue of the consolidation of the results of the elections without taking into account the votes received by these elections subjects.
9. The election subject is obliged to close the account of election campaign fund no later than 20 days after the consolidation of the final results of the elections. Remaining funds in the account are returned to the contributing persons and legal entities, in proportion to the funds contributed.
10. The form of the report on funds used for elections is determined by an ordinance of the Central Election Commission of Georgia.
11. Information about election contributions is open, public and accessible. The Central Election Commission of Georgia is obliged to provide all interested persons and legal entities with the information on the amount, source and date of depositing of funds existing in election campaign funds.

CHAPTER VII. POLLING

Article 49. Time and Place of Polling

1. Polling is held at the polling station, on polling day, from 7 a.m. to 8 p.m.
2. The Precinct Election Commission notifies voters of the time and place of polling no later than 2 days before polling, by issuing voters their voter cards;
3. During polling, after the elimination of the reason for which the polling is ceased or suspended, the polling must be resumed by an ordinance of the Precinct Election Commission.
4. Voters may be present at the polling station only for the time necessary for voting.
5. In election precincts established in military compounds, in hospitals and other inpatient institutions, on ships sailing on polling day and in locations difficult to access, Precinct Election Commission may declare polling finished at any time before 8 p.m., if all voters entered in the voters' list have voted.
6. It is forbidden to hold polling before or after polling day, except for the cases envisaged by this Law.

Article 50. Arrangements at the Polling Station

1. Bodies of State authority and local self-governance and government transfer to election commissions the buildings and facilities necessary for preparation and conduct of elections for a period of time, free-of-charge.
2. Election commissions must not be located in the same building, in which are located the bodies of State authority and local self-governance and government and/or Parties, except for those cases when there are no other buildings on the territory of election precincts or when it is impossible to hold the poll in other buildings in accordance with this Law. Exceptions are allowed upon the ordinance of the District Election Commission.
3. In the polling station:
 - a) Ballot booths (rooms) must be arranged to ensure a secret vote. As a rule, one ballot booth (room), one registration table and a relevant number of pens should be provided for every 400 voters;
 - b) Locations must be allotted for registration of voters, issuing and confirmation of ballots;
 - c) A transparent ballot box must be standing in a conspicuous place;
 - d) Voters' lists, Party lists, lists of candidates and an instruction on how to fill in ballot papers determined by Central Election Commission must be displayed at a conspicuous place.
4. If any of the election subjects included on the ballot paper are not taking part in elections anymore, a statement about this must be posted at a conspicuous place, both at the polling station and in the ballot booth (room).
5. Responsibility for preparations for polling, ensuring free expression of the will of voters, ensuring secrecy of polling and for maintenance of the polling station in accordance with the requirements of this law, is laid upon the Chairperson of the Precinct Election Commission.
6. Responsibility for the breach of paragraph 2 is determined by the rule established by Georgian Legislation.

Article 51. Ballot Papers and Special Envelope

1. Ballot papers are printed based on the ordinance of Central Election Commission as Official Ballots in the Georgian language and also in the Abkhazian language in Abkhazia and, in case of necessity, also in other languages understandable to the local population. Within two days after adoption the ordinance relevant Election Commission publishes the data about the place where ballots are printed and the person responsible for printing.
- 1¹. Central Election Commission shall publish the data about the place of construction of ballot boxes (main and/or mobile) and the responsible person for construction. Through the ordinance of Central Election Commission two members elected by the Central Election Commission by the majority of the listed composition and observer organizations registered in conformity with this Law, who through the agreement nominate no more than three observers, have the right to observe the printing process of ballot papers”.
2. The Central Election Commission of Georgia, no later than 2 days before polling, transfers to District Election Commissions the ballots papers and special envelopes intended for districts. District Election Commissions, no later than 24 hours before the poll, transfer the ballot papers and special envelopes to Precinct Election Commissions.
3. The number of ballot papers and special envelopes shall be accurately recorded. During transfer of ballot papers and special envelopes by the Central Election Commission of Georgia to District Election Commissions and by District Election Commissions to

- Precinct Election Commissions, there is compiled a protocol, in 2 copies, in which is indicated the title of the election commissions issuing and receiving the ballot papers and special envelopes, the quantity and type of the ballot papers transferred, the numbers. The protocol is signed by the persons issuing and receiving the ballot papers and special envelopes (one copy of the protocol is transferred to each relevant election commission).
4. The quantity of ballot papers and special envelopes transferred to each Precinct Election Commission shall be 3% higher than the total number of voters included on the voters' lists.
 5. For the purpose of accounting for the exact quantity of ballot papers, ballot papers of each type are numbered in sequence and each one hundred ballots shall be bound.
 6. Each pack of ballot papers has a cover page on which is printed columns for numbers and titles of the election districts and precincts, for indication of the dates of receipt of the ballot papers by District Election Commissions and Precinct Election Commissions and the signatures of the persons issuing and receiving the ballot papers, as well as a column for signatures of the Precinct Election Commission Chairperson, and as a rule, his/her Deputy, secretary of the Precinct Election Commission and of the commission member, to whom this pack is transferred.
 7. On the ballot paper must be indicated the following:
 - a) ~~Title of the election precinct (on the rear and on the ballot itself)~~ [Article deleted 25 April 2002];
 - b) Number of the election precinct (on the rear and on the ballot itself);
 - c) The rule for filling out of the ballot paper;
 - d) Title and sequential number of the election subject;
 - e) Place for seal of the Precinct Election Commission;
 - f) Place for signature of Precinct Election Commission members;
 8. In those cases where an election subject withdraws from the elections, at the issue of the ballot paper, on the ballot paper, on the same line as the name of the indicated election subject is placed a stamp – “election subject withdrawn”.

Article 52. Opening of Election Precincts

1. Before the start of polling, in the presence of Precinct Election Commission members and the persons who have the right to be present in the polling station, the Precinct Election Commission Chairperson, through the casting of lots, selects from commission members the following:
 - a) Registrar of voters and the commission members who issue special envelopes; 2 commission members who sign election ballots and special envelopes;
 - b) Commission member who stamps election ballots and special envelopes with a seal of the Precinct Election Commission;
 - c) Commission member who shall supervise the ballot box;
 - d) No less than 2 commission members who shall accompany the mobile ballot box;
 - e) Commission member who shall regulate the stream of people in the polling station.
2. For the purpose of casting lots, the Precinct Election Commission Chairperson shall inspect whether the package where the seal of Precinct Election Commission is placed is intact, open it and then, write by the same type of pen the functions of commission members (except the members who have the right to make decision) on sheets of paper of identical shape and kind. The sheet must be confirmed by the seal of the commission. The sheet is folded in such a way that it is impossible to read the text. The commission Chairperson shall place the completed sheets and blank sheets confirmed by the seal of the commission into a

transparent mobile ballot box and mix them. The total number of blank and completed sheets equals the number of the commission members. Commission members (except the members who make decision) take one sheet each from the box, in turn. After the casting of lots is finished the results of function separation are entered into registration journal by secretary of the Precinct Election Commission.

3. The temporary transfer of functions of a commission member identified as a result of the casting of lots is admissible only upon consent of the commission Chairperson.
4. After casting of lots, the Precinct Election Commission Chairperson does the following;
 - a) Announces the number of voters according to the general and special lists;
 - b) Inspects that the packages of election ballots and special envelopes are intact and announces the number of ballot papers and special envelopes received;
 - c) Inspects that the package in which the Precinct Election Commission seal is placed is intact, and afterwards opens it;
 - d) Inspects and seals the main and mobile ballot boxes.
5. The data required by Subparagraphs a) and b) of Paragraph 4 of this Article is immediately entered by the Precinct Election Commission secretary into the relevant protocol of the consolidation of the poll results.
6. The main and mobile ballot boxes are sealed and control sheets are placed into them by the Precinct Election Commission Chairperson after the first voter comes. The control sheets of the main and mobile ballot boxes are signed by the first voter and by all members of the Precinct Election Commission present. The exact time of placing the control sheet in the ballot box, as well as the first name, last name, place of registration, number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number of the first voter shall be indicated on control sheet.
7. Commission members who issue ballot papers and special envelopes are given one pack of ballot papers and special envelopes each, which is confirmed by the signatures placed on the pack's cover page by the Precinct Election Commission Chairperson and the commission member who receives the pack.

Article 52¹. Inking of the Voters

1. The voters inking procedure that implies inking a person with chemical paint, which is invisible and not dangerous for health, between the thumb and point finger on the right hand (if the person has no right hand on the left one) is used in the cities and rayon centers.
2. The person is inked by the relevant commission member before he/she receives the special envelopes and the ballot papers.
3. Before inking, the commission member shall detect the voter's hand by special device and after he/she is sure, that the voter is not inked, inks him/her with relevant paint. If the device reveals that the voter has already been inked on his/her hand, he/she will be withdrawn from the following polling procedures and his identity will be entered into the registration journal of Precinct Election Commission.
4. The voter who passes the inking procedure enters the secret ballot booth (room) where he/she fills in the ballot paper.
5. In the case of doubt any member of Election Commission, observer and the representative of election subject are authorized to demand to detect voter one more time. These persons are authorized to demand reaction for any revealed breaches of inking procedure.

6. Inking is not used for the voters on the sailing ships, in preliminary detention institutions, in hospitals, in locations difficult to access and for the voters of mobile ballot box.
7. The breaches of the requirements of this article are punishable in accordance with Georgian legislation.

Article 53. Issue of Ballot Papers and Special Envelopes

1. Precinct Election Commission issues ballot paper(s) and a special envelope based on a voters' list or a voting license, in the case of presenting of an ID of a Georgian citizen (passport of a Georgian citizen).
2. On the day of the poll to each voter is issued one special envelope and a relevant number of ballot papers.
3. When the ballot paper and special envelope is issued, the number of ID of the Georgian citizen (passport of a Georgian citizen) is entered into the voters' list.
4. In the case of participation in elections based on presenting of a voting license, the voting license must be attached to the supplementary list of voters.
5. The voter confirms receipt of their ballot paper(s) and special envelope by signing the voters' list.
6. Secretary of the Precinct Election Commission is obliged to recount in the voters list the number of the signatures of participant voters twice on the polling day, at 12 a.m. and 5 p.m. and enter the appropriate data with the indication of relevant time into the protocol of Precinct Election Commission. This information is open and public.

Article 54. Conduct of the Poll

1. Each voter votes personally. It is inadmissible to vote instead of another person.
2. Voting is conducted according to the following rules and sequence:
 - a) The voter takes the ballot paper(s) and special envelope to a table standing separately at a conspicuous location, where they are confirmed by signature of the 2 commission members who sign election ballots and special envelopes and are also confirmed with the Precinct Election Commission seal, by the commission members who confirm election ballots and special envelopes with the Precinct Election Commission seal. Authorisation of ballot papers and special envelopes with the election commission seal or signature of commission members is inadmissible; before the receipt of special envelope and ballot paper the voter is inked by the relevant commission member in accordance with this Code.
 - b) Voter goes into a ballot booth (room), fills out the ballot paper and puts it into the special envelope;
 - c) Voter goes to the ballot box and puts the special envelope into the box. Two or more voters cannot go to a ballot box at the same time.
 - d) The commission member who supervises the ballot box must always be standing next to the ballot box;
 - e) After polling is over, the slot for inserting special envelopes into the ballot box is sealed.
3. When the voter is filling out their ballot papers the presence of other persons is forbidden. Voters who are incapable of filling out their ballot papers independently, have the right to invite to the ballot booth (room) any person, except for the following:
 - a) Election commission member;
 - b) Candidate;
 - c) Representative of an election subject;

- d) Observer.
4. If a voter or/and a Precinct Election Commission member spoils a ballot paper or special envelope he/she notifies the Precinct Election Commission Chairperson, returns the spoiled ballot paper or/and special envelope and receives a new one. A spoiled election ballot paper or/and special envelope is cut off the corner, in the voters' presence, and is stored separately.
 5. Precinct Election Commission members and the persons who have the right to be present in the polling station have the right to demand from voters, before entering the ballot booth (room), that they show that they have only the number of election ballots and special envelopes determined by this Law. Voters are obliged to satisfy this demand.
 6. If the intactness of the ballot box seal is violated during polling, the Precinct Election Commission stops the polling process and makes a decision, by ordinance, on whether the ballot box shall be re-sealed and the polling continued.
 7. The polling station is locked at 8 p.m. The voters who are in a line by this time may vote. The commission member who regulates the stream of voters in the polling station counts the voters who are standing in line and notifies the Precinct Election Commission Chairperson of their number and the identity of the last voter. The Precinct Election Commission Chairperson then announces that only the voters standing in line may take part in polling.

Article 55. Observing Order in Polling Station on Polling Day

1. The Precinct Election Commission Chairperson supervises and is responsible for the observing of order on polling day in the polling station
2. Carrying out of the decisions taken by the Precinct Election Commission Chairperson for the purpose of observing order in the polling station is obligatory for election commission members, all the persons who have the right to be present in the polling station and for all voters.
3. It is inadmissible for armed persons to enter the polling station.
4. If in the polling station, or on its adjacent territory, there arises a threat to the conduct of the poll in accordance with the requirements of this Law, or to safe movement of election documents, upon request of the Precinct Election Commission Chairperson may be summoned police employees, who may remain present on adjacent territory of the polling station. Immediately upon having prevented violation of public order and in case of consent of the Precinct Election Commission Chairperson, police employees leave the polling station and its adjacent territory.
5. Every person who has the right of presence in polling station on the polling day must wear the badge on the visible place.

Article 56. Voting by Means of Mobile Ballot Box

1. Every person determined by the article 11 of this Code has the right to vote through mobile ballot box;
2. In case of an inability to come to the polling station on polling day, a voter addresses the precinct Election Commission with a request to vote by means of a mobile ballot box, not later than 5 days before the polling day. The information about voters who are in inpatient medical institutions is given to the relevant Precinct Election Commission by the directors of these institutions under their personal responsibility not later then 3 days before polling. A voter is included in the mobile ballot box, after:
 - a) Voter's written statement or verbal application made by telephone is registered in the Precinct Election Commission journal, on which fact the Precinct Election

Commission secretary has to make a relevant entry to the Precinct Election Commission journal, with indication of the exact time of the telephone call and to confirm it by signature. It is mandatory to indicate in the Precinct Election Commission journal the telephone number, by which the voter made the verbal application;

- b) The transfer of a voter to the mobile ballot box list is indicated in the general or special lists of voters, which is confirmed by signatures of the chairperson and secretary of Precinct Election Commission.
3. After 11am on polling day, the Precinct Election Commission Chairperson instructs the Precinct Election Commission members who shall accompany the transportable ballot box, on the conduct of the poll at the address of the voters, and hands them the mobile ballot box list [Article amended 25 April 2002]. The secretary of Precinct Election Commission is obliged to register in the journal the number of ballot papers transferred to the member of the Precinct Election Commission accompanying the mobile ballot box. Upon ending the poll the number of the ballot papers placed in the mobile ballot box and the number of ballot papers unused by the accompanying members of Precinct Election Commission are summed up for comparison.
4. No less than 2 members of the Precinct Election Commission and the persons who have the right to be present in the polling station take part, upon their will, in conduct of the poll at the address of the voters.
- 4¹. If more then 2% of the total number of voters registered in the relevant precinct, address the Precinct Election Commission with a request to vote through mobile ballot box, only voters with limited ability of I and II group who are registered into Precinct Election Commission journal according to established rule, will be able to participate in the polling through mobile ballot box.
5. For the purpose of conducting the poll at the address of the voters is used one mobile transparent ballot box.
6. If, in cases envisaged by Paragraph 1 of this Article, the place of registration and the place of actual location of a voter are in the same election district, the voter is given the right to take part in elections held through proportional and majoritarian election systems and to him/her is issued a relevant ballot paper and special envelope. Otherwise, the voter is given only the right to take part in elections held through the proportional election system. The procedure of polling is conducted by the Precinct Election Commission, on the territory of the military compound, hospital or other inpatient treatment institution, or penitentiary, where the voter is located.
7. Polling by means of a mobile ballot box ends at 7pm on polling day. Upon ending of the poll, the mobile ballot box is sealed in such a way which makes it impossible to open it, without damaging the seal. The sealed mobile ballot box must be immediately returned to the Precinct Election Commission, but no later than 8pm on polling day [Article amended 25 April 2002].

Article 57. Procedures to be Carried Out Before Opening of Ballot Box

1. After the closing of the poll, the Precinct Election Commission Chairperson, in the presence of the persons who have the right to be present in the polling station, identifies among election commission members no less than 3 counting officers, by the rules for casting of lots, established by this Law.
2. Counting officers sequentially count the general turnout of the voters taking part in polling according to the main, special and mobile ballot box lists. Results are entered into the relevant protocol of the poll results by the Precinct Election Commission secretary.

3. Counting officers count in the following sequence and bind into packages:
 - a) Unused ballot papers and special envelopes, the number of which is entered by the Precinct Election Commission secretary on the relevant summary protocol of the poll results. On the cover page of the package is written the number of unused ballot papers and special envelopes;
 - b) Spoiled ballot papers and special envelopes, the number of which is entered by the Precinct Election Commission secretary on the relevant summary protocol of the poll results. On the cover page of the package is written the number of spoiled ballot papers and special envelopes;
4. On each package must be written the title and number of election precinct, type of ballot papers, quantity of the unused and spoiled ballot papers and special envelopes.
5. Packages must be sealed and signed by the counting officers and the Precinct Election Commission Chairperson.
6. After the completion of polling in election precincts in military compounds, the Precinct Election Commission seals the ballot box, voters' list, unused and spoiled ballot papers and special envelopes. Ballot box, voters' list and sealed unused and spoiled ballot papers and special envelopes are immediately transferred to the Precinct Election Commission which is determined beforehand by the District Election Commission. The Precinct Election Commission then follows the procedures in accordance with the rules established for mobile ballot boxes. The results of these two precincts are processed through one protocol.

Article 58. Opening of Ballot Box

1. Chairperson of Precinct Election Commission, in presence of commission members and the persons who have the right to be present in polling station, inspects intactness of the seal on the ballot box.
2. If intactness of the seal turns out to have been violated, but Precinct Election Commission deems that this has not caused violation of the requirements of this Law, upon an ordinance of the Precinct Election Commission the procedure for consolidation of the results of the poll continues. Otherwise, the ballot box is sealed and the ordinance of the Precinct Election Commission and the sealed ballot box are immediately transferred to the District Election Commission.
3. Counting officers carry ballot boxes to a separately standing table and occupy such a position, that on the opposite side of them, one meter away, are election commission members and the persons who have the right to be present in the polling station.
4. If more than ten voters have voted by the means of mobile ballot box, the ballot papers, placed in main and mobile boxes, are counted separately. In such case the main ballot box is opened first. Counting officers empty out the special envelopes from the ballot box onto the table, check whether a control sheet is in the ballot box and start to count the votes. After the results of main box are summed up the mobile box will be opened. Counting officers empty out the special envelopes from the ballot box onto the table, check whether a control sheet is in the mobile ballot box and start to count the votes. If the number of special envelopes placed in the mobile box exceeds the number of signatures in the mobile ballot box list, the ballot papers in mobile box are deemed invalid. If less than ten voters have voted by the means of mobile ballot box, counting officers check the existence of control sheet separately in each box and mix the special envelopes from main and mobile ballot boxes together.

Article 59. Counting of Votes

1. Precinct Election Commission counts election ballots while observing the following rule:

- a) The first counting officer takes the ballot out of the special envelope, announces to whom the vote was given and transfers the ballots of one type to the second counting officer, the ballots of the second type – to the third counting officer, etc., meanwhile placing special envelopes separately. Counting officers place ballot papers separately, according to the votes given to each election subject;
 - b) Unofficial ballot papers and the ballot papers deemed invalid by counting officers are placed separately. The ballots, authenticity of which causes doubt, are placed separately;
 - c) The ballot papers found in the ballot box without special envelopes are deemed invalid;
 - d) If the number of ballot papers in a special envelope exceeds the determined number, all of them are deemed invalid, an inscription “invalid” is made on top and it is placed separately.
2. Persons who have the right to be present in the polling station have the right to point out to the counting officers the ballot papers, authenticity of which has caused doubt, or to place such ballots separately. Counting officers are obliged to satisfy this demand.
 3. A ballot paper is deemed invalid only in the following cases:
 - a) A ballot paper or a special envelope, in which a ballot paper was placed, is not confirmed with a seal of the election commission and with signatures of both commission members who sign ballot papers and special envelopes;
 - b) It is impossible to determine, to which election subject the voter marked their vote for;
 - c) The number of ballots in a special envelope has turned out to exceed the determined number;
 - d) Special envelope is not in the approved form;
 - e) A ballot paper in the ballot box is not in a special envelope;
 - f) Ballot paper was intended for another election precinct.
 4. After all ballot papers are filed according to categories, the ballot papers authenticity of which has caused doubt are inspected. The issue of authenticity of each ballot paper is decided by the Precinct Election Commission. Ballots that are deemed valid are added to the pile of valid ballot papers, while ballots that are deemed invalid are added to the pile of invalid ballot papers.
 5. After the procedure described in Paragraph 4 of this Article, unofficial ballot papers are counted and afterwards are counted the ballot papers that have been deemed invalid, according to their categories and shall be bound separately.
 6. On invalid ballot papers is made an inscription “invalid”, which is signed by the counting officers and the Precinct Election Commission Chairperson. They are bound into separate packages and the number of ballot papers is entered by the Precinct Election Commission secretary into the summary protocol of election results.
 7. Each package of election ballot papers is sealed in a way which makes it impossible to withdraw a ballot from the package or insert a ballot into the package without damaging the seal. On the package should be inscribed the title and number of the election precinct, the quantity and type of the ballots.
 8. After the procedure described in Paragraph 7 of this Article, the number of votes given to each election subject is counted and these ballot papers are respectively bound together.
 9. Every 10 ballot papers are bound with a metal staple and on each pack, complete as well as incomplete is inscribed the number of ballot papers bound. These packs are bound into a single pack. On these packs of ballot papers should be inscribed the title and number of

the election precinct, information on the election subject (subjects) (title, first and last name) and the number of votes received by the election subject (subjects), as well as the number of election ballots in the pack [Article amended 25 April 2002].

Article 60. Summary Protocol of Election Results

1. After counting of votes, results of the poll are entered into the relevant summary protocol of poll results.
2. During elections of the Georgian President, representative body of local self-governance – *sakrebulo*, of a *gamgebeli* or a mayor, is compiled one summary protocol of results of the elections held through the majoritarian election system. An exception is the election of *sakrebulo* of Tbilisi, during which is compiled a summary protocol of results of the elections held through the proportional election system, while during elections of Parliament of Georgia are compiled 2 protocols. One protocol is compiled according to results of the elections held through the proportional election system and the other - according to results of the elections held through the majoritarian election system.
3. The summary protocol of election results shall include:
 - a) Number and title of the election precinct;
 - b) General number of voters;
 - c) General number of voters in the general list;
 - d) General number of voters in the special list;
 - e) Turnout of voters participating in the poll, which equals the number of signatures in the voters lists;
 - f) Number of received ballots and special envelopes;
 - g) Number of unused ballots and special envelopes;
 - h) Number of spoiled ballots and special envelopes;
 - i) Number of official ballots and special envelopes in the ballot box;
 - j) Number of ballots deemed invalid;
 - k) Number of unofficial ballots and envelopes;
 - l) Title (first and last name) of each election subject and the number of votes received by this election subject.
4. All members of the Precinct Election Commission are obliged to sign the protocol, by which is confirmed their presence at the election precinct. Protocol is approved by the Precinct Election Commission seal.
5. If a Precinct Election Commission member does not agree with the data entered into the protocol, he/she has the right to attach to the protocol a different opinion in writing.
6. In case of expression of a different opinion, Precinct Election Commission member is obliged to sign the summary protocol of election results.
7. 2 copies of the summery protocol of election results, along with sealed packages, are immediately sent to the relevant District Election Commission and the third one must be immediately displayed at a conspicuous place in the Precinct Election Commission;
8. One copy of the protocol is immediately transferred to each election subject or its representative and is notified to the observers, which is confirmed by them with their signatures made in the registration journal of election commission.
9. The lists of voters with the signatures of participating voters along with the summary protocol of election results are sent to the relevant District Election Commission. District Election Commission sends exact lists to the Central Election Commission, which sorts and keeps them in relevant archive.

Article 61. Statements and Appeals Regarding Violation of Procedures of Polling and Counting of Votes

1. Application (appeal) on violation of the procedure of polling at an election precinct must be compiled immediately upon noticing a violation of this Law, from 7 a.m. of polling day not later then ending of polling.
2. In the statement (appeal) is noted the following:
 - a) Date and time of compilation of the statement (appeal);
 - b) First name, last name and address of the person making the statement (appellant);
 - c) Number and address of the election precinct;
 - d) The violation and the time when it was committed;
 - e) In case of the existence of a witness – the first name, last name and place of registration of the witness;
 - f) In case of having determined the violator - the first name, last name and place of registration of the violator;
 - g) Explanation of the violator (in case of existence of such);
 - h) Other additional information.
3. Application (appeal) regarding a violation committed during the polling must be transferred to the Precinct Election Commission Chairperson before the end of the poll. Application (appeal) is registered in the Precinct Election Commission journal by chairperson of Precinct Election Commission, the Deputy chairperson or secretary and applicant is delivered notification (with signature of Chairperson or secretary) in accordance with paragraph 16 of article 22 of this Law where the time and date of receipt of relevant Application (appeal) into commission is indicated.
4. Precinct Election Commission Chairperson is obliged to immediately make an appropriate reaction to the statement (appeal) and eliminate the existing violation.
5. Application (appeal) regarding demand to cancel results of the polling violations, committed during the procedures of counting of votes and consolidation of the results of the poll must be compiled before compilation of the summary protocol of election results and must contain the following:
 - a) Date and time of compilation of the statement (appeal);
 - b) First name, last name and address of the person making the statement (appellant);
 - c) Number and address of the election precinct;
 - d) The violation and the time when it was committed;
 - e) In case of the existence of a witness – the first name, last name and place of registration of the witness;
 - f) In case of having determined the violator - the first name, last name and place of registration of the violator;
 - g) Explanation of the violator (in case of existence of such);
 - h) Other additional information.
6. Application indicated in paragraph 5 of this article are registered by Precinct Election Commission secretary in the Precinct Election Commission journal and are transferred to the District Election Commission no later then 6 p.m. on the day after compilation of the summary protocol of polling results;
7. Precinct Election Commission journal is closed with signatures of the commission secretary and commission members and is approved with the Precinct Election Commission seal.

8. Precinct Election Commission journal and submitted statements (appeals) are sealed separately and bound into a single package.
9. Seal of the Precinct Election Commission is sealed in a separate package. The package is signed by the Precinct Election Commission Chairperson, commission secretary and other members of the commission.

Article 62. Examination of Applications and Appeals Regarding Counting of Votes and Consolidation of Polling Results

1. Application (appeal) cited in paragraph 5 of Article 61 is registered by the secretary of District Election Commission immediately after receipt and commission considers it and makes decision no later than three days after its registration in District Election Commission. District Election Commission makes decision through ordinance.
2. Application (appeals) submitted with violation of the procedures established by paragraphs 2, 3, 5 and 6 of this Law are not considered.”

Article 63. Consolidation of Poll Results at District Election Commission

1. No later than the 5 day after the poll, the District Election Commission, based on the protocols submitted by the Precinct Election Commissions, sums up the results of the poll and compiles a summary protocol of the results of the poll in the district at its session. In the protocol includes the following:
 - a) Number and title of election district;
 - b) Total number of voters;
 - c) Turnout of voters participating in polling;
 - d) Number of received ballots and special envelopes;
 - e) Number of unused ballots and special envelopes;
 - f) Number of spoiled ballots and special envelopes;
 - g) Number of official ballot papers and special envelopes found in ballot box;
 - h) Number of ballots declared invalid;
 - i) Number of unofficial ballots;
2. Title of each election subject and the number of votes received by this election subject.
3. The protocol is signed by all members of the District Election Commission, which confirms their presence in the District Election Commission. The protocol is approved by the District Election Commission seal.
4. If an election commission member does not agree with the data entered into the protocol, he/she has the right to attach to the protocol a different opinion in writing.
5. The number of copies of summary protocol of poll results exceeds by three the number of election subjects nominated in this district. One copy of the summary protocol of poll results remains at the District Election Commission, the second copy, together with one copy each of the Precinct Election Commission protocols, is transferred to the Central Election Commission of Georgia no later than 5 days after the poll, and the third copy is posted at a conspicuous location at the District Election Commission building; one copy of the protocol is immediately transferred to each election subject or their representatives. Election subject or its representative must confirm receipt of the protocol by signing in the District Election Commission journal.

Article 64. Consolidation of Election Results at the Central Election Commission of Georgia

1. No later than 15 days after polling the Central Election Commission of Georgia, based on the protocols received from District and Precinct Election Commissions, sums up the

- results of elections at its sessions and approves the summary protocol of election results through ordinance.
2. In case of the existence of a statement (appeal) and/or a different opinion of an election commission member, the Central Election Commission of Georgia can sum up results of the election based on the District Election Commission protocols.
 3. The Central Election Commission of Georgia sums up results of the elections and determines:
 - a) General number of voters;
 - b) Turnout of voters;
 - c) Number of ballots deemed invalid;
 - d) Number of unofficial ballots and envelopes;
 - e) Number of the votes received by election subjects.
 - 3¹. Central Election Commission along with the delivery of outcomes from the Precinct Commissions ensures the allocation of the data on Internet based on the summary protocols of the polling results. If these outcomes are not published on internet in conformity with the relevant rules, it is prohibited to make the statements on preliminary results
 4. The Central Election Commission of Georgia cancels the results of polling in the election precinct, where the requirements of this Law were significantly violated.
 5. The issue of canceling results of the poll is adjudicated and decided by the Central Election Commission of Georgia no later than 8 days after polling day. (**Article is deleted**)
 6. Summary protocol of results of the election is signed by the Central Election Commission Chairperson and commission secretary. One copy of the protocol is filed at the Central Election Commission of Georgia; the second copy is transferred to the agencies defined by this Law. Copies of the protocol are transferred to all interested persons.
 7. Within 5 days of the final consolidation of election results, the Central Election Commission of Georgia publishes information on results of the elections through the press, Internet and other means of mass media.

CHAPTER VIII. TRANSPARENCY DURING PREPARATION AND CONDUCT OF ELECTIONS

Article 65. Transparency of Elections

1. The process of preparation and conduct of elections in Georgia shall be transparent.
2. Derived from the goals of this Law, the activities of election commissions, election subjects, State authority and bodies of governance, of unions (associations) and foundations registered in accordance with the legislation of Georgia, is carried out openly and publicly.
3. Representatives of election subjects, domestic and foreign observer organizations, of press and other mass media, have the right to be present in polling stations on polling day and to observe the polling process.

Article 66. Transparency During Preparation and Conduct of Elections

1. For the purpose of ensuring transparency during preparation and conduct of elections, election commissions publish the following information:

- a) Their activities;
 - b) Establishment of election districts and precincts;
 - c) Composition, location and working hours of election commissions;
 - d) Election subjects.
2. Election commissions, in buildings allocated to them, post at conspicuous locations the following:
 - a) Voters' lists and the rules and timeframes for appealing regarding inaccuracies in these lists;
 - b) Lists of election subjects;
 - c) Election programs of election subjects (in case of submission of such), which will be taken down before midnight on the day before polling day;
 - d) Decisions of the Central Election Commission of Georgia and of the relevant District Election Commissions, which concern activity of the commission in question.
 3. Relevant election commissions publish through press and other mass media the following:
 - a) Party lists of the Parties and election blocs taking part in elections;
 - b) Election programs and platforms of elections subjects; (**Article is deleted**)
 - c) Decisions of the Central Election Commission of Georgia;
 - d) Summary protocol of the final results of the election.
 4. Election documents are accessible to all persons. An Election commission is obliged to provide to all interested persons the election documents and information on elections, within 2 days of their request, and in case of a request for copies, the relevant election commission may establish a fee of the amount necessary for producing the copies, in accordance with the rules determined by Georgian legislation.

Article 67. Transparency of Election Commission Sessions. Persons Who Have the Right to Be Present in Polling Station

1. The sessions of the Election Commissions are open. The members of higher level election commission, representatives of election subject in the relevant commission, representatives of international and local observer organizations in the relevant commission, accredited representatives of press and other mass media in the relevant commission have the right to attend the commission session. In the cases of violation of order and disturbance of work of the commission, the Chairperson of the commission has the right to make the violator leave the session.
2. The following persons have the right to be present in the polling station:
 - a) Members of the Central Election Commission of Georgia, of District and Precinct Election Commissions;
 - b) Representatives of the Central Election Commission of Georgia and of District Election Commissions;
 - c) Representatives of election subjects;
 - d) Representatives of the press and other mass media;
 - e) Observers.

Article 68. Domestic and Foreign Observers

1. Local unions (associations), foundations, organizations registered in another State and international organizations registered at the Central Election Commission of Georgia or at a relevant District Election Commission, have the right to observe elections.

2. Domestic observer organization may be a local union (association), foundation, registered in accordance with Georgian legislation no later than 2 years before polling day, the charter or provision of which, at the moment of undergoing registration, includes election monitoring and/or protection of human rights and which is registered at the Central Election Commission of Georgia or a relevant District Election Commission for the purpose of observing elections.
3. Domestic observer organization observes elections by means of the representative of organization – a domestic observer. The same organization has a right to be represented in election precinct by no more than one representative at the same time.
4. Domestic observer of a domestic observer organization may be any citizen of Georgia above the age of 18, except for the following:
 - a) Persons occupying State-political positions;
 - b) Members of Parliament of Georgia;
 - c) Members of representative bodies of local self-governance – *sakrebulo*s;
 - d) Heads and Deputy Heads of the bodies of local governance;
 - e) Judges;
 - f) Employees of the ministry of state security, Ministries of Internal Affairs and Defense, the State Department of the State Frontier Guard of Georgia and the Special Service of State Security;
 - g) Officials of the Prosecutor's Office;
 - h) Election subjects and their representatives;
 - i) Election commission members.
5. International observer organization may be a representative of another State, organization registered in another State or an international organization, the founding document of which includes monitoring of elections or/and protection of human rights and which is registered at the Central Election Commission of Georgia for the purpose of observing elections.
6. International observer organization observes elections by means of the organization's representative – an international observer.
7. An international observer may be accompanied by an interpreter, who undergoes registration at the Central Election Commission of Georgia together with the international observer.

Article 69. Registration of Observer Organizations

1. Chairperson of the Central Election Commission of Georgia registers those domestic and international observer organizations, which conduct observation on all of the territory of the country or on territory of several election districts.
2. Those domestic observer organizations that conduct observation on territory of one election district, are registered by the Chairperson of the relevant District Election Commission.
3. For the purpose of registration, observer organization registered in Georgia, except international observer organization, addresses the Chairperson of relevant Election Commission with the statement no later than 30 days before poll and submits the notarized copy of charter. The Chairperson of the relevant Election Commission registers the organization within 3 days of submission of an application. If the observer organization conducts observance on territory of several districts, the titles of these districts shall be included in the application.

4. Chairperson of the relevant election commission issues an order on registration of observer organization within 3 days of the submission of an application.
5. Chairperson of election commission does not have the right to refuse registration of an observer organization, if the indicated organization meets the requirements established by this Law. An order by Chairperson of election commission on refusing registration must be justified.
6. Relevant election commission registers observer organization no later than a week before the poll.
7. No later than 7 days before the poll, registered domestic or international organization submits to the Chairperson of the central Election Commission of Georgia the list of observers who will observe elections on the whole territory of Georgia or on the territory of several election districts (indicating the titles of districts), while the list of those observers who observe elections only on territory of one election district is submitted to the Chairperson of the relevant District Election commission, with indication of identity of observers (first name, last name, place of registration).
8. The secretary of election commission is obliged to issue to the observer organization the observer license which are used as badges at the same time, no later than the following day of submission of the observers' list.
9. In the observer license should be indicated:
 - a) First and last name of the observer;
 - b) Title of the domestic or international organization which presented the observer.
 - c) The title of election district where the observance shall be conducted.

Article 70. Rights of Observers

1. Observer has the right to;
 - a) Attend and observe election commission sessions;
 - b) Be present in the polling station at any time on polling day and observe all stages of the poll process;
 - c) Replace, at any time on polling day, another registered representative of the organization (in cases where such a representative exists);
 - d) Take part in the inspection of ballot boxes, before their sealing and after their opening;
 - e) Observe registration of voters on voters' lists, issue of ballot papers and special envelopes and their approval, without disrupting the polling process;
 - f) Attend the procedures of counting of votes and of consolidation of results;
 - g) Observe the process of voting by means of a mobile ballot box;
 - h) Observe the counting of voters' votes in such conditions which ensure visibility of ballot papers;
 - i) Observe the process of election commission compiling summary protocol of election results and other documents;
 - j) Address the District Election Commission Chairperson with statements (appeals) regarding issues related to the procedures of voting and polling, by which he/she demands reaction in case of registering a particular violation;
 - k) Demand from voters to show, how many special envelopes do they have in hand;
 - l) Make appeals, regarding actions of election commission, to a higher level election commission, or a court;

- m) Observe the ballot box, inserting of special envelopes into the ballot box, opening of the ballot box, counting of ballot papers and compiling of protocols;
 - n) Become acquainted with the summary protocols of polling and election results, compiled by election commissions.
2. Observer does not have the right to:
- a) Interfere in the functions and activities of election commissions;
 - b) Exert influence upon the free expression of the will of the voters;
 - c) Agitate voters in favour or against an election subject;
 - d) Wear symbols or signs of any election subject;
 - e) Violate other requirements of this Law.

Article 71. Representatives of Election Subjects and Their Responsibilities

1. Representative of an election subject represents that election subject in relations with the relevant election commission.
2. Parties (election blocs) and candidates taking part in elections for the Presidency of Georgia have the right to appoint their representatives to all of the election commissions, while majoritarian candidates have the right to appoint their representatives to relevant District Election Commissions and Precinct Election Commissions.
- 2¹ Election Subject has the right to appoint no more than one representative in each relevant Election Commission.
3. ~~Election subject must immediately notify the relevant election commission of the appointment of a representative. Chairperson of the election commission is obliged to issue to the representative a license within 2 days. [Article deleted 25 April 2002]~~
3. Election subject must notify the relevant election commission about appointment of a representative immediately. Secretary of the election commission is obliged to issue, within 24 hours, to the representative a license, which at the same time, is used as the badge.
4. With the statement on appointment of a representative is attached his/her consent on being appointed as a representative. In the statement, which is signed by the Head of the Party or election bloc, or an independent candidate taking part in elections, must be indicated:
 - a) First and last name of the representative;
 - b) Date of birth (year, month, day) of the representative.
5. Representative of the election subject has the right to attend election commission sessions, be present in the polling station on polling day and attend all the procedures of polling, counting votes and consolidation of results of the poll.
6. The election subject is entitled to appoint another representative not later 2 days prior to the voting and to notify the respective election commission thereof in compliance with this Article [Article amended 25 April 2002].

Article 72. Representatives of Press and Other Mass Media

1. Representatives of the press and other mass media, accredited at the relevant election commission, have the right to attend election commission sessions and to be present in the polling station on polling day.
2. Accreditation of representatives of the press and other mass media, working on the territory of several election districts is carried out by the Chairperson of the Central Election Commission of Georgia, while the representatives working only on territory of

one election district are accredited by the Chairperson of the relevant District Election Commission.

3. Application on accreditation of representatives of the press and other mass media is submitted to the relevant election commission, no later than 10 days before the poll.
4. Within 3 days of the submission of the application, Chairperson of the relevant election commission decides the issue of registration of representatives of the press and other mass media and, within 2 days, issues relevant licenses to the representatives who have undergone registration.
5. On polling day, one and the same organization of the press and other mass media has the right to have no more than 3 representatives in an election precinct at the same time.

Article 73. Election Campaign

1. Election campaign begins as of the moment of announcement of the elections. Candidates on becoming election subjects enjoy equal rights as of this day.
2. Voters, candidates of election subjects and their representatives have the right to conduct election campaign in support or against election subjects.
3. On polling day, election agitation and placement and dissemination of agitation materials is forbidden in the District Election Commission building and within a radius of 100 meters of the building, while any agitation materials displayed on this territory earlier must be removed before midnight on the day before polling day.
4. In the case of the announcement of the second round of elections, repeated polling, new polling or new election, election campaign will be renewed as of the day of announcement.
5. The following persons and entities do not have the right to take part in election agitation:
 - a) Election commission members;
 - b) Heads of bodies of State executive authority;
 - c) Judges;
 - d) Public officials of the of the Ministry of State Security, the Ministries of Internal Affairs and Defense, the State Department of the State Frontier Guard of Georgia, the State Department of Intelligence and the Special Service of State Security;
 - e) Heads of bodies of local governance;
 - f) Foreign citizens and organizations;
 - g) Charity and religious organizations;
 - h) Public officials of bodies of State and local governance, when they are carrying out the duties related to their office and job;
6. Election agitation may be carried out through the mass media, through holding of mass events (assemblies and meetings with citizens, public debates and discussions, gatherings and manifestations), publishing-dissemination of printed agitation materials, use of public address systems, or in other ways, in accordance with the rule established by Georgian legislation.
7. As of the day of announcement of elections, candidates on becoming election subjects have the right to produce election slogans, statements, inscriptions, leaflets, photo materials, etc. It is forbidden to prevent their dissemination and to expropriate them, as well as to expropriate automobile transport and other means used for agitation purposes, or to prevent their use for election agitation purposes.
8. Commanders of military compounds, within the limits of military compounds, ensure for all election subjects equal opportunity to meet voters being in military compound. In the

- case of necessity the conduct of election campaign in the military compounds shall be restricted or prohibited through the order of the Minister of Defense.
9. From the moment of publication of the relevant legal Act appointing the elections until the ending up of the poll, it is prohibited for election subjects and their representatives personally or through somebody, to transfer money, gifts and other items of material value to voters, to sell them goods at privileged prices, except for the agitation materials envisaged by this Law, also to instigate voters by promising money, securities and other items of material value. In case of such facts being proved by court, registration of the election subject is cancelled by the court decision.
 10. Is forbidden to conduct election agitation in buildings of the following institutions:
 - a) Parliament of Georgia;
 - b) Government and sub-agency departments of executive authority of Georgia;
 - c) Courts and bodies of the Prosecutor's Office.
 11. Publishing the results of surveys of public opinion related to elections is not allowed within 48 hours before the poll, until the final results of the poll are not published. While publishing the results of surveys of public opinion related to elections, organization or person who conducted the survey, the date the survey was conducted, the number of people questioned, method of the surveying, exact wording of the questions and statistical assessment of possible inaccuracy must be indicated.
 12. The responsibility for the violation of the paragraph 11 of this Article is determined in accordance with Georgian Legislation.

Article 74. Pre-Election Gatherings and Manifestations

1. Holding of gatherings and manifestations during the pre-election period is regulated by this Law.
2. If holding gatherings and manifestations may disrupt movement of people and transport, the organizers are obliged to notify, in writing, the relevant bodies of local self-governance and government beforehand, about the date and location of holding the indicated event. They, on their part, ensure safety of planned events.
3. It is inadmissible to forbid and stop gatherings and manifestations, except for cases when there are slogans calling to violate human rights and liberties, independence and the territorial integrity of the country, to instigate national, ethnic, provincial, religious and social strife, to overthrow the constitutional system and replace it through violence, as well as to propagate war and violence.
4. Bodies of local self-governance and government are obliged to support election subjects in organizing and holding meetings and assemblies with voters, public debates and discussions, gatherings and manifestations and to ensure the safety of these events.
5. For the purpose of holding mass election events, buildings under the management of the bodies of State or local self-governance and government are provided free-of-charge to election commissions.
6. The District Election Commission, based on the list of buildings and premises allocated by bodies of local self-governance and government, determines, by casting of lots, the schedule for holding election events. It is inadmissible to establish unequal conditions for election subjects when allocating the use of buildings and premises.
7. From the moment of the announcement of polling day until the publication of the final results of the elections it is forbidden for the President of Georgia, MPs and other officials to speak on air on the State Television of Georgia for the purpose of election

- agitation, except during the free-of-charge airtime allocated to them for the purpose of election agitation.
8. State Television and Radio of Georgia are obliged to allocate a daily 3 hours of free-of-charge airtime for the purpose of election agitation, which will be equally distributed among election subjects.
 9. Private TV and radio companies determine an equal price for airtime for election subjects and submit to election commissions the information on allocation and distribution of airtime.
 10. From the expiration date of the registration of election subjects until the end of polling day, it is forbidden to have staff transfers of senior officials of the bodies of local government and self-governance, police and the Prosecutor's office, except until their proxy expires and/or in cases when they have violated the law. [Article amended 28 September 2001]

Article 75. Agitation Materials

1. Relevant Election Commissions, together with relevant State agencies, no later than 15 days before polling, ensure publication and dissemination of information materials. Dissemination of Party lists, candidates nominated to the election district, is mandatory. In case of a breach of the timeframe established for presenting these materials, only the official data existing at the District Election Commission will be printed.
2. Election subjects and their supporters have the right to present a program of further activity. Election program must not contain propaganda of war and violence, of overthrowing the existing State and social system or replacing it through violence, of violating territorial integrity of Georgia, of calling to instigate national strife and enmity, religious and ethnic confrontation.
3. Printed agitation materials may be displayed on building and premises and other objects, by consent of their owners or possessors.
4. It is forbidden to post election posters on religious (cult) buildings on the interior and exterior of the buildings of State authority, local self-governance and government, courts, the Prosecutor's office, military compounds and police, as well as on traffic signs. *Sakrebulo*s of village, community, *daba* and city may forbid posting of posters on certain buildings, only proceeding from considerations of protection of monuments of architecture and culture. A list of such buildings is published no later than 50 days before polling day. Bodies of local self-governance and government are obliged to allocate places and/or install the stands for posting and displaying election posters. The stand must be of such a size that all election subjects be provided with equal conditions during display of election posters. Removal, tearing down, covering up or damaging of election posters is inadmissible and punished in accordance with the law, unless they are posted in forbidden places.
5. On printed agitation materials must be indicated titles and addresses of the organizations that have ordered and produced them, as well as information on the number of copies and date of issue. Dissemination of printed agitation materials without indicating this information is forbidden.
6. Copies of printed agitation materials must be submitted to the election commission, at which the election subject underwent election registration.
7. Within 15 days of official publication of the final results of the elections, the relevant election subject is obliged to ensure removal of agitation materials, otherwise upon the election subject is laid the responsibility envisaged by Georgian legislation.

Article 76. Prohibition on Use of Official Position During Election Agitation and Campaign

1. It is forbidden to use for election agitation and campaign the material-technical resources of those organizations that are being funded from the State budget of Georgia.
2. The candidates taking part in the elections, who occupy positions in bodies of the State or local authority, do not have the right to use their official position or office accommodation for the purpose of supporting or opposing any Party (election bloc), candidate.
3. Use of an official position or office accommodation implies:
 - a) Involving office subordinates or other dependent persons, during their work hours, in such activity, which facilitates nomination and/or election of a candidate;
 - b) Use of buildings occupied by bodies of State authority and local self-governance and government, as well as by organizations that are funded from the State budget of Georgia, for purposes of such activity, which facilitates nomination and/or election of a candidate, when other election subjects do not have the opportunity of using the same building on the same terms;
 - c) Use of the means of communication, information services and various equipment intended for bodies of State authority and local self-governance and government, as well as for organizations that are funded from the State budget of Georgia, for purposes of such activity, which facilitates nomination and/or election of a candidate;
 - d) Free-of-charge use or use on privileged terms of the means of transportation owned by the bodies of State authority or local self-governance and government, for purposes of such activity, which facilitates nomination or/and election of a candidate;
 - e) Collection of signatures and conduction of election agitation by officials of bodies of State authority and local self-governance and government, during business trips (funded by bodies of State authority or local self-governance and government).
4. A registered candidate who is not an employee of bodies of State authority or local self-governance and government, does not have the right to use the advantage of his/her job situation, in particular:
 - a) A registered candidate, to whom the incompatibility of office with the status of a candidate does not extend, but who is a Head or Deputy Head of a body of State authority and local self-governance and government, has the right to conduct election agitation only during the time when he/she is not carrying out his official duties. This rule does not function when a registered candidate is using for election agitation the free-of-charge airtime allocated by the State and local TV and radio companies;
 - b) Because of the violation of the provisions of this article before poll the registration of the election subject shall be cancelled through the ordinance of the Central or District Election Commission.

CHAPTER IX. ADJUDICATION OF DISPUTES

Article 77. Timeframes and Rules for Adjudicating Disputes

1. Application (appeal) related with elections is submitted to the higher level election commission or the court according to the rule and conditions established by this Law.
2. The decision of election commission may be contested at a higher level election commission or at the court, within 3 calendar days of their adoption, except the cases envisaged by this article, while the decision of the central Election Commission may be contested in the court. Court adjudicates the decisions of election commission within 3 calendar days, unless other

- timeframe is established by this Code. The prolongation of the established timeframes for contention and adjudication is not permitted.
3. A decision of the Central Election Commission of Georgia regarding decisions of subordinate election commissions may be contested at the Supreme Court of Georgia, within 3 calendar days of its adoption, unless otherwise established by this Code. The Supreme Court of Georgia takes decision within 3 calendar days, which is final and is not subject to appeals.
 4. Contention of constitutionality of the appointment of the Parliamentary and Presidential elections of Georgia, the election of the representative body of local self-governance – sakrebulo, the issues on appointment of Mayor and gamgebeli and timeframes of adjudication of application is determined in the Organic Law of Georgia on “Constitutional Court of Georgia” and the Law of Georgia on “Constitutional Justice”.
 5. The decision on Application (Appeal) regarding the general lists of voters as envisaged in paragraph 9 of article 128 of this Law is made by relevant rayon (city) court within 3 calendar days after filing the suit. The decision of rayon (city) court is final and is not subject to appeals.
 6. An ordinance of a District Election Commission on the establishment of an election precinct may be contested at the rayon (city) court within 3 days of its publication. The rayon (city) court shall make decision within 3 days. The rayon (city) court’s decision is final and is not subject to appeals.
 7. A decision on the appointment of election and termination of the authority before expiry of the member of precinct election commission may be contested at the rayon (city) court within 3 calendar days after its adoption. The rayon (city) court shall make the decision within 5 calendar days of the submission of the appeal. The decision of the rayon (city) court is final and is not subject to appeals;
 8. A decision on the appointment of election and the termination of the authority before expiry of the member of the Central and District Election Commissions of Georgia may be contested at the district court within 3 calendar days of its adoption; the district court shall make a decision within 3 calendar days of the submission of the appeal. The decision of the district court is final and is not subject to appeals;
 9. The failure to transfer the funds, provided for the election by the central budget of Georgia, to the account of the Central Election Commission within the timeframe envisaged by this Code, may be contested at the Supreme Court of Georgia by the Central Election Commission within 10 calendar days of the expiration of that period. The Supreme Court of Georgia shall make its decision within 3 calendar days, which is final and is not subject to appeals;
 10. An order of the chairperson of the Central Election Commission on refusal to register a party/election bloc may be contested at the Supreme Court of Georgia within 3 calendar days of its adoption, which shall make its decision within 3 calendar days of submission of the appeal. The decision of the Supreme Court of Georgia is final and is not subject to appeals;
 11. An order of the chairperson of the Central Election Commission on the refusal to register a party/election bloc and a candidate from the party list nominated at the single-mandate election district may be contested at the Supreme Court of Georgia within 3 calendar days of its adoption, which shall make a decision within 3 calendar days of the submission of the appeal. The decision of the Supreme Court of Georgia is final and is not subject to appeals;
 12. An order of the chairperson of the Central Election Commission on the registration of a candidate for presidency of Georgia may be contested within 3 calendar days of its adoption at the Supreme Court of Georgia, which shall make a decision within 3 calendar days of the

- submission of appeal. The decision of the Supreme Court of Georgia is final and is not subject to appeals;
13. An ordinance of the District Election Commission on the registration of a candidate nominated by the initiative group of voters at the single-mandate election district may be contested within 3 calendar days of its adoption at the relevant District Court, which shall make the decision within 3 calendar days of the submission of appeal. The decision of the district court is final and is not subject to appeals;
 14. An order of the chairperson of the Central Election Commission on the registration of the domestic or international observer organization (which observes the election on the whole territory of the country or on the territory of several election districts) may, within 2 calendar days of its publication, be contested at the Supreme Court of Georgia, which shall make decision within 3 calendar days of the submission of appeal. The decision of the Supreme Court of Georgia is final and is not subject to appeals;
 15. An order of the chairperson of the relevant District Election Commission on the registration of the domestic observer organization (which observes the election on the territory of single election district) may, within 2 calendar days of its publication, be contested at the District Court, which shall make a decision within 3 calendar days of the submission of appeal. The decision of the District Court is final and is not subject to appeals;
 16. An order of the chairperson of the Central Election Commission on the accreditation of the representatives of press and other means of mass media (which operates on the territory on several election district) may, within 3 calendar days of its publication, be contested at the Supreme Court of Georgia, which shall make a decision within 3 calendar days of the submission of the appeal. The decision of the Supreme Court of Georgia is final and is not subject to appeals;
 17. An order of the chairperson of the relevant District Election Commission on the accreditation of the representatives of press and other means of mass media (which operate on the territory of single election district) may, within 2 calendar days of its publication, be contested at the District Court which shall make a decision within 3 days of the submission of appeal. The decision of the District Court is final and is not subject to appeals;
 18. An appeal on the violation of the rules of pre-election campaign at the election of MP from the single-mandate election district and at the election of representative body of the local self-governance – sakrebulo, at the election of gangebali and Mayor envisaged by paragraph 9 of article 73 and by article 76, may be submitted, within 3 days after the violation is revealed, to the rayon (city) court which shall make a decision within 3 calendar days of the submission of appeal. The decision of the rayon (city) court may be contested, within 2 days, at the relevant District Court. The district Court shall make a decision within 3 calendar days of the acceptance of appeal and it is not subject to appeals. If the violation provided by this paragraph is established before the poll, the registration of election subject is cancelled by the decision of the court, and if the violation is established after the poll the election subject is prohibited, by the decision of the court, to take part in the next election of same type.
 - 18¹. An appeal on the violation of the rules of election campaign at the presidential and parliamentary (through proportional election system) elections of Georgia established by paragraph 9 of article 73 and by article 76, may, within 3 calendar days after the violation is revealed, be submitted to the relevant District Court, which shall make a decision within 3 calendar days of the submission of appeal. The decision of the District Court may be contested within 2 days, at the Supreme Court of Georgia, which shall make a decision within 3 calendar days of the submission of the claim and which is not subject to appeals. If the violation envisaged by this paragraph is established before the poll, the election registration of the election subject is cancelled by the decision of the court and if the

violation is established after the poll the election subject is prohibited to participate in the next election of the same type by the court decision.

19. The decision on declaration the polling results invalid at the election precinct is made by the relevant District Election Commission, the decision of this commission may be contested at the rayon (city) court within 2 calendar days of its adoption. The rayon (city) court shall make its decision within 3 calendar days of the submission of appeal. The decision of rayon (city) court may be contested at the district court, within 2 calendar days of the adoption of the decision. The district Court shall make a decision within 3 calendar days. The decision of the District Court is final and is not subject to appeals.
20. An ordinance of the Central Election Commission not to declare the election to be conducted may be contested at the Supreme Court of Georgia within 3 calendar days of its adoption, which shall make its decision within 3 calendar days of the submission of appeal. The decision of the Supreme Court of Georgia is final and is not subject to appeals.
21. An ordinance of the Central Election Commission on the approval of the election summarizing protocols may be contested within 3 calendar days of its adoption, at the Supreme Court of Georgia, which shall make its decision within 3 calendar days of the submission of appeals. The decision of the Supreme Court of Georgia is final and is not subject to appeals.
22. An ordinance of the District Election Commission on the approval of the summarizing protocols of the election of MP at the single-mandate election district and the elections of representative body of local self-governance – sakrebulo, elections of gamgebeli and Mayor may be contested within 3 calendar days of its adoption, at the district Court, which shall make its decision within 3 days of the submission of appeal. The decision of District Court is final and not subject to appeals.

SPECIAL SECTION

PART II

CHAPTER X. ELECTIONS OF PRESIDENT OF GEORGIA

Article 78. Elections of Georgian President

President of Georgia is elected by citizens of Georgia for the term of 5 years. One and the same person may be elected the President of Georgia only twice in a row.

Article 79. Holding of Regular Elections of Georgian President

1. First round of regular elections of Georgian President is held on the 2nd Sunday of April of the 5th year as of holding of the previous elections.
2. Elections of Georgian President are not held during martial law or wartime.

Article 80. Right to Passive Vote

1. President of Georgia may be elected a citizen of Georgia by birth who has the right to vote, is above 35 years of age, has lived in Georgia for at least 15 years and is living in Georgia on the day of appointment of elections.
2. Candidate for Georgian President may not be a citizen who has not lived in Georgia during the last 2 years and is not registered by consular office of Georgia in any country.

Article 81. Right to Nominate Candidate of Presidency of Georgia

1. Political union (Party) of citizens or a 5 –person group of voters has the right to nominate a candidate for Georgian President.
2. Nomination of a candidate for Georgian President must be confirmed by signatures of no less than 50,000 voters.

Article 82. Rule for Nominating Candidate of Presidency of Georgia

1. A Party, initiative group of voters registered at the Central Election Commission of Georgia has the right to nominate one candidate for Georgian President each.
2. For the purpose of nominating a candidate for Georgian President, a Party, initiative group of voters, must address the Central Election Commission of Georgia with an application, no later than 50 days before the poll, after which they have the right to collect signatures of supporting voters.
3. In the application must be indicated the following information regarding the candidate of Presidency:
 - a) First name, last name;
 - b) Date of birth;
 - c) Profession;
 - d) Position (activity);
 - e) Place of employment;
 - f) Place of registration;
 - g) Party affiliation;
 - h) Time term of residence in Georgia;

- i) Title of the nominating Party, first names, last names, numbers of the IDs of citizens of Georgia (passports of citizens of Georgia), place of registration, contact telephone and other information (in case of existence of such) on members of the initiative group of voters and their representative.
4. With the application must be attached written consent of the person nominated as a candidate for Georgian President, to take part in elections, a copy of his/her birth certificate and three photographs.
5. Application is signed by the Head of the Party or by all members of the initiative group of voters.

Article 83. Lists of Supporters of Candidates of Presidency of Georgia

1. For the purpose of registering a candidate for Georgian President, representatives of the Party, initiative group of voters, must submit, no later than 40 days before the poll, to the Central Election Commission of Georgia a list of supporters of the candidate.
2. In the list of supporting voters there must be signatures of no less than 50,000 voters.

Article 84. Registration of Candidate of Presidency of Georgia

1. Candidate for Georgian President undergoes registration by an ordinance of the Central Election Commission of Georgia, no later than 30 days before the poll.
2. The Central Election Commission of Georgia issues a relevant license to the candidate for Georgian President, within 3 days as of registration.
- 2¹. The candidate of the presidency of Georgia will not be registered by the Central Election Commission if:
 - a) The data envisaged by paragraph 3-5 of article 82 is incomplete or incorrect,
 - b) The lists of supporting voters of the candidate of presidency of Georgia contain less than 50 000 signatures;
 - c) The timeframe set out in paragraph 1 of article 83 is not met.
3. The Central Election Commission of Georgia, no later than the 6th day as of registration of candidate for Georgian President, publicizes through press and other mass media a notice about registration of a candidate for Georgian President, with indication of first name, last name, year of birth, occupied position (activity), place of residence and place of employment.
4. Candidate to the presidency of Georgia may withdraw his/her candidature no later than 12 a.m. on the day before polling; for this purpose he/she must address the central election commission with the written statement. In case of withdrawal of the candidate for the presidency of Georgia the note "withdrawn" is put along his/her name on the ballot paper.

Article 85. Guarantees of Activity of Candidates of Presidency of Georgia and Their Representatives

1. Candidates of Presidency of Georgia take part in election campaign based on equality, as of the moment of registration at the Central Election Commission of Georgia. They enjoy equal rights of using the press and other mass media on all territory of Georgia.
2. During election campaign, candidates of Presidency of Georgia and their representatives may not be dismissed from office or transferred to another job or another position without their consent.
3. Candidate to the presidency of Georgia may not be charged with criminal offence, detained, arrested or searched without the consent of the Central Election Commission given to the motion of the Prosecution General of Georgia. The consent shall be given

through ordinance no later than 3 calendar days of the submission of motion. An exception is the case of being caught at the scene of crime, about which the central election commission must be notified immediately. If the Central Election Commission does not express the consent, the candidate for the presidency of Georgia who has been detained or arrested must be released immediately.

Article 86. Consolidation of the Results of Elections

1. Elections of Georgian President are considered to have been held, if the majority of the general number of voters takes part in them.
2. The candidate, who receives more than half of the votes of the voters, taking part in elections, is considered elected.
3. If elections are declared to have been held and none of the candidates has managed to collect the necessary number of votes, the second round of elections is appointed.
4. If elections are not declared to have been held, or have been held, but in the first round took part only one candidate and he/she did not receive the necessary number of votes, or if the President of Georgia was not managed to be elected in the second round – new elections are held.
5. Central Election Commission of Georgia no later than on the 15th day of polling, sums up the election results according to the election precincts and processes a summary protocol, which shall be approved through the ordinance of the Central Election Commission.
6. Within 5 days as of the consolidation of the results, the Central Election Commission of Georgia publicizes through the press and other mass media a notice about results of the election.

CHAPTER XI. SECOND ROUND OF ELECTIONS OF GEORGIAN PRESIDENT. NEW ELECTIONS OF GEORGIAN PRESIDENT. EXTRAORDINARY ELECTIONS OF GEORGIAN PRESIDENT.

Article 87. Second Round of Elections

1. If elections are declared conducted and none of the candidates for the presidency of Georgia have received more than half of the votes of election participants, the second round of election is appointed.
2. Second round of election is appointed through the ordinance of the Central Election Commission. The second round of election shall be conducted upon 2 weeks after the general election (first round).
3. Two candidates who had the best results in the first round have the right to take part in the second round of elections.
4. Second round is considered to have been held, if in it took part at least 1/3 of the general number of voters.
5. The candidate who receives more votes, but no less than 1/5 of the general number of voters, is considered elected.

Article 88. New Elections

1. New elections of President of Georgia are held if:
 - a) Elections were not declared to have been held;
 - b) Elections were held, but only one candidate took part in the first round and he/she did not collect the necessary number of votes;
 - c) President was not elected in the second round of elections.

2. New elections are held in 2 weeks time as of the general elections (first round).
3. New elections are appointed by Parliament of Georgia.
4. Notice about appointment of new elections is publicized through the press and other mass media.
5. The new elections are conducted based on the same rule established by this Code for the central election commission and within the timeframe determined by the Central Election Commission but no later than 2 months after the general election.

Article 89. Extraordinary Elections of President of Georgia

1. In case of termination, before expiry, of authority of the President of Georgia, extraordinary elections are held no later than the 45th day as of the moment of termination of authority.
2. If termination, before expiry, of authority of the President of Georgia coincides with Parliament holidays or a non-session week, the Parliament of Georgia meets no later than in 48 hours as of the moment of termination of authority of the President of Georgia.
3. Date of extraordinary elections of the President of Georgia is appointed by the Parliament of Georgia, no later than in 72 hours as of the moment of termination of authority of the President of Georgia.
4. Holding of extraordinary elections of President of Georgia is ensured by the Parliament of Georgia, by means of the Central Election Commission of Georgia.
5. For the purpose of nominating a candidate for Georgian President, a Party, initiative group of voters, must address the Central Election Commission of Georgia no later than the 40th day before extraordinary elections.
6. For the purpose of registering a candidate for Georgian President, representative of the Party, initiative group of voters, must submit to the Central Election Commission of Georgia, no later than the 30th day before extraordinary elections, a list of no less than 50,000 voters supporting the candidate.
7. Candidates of Presidency of Georgia are registered by the Central Election Commission of Georgia, no later than the 25th day before extraordinary elections.
8. Extraordinary election of the president of Georgia is conducted in accordance with the general rules established by this Code and within 45 days of the termination of authority before expiry.

PART III

CHAPTER XII. ELECTIONS FOR PARLIAMENT OF GEORGIA

Article 90. Appointment of Elections for the Parliament of Georgia

1. Elections for the Parliament of Georgia are held no later than 15 days before the expiry of its authority.
2. The date of the elections is appointed by the President of Georgia, no later than 60 days before the elections.
3. If the time for elections coincides with martial law or wartime, elections are held no later than 60 days after abolition of martial law or wartime.

Article 91. Term of Authority of the Parliament of Georgia. Composition of Parliament

1. The Parliament of Georgia is elected for a time term of 4 years.
2. 150 members of the Parliament of Georgia are elected through Party lists, proportional election system, while 85 are elected based on the majoritarian election system.

Article 92. Right to Passive Vote

1. A Georgian citizen over the age of 25, who has the right to vote and has permanently resided in Georgia for no less than 10 years, may be elected as a member of the Parliament of Georgia.
2. A citizen who has not resided in Georgia during the last 2 years and is not registered by the consular office of Georgia in any country, may not be elected as a member of the Parliament of Georgia.

Article 93. Right to Take Part in Elections for the Parliament of Georgia

Party, election bloc and majoritarian candidates, registered at the relevant election commission, have the right to take part in elections for the Parliament of Georgia.

Article 94. Incompatibility of Position with the Status of Candidate for the Parliament of Georgia

Persons occupying the following positions must be dismissed (resign) from their positions before addressing the relevant election commission with an application for the purpose of being registered as candidates for membership of the Parliament of Georgia:

- a) President of Georgia;
- b) Heads and Deputy Heads of the government and State sub-agency institutions;
- c) Members of the Security Council of Georgia;
- d) Members of the council of the National Bank of Georgia;
- e) Chairperson and Deputy Chairpersons of the Chamber of Control of Georgia;
- f) Head of staff of the Parliament of Georgia;
- g) Proxies of the President of Georgia and their Deputies;
- h) Heads and Deputy Heads of the bodies of local self-governance and government of rayon, city, city district [Article amended 28 September 2001];
- i) Officers of the Ministry of Internal Affairs, Ministries of Defense and State Security of Georgia, the State Departments of Intelligence and State Frontier Guard and the Special Service of State Security;

- j) Judges;
- k) Public Defender and Deputy Public Defender of Georgia;
- l) Members of the consultative body of the President of Georgia (who are not members of the Parliament of Georgia);
- m) Aides of the President of Georgia;
- n) Members of the Council of Auditor Activity;
- o) Members of the Georgian National Commissions of Securities, Accounting Standards, the National Commission of Energy Regulation and other national regulatory commissions of Georgia;
- p) Chairperson and Deputies of the Informational Bureau of Property and Financial Situation of Officials;
- q) Prosecutors, their Deputies, aides and investigators.

CHAPTER XIII. REGISTRATION OF ELECTION SUBJECTS TAKING PART IN ELECTIONS FOR THE PARLIAMENT OF GEORGIA

Article 95. Registration of Parties and Election Blocs

1. After the appointment of the parliamentary election of Georgia and no later than 55 days before polling, the parties, in order to participate in the elections, shall address to the Central Election Commission with the appropriate application signed by party officials. The Application must include the identity, first name, last name, and address (according to the place of registration), telephone number and the scope of authority of the party official. The Application must be annexed with the notarized copies of the registration sheet and the Charter of the party.
2. The title (abbreviation) envisaged by sub-paragraph “a” of paragraph 3 of this article shall not be the same as:
 - a) The official title (abbreviation) of other party registered by the Ministry of Justice of Georgia
 - b) The title (abbreviation) of the election bloc through which it participates in the election, if the application of this bloc was submitted to the commission earlier.
 - c) The title (abbreviation) used by another party (election bloc) in the previous parliamentary election without the consent of the later.
3. The application shall include:
 - a) Title (abbreviation) of the party under which it participates in the election;
 - b) The identity of the leader(s);
 - c) First name, last name, place of registration, telephone number and the limits of authority of the representative;
 - d) In case of existing of several leaders – the limits of authority of each, as it relates to the election process;
4. Upon the receipt of the Application the chairperson of the Central Election Commission gives to the representative of the party the sample of the lists of supporters;
5. The party is obliged to submit to the Central Election Commission of Georgia a list of at least 50 00 supporters, confirming the initiative of the party to participate in the election no later than 50 days before the poll. The exception is a party, which, by the day of appointment of election has a representative in the parliament of Georgia;

6. Central Election Commission of Georgia makes the decision on the election registration of the party no later than 45 days before polling;
7. The parties registered by the Central election commission, which have submitted the lists of supporters, have the right to address to the central Election Commission with a joint application on uniting into an election bloc no later than 38 days before the poll;
8. The relevant Application submitted to the chairperson of the central Election Commission must be signed by the leaders of the parties comprising the election bloc;
9. The following information on the election bloc must be included in the Application:
 - a) The title (abbreviation) under which it participates in the election;
 - b) First name, last name and address (according to the place of registration) of the leader(s);
 - c) First name, last name, place of registration, telephone number and the limits of authority of the representative;
 - d) In case of existence of several leaders – the limits of authority of each, as it relates to the election process;
10. The title (abbreviation) of the election bloc indicated in sub-paragraph “a” of paragraph 9 of this article must not coincide to:
 - a) Official title (abbreviation) of another party (except for a member party of the same bloc) registered by the Ministry of Justice of Georgia;
 - b) Title (abbreviation) of another election bloc under which it participates in election, if application of that bloc was submitted to the commission earlier;
 - c) Title (abbreviation) used by another election bloc in the previous parliamentary elections without its consent;
11. The Application must be annexed by the Charter of the election bloc signed by the leaders of all parties included in the election bloc;
12. The Charter of the election bloc must contain:
 - a) Title of the election bloc under which it participates in the election;
 - b) Rules on making decisions by the election bloc;
 - c) Rules on making decisions on nominating and withdrawing the candidates of MP;
 - d) Rules on compiling party lists;
 - e) Rules on withdrawing the party from the list;
 - f) Rules on accepting new members in the bloc;
 - g) Rules on dismissal of a party from the bloc;
 - h) Person(s) who has the right to sign documents of the bloc;
 - i) Rules on issuing the seal of the party included in the bloc in relation to the election events;
 - j) Rules on appointment the manager and the accountant of the election campaign fund;
13. A party, united in the election bloc, can not be included in another election bloc or participate in election independently at the same time;
14. The chairperson of the Central election Commission issues the notification on the receipt, immediately upon receipt the application and other documents indicated in this article, to the representative of the election bloc.
15. The chairperson of the Central Election Commission shall make a decision on registration of election blocs no later than 36 days before the poll;
16. Chairperson of the Central Election Commission will not register the party (election bloc) if the requirements set out in paragraphs 1-14 respectively are not met;

17. If, after registration of election bloc, only one party remains in the bloc, the registration of the bloc is cancelled and the party left becomes the successor of the election bloc;
18. A party, registered in accordance with this article, and an election bloc based on their Application have the right to participate in elections of all levels that will be conducted before the next parliamentary election. A party united in the election bloc has the right to participate independently in the following elections of all levels that will be conducted before the next parliamentary;
19. The Central Election Commission publicizes the list of registered election subjects, according to the order of submission the applications, in the press or other means of mass media no later than 30 days before the poll;

Article 96. Submission of Party Lists

1. Parties, that are taking part in elections independently, and election blocs have the right to submit Party lists.
2. Each Party, taking part in elections independently, and each election bloc has the right to submit one Party list.
3. The number of candidates for membership of Parliament in submitted lists must not be less than 100 or more than 235.
4. In the case of nomination of a candidate, included in a Party list, to a single-mandate election district, in the Party list is made an indication that the candidate is nominated for a single-mandate election district.
5. It is inadmissible to include in a Party list the persons, who are, at the same time, members of another Party taking part in the elections, except for the Parties united into one election bloc.
6. It is inadmissible to include one and the same person in different Party lists.
7. Rules for compiling Party lists are determined by Parties and election blocs.
8. The list must be compiled taking into account that as a result of elections, the mandates received by a Party, election bloc, are distributed in sequence, beginning from the top of the list.
9. In the Party list must be included the following information on each candidate:
 - a) First name, last name;
 - b) Date of birth;
 - c) Number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number;
 - d) Profession;
 - e) Position (activity);
 - f) Party affiliation (in case of being a Party member, and if the person is not a member of any Party, there must be made an indication – “no party affiliation”).
10. A Party list must be approved by the signatures of the authorized signatory (signatories) of all the Parties taking part in the elections independently, while the Party list of an election bloc must be approved by signatures of the Heads of all Parties united in the bloc.
11. A Party list shall be submitted to the Central Election Commission of Georgia no later than 30 days before the poll.
12. With the list must be attached the following:

- a) Registration card (with indication of biographical data, number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number of the candidate), signed by each candidate for membership of Parliament;
 - b) Two photographs of the candidate;
 - c) Consent of the candidate to stand as a candidate as part of the indicated list and, in the case of the candidate being nominated to a single-mandate election district – also consent to stand as a candidate in this district, as a representative of the Party, election bloc, which nominated him/her. (**Article deleted**)
- 12¹. In the registration card the following information on the candidate must be indicated:
- a) First name, last name;
 - b) The number of ID card (passport of Georgian citizen) and the personal number;
 - c) Date of birth (dd/mm/yy);
 - d) Sex;
 - e) Education;
 - f) Profession;
 - g) Party affiliation (if a person is not a member of any party, an indication – “no party affiliation”);
 - h) Place of work and the position (if a person is unemployed, an indication – “unemployed”);
 - i) Indication of the fact of permanently residing – no less than 10 years- in Georgia and the indication on being at the consular registry of Georgia in case of not living in Georgia for the last two years;
 - j) Relation to the Military service;
 - k) The consent of the candidate on being registered as candidate nominated by party (election bloc) at the single-mandate election district or the candidate nominated by party (election bloc) or the initiative group;
 - l) The signature of the candidate and the date of this signature;
13. Registration cards envisaged by paragraph 12 of this article are given to the party representative by the Central Election Commission.
14. Immediately upon receipt of documents, the representative of the election bloc is issued a statement confirming receipt of the documents, with the date on it.

Article 97. Nomination of Candidate to Election District

1. The following entities have the right to nominate a candidate for membership of Parliament:
 - a) Party;
 - b) Election bloc;
 - c) 5-person initiative group of voters.
2. Each Party, taking part in elections independently, and election bloc has the right to nominate one candidate for membership of Parliament to each single-mandate election district.
3. An Initiative group of voters has the right to nominate to single-mandate election district, one candidate for membership of Parliament.
4. For the purpose of nominating a majoritarian candidate to an election district, a 5 –person initiative group of voters must address the relevant District Election Commission with an application, no earlier than 40 and no later than 30 days before polling.
5. The Application must include:

- a) First names, last names, places of registration, numbers of the ID of Georgian citizen (passport of Georgian citizen) and personal numbers of all the members of initiative group;
 - b) First name, last name, place of registration, contact telephone number, number of the ID of Georgian citizen (passport of Georgian citizen) and the personal number of the representative of initiative group;
 - c) First name, last name, date of birth, number of ID card of the Georgian citizen (passport of Georgian citizen) and the personal number, profession (activity), party affiliation (in case of membership of any party) of the candidate of MP and the number of election district he/she is nominated at.
6. District Election Commission, upon the Application envisaged in paragraph 5 of this article issues the registration card compiled in accordance with paragraph 12¹ of article 96 of this Code and the form of list of supporters, to the representative of the initiative group of voters and/or to the party (election bloc);
 7. The representative of the initiative group of voters and/or party/election bloc submits to the District Election Commission 2 copies of completed and numbered forms of the candidate of MP and the lists of supporting voters. The District Election Commission transfers one copy of the registration card to the Central Election Commission within 2 days of its submission;
 8. The total number of forms for signature and that of signatures is registered in the journal of the District Election Commission. The relevant notification on the abovementioned is given to the representative of the initiative group of voters and/or to that of party (election bloc);
 9. The nomination of the candidate must be confirmed by no less than 1000 signatures of the supporting voters registered on the territory of the relevant election district, except of the case, where the nominated candidate was an elected MP of Georgia in the previous parliamentary election.

Article 98. Registration of Party Lists, Candidates for Membership of Parliament of Georgia

1. The registration of Party lists and candidates for membership of the Parliament of Georgia is discussed and a decision is made, if all the documents envisaged by this Law have been submitted to the relevant election commission.
2. Within 5 days of the receipt of the documents, which cannot be submitted later than 25 days before polling, the Central Election Commission of Georgia and relevant District Election Commissions inspect the documents and decide, by an ordinance, the registration of Party lists, as well as of registration of candidates nominated by initiative groups of voters.
3. A candidate for membership of Parliament shall not be registered, and a registered candidate will be withdrawn from the elections by the Chairperson of the Central Election Commission or a court, if the documents submitted to the election commission do not meet all the requirements envisaged by this Law, namely:
 - a) Data indicated in them is inaccurate or incomplete;
 - b) There exists, or existed, the consent of one and the same person to stand as a candidate for the Presidency of Georgia, a candidate for membership of the representative body of an Autonomous Republic, in elections of self-governance and as a candidate for Parliament membership; **(Article is deleted)**
 - c) A candidate is included in more than one Party list and the candidate's consent exists on each;

- d) A candidate included in a Party list is, at the same time, a member of another Party, taking part in the elections, or a Party included in an election bloc;
 - e) A candidate included in a Party list is nominated to a single-mandate election district by another Party, election bloc or an initiative group of voters.
4. Registration of a Party and Party list is cancelled if, no later than 2 days before the poll, the number of candidates in the Party list turns out to be less than the number determined by this Law.

Article 99. Determining Sequence of Election Subjects

1. Order of the election subjects is determined no later than 15 days before polling.
2. Order of the Parties, election blocs taking part in the elections is determined according to the order of the Parties, election blocs that took part in the last Parliamentary elections. If an election bloc which took part in the last Parliamentary elections does not take part in elections anymore, the right to participate under its number is sequentially awarded to the Parties, named in the list of the election bloc. If an election bloc includes Parties, that took part in the last elections separately, in the charter of the election bloc must be indicated, the right of which Party included in the bloc will be used during awarding of the sequential number. In this case, the Parties, election blocs that are next in the sequence, will respectively move up.
3. Order of Parties, election blocs, except for the Parties and election blocs indicated in Paragraph 2 of this Article, is determined by casting of lots.
4. In case of cancellation of election registration of an election bloc, the remaining Parties, election blocs retain their sequential numbers, awarded in the election ballot by casting of lots.
5. A candidate nominated by a Party, election bloc to a single-mandate election district, is awarded the same sequential number, as the Party, election bloc that nominated him/her, while order of other candidates is determined by casting of lots.
6. For the purpose of casting of lots, the Chairperson of the election commission writes on sheets of the same shape and type, with the same writing instrument, the numbers corresponding to the quantity of Parties, election blocs and majoritarian candidates. Each sheet must be approved by the commission seal. The sheet is folded in a way which makes it impossible to read the number written on it. The commission Chairperson places the filled out sheets into a transparent box, from where representatives of Parties, election blocs and majoritarian candidates take the sheets, in turn. The number cast becomes the sequential number of the candidate.
7. Registered Party lists are published by the Central Election Commission of Georgia through the press and other mass media, while the data on candidates nominated to single-mandate election districts, which is entered onto the election ballot is published by District Election Commissions, no later than 12 days before polling.

Article 100. Cancellation of Decision on Nomination of Candidate for Membership of Parliament of Georgia

1. A candidate for membership of the Parliament of Georgia, as well as the nominating Party, election bloc, have the right, at any time, but no later than 2 days before the poll, to refuse to take part in the elections or to refuse the nominated candidate, for the purpose of which they have to address the relevant election commission with an application.
2. A Party, which is taking part in elections independently, or an election bloc, has the right to cancel its nomination of a candidates for membership of the Parliament of Georgia, after the authority of the elected MPs is recognized, except for the cases when authority

of an MP elected through this list is terminated, from the moment of termination of authority until recognition of authority of the MP who replaces him/her. His/her candidature will be withdrawn by the Central Election Commission of Georgia, based on a statement signed by the Head of the Party (person determined by the charter of the election bloc), taking part in elections independently.

3. Candidate for membership of Parliament may withdraw his/her candidature, no later than 2 days before polling, for which the candidate must address the relevant election commission with a statement.
4. Election commission immediately publicizes the information on withdrawal of an election subject, or a separate candidate, from elections, through the press and other mass media.

Article 101. Dismissal of Candidate for Membership of the Parliament of Georgia from Carrying Out Official Duties

A candidate for membership of the Parliament of Georgia, based on his/her own statement and presenting of relevant license, is given a paid vacation for the period of the election campaign.

Article 102. Immunity of Candidate for Membership of the Parliament of Georgia

1. A candidate for membership of the Parliament of Georgia, before official publication of the final results of the elections, cannot be faced with criminal charges, detained, arrested or searched, unless there is consent of the Central Election Commission of Georgia upon notice from bodies of the Prosecutor General of Georgia, an exception is the case of being caught at the scene of a crime, about which the Central Election Commission must be notified immediately. If the Central Election Commission does not issue consent, the detained or arrested candidate must be released immediately.
2. The Central Election Commission adopts decisions on issuing consent by an ordinance.

CHAPTER XIV. CONSOLIDATION OF THE RESULTS OF ELECTIONS FOR THE PARLIAMENT OF GEORGIA

Article 103. Counting of Votes at Precinct Election Commission

1. Precinct Election Commission sums up results of the poll and enters them into the protocols of results of polling held through majoritarian and proportional systems.
2. Summary protocol of results of the poll conducted by a proportional election system is compiled according to Party lists, while the protocol of results of the poll conducted by a majoritarian election system is compiled according to candidates nominated to single-mandate election district.
3. Two copies of each of the protocols is immediately sent to the District Election Commission, while one copy of each is given to the representative of the election subject, who confirms receipt of protocol by signing in the registration journal of the Precinct Election Commission.

Article 104. Consolidation of the Results of the Poll at District Election Commission

1. The District Election Commission, based on the protocols of the Precinct Election Commissions, sums up at its session the results of polling and enters them into the protocols of results of polling held through majoritarian and proportional systems.
2. In case of existence of a statement, appeal or a different opinion of a commission member, which seeks to deem the results of the poll invalid or to check them, the District

Election Commission, by its ordinance, makes a decision on opening the packages received from the relevant Precinct Election Commission and on the re-counting the election ballot papers (special envelopes).

3. One copy of each of the summary protocols of the elections held through majoritarian and proportional election systems, remains at the District Election Commission, one copy of each, along with one copy each of the Precinct Election Commission protocols, is transferred to the Central Election Commission of Georgia, no later than 5 days after the poll, while one copy of each is given to representatives of the election subjects, who confirm their receipt by signing in the registration journal of the District Election Commission.

Article 105. Consolidation of the Results of the Elections at the Central Election Commission of Georgia

1. The Central Election Commission of Georgia, based on the protocols received from the District Election Commissions and Precinct Election Commissions, no later than 10 days after the poll (general elections) sums up, at its sessions, results of elections of Parliament of Georgia and enters them into the protocol.
2. One copy of the protocol is filed at the Central Election Commission of Georgia; the second copy is transferred to the Parliament of Georgia, while copies confirmed by seals are transferred to representatives of the election subjects.
3. Elections held based on the proportional election system are considered to have been held, if at least 1/3 of the general number of voters took part in the elections. Elections in single-mandate election district are considered to have been held, at least 1/3 of the general number of voters in the election district took part in the elections.
4. The candidate, who receives most votes, but no less than those of 1/3 of the election participants, is considered to be elected.
5. Mandates of Members of Parliament of Georgia are awarded only to the Party list, which receives no less than 7% of the votes of the voters.
6. For the purpose of determining the number of mandates received by a Party list, the number of votes received by this list must be multiplied by 150 and divided by the total number of the votes received by such Parties. Total number arrived at, as a result, represents the number of mandates received by the Party list.
7. If the total of the numbers of mandates received by a Party or election bloc turns out to be less than 150, one mandate from undistributed mandates is awarded to each of those Party lists that received a higher number of votes in the elections.
8. If the number of votes received by one or more Party list turns out to be equal, the mandate is awarded to the list which was the first to undergo registration at the Central Election Commission of Georgia.
9. If a candidate is elected both from an election district and through a Party list, then he/she is considered to be elected from the election district and is withdrawn from the Party list and the candidates who are next on the list will move up one place on the list.
10. Those candidates for membership of Parliament, whose sequential numbers in this list are less than or equal to the number of mandates received by the list, are considered to be elected through Party lists. The number of MPs, elected according to this list, remains unchanged.
11. The Central Election Commission of Georgia declares elections invalid in those election districts, where requirements of this Law were significantly violated. The Central Election Commission of Georgia considers the indicated issue and adopts an ordinance no later than within 8 days of the poll.

12. In the case of existence of a statement, appeal or a different opinion of a member of the District Election Commission, who is demanding to declare results of the elections invalid, or to check them, the Central Election Commission of Georgia, by ordinance, makes a decision on opening the packages received from the relevant Precinct Election Commission and on re-counting of the election ballot papers (special envelopes). The Central Election Commission has the right to sum up results of the elections based on protocols of Precinct Election Commissions.
13. In case of the poll having been declared invalid in an election precinct, the Central Election Commission of Georgia appoints repeated polling in this precinct, in cases where the remainder of the votes of the candidates who have the best results is less than the general number of voters of this election district. In this case, if the results of the poll are cancelled, results of the elections are summed up without taking this precinct into account.
14. Repeated polling may be appointed both after the first round and the second round of elections. In cases of necessity, the Central Election Commission of Georgia is authorized to task the same or different composition of the District Election Commission to hold repeated polling. Repeated polling is held within 2 weeks of the first round (second round).
15. Repeated polling in the elections held through the system of proportional election is appointed in those cases where the complete number of voters in these precincts is 10% higher than the general number of voters. In such case, repeated polling is appointed within 2 weeks of the general elections.
16. If the elections held through the proportional election system are declared to have been held, but none of the Parties or election blocs have managed to receive the threshold, upon ordinance by the Central Election Commission of Georgia a new poll is held within 2 weeks of the general elections.
17. Only those Parties and election blocs, that have received 2% of votes of the voters' in the general elections, have the right to take part in the new poll. Party lists of the Parties and election blocs that take part in the new poll remain unchanged. Amendments may be introduced to them only in accordance with the general rule established by this Law.
18. In the summary protocol of the final results of the elections, must be indicated the titles and numbers of those election districts and precincts, in which elections were declared invalid, as well as the number of voters in them, the reason for declaring the elections invalid, general number of voters in each election district, turnout of election participants, number of Members of Parliament elected and those elected listed alphabetically.
19. Within 5 days of the consolidation of the final results of the elections, the Central Election Commission of Georgia publishes the summary protocol of election results through the press and other mass media.

Article 106. Second Round of Elections. New Elections in Single-mandate Election District and Rules for Replacement of Member of Parliament of Georgia

1. If a member to the Parliament of Georgia has not been elected in the first round of elections, the Central Election Commission of Georgia, within 2 weeks of the poll, appoints the second round of elections, in which participate the two candidates who achieved the results in the First Round. If several candidates turn out to have the equal best result, or several candidates following the candidate with the best result have the equal best result, all of the above indicated candidates pass to the second round of elections.

2. The candidate who receives the highest number of votes will be considered to have been elected in the second round of elections. If candidates receive the same number of votes, the candidate who received more votes in the first round will be considered to have been elected.
3. If 1/3 of the general number of voters do not take part in polling then the elections are declared not to have been held. In cases where there is a termination, before expiry, of authority of an MP elected in single-mandate district, new elections are held.
4. The date of new elections and the timeframe for holding these election are appointed by ordinance of the Central Election Commission of Georgia, no later than 2 months before holding of the poll.
5. New elections in single-mandate election districts are held twice a year in May-June and October-November. Elections must be held in the nearest time period.
6. If the Member of Parliament is withdrawn 6 months before termination of authority of the Parliament, new elections are not held.
7. If a withdrawn Member of Parliament was elected through a Party list, then within 1 month the next candidate in the same party list shall replace such member, provided that the candidate consents within 15 days, to be a Member of Parliament of Georgia. Otherwise, this candidate is withdrawn from the list and the vacant seat is occupied by the next candidate, etc. If there are no more candidates to be elected in the submitted Party list, this MP mandate is canceled.
- 7¹. If a withdrawn member of the Parliament was elected through a list of election bloc and in the election list there is an indication on the membership of one of the subjects party constituting the election bloc, he/she is replaced with the following candidate of MP within that party list within 1 month, if the candidate expresses the consent before for the membership of parliament of Georgia within 15 days. If there exists no consent, this candidate is withdrawn from the list and the vacancy is occupied by the next candidate in the same party list and so on. If a withdrawn member was elected through the party list of election bloc and in the election bloc there is no indication on the membership of one of the subject party constituting election bloc, the rule provided by paragraph 7 of this article applies.
8. In the case provided for by Paragraph 7 of this Article, the Central Election Commission of Georgia submits relevant documents to the mandate commission of the Parliament.
9. In case of the withdrawal of a Member of Parliament elected from a single-mandate election district, the right to nominate the candidature for his replacement is awarded to the Party and election bloc (notwithstanding whether this candidate is included on the registered Party list), as well as to the initiative group of voters.
10. After confirmation by the Parliament of Georgia on authority of MPs, the status of candidates for membership of the Parliament is suspended to the persons remaining in Party lists.
11. The status of a candidate for membership of the Parliament of Georgia, immediately upon termination of authority of an MP elected through the relevant Party list, is restored to the person who is the replacement of this MP, in accordance with Paragraph 7 of this Article, as well as to the person nominated by this Party or election bloc to a single-mandate election district, starting from the moment of the Central Election Commission registering this person as a candidate for membership of the Parliament of Georgia.

Article 107. Registration of Elected Members of Parliament of Georgia

Within 5 days of the final consolidation of the results of the elections, the Central Election Commission of Georgia registers the elected Members of the Parliament of Georgia and issues to them temporary licenses on having been elected MPs.

PART IV

CHAPTER XV. ELECTIONS OF REPRESENTATIVE BODY OF LOCAL SELF-GOVERNANCE – SAKREBULO, ELECTIONS OF GAMGEBELI, ELECTIONS OF MAYOR

Article 108. Appointment of Elections of Representative Body of Local Self-governance – sakrebulo, elections of gamgebeli, elections of mayor

1. Elections of the representative body of local self-governance – *sakrebulo*, elections of *gamgebeli*, elections of mayor, are held once in 4 years.
2. Elections of the representative body of local self-governance – *sakrebulo*, elections of *gamgebeli*, elections of mayor, are appointed by the President of Georgia, no later than 2 months before the expiry of the term of their authority.
3. Elections of the representative body of local self-governance – *sakrebulo*, elections of *gamgebeli*, elections of mayor, are not held during martial law or wartime.
4. Notice about appointment of elections of the representative body of local self-governance – *sakrebulo*, elections of *gamgebeli*, elections of mayor, is published through the press and other mass media, no later than 3 days after the appointment of the elections.

Article 109. Election System

1. Elections of the representative body of local self-governance – *sakrebulo*, in a village, community, *daba*, city and the city not included in the rayon, are held according to multi-mandate election districts, based on the majoritarian election system.
2. Elections of the representative body of local self-governance – *sakrebulo*, in the city of Tbilisi are held based on the proportional election system.
3. In the city, where the number of voters is more than 5,000 and in the city not included in the rayon, except for Tbilisi and Poti, *gamgebeli*, mayor is elected based on the majoritarian election system.

Article 110. Right to Active and Passive Vote

1. A citizen of Georgia, who is 21 years of age by the day of polling, has permanently resided in Georgia for at least 5 years and is registered through the rules established by Law, may be elected a member of the representative body of local self-governance – *sakrebulo*, *gamgebeli* or mayor:
 - a) During elections of members of the representative body of local self-governance – *sakrebulo*, on territory of the relevant *sakrebulo*;
 - b) During elections of *gamgebeli*, mayor, on territory of the relevant city.
2. A citizen of Georgia may not be a member of two representative bodies simultaneously, except a member of the rayon *sakrebulo* and a member of the *sakrebulo* of a village, community, *daba*, city included in this rayon.
3. Voters who, by the day of appointment of elections, are permanently or temporarily residing outside the borders of Georgia and voters who are on ships sailing, do not take part in elections of the representative body of local self-governance – *sakrebulo*, elections of *gamgebeli*, mayor.
4. Military servants for a fixed term and upon contract take part in elections of the representative body of local self-governance – *sakrebulo*, elections of *gamgebeli*, mayor, according to the location of the military compound.

Article 111. Equal Right to Vote

1. Voters in the elections of the representative body of local self-governance – *sakrebulo*, based on the majoritarian election system, have as many rights to vote, as there are members in the relevant *sakrebulo*.
2. In the city of Tbilisi, in the elections of the representative body of local self-governance – *sakrebulo*, based on the proportional election system, each voter has the right to one vote.
3. In elections of *gamgebeli*, mayor, each voter has the right to one vote.

Article 112. Composition of Representative Body of Local Self-governance - Sakrebulo

1. *Sakrebulo* consists of:
 - a) 5 members, if the number of voters on the territory of the relevant administrative unit does not exceed 5,000;
 - b) 7 members, if the number of voters on the territory of the relevant administrative unit is 5,000 to 10,000;
 - c) 9 members, if the number of voters on the territory of the relevant administrative unit exceeds 10,000.
2. *Sakrebulo*s of the cities of Batumi, Rustavi, Sokhumi, Poti, Kutaisi and Tskhinvali, consists of 15 members each.
3. *Sakrebulo* of the city of Tbilisi consists of 49 members [Article amended 25 April 2002].
4. The number of members to be elected in a *sakrebulo* is determined according to the number of voters on the territory of the relevant *sakrebulo*, according to the situation by January 1 of the year of elections.

Article 113. Terms of Authority of Representative Body of Local Self-governance – Sakrebulo, of Gamgebeli, of Mayor

1. Authority of the new composition of a *sakrebulo* begins, and authority of the old one ceases, upon the first gathering of the newly elected *sakrebulo*.
2. Authority of *gamgebeli*, mayor, begins from the day of official publishing of the final results of the elections.

Article 114. Incompatibility of Office with Status of Candidate of Membership of Representative Body of Local Self-governance – Sakrebulo, Candidate Running for Gamgebeli, Mayor

1. In case of being nominated as a candidate for membership of *sakrebulo*, candidate running for *gamgebeli*, mayor, authority of office is suspended for the officials indicated in Article 94 of this Law. [Article amended 28 September 2001].
2. Authority of office is suspended for the officials, indicated in Paragraph 1 of this Article, before they are nominated to the relevant election commission as candidates. [Article amended 28 September 2001].
3. Authority of office is suspended to candidates of membership of *sakrebulo*, candidates running for *gamgebeli*, mayor, in accordance with the legislation of Georgia. [Article amended 28 September 2001].

CHAPTER XVI. ELECTION DISTRICTS AND ELECTION PRECINCTS

Article 115. Election Districts

1. For the purpose of the election, based on the majoritarian election system, *sakrebulo* of a village, community, *daba*, city, are established multi-mandate election districts.
2. For the purpose of the election, based on the majoritarian election system, a *gamgebeli* or mayor, are established election districts, the number of which is determined in accordance with the number of voters on the territory of the city, according to the situation on January 1 of the year of the elections.
3. Election districts for the cities of Batumi, Rustavi, Sokhumi, Poti, Kutaisi and Tskhinvali are established by ordinance of the Central Election Commission of Georgia.
4. Election districts of a village, community, *daba*, city, are established by ordinance of the relevant District Election Commission.
5. In the city of Tbilisi, during elections, based on the proportional election system, of the *sakrebulo* of Tbilisi, functions of the District Election Commission are carried out by the Central Election Commission of Georgia. The Central Election Commission is entitled to convey to the Tbilisi District Election Commissions its rights other than those ones provided by Articles 118 and 120-126 [Article amended 25 April 2002].
6. Within 5 days of the appointment of the elections, election commissions publish a notice on the election districts through the press and other mass media, with a statement of their boundaries.

CHAPTER XVII. RIGHT TO TAKE PART IN ELECTIONS OF REPRESENTATIVE BODY OF LOCAL SELF-GOVERNANCE – SAKREBULO, IN ELECTIONS OF GAMGEBELI, MAYOR, REGISTRATION OF ELECTION SUBJECTS, NOMINATION OF CANDIDATES AND ELECTION BALLOT

Article 116. Right to Take Part in Elections of *Sakrebulo*, Elections of *Gamgebeli*, Elections of Mayor

A Party, election bloc, a candidate nominated by a Party, an election bloc, who is registered at the relevant election commission, may take part in elections of the representative body of local self-governance – *sakrebulo*, elections of *gamgebeli*, mayor.

Article 117. Registration of Parties

Those Parties that at the last Parliamentary elections did not undergo election registration at the Central Election Commission of Georgia, undergo election registration for the purpose of taking part in elections of the representative body of local self-governance – *sakrebulo*, elections of *gamgebeli*, mayor, in accordance with the rules established by Article 95 of this Law.

Article 118. Submitting of Party Lists in Elections of Representative Body of Local Self-governance – *Sakrebulo* for the City of Tbilisi

1. For the purpose of taking part in elections, in the city of Tbilisi, based on the proportional election system, of the representative body of local self-governance – *sakrebulo*, Parties that are taking part in election independently, and election blocs submit Party lists to the Central Election Commission of Georgia, no later than 30 days before polling.
2. Each Party and election bloc has the right to submit to the Central Election Commission of Georgia one Party list.

3. The number of candidates in the Party list submitted by Parties and election blocs in elections of the representative body of local self-governance – *sakrebulo* for the city of Tbilisi, must not be less than 49 or more than 98 [Article amended 25 April 2002].
4. Only Party members or those persons, who are not members of another Party taking part in the elections, may be included in a Party list. Only members of the Parties in an election bloc or those persons, who are not members of another Party taking part in the elections, may be included in a Party list submitted by an election bloc.
5. The rules for compiling Party lists are determined by Parties and election blocs. During compilation of a Party list it should be taken into account, that according to election results, the mandates received by a Party, election bloc, will be distributed sequentially, from the top of the list, according to the sequence.
6. In a Party list must be indicated the following information on each candidate:
 - a) First name, last name;
 - b) Date of birth;
 - c) Profession;
 - d) Position (activity);
 - e) Place of employment (if the candidate is unemployed, it is indicated – “unemployed”);
 - f) Party affiliation (in case of Party membership, and if the candidate is not a member of any Party, it is indicated – “no Party affiliation”);
 - g) Number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number;
 - h) Place of registration.
7. The Party list must be confirmed with the signatures of the Head of the Party taking part in the elections independently, and with the signatures of the Heads of all Parties in an election bloc.
8. With the Party list must be attached two photographs of each candidate, registration card (in two copies) signed by the candidate, the date of its filling out, where, along with the biographical data of the candidate (first name, last name, number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number, place of registration, date of birth) must be included a declaration that the candidate has permanently resided in Georgia for 5 years and consents to stand as a candidate through this Party list.
9. For elections of the representative body of local self-governance – *sakrebulo* for the city of Tbilisi, the Central Election Commission of Georgia issues the registration cards beforehand to the representative of the Party (election bloc). Immediately upon receipt of the documents, the representative of the Party, election bloc, is issued with a confirmation of receipt statement, with the date indicated.

Article 119. Nomination of Candidates for Membership of Representative Body of Local Self-governance – *Sakrebulo*, Candidates for *Gamgebeli*, Mayor

1. The following entities have the right to nominate to the relevant election district the candidates for membership of representative body of local self-governance – *sakrebulo*, candidates for position of a *gamgebeli*, mayor:
 - a) Initiative group of voters, consisting of no less than 5 persons;
 - b) Party taking part in elections independently;
 - c) Election bloc.
2. A Party, election bloc, initiative group of voters has the right to nominate a person who has the right to vote, if he/she is supported by no less than 10 voters residing in the

- village, community, *daba*, and in cities – no less than 100, and in the city not included in the rayon – no less than 200 voters.
3. For the purpose of nominating a candidate to a majoritarian district, initiative group of voters, Party taking part in elections independently and election bloc, must address the relevant District Election Commission with an application, no earlier than 40 and no later than 30 days before polling and must submit signatures of supporting voters.
 4. In the application must be indicated the following information on majoritarian candidates;
 - a) First name, last name;
 - b) Date of birth;
 - c) Profession;
 - d) Position (activity);
 - e) Place of employment (if the candidate is unemployed, it is indicated – “unemployed”);
 - f) Number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number;
 - g) Place of registration.
 - h) Title and number of the election district, where he/she is nominated as a majoritarian candidate;
 - i) Party affiliation (in case of Party membership, and if the candidate is not a member of any Party, it is indicated – “no Party affiliation”);
 5. An application nominating a candidate for membership of representative body of local self-governance – *sakrebulo*, candidate for position of a *gamgebeli*, mayor, is transferred to the relevant District Election Commission. The application must be confirmed with the signature of the authorized person of the Party, or with signatures of authorized persons of all the Parties included in the election bloc, while in the application signed by all members of the initiative group of voters must be indicated the following information on the members and representative of this group: first name, last name, number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number, place of registration, telephone number.
 6. With the application must be attached two photographs of the candidate and registration card signed by him/her in two copies, along with the biographical data of the candidate (first name, last name, number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number, place of registration, date of birth) must be indicated the fact of the candidate having permanently resided in Georgia for 5 years and consent to stand as a candidate in the indicated election district.
 7. It is inadmissible to nominate one and the same person as a candidate for membership of representative body of local self-governance – *sakrebulo*, for position of a *gamgebeli*, mayor, as well as a candidate for membership of Parliament of Georgia and for President of Georgia.

Article 120. Registration of Party List, of Candidates for Membership of Representative Body of Local Self-governance – *Sakrebulo*, Candidates for *Gamgebeli*, Mayor

1. Party list is registered by the Central Election Commission of Georgia within 5 days of its submission.
2. Candidates for membership of the representative body of local self-governance – *sakrebulo*, candidates for *gamgebeli*, mayor, nominated for an election district, are

- registered by the relevant District Election Commission, no later than 5 days of their nomination.
3. Registration of candidates for membership of the representative body of local self-governance – *sakrebulo*, candidates for *gamgebeli*, mayor, ends no later than 25 days before polling.
 4. Within 3 days of registration of candidates for membership of the representative body of local self-governance – *sakrebulo*, candidates for *gamgebeli*, mayor, relevant District Election Commissions issue to them candidate licenses.
 5. A candidate nominated for an election district shall be registered, if the following documents have been submitted;
 - a) Registration card of the candidate;
 - b) Application of the initiative group of voters;
 - c) List of supporting voters;
 - d) Two photographs.
 6. A Party list or a candidate nominated by a Party, election bloc, shall not be registered, if in the registration card is not indicated or is indicated incompletely the following:
 - a) First name, last name;
 - b) Number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number;
 - c) Date of birth (year, month, day);
 - d) Place of registration;
 - e) Application for nomination of the candidate, which is confirmed by the Heads of the Parties and election blocs;
 - f) Party affiliation (in case of Party membership, and if the candidate is not a member of any Party, it is indicated – “no Party affiliation”);
 - g) Position and place of employment (if the candidate is unemployed, it is indicated – “unemployed”);
 - h) The fact of permanent residence in Georgia for the last 5 years;
 - i) Consent of the candidate to take part in the poll;
 - j) Date of filling out of the registration card.
 7. If submitted documents do not satisfy the requirements of this Law, the election commission does not register the Party list or the candidate nominated by the Party, election bloc.
 8. In case of violation of the requirements indicated in Paragraphs 5 and 6 of this Article, the relevant District Election Commission or the Central Election Commission of Georgia does not register the candidate.
 9. ~~Sequence of the Parties, election blocs and candidates, nominated by them, taking part in elections of a *gamgebeli*, mayor, as well as the elections of the representative body of local self-governance – *sakrebulo* for the city of Tbilisi, is determined by the relevant sequence of results of the Parties, election blocs that took part in the last parliamentary elections. If a bloc that took part in the last Parliamentary elections does not take part in elections anymore, the right to take part under its number is sequentially awarded to the Parties which are named on the list of the election bloc. If in an election bloc are included Parties that took part in the last Parliamentary elections separately, in the charter of the election bloc should be indicated, the right of which Party, included in the bloc, will be awarded the sequential number. In this case, the Parties, election blocs that are next in sequence, will respectively move up. [Article deleted 25 April 2002]~~

- ~~10. Order of Parties, election blocs, except for the Parties, election blocs, indicated in Paragraph 9 of this Article, is determined through casting of lots. [Article deleted 25 April 2002]~~
- ~~11. In case of the cancellation of election registration of a Party, election bloc, the remaining Parties, election blocs, retain on the ballot paper the sequential number awarded through casting of lots. [Article deleted 25 April 2002]~~
- ~~12. Order of the candidates, nominated to the relevant election district by Parties, election blocs and initiative groups of voters, is determined through casting of lots. Casting of lots is held in accordance with Article 99 of this Law. [Article deleted 25 April 2002]~~
9. The order of priority of parties and election blocs which independently take part in the “sakrebulo” elections based on the proportional election system by the party lists shall be determined by the sequence of their results in the last parliamentary elections. If an election bloc which participated in the last parliamentary elections does not take part in the “sakrebulo” elections, the right to its order of priority shall be given to the party named in the list of the bloc members for the first time, and if this party refuses this – to the next party therein etc. If the election bloc established for the “sakrebulo” elections is composed of parties which participated in the last parliamentary elections, in the bloc charter they shall indicate the number of the party that will apply. If any party/election bloc has not applied for the right of use of the order of priority this order shall be transferred to the next parties/election blocs. [Article inserted 25 April 2002]
10. The order of priority of parties/election blocs other than that one indicated in item 9 of this Article, shall be determined by the drawing of lots to be held under the procedure established by Article 99 of this Law. The order of priority of those parties/election blocs shall begin from the number exceeding by one the last number of the subjects provided by item 9 of this Article. [Article inserted 25 April 2002]
11. The order of priority of candidates presented by the parties and election blocs which independently participated in the last parliamentary elections for the elections held by the majority election system, according to the single-mandate and multi-mandate constituencies shall be determined under the procedure established by item 9 of this Article, and the order of priority of candidates presented by the other parties, election blocs and initiating groups of electorate – under the procedure established by item 10 of this Article. All candidates presented by one party/election bloc in one multi-mandate constituency shall be given one and the same number (to be indicated in the Arabic digit) and the sequence of the candidates with this number shall be given by the alphabetical order, in the order of priority of presentation by the party/election bloc. [Article inserted 25 April 2002]
12. If registration of the party/election bloc is cancelled after attribution of the number thereof other parties/election blocs shall preserve the previous numbers. [Article inserted 25 April 2002]
13. Information regarding order of election subjects is published through the press and other mass media, no later than 3 days after the end of the term of registration. A list of the subjects, which have been refused registration, is published within the same timeframe.

Article 121. Canceling Decision on Nomination of Candidate

1. A Party, election bloc, has the right to cancel its decision on nomination of a candidate, no later than 2 days before polling.
2. A candidate can withdraw his/her candidature, no later than 2 days before polling, for which purpose he/she must address with a statement the relevant election commission, which immediately notifies the Central Election Commission of Georgia.

3. Notice regarding cancellation of a candidate's registration and nomination, is immediately published by the relevant District Election Commission.

Article 122. Election Ballots

1. Ballot papers of two different types are prepared for elections of the representative body of local self-governance – *sakrebulo*.
2. In the ballot intended for elections of the representative body of local self-governance – *sakrebulo*, based on the proportional election system, are indicated names of the Parties, election blocs (after the name of the bloc must be indicated the names of the Parties united in it), in accordance with the established order.
3. In the ballot intended for elections of the representative bodies of local self-governance – *sakrebulo*s, based on the majoritarian election system, are indicated sequential numbers, first and last names of all the candidates nominated for election to the relevant *sakrebulo*. Next to the name of the candidate, nominated by an initiative group of voters will be indicated - "candidate of initiative group", while next to the names of the candidates nominated by Parties and election blocs will be indicated the names of the relevant Party or election bloc. Data on candidates is included on the ballot paper in accordance with the sequence, determined through casting of lots at his/her relevant District Election Commission.
4. For elections of *gamgebeli*, mayor, ballot papers are compiled separately and in them are indicated the sequential numbers, first and last names of all candidates to be elected *gamgebelis*, mayors. Next to the name of the candidate, nominated by an initiative group of voters will be indicated - "candidate of initiative group", while next to the names of the candidates nominated by Parties and election blocs will be indicated the names of the relevant Party or election bloc.
5. On the ballot paper, compiled for elections of the representative body of local self-governance – *sakrebulo* in the city of Tbilisi, in which the names of Parties and election blocs are included, voter draws a circle only around the sequential number of the Party list of that Party or election bloc, for which he/she is voting.
6. In the election ballot, intended for elections of the representative body of local self-governance – *sakrebulo*, in which the data regarding candidates is included, voter draws a circle around no more than the sequential numbers of as many candidates, as there are members to be elected in the relevant *sakrebulo*, while in elections of a *gamgebeli*, mayor – only around the sequential number of the candidate, for which he/she is voting.

Article 123. Determining Results of Elections in Election District

1. Elections of the representative body of local self-governance – *sakrebulo*, elections of *gamgebeli*, mayor, are considered to have been held, if at least 1/3 of the voters of the relevant election district took part in the poll.
2. In order to determine the number of mandates received by a Party list, the number of votes received by the Party list must be multiplied by the number of mandates in the election district and divide that by the total number of the votes received by Parties (election blocs) which have participated in the elections with at least 4% of the vote. Total number arrived at, as a result, represents the number of mandates received by the list. [Article amended 25 April 2002]
3. If the total of the numbers received by Party lists in the election district turns out to be less than the general number of mandates, undistributed mandates are distributed only among those Parties (election blocs), which have obtained at least one mandate. In this

- case, one mandate in turn is awarded to each of those Party lists, that received a higher number of votes in the elections.
4. If the number of votes received by two or more Parties turns out to be equal, the mandate is awarded to the one, which was the first to undergo registration at the relevant District Election Commission, for the purpose of taking part in elections.
 5. Those candidates, whose sequential numbers in the Party list are less than or equal to the number of mandates received by this Party list, will be considered to have been elected into the *sakrebulo* based on the proportional election system.
 6. In a multi-mandate election district, those candidates, who receive more votes than others, will be considered to have been elected in accordance with the number of members to be elected to the *sakrebulo* based on the majoritarian election system.
 7. In elections of *gamgebeli*, mayor, the candidate who receives more votes than others will be considered to have been elected.
 8. If two candidates taking part in elections collect an equal number of votes, the candidate who was the first to have been registered at the relevant District Election Commission will be considered to have been elected.
 9. A District Election Commission can declare results of the poll invalid in the election district, where this Law was significantly violated. Before adoption of decisions on those appeals, based on which it is possible to declare results of polling in an election district invalid, it is inadmissible to sum up results of the elections at the District Election Commission.
 10. Elections shall be declared invalid in an election district, if the general number of voters in those election precincts, where results of the poll have been declared invalid, is more than 20% of the number of voters in the election district.
 11. A District Election Commission, at its session, determines results of elections and approves a protocol.
 12. In elections of the representative body of local self-governance – *sakrebulo*, the District Election Commission, based on the protocols received from Precinct Election Commissions, determines the following:
 - a) General number of voters;
 - b) Turnout of participants of elections;
 - c) Number of unused and spoiled election ballot papers and special envelopes;
 - d) Number of election ballots deemed valid;
 - e) Number of election ballots deemed invalid;
 - f) Number of unofficial ballot papers;
 - g) Number of votes given to election subjects.
 13. In elections held based on the majoritarian election system, the candidate for the position of *gamgebeli*, mayor, who receives the highest number of votes, will be considered to have been elected.
 14. The number of copies of the District Election Commission summary protocols of election results must exceed by four the number of candidates, nominated by Parties, election blocs, initiative groups of voters, included on the ballot paper.
 15. No later than 5 days after the end of the poll, the first copy of the protocol, is sent to the Central Election Commission of Georgia, the second copy is filed at the relevant District Election Commission, the third is transferred to the mandate commission of the *sakrebulo*, the rest of the copies are transferred to Parties, election blocs, representatives of majoritarian candidates.

16. District Election Commission is obliged to immediately post the fourth copy of the summary protocol of election results at a conspicuous location, so that all may become acquainted with it.
 - a) Within 10 days of the consolidation of the election results, the District Election Commission, through the press and other mass media, publishes a notice on results of the elections of *sakrebulo*, *gamgebeli*, mayor in the relevant election district. In the notice must also be indicated the Party affiliation (in case of Party membership, and if the person is not a member of any Party, it is indicated – “no Party affiliation”), year of birth, profession, main activity, place of employment of the elected *sakrebulo* members, *gamgebeli*, mayor.

Article 124. Repeated polling, New Elections, Extraordinary Elections.

1. If polling is declared invalid in an election precinct, the relevant Precinct Election Commission appoints repeated polling, which must be held within 2 weeks of the general elections. Repeated polling is held in cases where the discrepancy between the candidate, who has the least best result from the relevant number of candidates to be elected to the representative body of local self-governance – *sakrebulo*, and the candidate who has the next best result, is less than the general number of voters of this district, or the general number of voters of invalid districts.
2. During repeated polling, in case of invalidation of results of the poll in an election precinct, the relevant District Election Commission sums up the results of elections held in the election district without taking this precinct into account.
3. In the case when the elections of the representative body of local self-governance – *sakrebulo*, elections of *gamgebeli*, mayor, are declared not to have been held, new elections are held.
4. In case of termination, before expiry, of the term of authority of the representative body of local self-governance – *sakrebulo*, of *gamgebeli*, mayor, extraordinary elections are held.
5. During repeated polling, during new and extraordinary elections, polling, counting of votes and consolidation of the results of the elections is carried out in accordance with the rules prescribed by this Law.

Article 125. Registration of Persons Elected as Members of Representative Body of Local Self-governance – *Sakrebulo*, as *Gamgebeli*, Mayor

Within 5 days of the consolidation of the final results of the elections, the relevant District Election Commission registers the persons elected as members of the representative body of local self-governance – *sakrebulo*, as *gamgebeli*, mayor, and issues to them relevant licenses.

Article 126. Replacement of Excluded Member of *Sakrebulo*

If the authority of a *sakrebulo* member, as a *sakrebulo* member, is terminated before expiry, his seat in the relevant *sakrebulo* is occupied, within 2 weeks, by the person replacing him/her:

- a) The candidate who is the next in order on the same Party list (for *sakrebulo* of the city of Tbilisi), if he/she, within 10 days of having been notified by the Central Election Commission of Georgia, declares consent to become a *sakrebulo* member. If there are no more candidates in the submitted Party list, the mandate is cancelled;
- b) The candidate who has the best results among the candidates who have not been elected *sakrebulo* members, if he/she, within 10 days of having been notified, declares consent to become a *sakrebulo* member. Otherwise, he/she is withdrawn from the list

and the vacant seat is occupied by the next candidate. In case of non-existence of such a candidate, the mandate is cancelled.

CHAPTER XVIII. TRANSITIONAL PROVISIONS

Article 127.

Until the jurisdiction of Georgia is fully restored in Abkhazia and necessary conditions are established for elections of Members of Parliament of Georgia:

- a) Authority of Members of Parliament is extended to the Members of Georgian parliament elected as a result of the elections of 1992, who are Members of the Parliament of Georgia by the day of enactment of this Law. Immediately upon holding of elections of Members of the Parliament of Georgia in single-mandate election districts in Abkhazia and upon recognition of their authority, authority of the Member of Parliament, whose authority has been extended, shall cease.
- b) If a Member of Parliament, envisaged by Subparagraph a) of this Article, will be registered as a candidate for membership of the Parliament of Georgia, his/her authority is not extended.

Article 128.

1. On the polling day in the parliamentary election of 2003 precinct election commission, based on list of voters, issues ballot paper(s) upon presentation of one of the documents listed below:
 - a) ID or passport of a Georgian citizen (including the passport with symbols of the former USSR);
 - b) Military ID cards registration card;
 - c) License of the internally displaced person (accompanied with ID card of Georgian citizen);
 - d) Voting card issued by the relevant precinct election commission;
2. Upon issuing of the ballot paper and special envelope the number of the relevant document listed in paragraph 1 of this article is entered into the list:
3. If a voter residing in a village or a small town does not have any of the documents provided in subparagraphs "a", "b", and "c", of paragraph 1 of this article, he/she shall address the relevant precinct election commission with an application. The commission makes its decision through ordinance. In case of positive solution of the issue a voter is issued a voting card signed by the chairperson and the secretary of the commission; in case of negative solution of the issue, no later than the following day, a voter is issued a copy of the ordinance in which the reasons of refusal are indicated. The form of the voting card is determined by the ordinance of election commission

Article 128¹.

1. 6 members of the precinct commission for the elections of local self-government elections of 2002 as well as for by-elections of a member of the Parliament of Georgia shall be elected by the respective district commission, and the right to appoint a member is granted to a party which participated in the 1999 parliamentary and 1998 local government elections, which has participated in the elections independently or has been united in an election bloc and nominated in the list of bloc members ahead of others (if the first party in the list refuses to appoint the commission members this right shall be conveyed to the next one etc.), if this party/election bloc has got at least 4 % of the votes of electorate of the elections held by the proportional election system in the one or two

last elections (in the elections of local self-government this percentage shall be calculated as the percent of votes gained in the elections held by the proportional election system to the total electorate of those region and cities of Georgia which are not included in those regions). [Article inserted 25 April 2002]

2. If a party has got the right of appointment of the district election commission member in accordance with the results of the parliamentary elections and the results of the local self-government elections, it will be entitled to appoint the commission member only in accordance with the results of the parliamentary elections. [Article inserted 25 April 2002]
3. If those parties which have obtained the right to appoint the district election commission member under item 2 of this Article have united in one election bloc for the elections, one member of the commission shall appoint the party nominated first in the bloc members list. [Article inserted 25 April 2002]

Article 128². The Rule of Compilation of General List of Voters

1. No later than 5 months before parliamentary election in 2003 the agencies indicated in subparagraphs “a”, “b”, “c”, “d”, and “e” of paragraph 5 of article 9, and no later than 2 months before parliamentary elections in 2003 the agencies indicated subparagraph “f” of this article transfer one copy of the relevant data to the Central Election Commission of Georgia for compilation the general lists of voters, and the second copy to the relevant District Election Commission. The Ministry of Internal Affairs ensures the preservation of the original lists comprising the data;
2. The data on the voter includes the relevant information according to the place of registration. The change of permanent residence and the place of registration of a person after 1 September 2003, does not give rise to the obligation to make relevant changes in the data and the general list of voters.
3. District Election Commissions ensure, in accordance with law, the publicity and accessibility of the data transferred by the authorities indicated in paragraph 1 of this article;
4. In case the inaccuracy of the data is revealed, political party and/or subjects set out in article 68 have the rights to view the data in the District Election Commission prepared by relevant agencies and demand to make changes and put amendments no later then 75 days before election. Voter has the right to demand amendments to the existing data about him/her. The right to view the data issue the copy is governed by the legislation on viewing and issuing the public information;
5. The district Election Commission considers and makes decisions on the Statement submitted by duly authorized subject within 5 days of its submission. The refusal by District Election Commission to make changes and/or put amendments to the data must be well grounded and must envisage the possibility of contestation. The refusal is issued to the applicant in a written form;
6. The changes and amendment made to the data are approved by the signatures of the duly authorized member of the Central Election Commission, an official in the agency authorized to compile the relevant data and the representative of the subject which demanded to make appropriate changes and amendments to the data.
7. The part of the data corrected in accordance with paragraph 5 of this article with the signature of the chairperson of District Election Commission is transferred to the Central Election Commission 60 days earlier of the Elections.
8. 50 days earlier of the elections Central Election Commission of Georgia ensures the formation of voters’ general list, reflection of the relevant changes in the voters’ general

list on the basis of the data envisaged by this Code, division of the voters' general list according to election precincts, their transfer to the relevant District Election Commission and the publicity and accessibility of the list in accordance with the rules established by the legislation. The District Election Commission transfers general list of voters, within 2 days of receipt, to the relevant precinct Election Commission, which immediately ensures its publicity and accessibility by publishing at their respective places.

9. From the publication of the general lists of voters by the Precinct Election Commission in accordance with paragraph 8 of this article, within the period of no later than 10 days before elections the changes and amendments to the general list of voters are made by the court decision. The subjects indicated in paragraph 4 of this Article have the right to address the relevant court with the statement (appeal) within the terms provided by this paragraph. In case the court satisfies the statement (appeal) the decision is notified to the Central Election Commission of Georgia and relevant District Election Commission, within 3 days, which immediately notifies the relevant Precinct Election Commission

Article 128³. Terms of Formation of Election Districts and precincts

1. Election districts must be established in accordance with this Code no later than 65 days before the polling day of Parliamentary elections 2003 and their list must be published by Central Election Commission within 3 days of their creation.
2. Election Precincts must be established in accordance with this Code within the period of 60 days before the poll of the Parliamentary elections in 2003, and their list must be published by the Central Election Commission through District Election Commission within 5 days of their creation.

Article 129.

1. A Party registered at the Central Election Commission of Georgia before enactment of this Law, has the right to take part, based on its application, in the elections at all levels that are held until the next Parliamentary elections.
2. Subparagraph a) of Paragraph 6 of Article 18 of this Law, which concerns the possibility of election or appointment of the composition of an election commission only of those persons, who have been awarded by the Central Election Commission of Georgia the certificates of election administration officials, shall come into force from August 31, 2002.
3. New elections for Members of the Parliament of Georgia, shall be held in accordance with the rules and timeframes established by this Law. The Central Election Commission of Georgia shall bring the legislative Acts related to holding of elections into compliance with this Law, within 10 days.

CHAPTER XIX. CONCLUSIVE PROVISIONS

Article 130.

In connection with enactment of this Law shall be considered invalid:

- a) Organic Law of Georgia On Elections of Parliament of Georgia (Sakartvelos Parliamentis Utskebani, 1995, No.31-33).
- b) Organic Law of Georgia On Elections of President of Georgia (Sakartvelos Parliamentis Utskebani, 1995, No.31-33).

- c) Law of Georgia On Elections of Representative Bodies of Local Self-governance *Sakrebulo* (Parlamentis Utskebani, 1998, No.27-28).

Article 131. Enactment of the Law

This Law shall come into force upon its publication.

The amendments came into force on 25 April 2002

President of Georgia Eduard Shevardnadze
Tbilisi,
August 2, 2001.
No.1047-rs

Amended on 25 April 2002